



December 22, 2021

Via E-File

Secretary Rosemary Chiavetta
Pennsylvania Public Utility Commission
Commonwealth Keystone Building, Second Floor
400 North Street
Harrisburg, PA 17120

Re: Joint Petition of Metropolitan Edison Company, Pennsylvania Electric Company, Pennsylvania Power Company, and West Penn Power Company for Approval of their Default Service Programs for the period commencing June 1, 2023, through May 31, 2027, Docket Nos. P-2021-3030012, P-2021-3030013, P-2021-3030014, and P-2021-3030021, respectively.

Petition to Intervene of CAUSE-PA

Dear Secretary Chiavetta,

Attached for filing, please find a Petition to Intervene of the Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania (CAUSE-PA) in the above referenced matter.

An electronic copy of this filing will be circulated in accordance with the attached Certificate of Service, and consistent to the Commission's March 16 Emergency Order at Docket M-2020-3019262.

Respectfully submitted,
PENNSYLVANIA UTILITY LAW PROJECT
Counsel for CAUSE-PA

A handwritten signature in blue ink that reads "Elizabeth R. Marx".

Elizabeth R. Marx, Esq.

CC: Per Certificate of Service

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

Joint Petition of Metropolitan Edison Company,	:	
Pennsylvania Electric Company, Pennsylvania	:	Docket No. P-2021-3030012
Power Company, and West Penn Power	:	Docket No. P-2021-3030013
Company for Approval of their Default Service	:	Docket No. P-2021-3030014
Programs for the period commencing June 1,	:	Docket No. P-2021-3030021
2023, through May 31, 2027	:	

**Petition to Intervene of the Coalition for Affordable Utility Services
and Energy Efficiency in Pennsylvania**

The Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania (“CAUSE-PA”), through its counsel at the Pennsylvania Utility Law Project, hereby files this Petition to Intervene in the captioned proceeding, pursuant to the provisions of the Rules of Practice and Procedure of the Pennsylvania Public Utility Commission (“PUC” or “Commission”), 52 Pa. Code §§ 5.71-5.76, and states as follows in support thereof:

1. On December 15, 2021, Metropolitan Edison Company, Pennsylvania Electric Company, Pennsylvania Power Company, and West Penn Power Company (First Energy) or (the Company) filed a Petition for Approval of their Default Service Programs for the period commencing June 1, 2023 through May 31, 2027 (Petition).

2. On December 17, 2021, the Commission issued a Pre-Hearing Conference Notice setting a prehearing conference in this matter for Friday, January 21, 2022, before Administrative Law Judge Jeffrey Watson.

3. Eligibility to intervene in Commission proceedings is governed by 52 Pa. Code § 5.72. This section provides, in relevant part, that “[a] petition to intervene may be filed by a person claiming a right to intervene or an interest of such nature that intervention is necessary or appropriate to the administration of the statute under which the proceeding is brought.” 52 Pa. Code § 5.72(a).

4. Section 5.72 further provides that the right or interest may be one “which may be directly affected and which is not adequately represented by existing participants, and as to which the petitioner may be bound by the action of the Commission in the proceeding.” 52 Pa. Code. § 5.72(a)(2).

5. Even though Section 5.72 speaks of the rights of a “person” to intervene, the Commonwealth Court has consistently stated that “an association may have standing as a representative of its members . . . as long as an organization has at least one member who has or will suffer a direct, immediate, and substantial injury to an interest as a result of the challenged action, [i.e., is aggrieved, the organization] has standing.” Energy Cons. Council of Pa. v. Pa. PUC, 995 A.2d 465, 476 (Pa. Commw. Ct. 2010) (alteration in original) (citing Trippls Park v. Pa. PUC, 415 A.2d 967 (Pa. Commw. Ct. 1980); Parents United for Better Schools v. School Dist. of Phila., 614 A.2d 689 (Pa. Commw. Ct. 1994)).

6. CAUSE-PA is an unincorporated association of low and moderate income individuals that advocates on behalf of its members to enable consumers of limited economic means to connect to and maintain affordable water, electric, heating and telecommunication services.

7. CAUSE-PA membership is open to low and moderate income individuals residing in the Commonwealth of Pennsylvania who are committed to the goal of helping economically

vulnerable households to maintain affordable access to utility services and achieve economic independence and family well-being.

8. CAUSE-PA is located, c/o the Pennsylvania Legal Aid Network, at 118 Locust Street, Harrisburg, PA 17101.

9. CAUSE-PA has interests in the impact that the proposed Default Service Plan will have on low and moderate income residential customers, including the cost and stability of default service and the ways in which low and moderate income residential customers interact with the competitive market through the various terms, conditions, and programs set forth in FirstEnergy's Petition. These interests are not adequately represented by other participants. Specifically, and in addition to its overarching interest in FirstEnergy's proposed energy procurement strategy and tariff provisions, CAUSE-PA has an interest in and intends to investigate the following issues through the course of this proceeding:

- a. First Energy's proposed Standard Offer Customer Referral Program ("SOP") (First Energy's Petition at 22-23);
- b. First Energy's Customer Assistance Program ("CAP") Customer Shopping proposal (First Energy Petition at 23-24);
- c. First Energy's Third-Party Data Access Tariff (First Energy Petition at 24-25), and;
- d. Any other issues that may arise through the course of litigation that may impact the accessibility and affordability of default service for low income consumers.

10. Each of the forgoing matters must be thoroughly reviewed through discovery and may require a hearing to ensure that the Company's economically vulnerable customers are not harmed and any approved programs are in the public interest.

11. CAUSE-PA was granted intervenor status and actively participated in prior proceedings relating to First Energy's Petitions for Approval of its Default Service Programs.

12. Several members of CAUSE-PA are customers of First Energy and will be directly affected by the outcome of this proceeding. CAUSE-PA therefore has standing to intervene because at least one member has or will suffer a direct, immediate, and substantial injury to an interest as a result of this proceeding. See Energy Cons. Council of Pa., 995 A.2d at 476.

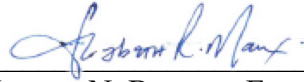
13. CAUSE-PA is represented in this proceeding by:

Elizabeth R. Marx, Esq.
Lauren N. Berman, Esq.
Ria M. Pereira, Esq.
John W. Sweet, Esq.
Pennsylvania Utility Law Project
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Facsimile: 717-233-4088
E-mail: pulp@pautilitylawproject.org

14. Counsel for CAUSE-PA consents to the service of documents by electronic mail to pulp@pautilitylawproject.org, as provided in 52 Pa. Code § 1.54(b)(3).

WHEREFORE, CAUSE-PA respectfully requests that CAUSE-PA be granted full status as an intervenor in this proceeding with active party status.

Respectfully submitted,
PENNSYLVANIA UTILITY LAW PROJECT
Counsel for CAUSE-PA



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December 22, 2021

VERIFICATION

I, **Ronel Baccus**, a member of the Executive Committee of the Coalition for Affordable Utility Services and Energy Efficiency (“CAUSE-PA”), on behalf of CAUSE-PA, hereby state that the facts contained in the foregoing pleading are true and correct to the best of my knowledge, information and belief, that I am duly authorized to make this Verification, and that I expect to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 10 Pa. C.S. § 4904 (relating to unsworn falsification to authorities).



Ronel Baccus

On behalf of the Executive Committee of
the Coalition for Affordable Utility Services
and Energy Efficiency in Pennsylvania
(CAUSE-PA)

Date: December 22, 2021

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

Joint Petition of Metropolitan Edison Company, :
 Pennsylvania Electric Company, Pennsylvania : Docket No. P-2021-3030012
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 Programs for the period commencing June 1, : Docket No. P-2021-3030021
 2021, through May 31, 2027 :

CERTIFICATE OF SERVICE

I hereby certify I have on this day served copies of the **Petition to Intervene of CAUSE-PA** in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a party) and consistent with the Commission’s March 16 Emergency Order at Docket M-2020-3019262.

VIA EMAIL

The Honorable Jeffrey Watson Administrative Law Judge Piatt Place, Suite 220 201 Fifth Avenue Pittsburgh, PA 15222 jeffwatson@pa.gov	
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DATE: December 22, 2021



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