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August 30, 2012

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor
Harrisburg, PA 17120

VIA HAND DELIVERY

RE: Energy Efficiency & Conservation Program; Docket No. P-2012-2320334

Dear Secretary Chiavetta:

Please find enclosed for filing with the Pennsylvania Public Utility Commission ("PUC" or "Commission") the signed original of the Petition to Intervene of the Philadelphia Area Industrial Energy Users Group ("PAIEUG") in the above-referenced proceeding.

As evidenced by the attached Certificate of Service, all parties to the proceeding are being duly served with a copy of this document. Please date stamp the extra copy of this transmittal letter and Petition to Intervene, and kindly return them to our messenger for our filing purposes.

Sincerely,

McNEES WALLACE & NURICK LLC

By 
Charis Mincavage

Counsel to the Philadelphia Area Industrial Energy Users Group

CM/lch

Enclosures

c: Administrative Law Judge Elizabeth H. Barnes (via Hand Delivery)
Certificate of Service

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**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Energy Efficiency and Conservation Program

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Docket No. P-2012-2320334

**PETITION TO INTERVENE OF THE
PHILADELPHIA AREA INDUSTRIAL ENERGY USERS GROUP**

TO THE HONORABLE, THE PENNSYLVANIA PUBLIC UTILITY COMMISSION:

Pursuant to Sections 5.71 through 5.74 of the Pennsylvania Public Utility Commission's ("PUC" or "Commission") Regulations, 52 Pa. Code §§ 5.71-5.74, the Philadelphia Area Industrial Energy Users Group ("PAIEUG") hereby files this Petition to Intervene in the above-captioned proceeding. In support thereof, PAIEUG states as follows:

1. Petitioner is PAIEUG. The composition of PAIEUG is attached hereto as Appendix A. PAIEUG reserves the right to modify Appendix A throughout the course of this proceeding, as necessary.

2. The names and address of Petitioner's attorneys are:

Charis Mincavage (I.D. No. 82039)
Adeolu A. Bakare (I.D. No. 208541)
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3. On August 3, 2012, the Commission issued its Energy Efficiency and Conservation ("EE&C") Phase II Implementation Order ("I.O.") at Docket Nos. M-2012-2289411 and M-2008-2069887, tentatively adopting, among other things, Electric Distribution

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Company ("EDC")-specific consumption reduction targets for the period June 1, 2013, through May 31, 2016. The I.O. indicated that an EDC could contest its specific targets by filing a petition for evidentiary hearing by August 20, 2012. If an EDC did not contest the targets, the targets would become final. In addition, the I.O. noted that parties could submit petitions to intervene within 10 days of an EDC filing a petition for evidentiary hearing.

4. On August 20, 2012, PECO Energy Company ("PECO" or "Company"), submitted to the Commission a Petition for an Evidentiary Hearing challenging the energy efficiency ("EE") benchmarks established in the I.O. ("Petition"). Specifically, PECO requested an evidentiary hearing to address two matters: (1) allocation of funds for the Direct Load Control ("DLC") and other Demand Response ("DR") Programs; and (2) the Commission's statement of allowable spending.


5. PAIEUG is an *ad hoc* group of energy-intensive customers receiving electric service from PECO under Rates HT and PD. PAIEUG members use substantial volumes of electricity in their manufacturing and operational processes, and these electric costs comprise a significant element of their respective costs of operation. Any modifications to PECO's EE&C Plan could significantly impact PAIEUG members' costs of operations. Specifically, PECO's request to implement DR Programs through the entirety of Phase II, along with seeking funding for these Programs, could have a significant impact PAIEUG members' Act 129 charges. Similarly, any changes in PECO's spending cap and consumption reduction target may also have an impact on members' Act 129 charges.

6. Therefore, consistent with 52 Pa. Code § 5.72(a), PAIEUG has a significant interest in this proceeding that is not represented by any other party of record. Accordingly, PAIEUG should be granted intervenor status in this proceeding.

WHEREFORE, the Philadelphia Area Industrial Energy Users Group respectfully requests that the Pennsylvania Public Utility Commission grant this Petition to Intervene and provide the Philadelphia Area Industrial Energy Users Group with full-party status in this proceeding.

Respectfully submitted,

McNEES WALLACE & NURICK LLC

By 
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Counsel to the Philadelphia Area Industrial Energy
Users Group

Dated: August 30, 2012

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APPENDIX A

PHILADELPHIA AREA INDUSTRIAL ENERGY USERS GROUP


Air Liquide Industrial U.S. LP
The Boeing Company
Building Owners & Managers Association of Philadelphia
Drexel University
Franklin Mills Associates Limited Partnership
GlaxoSmithKline
Jefferson Health System
Kimberly-Clark Corporation
Merk & Co., Inc.
Philadelphia College of Osteopathic Medicine
Saint Joseph's University
Sunoco, Inc.
Temple University
United States Steel
Villanova University

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AFFIDAVIT

COMMONWEALTH OF PENNSYLVANIA)
)
COUNTY OF DAUPHIN) SS:

Charis Mincavage, being duly sworn according to law, deposes and says that she is counsel to the Philadelphia Area Industrial Energy Users Group, and that in this capacity she is authorized to and does make this affidavit for them, and that the facts set forth in the foregoing Petition to Intervene are true and correct to the best of her knowledge, information, and belief.



Charis Mincavage

SWORN TO and subscribed
before me this 30th day
of August, 2012.



Notary Public

(SEAL)

COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Mary A. Sipe, Notary Public
City of Harrisburg, Dauphin County
My Commission Expires March 19, 2013

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CERTIFICATE OF SERVICE

I hereby certify that I am this day serving a true copy of the foregoing document upon the participants listed below in accordance with the requirements of 52 Pa. Code Section 1.54 (relating to service by a participant).

VIA E-MAIL AND FIRST-CLASS MAIL

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Charis Mincavage

Counsel to the Philadelphia Area Industrial Energy
Users Group

Dated this 30th day of August, 2012, at Harrisburg, Pennsylvania

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