



June 5, 2020

Via Electronic Filing

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

**RE: Docket P-2020-3019522, Petition of Duquesne Light Company for Approval
of Default Service Plan for the Period June 1, 2021 through May 31, 2025**

Petition to Intervene of Natural Resources Defense Council

Dear Secretary Chiavetta:

The Natural Resources Defense Council (NRDC) hereby submits the following Petition to Intervene in the above-referenced proceeding. An electronic copy of this filing will be provided to Administrative Law Judge Mark A. Hoyer and to those listed on the Certificate of Service.

Please contact me if you have any questions concerning this matter.

Respectfully submitted,

/s/ Mark Szybist

Mark C. Szybist

Attorney for Natural Resources Defense Council

1152 15th Street, Suite 300

Washington, DC 20005

570-447-4019

PA Bar ID No. 94112

mszybist@nrdc.org

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Petition of Duquesne Light Company :
for Approval of Default Service Plan :
for the Period June 1, 2021 through : Docket No. P-2020-3019522
May 31, 2025 :
:

PETITION TO INTERVENE OF NATURAL RESOURCES DEFENSE COUNCIL

Pursuant to 52 Pa. Code §§ 5.71 et seq., Natural Resources Defense Council (“NRDC”) hereby files this Petition to Intervene in the above-captioned proceeding, and in support of its Petition states as follows:

1. NRDC is an environmental organization and not-for-profit corporation with more than 1.4 million members, including more than 16,000 in Pennsylvania. Since 1970, NRDC’s attorneys, scientists, and other environmental specialists have worked to protect the world’s natural resources, public health, and the environment. NRDC’s top institutional priority is building an equitable clean energy future in which the pollution impacts of extracting and combusting fossil fuels are minimized, if not eliminated.

2. Pending the entry of appearance by other counsel, NRDC will be represented in this matter by:

Mark C. Szybist, Esq.
(PA ID 94112)
1152 15th St. NW, Suite 300
Washington, DC 20005
Telephone: (570) 447-4019
E-Mail: mszybist@nrdc.org

3. Pursuant to 52 Pa. Code § 1.54(b)(3), NRDC consents to the electronic service of all documents upon counsel at the e-mail address stated above.

4. On April 20, 2020, the Duquesne Light Company (“DLC”) filed a Petition for Approval of Default Service Plan for the Period June 1, 2021 Through May 31, 2025 (“Petition”).

5. DLC’s Petition includes an electric vehicle (“EV”) time-of-use (“TOU”) pilot program that DLC believes will provide environmental, economic, and operational benefits for customers and for the Company by shifting EV charging to off-peak times, thereby optimizing existing grid and generation capacity.

6. NRDC supports well-designed TOU rates, including for EVs, and was party to a partial settlement agreement in DLC’s last rate case in which the Company agreed to make a proposal regarding time-of-use rates in its next default service rate filing, unless the Commission directed a time-of-use filing in the meantime.

7. DLC’s proposed EV-TOU pilot and other issues raised in DLC’s Petition affect the interests of NRDC’s members and NRDC’s institutional goals, including the equitable expansion of transportation electrification in Pennsylvania.

8. NRDC has expended organizational resources to further the equitable expansion of transportation electrification in Pennsylvania, including through the commissioning of a report by Synapse Energy Economics titled “Driving Transportation Electrification Forward in Pennsylvania: Considerations for Effective Transportation Electrification Ratemaking.” This report was filed on the Commission’s Alternative Ratemaking Methodologies Docket (Docket Number M-2015-2518883) on October 15, 2018.¹

9. NRDC’s interests in this proceeding are unique from and not adequately represented by other parties.

10. NRDC intends to participate in this matter concerning such matters as affect the interest of its members and its institutional interests, including but not limited to the proposed EV-TOU pilot. NRDC reserves the right to raise and address issues raised by DLC’s Petition that are not specifically identified in this Petition to Intervene, as well as additional issues raised by other parties.

WHEREFORE, NRDC respectfully requests that the Commission grant this Petition to Intervene.

Respectfully submitted,

/s/ Mark Szybist

Mark C. Szybist

Attorney for Natural Resources Defense Council

1152 15th Street, Suite 300

Washington, DC 20005

570-447-4019

mszybist@nrdc.org

Date: June 5, 2020

¹ See <http://www.puc.state.pa.us/pcdocs/1589772.pdf>

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Petition of Duquesne Light Company :
for Approval of Default Service Plan :
for the Period June 1, 2021 through : Docket No. P-2020-3019522
May 31, 2025 :
:

VERIFICATION

I, Kathleen Harris, Clean Vehicles and Fuels Advocate for Natural Resources Defense Council, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief, 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 18 Pa. C.S. § 4904 (relating to unsworn falsification to authorities).

/s/ Kathleen Harris
Kathleen Harris

Date: June 5, 2020

CERTIFICATE OF SERVICE

Petition of Duquesne Light Company for :
Approval of Default Service Plan for the :
Period June 1, 2021 Through May 31, : Docket No. P-2020-3019522
2025 :
:

I hereby certify that this day I served a copy of NRDC’s Petition to Intervene upon the persons listed below in the manner indicated in accordance with the requirements of 52 Pa. Code § 1.54.

Via Electronic Mail

Richard A. Kanaskie, Esquire Bureau of Investigation & Enforcement Pennsylvania Public Utility Commission Commonwealth Keystone Building 400 North Street, 2nd Floor Harrisburg, PA 17120	Sharon E. Webb, Esquire Office of Small Business Advocate 555 Walnut Street 1st Floor, Forum Place Harrisburg, PA 17120
Tishekia E. Williams, Esquire Michael Zimmerman, Esquire Emily Farah, Esquire Duquesne Light Company 411 Seventh Avenue Pittsburgh, PA 15219	Michael W. Gang, Esquire Anthony D. Kanagy, Esquire Post & Schell, P.C. 17 North Second Street Harrisburg, PA 17101-1601
Aron J. Beatty, Esquire David T. Evrard, Esquire Office of Consumer Advocate 555 Walnut Street 5 th Floor Forum Place Harrisburg, PA 17101	Elizabeth R. Marx, Esquire John W. Sweet, Esquire Ria Pereira, Esquire Pennsylvania Utility Law Project 118 Locust Street Harrisburg, PA 17101
John F. Lushis, Jr., Esquire Norris McLaughlin, P.A. 515 West Hamilton Street Suite 502 Allentown, PA 18101	Todd S. Stewart, Esquire Hawke McKeon & Sniscak, LLP 100 North Tenth Street Harrisburg, PA 17101

<p>Brian Kalcic Excel Consulting 225 S. Meramec Avenue, Suite 720 T St. Louis, MO 63105</p>	<p>James H. Laskey, Esquire Norris McLaughlin, P.A. 400 Crossing Blvd, 8th Floor Bridgewater Township, NJ 08807</p>
<p>Gregory L. Peterson, Esquire Thomas F. Puchner, Esquire Kevin C. Blake, Esquire Phillips Lytle, LLC 201 West Third Street, Suite 205 Jamestown, NY 14701-4907</p>	<p>James M. Van Nostrand, Esquire Keyes & Fox, LLP 275 Orchard Drive Pittsburgh, PA 15228</p>
<p>Charles E. Thomas, Jr. Esquire Thomas, Niesen & Thomas, LLC 212 Locust Street, Suite 302 Harrisburg, PA 17101</p>	<p>Bruce Burcat, Esquire P.O. Box 385 Camden, DE 19934</p>
<p>Henry McKay Solar United Neighbors 327 Whipple Street Pittsburgh, PA 15128</p>	

Date: June 5, 2020

/s/ Mark C. Szybist
Mark C. Szybist, Esquire