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April 18, 2012

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

VIA HAND DELIVERY

RE: Petition of PECO Energy Company for Approval of its Smart Meter Technology Procurement and Installation Plan – Petition of PECO Energy Company for Expedited Approval of its Initial Dynamic Pricing Plan Vendor Selection and Dynamic Pricing Plan Supplement; Docket No. M-2009-2123944

Dear Secretary Chiavetta:

Enclosed for filing with the Pennsylvania Public Utility Commission ("PUC" or "Commission") are the original and three (3) copies of the Petition to Intervene of the Philadelphia Area Industrial Energy Users Group ("PAIEUG"), in the above-referenced proceeding.

As shown by the attached Certificate of Service, all parties to this proceeding are being duly served. Please date stamp an extra copy of this transmittal letter and Petition, and kindly return it for our filing purposes. Thank you.

Sincerely,

McNEES WALLACE & NURICK LLC

By 
Adeolu A. Bakare

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Counsel to the Philadelphia Area Industrial Energy Users Group

/lmc

Enclosures

c: Chief Administrative Law Judge Charles E. Rainey, Jr. (via First-Class Mail)
Certificate of Service

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**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Petition of PECO Energy Company	:	
For Approval of Its Smart Meter Technology	:	
Procurement and Installation Plan	:	
	:	
Petition of PECO Energy Company	:	Docket No. M-2009-2123944
For Expedited Approval of Its Dynamic	:	
Pricing Plan Vendor Selection and	:	
Dynamic Pricing Plan Supplement	:	

**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, the Philadelphia Area Industrial Energy Users Group hereby files this Petition to Intervene in the above-captioned proceeding. 52 Pa. Code §§ 5.71-5.74. In support thereof, PAIEUG avers as follows:

1. Petitioner is the Philadelphia Area Industrial Energy Users Group ("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 PAIEUG's counsel are:

Charis Mincavage (I.D. No. 82039)
Adeolu A. Bakare (I.D. No. 208541)
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3. PAIEUG is an ad hoc group of energy-intensive customers receiving electric service from PECO Energy Company ("PECO" or "Company") under Rates HT and PD. PAIEUG members use substantial volumes of electricity in their manufacturing and operational processes, and these electric costs are a significant element of their respective costs of operation. Any modification to PECO's electric rates may impact PAIEUG members' cost of operations. The members of PAIEUG are therefore concerned with issues regarding the terms and conditions of their electricity service and, as a result, have been actively involved in numerous PECO proceedings, including PECO's Act 129 Energy Efficiency and Conservation ("EE&C") Plan and Smart Meter Technology Procurement and Installation Plan proceedings. The Commission's final disposition of PECO's Dynamic Pricing Plan Vendor Selection and Dynamic Pricing Plan Supplement (the "Dynamic Pricing Plan Supplement" or "Plan Supplement") may directly affect the rates that the Company imposes on PAIEUG members for service.

4. On April 2, 2012, consistent with the requirements of Act 129 and the Commission's Order entered December 16, 2011 at Docket No. I-2011-2237952 ("Retail Market Order"), PECO filed with the Commission a Petition seeking PUC approval of its Dynamic Pricing Plan Supplement ("Petition"). Specifically, PECO requests that the Commission: (1) approve the Electric Generation Supplier ("EGS") vendor selected by PECO to provide Time-of-Use ("TOU") service; (2) find that the Dynamic Pricing Plan Supplement satisfies the requirements of Act 129 and the Commission's Retail Market Order; and (3) approve PECO's proposed tariff provisions and the recovery of Plan Supplement costs through the Company's Generation Supply Adjustment ("GSA").

5. PAIEUG recognizes that, at this time, PECO is not proposing an additional dynamic pricing option for large commercial and industrial customers or requesting to recover

costs associated with dynamic pricing service from such customers. Accordingly, PAIEUG does not oppose PECO's Petition at this time. PAIEUG is concerned, however, with any modifications to the Plan Supplement that may result through the course of this proceeding. Accordingly, PAIEUG is submitting this Petition to Intervene in order to ensure that its member interests are adequately protected in the event of any such modifications to PECO's Petition.

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: April 18, 2012

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APPENDIX "A"

PHILADELPHIA AREA INDUSTRIAL ENERGY USERS GROUP

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

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CERTIFICATE OF SERVICE

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

VIA E-MAIL AND FIRST-CLASS MAIL

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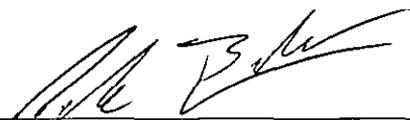
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Adeolu A. Bakare

Counsel to the Philadelphia Area Industrial Energy
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Dated this 18th day of April, 2012, in Harrisburg, Pennsylvania.

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