

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**Petition of PPL Electric Utilities Corporation** :  
**for Approval of Its Smart Meter Technology** : **M-2014-2430781**  
**Procurement and Installation Plan** :

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

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Pursuant to the provisions of the Rules of Practice and Procedure of the Pennsylvania Public Utility Commission (“PUC” or “Commission”), 52 Pa. Code §§ 5.61-5.76, 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 and Answer to the Petition filed by PPL Electric Utilities Corporation (“PPL Electric” or “the Company”) for Approval of its Smart Meter Technology Procurement and Installation Plan and, in support, states as follows:

1. On June 30, 2014, PPL Electric filed the aforementioned Petition.
2. Notice of the filing was published in the Pennsylvania Bulletin on July 19, 2014, with a deadline for intervention or protest of August 11, 2014. 44 Pa. B. 4629.
3. On July 8, 2014, the Honorable Susan D. Colwell, Administrative Law Judge, issued a prehearing order establishing certain deadlines and scheduling a prehearing conference for Monday, August 11, 2014 at 2 pm in Hearing Room 4 of the Commonwealth Keystone Building, Harrisburg, PA 17120.

4. CAUSE-PA files this Petition to Intervene and Answer consistent with the published notice and prehearing order.

#### **Petition to Intervene**

5. Eligibility to intervene in Commission proceedings is governed by 52 Pa. Code § 5.72, which 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).

6. 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).

7. 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. P.U. C.*, 995 A.2d 465, 476 (Pa. Commw. 2010) (alteration in original) (citing *Tripps Park v. Pa. P.U. C.*, 415 A.2d 967 (Pa. Commw. 1980); *Parents United for Better Schools v. School District of Philadelphia*, 646 A.2d 689 (Pa. Commw. 1994)).

8. CAUSE-PA is an unincorporated association of low-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.

9. CAUSE-PA membership is open to moderate and low income individuals residing in the Commonwealth of Pennsylvania who are committed to the goal of helping low-income families maintain affordable access to utility services and achieve economic independence.

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

11. CAUSE-PA has interests in the impact that the proposed Smart Meter Technology Procurement and Installation Plan has on moderate and low income residential customers. These interests are not adequately represented by other participants.

12. At least one member of CAUSE-PA is a customer of PPL Electric and will be directly affected by the outcome of this proceeding.<sup>1</sup>

13. Because at least one member of CAUSE-PA has or will suffer a direct, immediate, and substantial injury to an interest as a result of this proceeding, CAUSE-PA has standing to intervene. *See Energy Cons. Council of Pa.*, 995 A.2d at 476.

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

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Harry S. Geller, Esquire  
**Pennsylvania Utility Law Project**  
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15. Counsel for CAUSE-PA consents to the service of documents by electronic mail to [pulp@palegalaid.net](mailto:pulp@palegalaid.net), as provided in 52 Pa. Code § 1.54(b)(3).

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<sup>1</sup> Ms. Lorrie Koons is a member of CAUSE-PA and a customer of PPL.

## Answer

16. CAUSE-PA has reviewed PPL Electric's Petition and identified a number of issues presented by the filing which may positively or negatively affect its members. CAUSE-PA anticipates that additional issues may arise as a more comprehensive review of the filing is undertaken, discovery is conducted, and the testimony is more thoroughly reviewed.

17. It is critical for CAUSE-PA to intervene in the proceeding to resolve potential negative aspects of PPL Electric's plan and to ensure that the positive aspects of the plan are not changed, including by not limited to the following aspects of PPL's petition:

- a. PPL's conclusion that its existing meter system must be replaced, Petition ¶ 15, must be examined in light of the significant cost of approximately \$449 million involved with doing so, Petition ¶ 68, and the benefits likely to inure to each customer class.
- b. The cost burden borne by PPL's low-income customers as a result of its comprehensive meter replacement;
- c. PPL's plan to require all customers to be responsible for purchasing and installing their own HAN devices and establishing the network connection, as this may preclude low-income customers from accessing the full capability of the metering system if they do not have sufficient resources to purchase these devices. Petition ¶ 31.
- d. The possible scope and breath of remote connect/disconnect programs that would result from the installation of these meters. Petition ¶ 35.
- e. The data storage, data privacy, and cybersecurity of the information obtained from these meters, the HAN network established by the customer, and any web interface established by the Company as a result of this meter technology. Petition ¶¶ 56-57.

f. The scope and clarity of the customer outreach and education efforts that will be undertaken by PPL Electric. Petition ¶¶ 75.

18. CAUSE-PA asserts that each of these matters, as presented within the Petition, and any future modifications presented by intervening parties, must be thoroughly reviewed through discovery and a hearing to ensure that the PPL Electric's low-income customers are not harmed and the programs are in the public interest.

WHEREFORE, CAUSE-PA respectfully requests that the Commission enter an order granting CAUSE-PA full status as an intervener in this proceeding with active party status.

Respectfully submitted,

**PENNSYLVANIA UTILITY LAW PROJECT**  
*Counsel for CAUSE-PA*

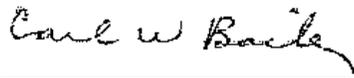


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Dated: August 8, 2014

**Verification**

I, **Carl Bailey**, 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).



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Carl W. Bailey

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

Date: August 8, 2014

## CERTIFICATE OF SERVICE

I hereby certify that I have this day served copies of the **Petition to Intervene**, as set forth below in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a party).

### VIA EMAIL and FIRST CLASS MAIL

**Honorable Susan D. Colwell**

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Respectfully submitted,  
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**Dated: August 8, 2014**