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*Attorneys and Counsellors at Law*

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February 29, 2016

*Via Electronic Filing*

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Re: Petition of PPL Electric Utilities Corporation for  
Approval of a Default Service Program and Procurement  
Plan for the Period June 1, 2017 through May 31, 2021;  
Docket No. P-2016-2526627

Dear Secretary Chiavetta:

Enclosed for filing on behalf of Noble Americas Energy Solutions LLC is its Petition to Intervene in the above-referenced matter. Copies of the Petition are being served upon the persons and in the manner set forth in the certificate of service attached to it.

Should you have any questions or require additional information, please do not hesitate to contact me.

Very truly yours,

THOMAS, NIESEN & THOMAS, LLC

By

Charles E. Thomas, III

Enclosure

cc: Certificate of Service (w/encl.)  
Becky Merola (w/encl.)

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

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Petition of PPL Electric Utilities Corporation :  
for Approval of a Default Service Program : Docket No. P-2016-2526627  
and Procurement Plan for the Period June 1, :  
2017 through May 31, 2021 :

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**PETITION TO INTERVENE  
OF  
NOBLE AMERICAS ENERGY SOLUTIONS LLC**

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AND NOW, comes Noble Americas Energy Solutions LLC (“Noble” or “Petitioner”), by its attorneys, and pursuant to Pursuant to 52 Pa. Code § 5.71 *et seq.*, petitions the Pennsylvania Public Utility Commission (“Commission”) to intervene in the above-captioned matter. In support of its intervention, Noble states as follows:

**I. INTRODUCTION**

1. On January 29, 2016, PPL Electric Utilities Corporation (“PPL”) filed a petition seeking Commission approval of its fourth Default Service Program and Procurement Plan (“DSP IV Program”) to establish terms and conditions under which PPL will acquire and supply default service for a four-year period, from June 1, 2017 through May 31, 2021.

2. Notice of the filing of the petition was published in the *Pennsylvania Bulletin* on February 13, 2016. *See* 46 Pa.B. 836. As presented in the published notice, petitions to intervene in the proceeding are to be filed with the Commission on or before February 29, 2016. Administrative Law Judge Susan D. Colwell has been assigned to preside over the matter.<sup>1</sup>

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<sup>1</sup> Judge Colwell’s First Prehearing Order, issued February 2, 2016, states that all petitions to intervene must be filed on or before March 4, 2016.

3. The name and business address of Petitioner and its company representative for purposes of this proceeding are:

Noble Americas Energy Solutions LLC  
5325 Sheffield Ave.  
Powell, Ohio 43065  
Attention: Becky Merola, Government Affairs East  
bmerola@noblesolutions.com

4. Noble is licensed by the Commission as an electric generation supplier (“EGS”) at Docket No. A-110141 to offer, render, furnish or supply electricity and electric generation supplier services to large commercial (over 25kW), industrial, and governmental customers, and to residential and small commercial (25kW and under) customers (limited to mixed meters), throughout the Commonwealth, including PPL’s service territory. Noble is one of the nation’s largest independent, non-residential retailers and marketers of retail energy services. Noble strives to serve the energy supply needs of national and regional commercial, industrial, and governmental customers, and where there are mixed meters some residential meters, across 14 states, including Pennsylvania, and offers its customers a wide variety of energy-related products and services, including fixed, indexed, demand response, and green energy options. Noble also provides energy procurement and risk management solutions designed to meet the individual needs of its customers and capture the benefits of a deregulated utility environment. In addition to its product and service offerings, Noble has built its own state of the art billing systems and uses dual billing exclusively for its Pennsylvania customers.

5. The name, address, and contact information of Petitioner’s counsel are:

Charles E. Thomas III, Esq.  
THOMAS, NIESEN & THOMAS, LLC  
212 Locust Street, Suite 600  
Harrisburg, PA 17101  
Tel: (717) 255-7611  
cet3@tntlawfirm.com

All pleadings, documents, correspondence, orders, notices, discovery, and other items filed, served, or issued in this proceeding should be served on the above counsel in both electronic and paper forms.

## **II. NOBLE'S INTERVENTION**

6. The Commission's regulations permit intervention by a party that demonstrates an "interest 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). Intervention is also allowed where a party's participation is in the public interest. 52 Pa. Code § 5.72(a)(3).

7. Noble meets the standards for intervention set forth in 52 Pa. Code § 5.72(a). Noble has a direct and substantial interest in ensuring that PPL's DSP IV Program and, in particular, any of PPL's proposed initiatives to enhance retail competition, including PPL's Standard Offer Referral Program, are implemented in a competitively neutral and non-discriminatory manner. Noble also has a vested interest in PPL's treatment of what has been labeled Non-Market Based Transmission Service charges and in ensuring that the DSP IV Program does not implement charges or costs that would harm the competitive market.

8. This proceeding will establish, among other things, the rates, terms, conditions, and structure of PPL's DSP IV Program against which Noble must compete to serve PPL customers beginning June 1, 2017. The proceeding will also directly affect Noble's customers – large and national commercial, industrial, and governmental customers, as well as small commercial customers as defined in the respective PPL tariffs. Accordingly, Noble's intervention is necessary because its ability, as a licensed EGS, to market electricity and energy-

related products and services to existing and future retail customers in the PPL service territory will be materially impacted by the outcome of this proceeding.

9. As an independent EGS, Noble's interest will not be adequately addressed through other existing parties' comments or involvement.

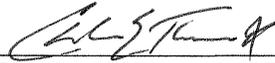
10. Noble's intervention is also in the public interest. Noble possesses significant and unique knowledge, experience, and resources with respect to the marketing of retail energy services in 14 states, which will be helpful in developing a record on the reasonableness of the PPL DSP IV Program and will serve to better protect the consumers of Pennsylvania. Moreover, without the opportunity to intervene, Noble will be unable to participate in this proceeding, but will nevertheless be bound by the actions taken by the Commission. Such actions may have a material impact on Noble's operations, business activities, and involvement in Pennsylvania and, more specifically, within the service territory of PPL.

#### **IV. NOBLE'S POSITION REGARDING THE ISSUES**

11. Noble continues to review PPL's petition and direct testimony and has not yet determined its position on the many matters presented therein. It may support, oppose, or propose revisions to the petition and the DSP IV Program, as filed. Noble will present its position in accordance with the litigation schedule established at the initial prehearing conference.

WHEREFORE, Noble Americas Energy Solutions LLC respectfully requests that the Pennsylvania Public Utility Commission grant this Petition to Intervene and authorize Noble Americas Energy Solutions LLC's intervention and participation in this proceeding as a full and active party.

Respectfully submitted,



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*Counsel for Petitioner  
Noble Americas Energy Solutions LLC*

DATED: February 29, 2016

VERIFICATION

I, Becky Merola, Government Affairs East of Noble Americas Energy Solutions LLC, hereby state that the facts set forth herein above 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).

  
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Becky Merola

**CERTIFICATE OF SERVICE**

I hereby certify that I have this 29th day of February, 2016, served a true and correct copy of the foregoing Petition to Intervene of Noble Americas Energy Solutions LLC, upon the upon the parties, listed below, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant):

**VIA FIRST CLASS MAIL**

Honorable Susan D. Colwell  
Administrative Law Judge  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

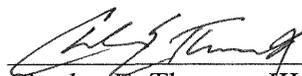
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Harrisburg, PA 17101-1601

Gina L. Lauffer, Esq.  
Bureau of Investigation and Enforcement  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Office of Consumer Advocate  
Forum Place, 5<sup>th</sup> Floor  
555 Walnut Street  
Harrisburg, PA 17101-1923

Office of Small Business Advocate  
300 North Second Street, Suite 1102  
Harrisburg, PA 17101



Charles E. Thomas, III (PA ID # 201014)