

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

Pennsylvania Public Utility Commission, et al., :
 :
v. : Docket No. R-2016-2580030
 :
UGI Penn Natural Gas, Inc. :

**PETITION TO INTERVENE
OF THE COALITION FOR AFFORDABLE UTILITY SERVICES
AND ENERGY EFFICIENCY IN PENNSYLVANIA**

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 petitions the Pennsylvania Public Utility Commission (“Commission”) to intervene in the above-captioned proceeding. In support thereof, CAUSE-PA states as follows:

1. On January 19, 2017, UGI Penn Natural Gas, Inc. (UGI or UGI PNG) submitted a rate filing, Tariff Gas PA PUC Nos. 9 and 9-S, proposing to increase rates by approximately \$21.7 million per year, or 10.4%, effective March 20, 2017. (UGI St.1 at 5). According to UGI, its proposal would increase the bill of an average residential customer (using 91.2 ccf/month) from \$78.53 to \$86.87 - or 10.6% each month. (See UGI Notice of Proposed Rate Changes).

2. In its proposed rate structure, UGI PNG seeks to introduce a fixed monthly charge of \$18.50 per month – a 40% increase from its current \$13.17 fixed charge. (UGI St. 7 at 21).

3. 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).

4. 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).

5. 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 Phila., 646 A.2d 689 (Pa. Commw. 1994)).

6. 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.

7. 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.

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

9. CAUSE-PA has a significant interest in the impact that the proposed UGI PNG rate increase will have on moderate and low income residential customers within the UGI PNG service territory. These interests are not adequately represented by other participants.

10. At least one member¹ of CAUSE-PA is a current UGI PNG customer, and will be directly affected by the outcome of this proceeding. Particularly, this proceeding will affect the price that CAUSE-PA members pay for natural gas service as well as the reliability and quality of that service.

11. CAUSE-PA has standing to intervene because its members have or will suffer a direct, immediate, and substantial injury to an interest as a result of this proceeding. See Energy Cons. Council of Pa., 995 A.2d at 476.

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

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Patrick M. Cicero, Esquire
Joline Price, Esquire
Pennsylvania Utility Law Project
118 Locust Street
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13. Counsel for CAUSE-PA consents to the service of documents by electronic mail to pulp@palegalaid.net, as provided in 52 Pa. Code § 1.54(b)(3).

14. CAUSE-PA has preliminarily reviewed the UGI PNG rate filing, and objects to the request on the grounds that the proposed rate increase will result in unjust and unreasonable rates that would impose severe hardship on low and moderate income residential customers and consumers.

¹ Ms. Clara Smith is a member of CAUSE-PA and a customer of UGI PNG.

15. Continued delivery of safe, affordable, and accessible natural gas service based on reasonable terms and conditions is of critical importance to the safety, welfare, and economic stability of all Pennsylvanians – particularly those with limited financial means – and is subject to significant regulatory and statutory protections. See, e.g., 66 Pa. C.S. § 2203(3), (8); 52 Pa. Code Chs. 56 & 58.

16. CAUSE-PA asserts that the UGI PNG rate filing, and any future modifications presented by intervening parties, must be thoroughly reviewed to ensure that all customers are able to access safe, affordable natural gas service within the UGI PNG service territory.

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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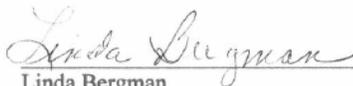
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Date: February 6, 2017

Verification

I, **Linda Bergman**, 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).


Linda Bergman

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

Date: February 6, 2017

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Certificate of Service

I hereby certify that I have this day served copies of the **Petition to Intervene of the Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania** upon the parties of record in the above captioned proceeding in accordance with the requirements of 52 Pa. Code § 1.54 in the manner and upon the persons listed below.

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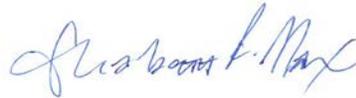
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