



May 1, 2020

By eFiling

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

Re: Petition of PECO Energy Company for Approval of Its Default Service Program for the Period from June 1, 2021 through May 31, 2025; Docket No. P-2020-3019290

Dear Secretary Chiavetta:

Enclosed please find the Petition to Intervene of the Environmental Stakeholders in the above captioned matter. Copies of this letter and the attached petition have been eFiled and a copy has been sent electronically to the service list.

Sincerely,

A handwritten signature in black ink, appearing to read "Joseph Otis Minott".

Joseph Otis Minott, Esquire

A handwritten signature in black ink, appearing to read "Ernest Logan Welde".

Ernest Logan Welde, Esquire

Attorneys for Environmental Stakeholders

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Petition of PECO Energy Company for :
Approval of Its Default Service Program for : Docket No. P-2020-3019290
the Period from June 1, 2021 through May :
31, 2025 :

ENVIRONMENTAL STAKEHOLDERS' PETITION TO INTERVENE

Pursuant to 52 Pa. Code §§ 5.72-5.75, Clean Air Council (“the Council”), Sierra Club/PA Chapter (“Sierra Club”), and Philadelphia Solar Energy Association (“PSEA”), collectively the “Environmental Stakeholders” hereby file this Petition to Intervene in the above-captioned proceeding. In support thereof, the Environmental Stakeholders state as follows:

1. The Council is a member-supported environmental organization serving the Mid-Atlantic Region. The Council is dedicated to protecting and defending everyone’s right to breathe clean air. The Council works through a broad array of related sustainability and public health initiatives, using public education, community action, government oversight, and enforcement of environmental laws. The Council has members in PECO’s service territory.

Sierra Club is a member-supported environmental organization whose mission is to explore, enjoy, and protect the wild places of the Earth and to practice and promote the responsible use of the Earth’s resources and ecosystems. Sierra Club currently has over 31,000 members in Pennsylvania, many of whom receive electricity service from PECO. These members have a strong interest in both increasing use of renewable energy and in protecting themselves, their communities, and their ambient environment from the effects of fossil fuel generation.

PSEA was established in 1980 as a nonprofit corporation dedicated to public education and training to support the growth of solar energy in the Philadelphia area and across the region. Recognized as a tax deductible, 501(c)(3) corporation in 1998, PSEA has been a volunteer-based, member-supported organization for almost 40 years. Its principal focus is public education, training and advocacy to advance the understanding and use of solar energy in the Philadelphia region and across Pennsylvania. PSEA has members in PECO's service territory.

2. The Environmental Stakeholders' attorneys in this matter are:

Joseph Otis Minott, Esq.
(PA ID 36463)
E-Mail: joe_minott@cleanair.org
Ernest Logan Welde, Esq.
(PA ID 315012)
E-Mail: lwelde@cleanair.org
Clean Air Council
135 S. 19th Street, Suite 300
Philadelphia, Pennsylvania 19103
Telephone: (215) 567-4004
Facsimile: (215) 567-5791

3. Counsel for the Environmental Stakeholders consents to the service of documents by electronic mail to lwelde@cleanair.org, as provided in 52 Pa. Code § 1.54(b)(3).

4. On March 13, 2020, PECO Energy Company ("PECO") filed a Petition for Approval of the Default Service Programs for the period from June 1, 2021 through May 31, 2025.

5. The Commission's regulations allow intervention where a person has an interest in the proceeding which may be directly affected and which is not adequately represented by existing parties, and, as to which the person may be bound by the action of the Commission in the proceeding. 52 Pa. Code § 5.72(a)(2). Intervention is also permitted where participation of the

person may be in the public interest. 52 Pa. Code § 5.72(a)(3). A “person” includes a corporation and an association. 52 Pa. Code § 1.8.

6. Each of the Environmental Stakeholders meets the standards for intervention set forth in 52 Pa. Code § 5.72(a). The Council is committed to improving air quality throughout Pennsylvania; reducing the impact of air pollution on the health of vulnerable populations; and ensuring that renewable energy be expanded and utilized to the fullest extent possible. Sierra Club is dedicated to the protection of the Earth and ensuring its resources are used responsibly. PSEA has fought for the expansion of solar energy for almost 40 years and continues to push for an increase in the adoption of solar energy in Pennsylvania. The Commission’s actions in this proceeding regarding PECO’s proposed default procurement will have a direct impact on the ability of the Environmental Stakeholders to achieve these goals.

7. The Environmental Stakeholders’ interests in this proceeding are unique from, and not adequately represented by, other parties that may seek to intervene because the Environmental Stakeholders are all well-established local environmental, and renewable energy organizations that have extensive experience in air quality issues and renewable energy.

8. The Environmental Stakeholders’ intervention is in the public interest because it will enable the groups to contribute their unique perspectives and insight of well-established Pennsylvania-based environmental and renewable energy organizations as the Commission considers PECO’s proposal.

9. Due to the early stage of this proceeding, the Environmental Stakeholders reserve the right to raise and address issues identified through their continued review and analysis of PECO’s proposal (and related information) or other issues raised by other parties.

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

Respectfully submitted,



Joseph Otis Minott, Esquire



Ernest Logan Welde, Esquire

Date: May 1, 2020

Attorneys for Environmental Stakeholders

VERIFICATION

I, Ernest Logan Welde, staff attorney Clean Air Council, hereby verify that the facts contained in the foregoing pleading are true and accurate to the best of my knowledge and that I am duly authorized to make this verification, and that I expect to be able to prove the same at any hearing held in this matter.

A handwritten signature in cursive script that reads "Ernest Logan Welde".

Ernest Logan Welde, Esquire

CERTIFICATE OF SERVICE

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

Via Email

<p>Honorable Charles E. Rainey, Jr. Chief Administrative Law Judge Pennsylvania Public Utility Commission Commonwealth Keystone Building 400 North Street, 2nd Floor Harrisburg, PA 17120 CRAINEY@pa.gov</p>	<p>Aron J. Beatty, Esquire Christy Appleby, Esquire Office of Consumer Advocate 555 Walnut Street 5th floor, Forum Place Harrisburg, PA 17101-1923 abeatty@paoca.org cappleby@paoca.org</p>
<p>Kenneth M. Kulak, Esquire Anthony C. DeCusatis, Esquire Catherine G. Vasudevan, Esquire Brooke E. McGlinn, Esquire Morgan, Lewis & Bockius 1701 Market Street Philadelphia, PA 19103 ken.kulak@morganlewis.com anthony.decusatis@morganlewis.com catherine.vasudevan@morganlewis.com brooke.mcglinn@morganlewis.com</p>	<p>W. Craig Williams, Esquire Anthony Gay, Esquire Jack Garfinkle, Esquire Exelon Business Services Company 2301 Market Street, S23-1 Philadelphia, PA 19101 craig.williams@exeloncorp.com Anthony.gay@exeloncorp.com Jack.garfinkle@exeloncorp.com</p>
<p>John Evans Small Business Advocate Office of Small Business Advocate 300 North Second Street, Suite 202 Harrisburg, Pennsylvania 17101 jorevan@pa.gov</p>	<p>Richard Kanaskie, Esquire Director and Chief Prosecutor Bureau of Investigation & Enforcement Pennsylvania Public Utility Commission PO Box 3265 Harrisburg PA 17105-3265 rkanaskie@pa.gov</p>
<p>Charis Mincavage, Esquire Adeolu A Bakare, Esquire McNees Wallace & Nurick LLC 100 Pine Street P.O. Box 1166 Harrisburg, Pennsylvania 17108 cmincavage@mwn.com abakare@mwn.com</p>	<p>Elizabeth R. Marx, Esquire Pennsylvania Utility Law Project 118 Locust Street Harrisburg, PA 17101 emarxpulp@palegalaid.net</p>
<p>John F. Lushis, Jr. (I.D. No. 32400) NORRIS McLAUGHLIN, P.A. 515 W. Hamilton Street, Suite 502 Allentown, PA 1810 jlushis@norris-law.com</p>	

Ernest Logan Welde

Ernest Logan Welde, Esquire