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January 20, 2022

Via Electronic Filing

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor (filing room)
PO Box 3265
Harrisburg, PA 17105-3265

Re: Joint Petition of Metropolitan Edison Company, Pennsylvania Electric Company, Pennsylvania Power Company and West Penn Power Company for Approval of Their Default Service Programs; Docket Nos. P-2021-3030012, P-2021-3030013, P-2021-3030014 & P-2021-3030021; **PREHEARING CONFERENCE MEMORANDUM OF THE PENNSYLVANIA STATE UNIVERSITY**

Dear Secretary Chiavetta:

Enclosed you will find The Pennsylvania State University's Prehearing Conference Memorandum in the above-captioned matters. Copies have been served in accordance with the attached Certificate of Service.

Should you have any questions or comments, please feel free to contact me directly.

Very truly yours,

/s/ Thomas J. Sniscak

Thomas J. Sniscak
Whitney E. Snyder
Phillip D. Demanchick Jr.

Counsel for The Pennsylvania State University

TJS/das

Enclosures

cc: Honorable Jeffrey A. Watson (via email, jeffwatson@pa.gov)
Nick Miskanic, Legal Assistant (via email, nmiskanic@pa.gov)
Per the Certificate of Service

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

| | | |
|---|---|---------------------------|
| Petition of Metropolitan Edison Company for Approval of Its Default Service Plan for the Period From June 1, 2023 through May 31, 2027 | : | |
| | : | Docket No. P-2021-3030012 |
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| Petition of Pennsylvania Electric Company for Approval of Its Default Service Plan for the Period From June 1, 2023 through May 31, 2027 | : | |
| | : | Docket No. P-2021-3030013 |
| | : | |
| | : | |
| Petition of Pennsylvania Power Company for Approval of Its Default Service Plan for the Period From June 1, 2023 through May 31, 2027 | : | |
| | : | Docket No. P-2021-3030014 |
| | : | |
| | : | |
| Petition of West Penn Power Company for Approval of Its Default Service Plan for the Period From June 1, 2023 through May 31, 2027 | : | |
| | : | Docket No. P-2021-3030021 |
| | : | |
| | : | |

**PREHEARING CONFERENCE MEMORANDUM OF
THE PENNSYLVANIA STATE UNIVERSITY**

TO: HONORABLE JEFFREY A. WATSON

On December 14, 2021, Metropolitan Edison Company (“Met-Ed”), Pennsylvania Electric Company (“Penelec”), Pennsylvania Power Company (“Penn Power”) and West Penn Power Company (“West Penn”) (collectively the “FirstEnergy Companies”) filed a Joint Petition for Approval of their Default Service Plans (the “Joint Petition”) pursuant to Pennsylvania’s Electricity Generation Customer Choice and Competition Act, 66 Pa. C.S. § 2801, *et seq.*, as amended by Act 129 of 2008, the default service regulations of the Pennsylvania Public Utility Commission (“Commission”) at 52 Pa. Code §§ 54.181-54.190, and the Commission’s Policy Statement on default service at 52 Pa. Code §§ 69.1801-1817. The Joint Petition relates to default

service rates to be charged by the FirstEnergy Companies during the period from June 1, 2023 to May 31, 2027.

On December 17, 2021, a Notice was issued by the Commission setting an Initial Call-In Telephonic Prehearing Conference in the above-captioned proceedings for Friday, January 21, 2022 at 10:00 a.m. before Administrative Law Judge (“ALJ”) Jeffrey A. Watson. On January 3, 2022, ALJ Watson issued a Prehearing Conference Order requiring each party to file a Prehearing Conference Memorandum on or before January 20, 2022, by noon.

On January 18, 2022, PSU filed its Petition to Intervene seeking full party status in this matter as PSU is a large and unique customer of all four FirstEnergy Companies and will be substantially and directly affected by any decision, final order, or settlement.

The Pennsylvania State University (“PSU”), by and through its attorneys in this matter, Hawke McKeon & Sniscak LLP, hereby submits its Prehearing Conference Memorandum.

I. ACCEPTANCE OF SERVICE

In accordance with the Commission’s Order entered September 15, 2021, at Docket No. M-2021-3028321, e-mail service is acceptable for PSU Counsel. Hard copy service is not required at this time. E-mail service of documents in this proceeding shall be accepted on behalf of PSU by the following:

Thomas J. Sniscak, Attorney I.D. No. 33891
Whitney E. Snyder, Attorney I.D. No. 316625
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Should hard copy service become necessary as this proceeding progresses, hard copy service can be sent to the attorneys and address listed above.

II. SETTLEMENT

There have been no settlement discussions to date, but PSU is willing to participate in settlement discussions with the other parties.

III. DISCOVERY

PSU takes no position on modification of the discovery schedule at this time but is willing to work with the parties on mutually agreeable modifications.

IV. SCHEDULE

PSU is working with the other parties to develop a mutually satisfactory schedule for consideration by Your Honor at the Prehearing Conference.

V. WITNESSES

PSU reserves the right to offer the Direct Testimony of James L. Crist, P.E., in support of its positions. Mr. Crist's business address, telephone number and e-mail address are:

James L. Crist, P.E.
Lumen Group, Inc.
4226 Yarmouth Drive, Suite 101
Allison Park, PA 15101
(412) 487-9708
JLCrist@aol.com

PSU requests that copies of all interrogatories, answers to interrogatories, testimony and exhibits submitted be e-mailed directly to Mr. Crist at JLCrist@aol.com.

If called, Mr. Crist may present testimony regarding the effect of FirstEnergy's Joint Petition on the service and rates provided to PSU and particularly regarding these issues as they

relate to West Penn's Tariff Electric – Pa. P.U.C. No. 38 (“Tariff 38”), as PSU is the sole customer taking service under Tariff 38.

Mr. Crist reserves his right to also present testimony on any further issue that may arise as a result of further review of the filing, discovery or testimony or any position taken by any other party to this proceeding.

Additionally, PSU may offer testimony of a member of its Office of Physical Plant - Energy and Sustainability Division (“OPP – Energy and Sustainability”) regarding issues created or raised by the filing and its offered supporting information. PSU reserves the right to present additional witnesses should its discovery or its review of responses to the discovery of other parties raise additional issues.

PSU reserves the right to adopt any testimony of other witnesses, in whole or in part, and to offer additional witnesses and exhibits as may be necessary to address the testimony, exhibits, or evidence that may be presented by any party in this proceeding.

VI. ISSUES

At this juncture, and subject to discovery and issues raised by PSU and by other parties, PSU intends to investigate and pursue the effect of FirstEnergy's proposed Default Service Plans on the service and rates provided to PSU and particularly regarding these issues as they relate to Tariff 38. PSU's position will be finalized in its evidence and briefs submitted under the procedural schedule developed in this case.

VII. EVIDENCE

PSU reserves the right to submit pre-filed direct testimony and associated exhibits addressing the issues identified in the preceding section. PSU may also present additional

testimony and exhibits after discovery or in response to testimony or exhibits introduced by any party or witness in this proceeding.

WHEREFORE, The Pennsylvania State University respectfully submits this Prehearing Conference Memorandum.

Respectfully submitted,

/s/ Thomas J. Sniscak

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Counsel for The Pennsylvania State University

Dated: January 20, 2022

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing document upon the parties, listed below, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a party).

VIA ELECTRONIC MAIL ONLY

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Certificate of Service

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/s/ Thomas J. Sniscak

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Dated this 20th day of January, 2022.