

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Petition of Duquesne Light Company for	:	P-2024-3048592
Approval of Its Default Service Plan for the Period	:	
From June 1, 2025, through May 31, 2029	:	

PREHEARING CONFERENCE ORDER

On April 19, 2024, Duquesne Light Company (Duquesne Light) filed a Petition for Approval of Default Service Plan (Petition) at Docket No. P-2024-3048592. The Petition was filed pursuant to Section 2807(e) of the Public Utility Code.

Notice of the Petition is expected to be published in the *Pennsylvania Bulletin* on May 11, 2024. To become a party in this proceeding, an answer, protest, or petition to intervene must be filed **on or before May 31, 2024**. All parties are required to have an e-filing account, to sign up for e-service online, and to accept service from the Commission electronically.

A Prehearing Conference is scheduled in this case for **Friday, June 7, 2024, at 9:00 a.m.** The undersigned administrative law judges will preside telephonically. To participate in the hearing, you must dial the toll-free number listed below. You will be prompted to enter a PIN number, which is also listed below. You will be asked to speak your name and then the telephone system will connect you to the hearing.

Toll-free Bridge Number: 866-566-0649
PIN Number: 83345259

You must call into the conference on the scheduled day and time. Failure of any party to attend the prehearing conference without good cause shall constitute a waiver of all objections to the agreements reached and matters decided at the prehearing conference. You will not be called by the Administrative Law Judges. **If you intend to attend the prehearing conference, please e-**

mail the Administrative Law Judge Mary D. Long (malong@pa.gov) and Administrative Law Judge John Coogan (jcoogan@pa.gov) and provide the phone number from which you will be calling so that you can be properly identified. **Parties represented by multiple attorneys must also designate a lead speaker for the purposes of the prehearing conference.**

The parties are hereby directed to comply with the following requirements:

1. Each party must **e-file** and serve by email, on or before **June 5, 2024**, a Prehearing Conference Memorandum which sets forth the history of the proceeding, the issues you intend to present, a proposed plan and schedule of discovery, a listing of your proposed witnesses and the subject of their testimony, and a proposed litigation schedule, agreed to by all parties, if possible, which requires the filing of reply briefs by **October 1, 2024**. 52 Pa.Code § 5.222(d).

2. A request for a change of the scheduled Prehearing Conference date must state the agreement or opposition of other parties and must be submitted by email no later than five (5) days prior to the Prehearing Conference. 52 Pa.Code § 1.15(b). Requests for changes of initial prehearing conferences must be sent by email, with copies to all parties of record. Only the undersigned Administrative Law Judges or Office of Administrative Law Judge Scheduling Unit may grant a request for a change of a prehearing conference. Such changes are granted only in rare situations where sufficient cause exists. Requests for changes of subsequent Prehearing Conferences or hearings, if any, should also be served directly on the presiding Administrative Law Judges.

In accordance with the foregoing, absent a continuance for good cause, all parties must be prepared to participate in the scheduled Prehearing Conference.

3. In response to this Prehearing Order, you may proceed one of three ways:

a. **Do nothing.** If you do nothing after receiving this Prehearing Conference Order, you will not be considered a party to this proceeding and you will not be served with any documents.

b. **Testify at a public input hearing if one is scheduled.** Public input hearings, if scheduled, are for the purpose of giving citizens who do not wish to participate in the formal litigation an opportunity to express their opinions regarding the Company's proposal. If you testify at a public input hearing, you will not be permitted to also testify at the technical evidentiary hearings. Notice of the public input hearing, if one is scheduled, will be published on the Commission's website and in your local newspaper at least two weeks before it is held.

c. **Become a party of record.** As a party of record, you will be served with all of the pleadings, filings, discovery requests, written testimony and orders and decisions served and issued in this proceeding. **These documents will be voluminous.** Your *rights* as a party of record include the ability to present your own testimony and to cross-examine other witnesses at the formal hearings, and to file exceptions to the presiding officers' recommended decision. Your *duties* as a party of record are that you must answer all discovery requests served upon you in accordance with the rules. You will be required to serve a copy of anything that you *file* upon the presiding officers and **each party appearing on the service list**, as modified after the Prehearing Conference. If you intend to present evidence at the formal evidentiary hearings, you will be required to submit your testimony in writing in advance, in accordance with the schedule to be set after the Prehearing Conference and to provide a copy of your written testimony to each party on the service list at that time.

d. If you want to become an active party of record, you must register to e-file with the Commission's Secretary's Bureau, if you have not already done so. Filings may not be made by emailing or faxing the Secretary's Bureau.

e. You will be expected to become familiar with the Commission's rules of practice and comply with the instructions and deadlines imposed by the orders of the presiding Administrative Law Judges. The Commission's rules of practice appear in Title 52 of the Pennsylvania Code Chapters 1, 3 and 5. **The Pennsylvania Code is available on-line at <http://www.pacodeandbulletin.gov/>.** Although a natural person or a sole proprietor may appear on their own behalf, if you are any entity other than a natural person or a sole proprietor, (e.g., a

corporation, partnership, municipality, etc.), you will be required to have an attorney represent you in accordance with the laws of Pennsylvania. *See Ordering Paragraph 6.*

4. Please review the regulations pertaining to prehearing conferences, 52 Pa. Code § 5.221-§ 5.224, and in particular, § 5.222(d) which provides, in part:

(d) Parties and counsel will be expected to attend the conference fully prepared for a useful discussion of all problems involved in the proceeding, both procedural and substantive, and fully authorized to make commitments with respect thereto.

(1) The preparation must include submission of a prehearing memorandum and list:

- (i) The presently identified issues.
- (ii) The names and addresses of the witnesses.
- (iii) The proposed area of testimony of each witness.

(2) The preparation may include:

- (i) Development of a proposed procedural schedule.
- (ii) Advance study of all relevant materials.
- (iii) Advance informal communication between the parties, including requests for additional data and information, to the extent it appears feasible and desirable.

(Emphasis added.)

5. Parties should review the regulations relating to discovery, specifically 52 Pa.Code § 5.331(b), which provides, *inter alia*, that “a party shall endeavor to initiate discovery as early in the proceedings as reasonably possible,” and 52 Pa.Code § 5.322, which encourages parties to exchange information on an informal basis. All parties are urged to cooperate in discovery and advise us at the Prehearing Conference as to discovery problems which have not

been resolved. There are limitations on discovery and sanctions for abuse of the discovery process. 52 Pa.Code §§ 5.361, 5.371-5.372.

6. Pursuant to 52 Pa.Code §§ 1.21 & 1.22, you may represent yourself, if you are an individual, or you may have an attorney licensed to practice law in the Commonwealth of Pennsylvania, or admitted *Pro Hac Vice*, represent you. However, if you are a partnership, corporation, trust, association, or governmental agency or subdivision, you must have an attorney licensed to practice law in the Commonwealth of Pennsylvania, or admitted *Pro Hac Vice*, represent you in this proceeding. Unless you are an attorney, you may not represent someone else. Attorneys shall insure that their appearance is entered in accordance with the provisions of 52 Pa.Code § 1.24(b).

7. Failure of a party to attend the Prehearing Conference or notify the Administrative Law Judges of their desire to fully participate without good cause shown, shall constitute a waiver of all objections to the agreements reached and matters decided at the Prehearing Conference, including, but not limited to, any special discovery rules and the litigation schedule established for this case. 52 Pa.Code §§ 5.222(e) & 5.224.

8. You must serve the presiding Administrative Law Judges directly with a copy of any document that you file in this proceeding. If you send the undersigned any correspondence or document, you must send a copy to all other parties. For your convenience, a copy of the Commission's current service list of the parties to this proceeding is enclosed with this Order.

Date: May 7, 2024

_____/s/
Mary D Long
Administrative Law Judge

_____/s/
John Coogan
Administrative Law Judge

**P-2024-3048592 PETITION OF DUQUESNE LIGHT COMPANY FOR APPROVAL OF
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ASPIRITY ENERGY LLC
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MINNEAPOLIS, MN 55416
BLUE PILOT ENERGY
250 PILOT RD STE 300
LAS VEGAS, NV 89119

BLUEROCK ENERGY, INC.
125 E JEFFERSON ST STE 800
SYRACUSE, NY 13202

BOUNCE ENERGY
2802 ALBANY ST
HOUSTON, TX 77006

BP ENERGY RETAIL COMPANY LLC
201 HELIOS WAY
HOUSTON, TX 77079

BRIGHTEN ENERGY, LLC
6555 SIERRA DR
IRVING, TX 75039

CAPITAL ENERGY PA LLC DBA
SUNRISE POWER & GAS
1770 ST. JAMES PLACE SUITE # 606
HOUSTON, TX 77056

CATALYST POWER & GAS LLC
600 FRANKLIN AVE., #268
GARDEN CITY, NY 11530

CHOICE ENERGY, LLC D/B/A 4
CHOICE ENERGY, LLC
601 SW 9TH ST
DES MOINES, IA 50309

CITY POWER AND GAS, LLC
5 COMMERCE ROAD
NEWTOWN, CT 06470

CLEANSKY ENERGY
3355 W ALABAMA ST STE 500
HOUSTON, TX 77098

COMMUNITY ENERGY, INC.
100 MATSONFORD RD STE 300
RADNOR, PA 19087

CONOCO PHILLIPS COMPANY
600 NORTH DAIRY ASHFORD (CH
1032)
HOUSTON, TX 77079

CONSOLIDATED EDISON SOLUTIONS,
100 SUMMIT LAKE DR STE 410
VALHALLA, NY 10595

CONSTELLATION ENERGY SERVICES,
INC.
1716 LAWRENCE DR
DE PERE, WI 54115

CONSTELLATION NEWENERGY, INC.
100 CONSTELLATION WAY
BALTIMORE, MD 21202

CPY RETAIL ENERGY LP
2245 TEXAS DR
SUGAR LAND, TX 77479

DOMINION ENERGY SOLUTIONS
120 TREDEGAR ST STE 500
RICHMOND, VA 23219

DOMINION MARKETING SERVICES
DPL ENERGY RESOURCES, INC.
1065 WOODMAN DR
DAYTON, OH 45432

DTE ENERGY SUPPLY, INC.
414 S MAIN ST STE 200
ANN ARBOR, MI 48104

DUQUESNE LIGHT ENERGY LLC
424 S 27TH ST STE 220
PITTSBURGH, PA 15203

ENERGETIX, INC
50 METHODIST HILL DR STE 1500
ROCHESTER, NY 14623

ENERGO POWER & GAS LLC D/B/A
MARATHON ENERGY D/B/A ENERGO
100 ELWOOD DAVIS ROAD, 2G
SYRACUSE, NY 13212

ENERPENN USA LLC
1275 GLENLIVET DR STE 100
ALLENTOWN, PA 18106

GLACIAL ENERGY OF PA, INC.
555 PLEASANTVILLE RD
BRIARCLIFF, NY 10510

GRAND ENERGY, LLC
15215 N. KIERLAND BLVD
SCOTTSDALE, AZ 85254

GREAT AMERICAN POWER
539 W COMMERCE ST
DALLAS, TX 75208

GREEN MOUNTAIN ENERGY
COMPANY
PO BOX 7476
PHILADELPHIA, PA 19101

GRID POWER DIRECT, LLC
1 METROTECH CENTER NORTH
BROOKLYN, NY, 11201

GUTTMAN ENERGY INC.
3117 WASHINGTON PIKE STE 550
BRIDGEVILLE, PA 15017

HESS CORPORATION
1 HESS PLACE
WOODBIDGE, NJ 07095

IDT ENERGY, INC.
550 BROAD ST
NEWARK, NJ 07102

IRON ENERGY
1114 LOST CREEK BLVD STE 410
AUSTIN, TX 78746

LIFE ENERGY, LLC
2000 WEST LOOP S STE 2010
HOUSTON, TX 77027

MIDAMERICAN ENERGY
4299 NW URBANDALE DR
URBANDALE, IA 50322

NATIONAL CHOICE ENERGY, LLC
17113 MIRAMAR PKWY STE 200
MIRAMAR, FL 33027

NEW WAVE ENERGY CORP
410 MAIN ST.
BUFFALO, NY 14202

NEXTERA ENERGY SERVICES PA LLC
PO BOX 25225
LEHIGH VALLEY, PA 18002

NEXTERA ENERGY SERVICES
PENNSYLVANIA, LLC
601 TRAVIS STREET STE 1400
HOUSTON, TX 77002

NORDIC ENERGY SERVICES, LLC
1 TOWER LANE
OAKBROOK TERRACE, IL 60181

NORTH AMERICAN POWER AND GAS
1500 RANKIN RD STE 200
HOUSTON, TX 77073

NRG RETAIL SOLUTIONS
804 CARNEGIE CENTER
PRINCETON, NJ 08540

OASIS ENERGY
11152 WESTHEIMER, SUITE 901
HOUSTON, TX 77042

OCTOPUS ENERGY LLC
114 MAIN STREET, SUITE 500
HOUSTON, TX 77002

OXFORD ENERGY SERVICES, LLC
90B JOHN MUIR DR STE 100
AMHERST, NY 14228

PARK POWER
2098 W CHESTER PIKE STE 200
BROOMALL, PA 19008

PENNSYLVANIA GAS & ELECTRIC
4075 LINGLESTOWN RD # 113
HARRISBURG, PA 17112

PEPCO ENERGY SERVICES, INC
1300 17TH ST N STE 1600
ARLINGTON, VA 22209

PILOT POWER GROUP, LLC
8910 UNIVERSITY CENTER LN STE 520
SAN DIEGO, CA 92122

PINNACLE POWER, LLC
5847 SAN FELIPE ST STE 3700
HOUSTON, TX 77057
PLANET ENERGY CORP
1691 MICHIGAN AVE STE 425
MIAMI BEACH, FL 33139

PLYMOUTH ROCK ENERGY CORP.
920 RAILROAD AVE
WOODMERE, NY 11598

POWERVINE ENERGY, LLC
539 W. COMMERCE ST
DALLAS, TX 75208

PUBLIC POWER, LLC
1055 WASHINGTON BLVD FL 7
STAMFORD, CT 06901

RESCOM ENERGY CORP.
20 EAST AVE
BRIDGEPORT, CT 06610

RESIDENTS ENERGY, LLC
20 W 3RD ST
JAMESTOWN, NY 14701

RESPOND POWER DBA MAJOR
ENERGY
12140 WICKCHESTER LN
HOUSTON, TX 77079

RPA ENERGY INC.
14 WALL STREET, 2ND FLOOR
HUNTINGTON, NY 11743

RUSHMORE ENERGY, LLC
54 SUGAR CREEK CENTER BLVD STE
200
SUGAR LAND, TX 77478

SANTANNA NATURAL GAS
CORPORATION
7701 SAN FELIPE BLVD STE 200
AUSTIN, TX 78729

SFE ENERGY
PO BOX 967
BUFFALO, NY 14240

SHIPLEY ENERGY
PO BOX 15052
YORK, PA 17405

SMARTENERGY HOLDINGS, LLC
7450 TILGHMAN ST
ALLENTOWN, PA 18106

SMARTESTENERGY US, LLC
333 W WASHINGTON ST STE 140
SYRACUSE, NY 13202
SOURCE POWER & GAS LLC
2150 TOWN SQUARE PL STE 390
SUGAR LAND, TX 77479

SPARK ENERGY, LLC
12140 WICKCHESTER LN.,
HOUSTON, TX 77079

STREAM ENERGY
PO BOX 7287
PHILADELPHIA, PA 19101

SUMMER ENERGY MIDWEST, LLC
5847 SAN FELIPE ST STE 3700
HOUSTON, TX 77057

SUNWAVE GAS & POWER
PENNSYLVANIA INC.
100 CAMBRIDGE ST.
BOSTON, MA 02114

TERM POWER & GAS LLC D/B/A
ENCOA
8847 W SAM HOUSTON PKWY N
HOUSTON, TX 77040

TEXAS RETAIL ENERGY, LLC
2608 SE J ST.
BENTONVILLE, AR 72716

THE ENERGY COOPERATIVE
ASSOCIATION OF PHILADELPHIA
1515 MARKET STREET
PHILADELPHIA, PA 19102

U.S. ENERGY PARTNERS, LLC
100 COLLEGE PKWY STE 280
WILLIAMSVILLE, NY 14221

VERDE ENERGY USA, INC.
101 MERRITT 7 STE 3
NORWALK, CT 06851

VIRIDIAN ENERGY PA, LLC
1055 WASHINGTON BLVD FL 7
STAMFORD, CT 06901
WGL ENERGY SERVICES, INC
PO BOX 7600
HAMPTON, VA 23666

WGL ENERGY SERVICES, INC.
8614 WESTWOOD CENTER DR
VIENNA, VA 22182

XOOM ENERGY PENNSYLVANIA, INC
11208 STATESVILLE RD STE 2000
HUNTERSVILLE, NC 28078

ALLEGHENY ENERGY SUPPLY CO,
LLC
341 WHITE POND DR
AKRON, OH 44320

AMERICAN POWER PARTNERS, LLC
8205 MAIN ST STE 11
WILLIAMSVILLE, NY 14221