

June 5, 2024

E-FILE

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor
Harrisburg, PA 17120

**RE: Petition of Duquesne Light for Approval of Its Default Service Plan for the
Period from June 1, 2025 Through May 31, 2029;
Docket No. P-2024-3048592**

Dear Secretary Chiavetta:

Attached for filing with the Pennsylvania Public Utility Commission is the Prehearing Conference Memorandum of Calpine Retail Holdings, LLC ("Calpine") in the above proceeding.

The parties shown on the attached Certificate of Service are being duly served with a copy of Calpine's Prehearing Conference Memorandum by e-mail.

If you have any questions, please contact me.

Thank you.

Sincerely,

NORRIS McLAUGHLIN, P.A.

/s/ John F. Lushis, Jr.

John F. Lushis, Jr.

cc: Administrative Law Judge Mary D. Long (via e-mail)
Administrative Law Judge John M. Coogan (via-email)
Certificate of Service

CERTIFICATE OF SERVICE

I hereby certify that I am this day serving a true copy of the foregoing document upon the participants listed below in accordance with the requirements of Section 1.54 (relating to service by a participant).

Lisa Grimenstein
Duquesne Light Company
411 Seventh Avenue, 15th Floor
Pittsburg, PA 15219
lgrimenstein@duqlight.com

Christy Appleby, Esquire
Emily Farren, Esquire
Office of Consumer Advocate
555 Walnut Street, 5th Floor
Harrisburg, PA 17101-1923
cappleby@paoca.org
efarren@paoca.org

Allison Kaster, Esquire
Bureau of Investigation & Enforcement
Commonwealth Keystone Building
400 North Street, 2nd Floor West
P.O. Box 3265
Harrisburg, PA 17105-3265
akaster@pa.gov

Kevin C. Blake, Esquire
Phillips Lytle, LLP
125 Main Street
Buffalo, NY 14203
kblake@phillipslytle.com
Counsel for Statewise

Nazaraarah Sabree, Esquire
Office of Small Business Advocate
555 Walnut Street, 1st Floor
Harrisburg, PA 17101
RA-SBA@PA.Gov

PJM Interconnection
Christopher O'Hara
2750 Monroe Boulevard
Audubon, PA 19403-2497
christopher.ohara@pjm.com

Elizabeth R. Marx, Esquire
John W. Sweet, Esquire
Ria Pereira, Esquire
Pennsylvania Utility Law Project 118 Locust
Street
Harrisburg, PA 17101
emarx@pautilitylawproject.org
jsweet@pautilitylawproject.org
rpereira@pautilitylawproject.org
lberman@pautilitylawproject.org
(Intervenor)

Gregory L. Peterson, Esquire
Phillips Lytle LLP
201 West Third Street, Suite 205
Jamestown, NY 14701-4907
gpeterson@phillipslytle.com
Counsel for Statewise

Thomas F. Puchner, Esquire
Phillips Lytle LLP
Omni Plaza
30 South Pearl Street
Albany, NY 12207-1537
tpuchner@phillipslytle.com
(Counsel for Statewise)

Bruce Burcat, Esquire
P.O. Box 385
Camden, DE 19934
marec.org@gmail.com
(Counsel for MAREC)

Andrew J. Karas, Esquire
Emily A. Collins, Esquire
Fair Share Environmental
Legal Services
647 E. Market Street
Akron, OH 44304
akaras@fairshake-els.org
ecollins@fairshake-els.org
(Counsel for Natural Resources Defense
Council)

Charles E. Thomas, Jr., Esquire
Thomas, Niesen & Thomas, LLC
212 Locust Street, Suite 302
Harrisburg, PA 17101
cthomasjr@tntlawfirm.com
(Counsel for MAREC)

James M. Van Nostrand, Esquire
Keyes & Fox LLP
275 Orchard Drive
Pittsburgh, PA 15228
jvannostrand@keyesfox.com
(Counsel for Charge Point Inc.)

Mark C. Szybist, Esquire
1152 15th Street, Suite 300
Washington, DC 200005
mszybist@nrdc.org
(Counsel for Natural Resources Defense
Council)

Anthony D. Kanagy, Esquire
Nicholas Stobbe Esquire
Post & Schell PC
17 North Second Street, 12th Floor
Harrisburg, PA 17101
akanagy@postschell.com
nstobbe@postschell.com
(Counsel for DLC)



John F. Lushis, Jr.
Counsel to Calpine Retail Holdings, LLC

Date: June 5, 2024

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Petition of Duquesne Light Company :
for Approval of Its Default Service Program : Docket No. P-2024-3048592
for the Period From June 1, 2025 Through :
May 31, 2029 :

**PREHEARING CONFERENCE MEMORANDUM
OF CALPINE RETAIL HOLDINGS, LLC**

TO THE HONORABLE MARY D. LONG AND JOHN M. COOGAN

Pursuant to the Prehearing Conference Order dated May 7, 2024, in the above-captioned proceeding and Sections 5.221 of the Pennsylvania Public Utility Commission’s (“PUC” or “Commission”) Regulations, 52 Pa. Code § 5.221, Calpine Retail Holdings, LLC (together with its operating subsidiaries, “Calpine”) hereby files this Prehearing Conference Memorandum.

I. PROCEDURAL HISTORY

1. On April 19, 2024, Duquesne Light Company (“Duquesne”) petitioned the Commission for approval of the Company’s sixth Default Service Program (“DSP V”).
2. On May 31, 2024, Calpine petitioned to intervene in this proceeding.
3. Calpine is a provider of competitive electric services and as such is directly affected by the default service programs maintained by Duquesne and other electric utilities.

II. COUNSEL

4. The name and address of Calpine’s attorney is:

John F. Lushis, Jr. (I.D. No. 32400)
Norris McLaughlin, P.A.
515 W. Hamilton Street,| Suite 502
Allentown, PA 1810
Phone: (484) 765-2211
Fax: (484) 765-2270
jlushis@norris-law.com

All parties are requested to hereafter serve said counsel electronically with all documents served in this proceeding.

III. EXPECTED ISSUES

5. Calpine is concerned with issues that affect competitive markets in Pennsylvania, including the structure and implementation of the default service, the procurement and implementation of default service supply, the procurement of generating capacity, long-term contracting of renewables and programs that could potentially harm or become a disincentive to create customized and innovative competitive retail electric products and services for its current and prospective customers.

IV. PROPOSED WITNESSES

6. Calpine does not expect to file direct testimony. Depending on the issues raised in direct testimony by other parties, Calpine reserves the right to call Becky Merola, a Calpine Director of Government & Regulatory Affairs, as a rebuttal witness. Calpine reserves the right to offer additional witnesses as necessitated by the issues.

V. LITIGATION SCHEDULE

7. Calpine will cooperate with the parties and the Presiding Officers to develop and agree upon a reasonable litigation schedule.

VI. DISCOVERY

8. Calpine has not submitted discovery as of the date of this Prehearing Conference Memorandum. Should it conclude that such discovery is necessary, it will submit its requests consistent with the schedule proposed by Duquesne. Calpine will cooperate with the parties and the Presiding Officers to develop and agree upon discovery procedures including a discovery schedule.

VII. SETTLEMENT

9. Calpine is willing to engage in settlement discussions with any and all parties at any time during this proceeding.

WHEREFORE, Calpine Retail Holdings, LLC respectfully submits this Prehearing Conference Memorandum in anticipation of the Prehearing Conference currently scheduled to be held telephonically on June 7, 2024, at 9:00 a.m.

Respectfully submitted,
NORRIS McLAUGHLIN, P.A.

By /s/ John F. Lushis, Jr.
John F. Lushis, Jr. (I.D. No. 32400)
NORRIS McLAUGHLIN, P.A.
515 W. Hamilton Street, Suite 502
Allentown, PA 1810
Phone: (484) 765-2211
Fax: (484) 765-2270
jlushis@norris-law.com

Counsel to Calpine Retail Holdings, LLC

Dated: June 5, 2024