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*Via Electronic Filing*

June 5, 2024

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

**Re: Docket No. P-2024-3048592: Petition of Duquesne Light Company for Approval of a Default Service Plan**

Dear Secretary Chiavetta:

Pursuant to the May 7, 2024 Prehearing Conference Order in the above captioned proceeding, enclosed please find Constellation NewEnergy, Inc. and Constellation Energy Generation, LLC's Prehearing Memorandum.

The parties shown on the attached Certificate of Service are being duly served with a copy of the enclosed Prehearing Memorandum. Please do not hesitate to contact me if you have any questions or require additional information. Thank you.

Very truly yours,



Elizabeth J. Sher  
Attorney No. 207853

Enclosure

cc: Administrative Law Judge Mary D. Long (via email [malong@pa.gov](mailto:malong@pa.gov))  
Administrative Law Judge John Coogan (via email [jcoogan@pa.gov](mailto:jcoogan@pa.gov))  
Service List

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Petition of Duquesne Light Company  
for Approval of a Default Service Plan

Docket No. P-2024-3048592

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**PREHEARING MEMORANDUM OF  
CONSTELLATION NEWENERGY, INC.  
AND CONSTELLATION ENERGY GENERATION, LLC**

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Pursuant to 52 Pa. Code §§ 5.71-5.75, the Prehearing Conference Order dated May 7, 2024, and subject to the granting of its Petition to Intervene filed on May 31, 2024, Constellation NewEnergy, Inc. and Constellation Energy Generation, LLC (“Constellation”) hereby submit this Prehearing Memorandum to address the topics set forth in the Prehearing Conference Order.

**I. BACKGROUND**

On April 19, 2024, Duquesne Light Company (“Duquesne” or the “Company”) petitioned the Pennsylvania Public Utility Commission (“Commission”) for approval of the Company's Default Service Plan (“DSP”). On May 31, 2024 Constellation filed a Petition to Intervene. A telephonic prehearing conference has been scheduled for June 7, 2024 before Administrative Law Judges (“ALJs”) Mary D. Long and John Coogan.

**II. ISSUES**

As noted in its Petition to Intervene, Constellation will be specifically and substantially affected by the outcome of this proceeding. Constellation is continuing to evaluate Duquesne’s proposals and the forthcoming positions of other parties in relation to its interests and will determine to what extent, if necessary, it identifies issues necessary to bring to the Commission’s attention. As such, Constellation reserves the right to raise other issues identified through its continued review and analysis in this case.

The May 7 Prehearing Conference Order Requests input from the parties on the following topics:

a) The issues you intend to present.

Constellation is continuing to evaluate the issues in this proceeding at this time.

b) A proposed plan and schedule of discovery.

Constellation will cooperate with the parties and presiding officers to develop a reasonable discovery plan and schedule.

c) A listing of your proposed witnesses and the subject of their testimony.

Constellation is continuing to evaluate the issues in this proceeding at this time and is still considering whether or not to present testimony in this matter. Constellation reserves the right to present a witness, as may be necessary, depending on the course of the proceeding. If Constellation decides to present testimony, Constellation will provide reasonable notice to ALJs Long and Coogan, as well as the parties. Constellation also reserves its right to add or change the identity of its witnesses at any time, upon appropriate notice to the ALJs and the parties.

d) A proposed litigation schedule.

Constellation will cooperate with the parties and presiding officers to develop a reasonable litigation schedule.

Respectfully submitted,



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Dated: June 5, 2024

**CERTIFICATE OF SERVICE**

I hereby certify that I am this day serving via email or regular mail 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).



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and Constellation Energy Generation, LLC

Dated this 5<sup>th</sup> day of June 2024

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

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IRVING, TX 75039

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CHOICE ENERGY, LLC  
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1032)  
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DE PERE, WI 54115

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MARATHON ENERGY D/B/A ENERGO  
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LIFE ENERGY, LLC  
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MIRAMAR, FL 33027

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90B JOHN MUIR DR STE 100  
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PARK POWER  
2098 W CHESTER PIKE STE 200  
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PLYMOUTH ROCK ENERGY CORP.  
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