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June 25, 2024

**VIA ELECTRONIC FILING**

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

RE: Petition of UGI Utilities, Inc. – Electric Division for Approval of a Default Service Plan (DSP V) for the Period of June 1, 2025 through May 31, 2029; Docket No. P-2024-3049343; C-2024-3049618; **PENN RENEWABLES LLC PREHEARING CONFERENCE MEMORANDUM**

Dear Secretary Chiavetta:

Enclosed for filing with the Commission is the Prehearing Conference Memorandum of Penn Renewables LLC (“Penn”) in the above-captioned matters. Copies of the Memorandum have been served in accordance with the attached Certificate of Service.

Thank you for your attention to this matter. If you have any questions, please do not hesitate to contact me.

Very truly yours,

Todd S. Stewart  
*Counsel for Penn Renewables LLC*

TSS/jld

Enclosure

cc: Administrative Law Judge Dennis J. Buckley (via electronic mail – [debuckley@pa.gov](mailto:debuckley@pa.gov))  
Administrative Law Judge Alphonso Arnold III (via electronic mail - [alphonarno@pa.gov](mailto:alphonarno@pa.gov))  
Per Certificate of Service

**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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*Counsel for UGI Utilities, Inc.*



DATED: June 25, 2024

\_\_\_\_\_  
Todd S. Stewart

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Petition of UGI Utilities, Inc. – Electric :  
Division for Approval of a Default Service : Docket No. P-2024-3049343  
Plan (DSP V) for the Period of June 1, 2025 : C-2024-3049618  
through May 31, 2029 :

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**PREHEARING CONFERENCE MEMORANDUM  
OF PENN RENEWABLES LLC**

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**TO THE HONORABLE PRESIDING ADMINISTRATIVE LAW JUDGES DENNIS J. BUCKLEY AND ALPHONSO ARNOLD III:**

NOW COMES Penn Renewables LLC (“Penn”), by and through its counsel, Hawke McKeon & Sniscak LLP, and hereby submits its Prehearing Conference Memorandum in compliance with the June 13, 2024, Prehearing Order issued by Presiding Administrative Law Judges Dennis J. Buckley and Alphonso Arnold III. Penn is the owner of twelve solar net metering projects already approved in the UGI - Electric (“UGI”) service territory. Penn filed a Formal Complaint against UGI’s Default Service Plan (“DSP”) on June 18, 2024. Penn’s Complaint addresses the novel and illegal manner in which UGI has proposed to segregate net metering customer generators and to charge/compensate those customers for default service and/or excess generation. Penn states and avers as follows:

## **I. REPRESENTATION**

Penn Renewables LLC is represented in this matter by the following Counsel, please include Counsel on the service list in this matter:

Todd S. Stewart (PA ID #75556)  
Hawke McKeon & Sniscak LLP  
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## **II. WITNESSES**

Penn Renewables is in the process of vetting and retaining a witness for this matter and will inform Your Honors and other Counsel as soon as a witness is retained.

## **III. ISSUES**

This primary issue that Penn intends to address in this proceeding is the mechanism by which UGI has proposed to compensate Net Metering Customer Generators for excess generation as required by the Alternative Energy Portfolio Standards Act, 73 P.S. §§ 1648.1, *et seq.* UGI has proposed what Penn believes is an illegal and ill advised mechanism for such compensation. Penn reserves the right to expand this issue list as circumstances warrant.

## **IV. EVIDENCE**

Penn will present the testimony of a qualified expert or experts, to support its contentions that the proposed GSR-2 classification and the means by which UGI proposes to compensate net metered customer generators for excess generation is illegal and ill advised.

## **V. PROCEDURAL SCHEDULE**

Penn will work with the other parties to develop a procedural schedule that is acceptable to all parties and Your Honors.

**VI. PROTECTIVE ORDER**

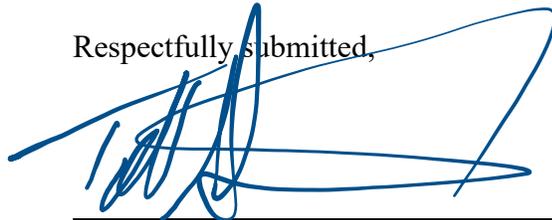
Penn commits to seek alternatives for discovery and evidence that minimize the need to produce or offer confidential materials for the record but recognizes that such efforts are no guarantee that such materials will not be produced in discovery and/or offered into evidence and therefore will cooperate with the parties to prepare a mutually acceptable protective order.

**VII. DISCOVERY RULES**

Penn will work with the parties to reach a mutually acceptable agreement on additions to the Commission’s ordinary discovery rules to adapt to the process in this matter, if such adaptations are required.

WHEREFORE, Penn submits this Prehearing Conference Memorandum in compliance with the Order in this case.

Respectfully submitted,



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*Counsel for Penn Renewables LLC*

DATED: June 25, 2024