

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Petition of PPL Electric Utilities Corporation for :
Approval of its Second Distribution Energy : P-2024-3049223
Resources Management Plan :

SCHEDULING ORDER

On July 24, 2024, the Commission issued a telephonic prehearing conference notice, setting this proceeding for a prehearing conference on August 6, 2024 at 10:00 a.m. On July 25, 2024, and in accordance with the provisions of 66 Pa.C.S. §333 and 52 Pa.Code §§5.221-5.223, a prehearing conference order was issued outlining various procedural matters to be addressed at the prehearing conference.

In response to the prehearing conference order, the parties submitted prehearing memoranda outlining their respective positions on various procedural matters. The prehearing conference convened on August 6, 2024, as scheduled. The following counsel appeared on behalf of the respective parties:

Devin T Ryan, Megan E Rulli, Kimberly A Klock..... PPL Electric Utilities
Corporation (PPL)

Christy M Appleby, Harrison W Breitman.....Office of Consumer Advocate
(OCA)

Steven C Gray, Rebecca Lyttle.....Office of Small Business Advocate
(OSBA)

Bernice I Corman Joint Solar Parties (JSP)

Adeolu A Bakare, Rebecca Kimmel PP&L Industrial Customer Alliance
(PPLICA)

Judith D Cassel, Micah R Bucy.....Sustainable Energy Fund of Central
Easten Pennsylvania (SEF)

During the conference, various procedural matters were discussed. This Scheduling Order sets forth the procedural matters addressed during the Prehearing Conference.

ORDER

THEREFORE,

IT IS ORDERED:

1. That the Petitions to Intervene filed by the Joint Solar Parties,¹ PP&L Industrial Customer Alliance, and the Sustainable Energy Fund of Central Eastern Pennsylvania, are granted.

2. That the parties of record in this proceeding as of this date are PPL Electric Utilities Corporation, the Office of Consumer Advocate, the Office of Small Business Advocate, the Joint Solar Parties, PP&L Industrial Customer Alliance, and Sustainable Energy Fund of Central Eastern Pennsylvania.

3. That the following schedule is adopted for this proceeding:

Service of Other Parties' Direct Testimony	September 17, 2024
Service of Rebuttal Testimony	October 17, 2024
Service of Surrebuttal Testimony	October 30, 2024
Hearing/Oral Rejoinder Testimony (Telephonic)	November 6-7, 2024
Main Briefs	November 27, 2024
Reply Briefs	December 11, 2024

¹ As detailed in the Joint Solar Parties' Petition to Intervene, the "Joint Solar Parties" include American Home Contractors, Inc., Enphase Energy, Inc., the Solar Energy Industries Association, SolarEdge Technologies, Inc., Sun Directed, Sunnova, Inc., Tesla, Inc. and Trinity Solar, LLC.

However, should the Commission grant a request to continue PPL’s existing DER Management pilot program until litigation in this proceeding concludes, the above schedule shall be superseded by the following schedule:

Service of Other Parties’ Direct Testimony	September 24, 2024
Service of Rebuttal Testimony	October 31, 2024
Service of Surrebuttal Testimony	November 19, 2024
Rejoinder Testimony or Outlines	November 26, 2024
Hearing/Oral Rejoinder Testimony (Telephonic)	December 4-5, 2024
Main Briefs	January 17, 2025
Reply Briefs	January 31, 2025

4. The parties shall serve documents so that documents are received in-hand by the parties and the undersigned no later than 4:30 p.m. on the dates listed. Parties may serve documents via e-mail to meet this requirement. Parties shall not file testimony with the Commission but shall file a certificate of service.

5. That any evidentiary hearing in this matter constitutes a formal legal proceeding and will be conducted in accordance with the Commission’s Rules of Administrative Practice and Procedure, as well as the rules of evidence as applied to administrative hearings.

6. That written testimony shall comply with the requirements of 52 Pa.Code § 5.412 and shall be marked with numerical, sequential statement numbers.

7. That any motions with respect to, or objections to, written testimony must be presented in writing no later than three days prior to the day that the witness sponsoring that testimony is scheduled to testify. Answers to such motions or objections may be filed within three days or sooner if circumstances warrant. Oral motions, other than for good cause, shall not be accepted.

8. That discovery shall be conducted according to the Commission's rules and regulations at 52 Pa. Code § 5.321 *et seq*, subject to the following modifications:

Effective as of the date of the prehearing conference on August 6, 2024:

- A. Answers to written interrogatories and requests for document production, entry for inspection, or other purposes shall be served in-hand within ten (10) calendar days of service.
- B. Objections to interrogatories and/or requests for production shall be communicated orally to the propounding party within three (3) calendar days of service of the interrogatories; unresolved objections shall be served in writing to the propounding party within five (5) calendar days of service of the interrogatories and/or requests for production.
- C. Motions to dismiss objections and/or direct the answering of interrogatories and/or requests for production shall be filed within three (3) calendar days of service of written objections.
- D. Answers to motions to dismiss objections and/or answering of interrogatories and/or requests for production shall be filed within three (3) calendar days of service of such motions.
- E. Requests for admissions will be deemed admitted unless answered within ten (10) calendar days or objected to within five (5) calendar days of service.
- F. Answers to on-the-record data requests shall be served in-hand within five (5) calendar days of the requests.
- G. Any discovery or discovery-related pleadings (such as objections, motions, and answers to same) served after served after 4:30 p.m. Monday through Thursday or after 1:30 p.m. on a Friday or the day before a holiday will be deemed to have been served on the next business day for purposes of calculating the due date for any responsive filing.

After rebuttal testimony is served, the following deadlines apply:

- A. Answers to interrogatories and responses to requests for document production, entry for inspection, or other purposes shall be served within five (5) calendar days of service of the interrogatories or requests for production.
- B. Objections to interrogatories and/or requests for production shall be communicated orally to the propounding party within three (3) calendar days of service; unresolved objections shall be served on the propounding

party in writing within four (4) calendar days of service of the interrogatories and/or requests for production.

- C. Motions to dismiss objections and/or direct the answering of interrogatories and/or requests for production shall be filed within two (2) calendar days of service of written objections.
- D. Answers to motions to dismiss objections and/or direct the answering of interrogatories and/or requests for production shall be filed within two (2) calendar days of service of such motions.
- E. Requests for admission shall be deemed admitted unless answered or objected to within three (3) calendar days of service.
- F. Discovery requests and discovery related pleadings (such as objections, motions, and answers to same) served after 4:30 p.m. Monday through Thursday or after 1:30 p.m. on a Friday or the day preceding a holiday shall be deemed to have been served on the next business day.

9. That the parties shall conduct discovery pursuant to 52 Pa.Code §§ 5.321-5.373, as modified above. The parties are encouraged to cooperate and exchange information on an informal basis. The parties shall cooperate rather than engage in numerous or protracted discovery disagreements that require formal resolution. All motions to compel shall contain a certification by counsel setting forth the informal discovery undertaken and their efforts to resolve their discovery disputes informally. If a motion to compel does not contain this certification, the parties will be directed to pursue informal discovery. There are limitations on discovery and sanctions for abuse of the discovery process. 52 Pa.Code §§ 5.361, 5.371-5.372.

10. That the parties shall stipulate to any matters they reasonably can to expedite this proceeding, lessen the burden of time and expenses in litigation on all parties and conserve administrative hearing resources. 52 Pa.Code §§ 5.232 and 5.234.

11. That the parties should do their best to avoid the use of **Confidential Security Information (CSI)**, as defined by 35 P.S. § 2141 et seq., in this proceeding. Where possible, the parties should develop alternative means of introducing information into the record, such as joint stipulations or redaction when proposing testimony or exhibits. If the parties cannot avoid the use of CSI, the parties are to contact the undersigned in advance of any submission, and prior to the evidentiary hearing.

P-2024-3049223 - PETITION OF PPL ELECTRIC UTILITIES CORP FOR APPROVAL OF ITS SECOND DISTRIBUTED ENERGY RESOURCES MANAGEMENT PLAN.

DEVIN T RYAN, ESQUIRE
POST AND SCHELL PC
ONE OXFORD CENTRE
301 GRANT STREET SUITE 3010
PITTSBURGH PA 15219
717.731.1985
dryan@postschell.com
Accepts eService
(Counsel for PPL)

MEGAN E RULLI, ESQUIRE
POST AND SCHELL PC
17 NORTH SECOND STREET
12th FLOOR
HARRISBURG PA 17101
717.612.6012
mrulli@postschell.com
Accepts eService
(Counsel for PPL)

KIMBERLY A KLOCK, ESQUIRE
PPL SERVICES CORPORATION
TWO NORTH NINTH STREET
ALLENTOWN PA 18101
610.774.2599
kklock@pplweb.com
Accepts eService
(Counsel for PPL)

STEVEN C GRAY, ESQUIRE
REBECCA LYTTLE, ESQUIRE
OFFICE OF SMALL BUSINESS
ADVOCATE
555 WALNUT STREET
FORUM PLACE, 1ST FLOOR
HARRISBURG, PA 17101
717.783.2525
sgray@pa.gov
relyttle@pa.gov
Served via email

CHRISTY M. APPLEBY, ESQUIRE
HARRISON W BREITMAN, ESQUIRE
OFFICE OF CONSUMER ADVOCATE
555 WALNUT STREET
FORUM PLACE, 5TH FLOOR
HARRISBURG, PA 17101
cappleby@paoca.org
hbreitman@paoca.org
Accepts eService

BERNICE I. CORMAN, ESQUIRE
BICKY CORMAN LAW PLLC
1250 CONNECTICUT AVENUE, NW,
SUITE 700
WASHINGTON, DC 20036
bcorman@bickycormanlaw.com
Served via email and first class mail
(Counsel for Joint Solar Parties)

JUDITH D. CASSEL, ESQUIRE
MICAH R. BUCY, ESQUIRE
HAWKE, MCKEON & SNISCAK LLP
501 CORPORATE CIRCLE
SUITE 302
HARRISBURG, PA 17101
jdcassel@hmslegal.com
mrbcy@hmslegal.com
Served via email and first class mail
(Counsel for Sustainable Energy Fund)

ADEOLU A. BAKARE, ESQUIRE
REBECCA KIMMEL, ESQUIRE
MCNEES, WALLACE & NURICK LLC
100 PINE STREET
P.O. BOX 1166
HARRISBURG, PA 17108
abakare@mcneeslaw.com
rkimmel@mcneeslaw.com
Accepts eService
(Counsel for PPLICA)