



Fox Rothschild LLP
ATTORNEYS AT LAW

2000 Market Street, 20th Floor
Philadelphia, PA 19103-3222
Tel 215.299.2000 Fax 215.299.2150
www.foxrothschild.com

BRETT BERMAN
Direct No: 215.299.2842
Email: BBerman@FoxRothschild.com

August 16, 2024

VIA ELECTRONIC FILING

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor North
P.O. Box 3265
Harrisburg, PA 17105-3265

Re: *GTI Pennsylvania, LLC v. PPL Electric Utilities Corporation,*
Docket Nos. P-2024-3050634 & C-2024-3050633

Dear Secretary Chiavetta:

Attached for filing is GTI Pennsylvania, LLC's Petition to Withdraw Petition of GTI Pennsylvania, LLC for Emergency Order. Copies will be provided as indicated on the Certificate of Service.

Very truly yours,

Brett A. Berman

BAB/gs
Attachments

cc: Certificate of Service

A Pennsylvania Limited Liability Partnership

California Colorado Delaware District of Columbia Florida Georgia Illinois Minnesota Nevada
New Jersey New York North Carolina **Pennsylvania** South Carolina Texas Virginia Washington

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CERTIFICATE OF SERVICE

I hereby certify that on August 16, 2024, I caused a copy of the foregoing documents to be served as follows pursuant to 52 Pa. Code § 1.54:

VIA ELECTRONIC MAIL

Devin T. Ryan (ID # 316602)
Alice Wade (ID # 335228)
Post & Schell, P.C.
One Oxford Centre
301 Grant Street, Suite 3010
Pittsburgh, PA 15219
Phone: 717-612-6052
Fax: 717-731-1985
E-mail: dryan@postschell.com
alice.wade@postschell.com

VIA ELECTRONIC MAIL

Megan E. Rulli (ID # 331981)
Post & Schell, P.C.
17 North Second St., 12th Floor
Harrisburg, PA 17101-1601
Phone: 717-612-6012
Fax: 717-731-1985
E-mail: mrulli@postschell.com

VIA ELECTRONIC MAIL

Kimberly A. Klock (ID # 89716)
Michael J. Shafer (ID # 205681)
PPL Services Corporation
827 Hausman Road
Allentown, PA 18104
Phone: 610-774-2599
Fax: 610-774-4102
E-mail: kklock@pplweb.com
mjshafer@pplweb.com

Dated: August 16, 2024

/s/ Brett A. Berman

Brett A. Berman, Esquire

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

GTI PENNSYLVANIA, LLC,	:	
	:	
Complainant,	:	DOCKET NOS. P-2024-3050634 &
	:	C-2024-3050633
v.	:	
	:	
PPL ELECTRIC UTILITIES	:	
CORPORATION,	:	
	:	
Respondent.	:	

**GTI PENNSYLVANIA, LLC’S PETITION TO WITHDRAW
PETITION OF GTI PENNSYLVANIA, LLC FOR EMERGENCY ORDER**

AND NOW comes GTI Pennsylvania, LLC (“GTI”), by its undersigned counsel, Fox Rothschild LLP, and pursuant to 52 Pa. Code § 5.94, submits the following Petition to Withdraw Petition of GTI Pennsylvania, LLC for Emergency Order (“Petition”), and in support states as follows:

1. On August 8, 2024, GTI filed a Formal Complaint and a Petition of GTI Pennsylvania, LLC for Emergency Order (“Emergency Petition”).
2. The Emergency Petition sought an order enjoining and restraining PPL from terminating the supply of electric service to GTI’s facility located in Danville, Pennsylvania until the Pennsylvania Public Utility Commission (“Commission”) resolved a dispute between the parties regarding an unpaid amount as set out in GTI’s Formal Complaint.
3. On August 14, 2024, the Honorable Alphonso Arnold III, Presiding Administrative Law Judge, issued an Order scheduling an Emergency Call-In Telephone Hearing for Monday, August 19, 2024 at 10:00 a.m. (“Hearing”) regarding the Emergency Petition.

4. Also on August 14, 2024, and shortly after the Order was issued, PPL Electric Utilities Corporation (“PPL”) filed an Answer of PPL Electric Utilities Corporation to the Petition of GTI Pennsylvania, LLC for Emergency Order (“Answer”).

5. In its Answer, PPL “commit[ted] to not terminate the Marijuana Facility’s [i.e., the facility at issue] electric service during the pendency of the Formal Complaint proceeding before the Commission (i.e., until the Commission’s entry of a final appealable Order ruling on the Formal Complaint).” Answer ¶ 12.

6. In effect, this representation by PPL grants GTI the relief that GTI seeks in its Emergency Petition.

7. On August 15, 2024, counsel for GTI and PPL conferred by Microsoft Teams and agreed that, in light of PPL’s representation, the Hearing need not go forward.

8. In reliance on PPL’s representation that PPL will not terminate electric service at GTI’s Danville, Pennsylvania facility until the Commission enters a final appealable Order ruling on the Formal Complaint, GTI filed this Petition requesting an Order withdrawing GTI’s Emergency Petition pursuant to 52 Pa. Code § 5.94.

9. Under 52 Pa. Code § 5.94, the “guiding principle” in considering a petition to withdraw a pleading in a contested proceeding is “a balancing of the factors . . . to ascertain whether the withdrawal will be contrary to the public interest or substantially prejudicial to a party.” *Petition of PPL Electric Utilities Corporation for Approval of its Act 129 Phase III Energy Efficiency and Conservation Plan*, 2018 WL 5994815, at *7 (Pa.P.U.C. Nov. 8, 2018).

10. Here, granting the Petition would not be contrary to the public interest because doing so would simply maintain the status quo. In addition, granting the Petition would not substantially prejudice any party because both parties consent to the relief sought in the Petition.

WHEREFORE, GTI respectfully requests that the Presiding Administrative Law Judge enter an Initial Order recommending that the Commission grant GTI Pennsylvania, LLC's Petition to Withdraw Petition of GTI Pennsylvania, LLC for Emergency Order.

FOX ROTHSCHILD LLP

By: /s/ Brett A. Berman

Brett A. Berman, Esquire

Griffin A. Schoenbaum, Esquire

Identification Nos. 204843/329784

2000 Market Street, 20th Floor

Philadelphia, PA 19103

Phone: (215) 299-2000

Fax: (215) 299-2150

Email: bberman@foxrothschild.com

gschoenbaum@foxrothschild.com

Dated: August 16, 2024