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February 5, 2025

VIA ELECTRONIC FILING

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

Re: Regulations Governing the Public Utility Commission’s General Provisions, 52 Pa. Code Chapters 1, 3, and 5 (relating to Rules of Administrative Practice and Procedure; Special Provisions; and Formal Proceedings); Docket No. L-2023-3041347

Dear Secretary Chiavetta:

On December 20, 2023, the Pennsylvania Public Utility Commission (“Commission” or “PUC”) entered a Notice of Proposed Rulemaking Order (“NOPR”) at the above-referenced docket soliciting comments on proposed amendments to its regulations under 52 Pa. Code Chapters 1, 3 and 5 (relating to rules of administrative practice and procedure; special provisions; and formal proceedings (Chapters 1, 3, and 5, respectively), which were appended to the Order as Annex A. On November 4, 2024, the Commission entered an Order Clarifying the NOPR (“Clarifying Order”). The Clarifying Order explained that the proposed changes to the PUC regulations were intended to update and clarify the general provisions in Subpart A of Title 52 surrounding practice before the PUC. On December 7, 2024, the Clarifying Order was published in the Pennsylvania Bulletin, initiating the public comment period for interested parties to submit comments on the NOPR.

The Company commends the PUC for recognizing the importance of efficient and clear administrative practice and procedure. At the outset, the Company offers that it believes that the existing administrative regulations do not need to be revised. However, to the extent that the Commission revises the applicable regulations, FE PA submits certain specific recommendations and feedback herein for the Commission’s consideration. Further, FE PA also expresses its support for the comments filed by the Energy Association of Pennsylvania (“EAP”) (the “EAP Comments”) as more fully representative of its position, particularly as it relates to the definition of “Authorized Agent” under Section 1.8; Appearance in Commission proceedings of all types under Sections 1.21, 1.22 and 1.24; the definition of “Emergency” under Section 3.1; and Failure to appear, proceed or maintain order in proceedings under Section 5.245. Finally, FE PA has several additional limited comments it offers here to specific proposals found within the NOPR, as well as one additional suggestion not related to any proposed modifications, as follows.

A. § 1.8. Definitions.**1. Adversarial Proceeding**

In the definition for ‘Adversarial Proceeding’, the Commission seeks to replace “other persons” with “parties” to be consistent with proposed new definition of “person”. The use of the word “party” or “parties” implies the individual or entity has, either by right or by authorized intervention, the legal prerogative to participate in a legal proceeding. As such, FE PA recommends that only authorized parties may initiate an Adversarial proceeding.

2. Proposed New Definitions

In addition to its feedback provided on the Commission’s proposed revisions to existing definitions, FE PA recommends the Commission adopt definitions for the terms “Small Business” and “Partnership”, as follows.

a. Partnership

In the absence of a definition for the term “partnership,” FE PA recommends defining the term “partnership” to mean “an association of two or more persons to carry on as co-owners of a business for profit. The term includes a limited liability partnership or an electing partnership that is not also a limited partnership.”

b. Small Business

In the absence of a definition for the term Small Business, FE PA recommends defining the term “small business” to mean “a registered business with fewer than 250 employees,” consistent with the Small Business Mediation Program definition.

B. § 1.51. Instructions for service, notice, and protest

The Commission proposes to add paragraph § 1.51(c) to state that where an individual party is a victim of domestic violence and has a court order providing clear evidence of domestic violence, that party’s address will be redacted on the service list. FE PA recommends adding “and other contact information” between the words “address” and “of” to ensure that the individual’s contact information, in addition to their address is redacted on the service list.

FirstEnergy Pennsylvania Electric Company appreciates the opportunity to provide comments in response to the Commission’s Notice of Proposed Rulemaking and the advancement of this proceeding. The Company looks forward to further collaboration and discussion with the Commission and interested stakeholders on this important topic.

Please contact me if you have any questions regarding this matter.

Very truly yours,



Tori L. Giesler

TLG/mlr

c: As Per Certificate of Service

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Regulations Governing the Public Utility :
Commission's General Provisions, 52 Pa. :
Code Chapters 1, 3, and 5 (relating to Rules : **Docket No. L-2023-3041347**
of Administrative Practice and Procedure; :
Special Provisions, and Formal :
Proceedings) :

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true and correct copy of the foregoing document upon the individuals listed below, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

Service by electronic mail as follows:

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Dated: February 5, 2025



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