

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission,	:	
Bureau of Investigation and Enforcement	:	
	:	C-2024-3052650
v.	:	
	:	
FirstEnergy Pennsylvania Electric Company	:	

**PREHEARING CONFERENCE ORDER**

A telephonic prehearing conference in this case is scheduled for **Tuesday, February 25, 2025, at 1:30 p.m.** The undersigned administrative law judge will preside. To participate in the hearing, you must dial the toll-free number listed below. You will be prompted to enter a PIN number, which is also listed below. You will be asked to speak your name, press the # key, and then the telephone system will connect you to the hearing.

Toll-Free Telephone Number: **866-759-6860**

PIN Number: **71568747**

The parties are hereby directed to comply with the following requirements:

1. All parties must serve me electronically ([egannon@pa.gov](mailto:egannon@pa.gov)) with any document you file in this proceeding. If you send me any documents or correspondence, you must also send copies to all other parties in the case. For your convenience, a copy of the Commission's current service list of the parties to this proceeding is enclosed with this Order.

2. Pursuant to 52 Pa. Code §§ 1.21 & 1.22, you may represent yourself, if you are an individual, or you **may** have an attorney licensed to practice law in the Commonwealth of Pennsylvania, or admitted *pro hac vice*, represent you. However, if you are a partnership, corporation, trust, association, or governmental agency or subdivision, you **must** have an attorney licensed to practice law in the Commonwealth of Pennsylvania, or admitted *pro hac vice*, represent

you in this proceeding. Unless you are an attorney, you may not represent someone else. Attorneys shall insure that their appearance is entered in accordance with the provisions of 52 Pa. Code § 1.24(b).

3. A request for a change of the scheduled Prehearing Conference date must state the agreement or opposition of other parties and must be submitted by email no later than five (5) days prior to the Prehearing Conference. 52 Pa. Code § 1.15(b). Requests for changes of initial prehearing conferences must be sent by email, with copies to all parties of record. Only the undersigned Administrative Law Judge may grant a request for a change of a prehearing conference. Such changes are granted only in rare situations where sufficient cause exists. Requests for changes of subsequent prehearing conferences or hearings, if any, should also be served directly on the presiding Administrative Law Judge.

4. Failure of a party to attend the Prehearing Conference, without good cause shown, shall constitute a waiver of all objections to the agreements reached and matters decided at the Prehearing Conference, including but not limited to any special discovery rules and the litigation schedule established for this case. 52 Pa. Code §§ 5.222(e), 5.224.

5. Please review the regulation pertaining to prehearing conferences, 52 Pa. Code § 5.222. Be prepared to discuss possibilities for settlement, discovery issues, service among parties and all other procedural issues relevant to this proceeding. In addition, note subsection (d), which provides, in part:

(d) Parties and counsel will be expected to attend the conference, fully prepared for a useful discussion of all problems involved in the proceeding, both procedural and substantive, and fully authorized to make commitments with respect thereto. 52 Pa. Code § 5.222.

6. The parties are directed to confer prior to the Prehearing Conference to discuss and attempt to agree upon a litigation schedule and any proposals for discovery modifications.

7. Each party must e-file and serve by email, prior to **noon on Friday, February 21, 2025**, a Prehearing Conference Memorandum which sets forth the history of the proceeding; the issues you intend to present; a proposed plan and schedule of discovery, including any proposed revisions to the Commission’s discovery rules; a listing of your proposed witnesses and the subject of their testimony; and a proposed litigation schedule that is agreed to by all parties. 52 Pa. Code § 5.222(d). If the parties are unable to agree on a litigation schedule, deadlines may be imposed by the Administrative Law Judge.

Parties represented by multiple attorneys should designate a primary speaker for the Prehearing Conference.

8. Parties should review the regulations relating to discovery, specifically 52 Pa. Code § 5.331(b), which provides, *inter alia*, that “a party shall endeavor to initiate discovery as early in the proceedings as reasonably possible,” and 52 Pa. Code § 5.322, which encourages parties to exchange information on an informal basis. The parties are expected to pursue resolution of discovery issues among themselves; motions to compel should be filed only after such efforts have failed. There are limitations on discovery and sanctions for abuse of the discovery process. 52 Pa. Code §§ 5.361, 5.371-5.372.

9. Commission policy promotes settlements. 52 Pa. Code § 5.231(a). The parties are encouraged to commence settlement discussions as early as possible. Even if you are unable to settle this case, you may still resolve many questions or issues during your talks.

Date: February 10, 2025

\_\_\_\_\_/s/  
Erin L. Gannon  
Administrative Law Judge

**C-2024-3052650 - PENNSYLVANIA PUBLIC UTILITY COMMISSION BUREAU OF INVESTIGATION & ENFORCEMENT v. FIRSTENERGY PENNSYLVANIA ELECTRIC COMPANY - WEST PENN POWER RATE DISTRICT**

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