

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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

BRIEFING ORDER

On May 20, 2024, PPL Electric Utilities Corporation (PPL) filed a Petition requesting that the Pennsylvania Public Utility Commission (Commission) approve tariff modifications and other authorizations that are needed to implement PPL’s Second Distributed Energy Resources (DER) Management Plan, pursuant to Paragraph 62 of the Joint Petition for Settlement of All Issues approved by the Commission at Docket No. P-2019-3010128.

On June 7, 2024, the Office of Small Business Advocate (OSBA) filed a Notice of Intervention and Public Statement in this proceeding.

On July 1, 2024, the Office of Consumer Advocate (OCA) filed an Answer to PPL’s Petition.

On July 8, 2024, 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 (collectively, the Joint Solar Parties or JSPs) filed an Answer, Petition to Intervene, and Protest in this proceeding.¹

On July 10, 2024, the PP&L Industrial Customer Alliance (PPLICIA) filed a Petition to Intervene.

¹ On September 13, 2024, the JSPs filed a letter stating that Sunnova, Inc. is no longer a member of the JSPs.

On July 12, 2024, the Sustainable Energy Fund of Central Eastern Pennsylvania (SEF) filed a Petition to Intervene.

On July 24, 2024, a hearing notice was issued, establishing a telephonic prehearing conference for this proceeding for Tuesday, August 6, 2024, at 10:00 a.m. and assigning me as the Presiding Officer. A Prehearing Conference Order was issued on July 25, 2024 setting forth rules that would govern the prehearing conference.

The prehearing conference convened on August 6, 2024, as scheduled. PPL, OSBA, OCA, the JSPs, PPLICA, and SEF were present and represented by counsel. During the Prehearing Conference various procedural matters were discussed, including: the Petitions to Intervene filed by the JSPs, PPLICA, and SEF were granted; litigation schedules were set; and modifications to the Commission's discovery rules were established. A Scheduling Order was issued on August 7, 2024.

On September 13, 2024, PPL filed a Motion to Dismiss Objections and Compel Responses to Interrogatories and Requests for Production of Documents Propounded on the Joint Solar Parties – Set I (Motion to Compel). On September 16, 2024, the JSPs filed their Answer to PPL's Motion to Compel. Also on September 16, 2024, a hearing notice was issued, establishing a telephonic evidentiary hearing for this proceeding for Wednesday, December 4, 2024, and Thursday, December 5, 2024.

On September 24, 2024, I granted PPL's Motion to Compel (Motion to Compel Order).

On September 26, 2024, the JSPs filed a Petition for Certification of Petition for Interlocutory Review and Stay of Order (Petition for Interlocutory Review), seeking a stay and Commission review of the Motion to Compel Order.

On September 26, 2024, PPL filed a Motion for Protective Order.

On September 27, 2024, I issued a Protective Order.

On September 27, 2024, the JSPs filed a Petition for Leave to Withdraw its Petition for Interlocutory Review (Petition to Withdraw).

On October 9, 2024, I issued an order granting the JSPs Petition to Withdraw.

On October 21, 2024, I issued a Modified Scheduling Order.

On October 22, 2024, I issued a Corrected Modified Scheduling Order.

On January 8, 2025, a corrected hearing notice was issued, establishing a telephonic evidentiary hearing for this proceeding for Tuesday, February 11, 2025, Wednesday, February 12, 2025, and Thursday, February 13, 2025.

On January 24, 2025, PPL filed a Motion in Limine and/or to Strike Certain of the JSPs' Testimony and Exhibits and Motion for Sanctions.

On January 27, 2025, the JSPs filed an answer to PPL's Motion.

On January 30, 2025, I issued an Order Denying PPL's Motion in Limine and/or to Strike Certain of the JSPs' Testimony and Exhibits and Motion for Sanctions

On January 30, 2025, the JSPs filed a Motion for Leave to Amend Surrebuttal Testimony.

On January 30, 2025, PPL filed a Motion to Dismiss Objections and Compel Responses to Interrogatories and Requests for Production of Documents Propounded on the Joint Solar Parties – Set XIX, Nos. 2 through 4 (Second Motion to Compel).

On January 31, 2025, PPL filed a letter, withdrawing its Second Motion to Compel.

On February 8, 2025, the JSPs filed a Motion for Leave to File Surrejoinder Testimony.

The evidentiary hearings were held as scheduled on February 11 and 12, 2025. During the hearings, the following occurred: I granted the JSPs' Motions for Leave to Amend Surrebuttal Testimony and Motion for Leave to File Surrejoinder Testimony; counsel for PPL, OSBA, OCA, the JSPs, and SEF moved for the admission of their pre-served testimony and exhibits into the record; witnesses for PPL and the JSPs were cross-examined; and various housekeeping matters were discussed. Included in those housekeeping matters, the parties were reminded that briefs must be filed according to the schedule established in this proceeding. I also advised the parties that I would issue a briefing order. Hearings concluded on February 12, 2025, after parties completed cross-examination.²

THEREFORE,

IT IS ORDERED:

1. That Main Briefs of the parties are due on or before Tuesday, March 25, 2025;
2. That Reply Briefs are due on or before Tuesday, April 15, 2025;
3. That Main Briefs and Reply Briefs may not exceed 60 pages in length per 52 Pa. Code § 5.501(e);

² The Commission issued a hearing cancellation notice on February 13, 2025, canceling the hearing scheduled for February 13, 2025.

4. That if a party files briefs in excess of 60 pages, those excess pages will not be considered for decision-making purposes;

5. That the briefs must substantially comply with the Commission's regulations at 52 Pa.Code §§ 5.501, 5.502;

6. Main Briefs shall include (a) proposed Findings of Fact, together with page references to statements of testimony and exhibits; (b) proposed Conclusions of Law, together with legal citations and (c) proposed Ordering Paragraphs;

7. Proposed Findings of Fact, proposed Conclusions of Law, and proposed Ordering Paragraphs do not count towards the 60 page limit for Main Briefs;

8. That if a party submits a brief containing confidential information, the party must submit two versions of the brief: (1) one version conspicuously marked as containing confidential information, only to be served to the ALJs and those parties that have executed the appendices to the Protective Order issued in this proceeding; and (2) a second, public version with all confidential information redacted. When filing a brief containing confidential information, parties must clearly indicate to the Commission's Secretary's Bureau that the brief contains confidential information to ensure that the brief is not published on the Commission's website, and to ensure that it is appropriately filed;

9. That the parties shall file the original copy of the Main Brief with the Commission no later than 4:30 p.m. on the date due;

10. That the parties shall file the original copy of the Reply Brief with the Commission no later than 4:30 p.m. on the date due;

11. That any brief not filed and served on or before the dates set forth above will not be accepted except by special permission;

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

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