



Judith D. Cassel  
717.703.0804  
[jdcassel@hmslegal.com](mailto:jdcassel@hmslegal.com)

Regulation is a maze. We can show you the way!

---

501 Corporate Circle, Suite 302, Harrisburg, PA 17110 Phone: 717.236.1300 Fax: 717.236.4841 [www.hmslegal.com](http://www.hmslegal.com)

September 26, 2025

**VIA ELECTRONIC FILING**

Matthew L. Homsher, Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street, 2<sup>nd</sup> Floor (filing room)  
Harrisburg, PA 17120

Re: Petition to Modify the By-laws of the Sustainable Energy Fund; Docket  
No. M-2023-3041567; **SEF'S RESPONSES TO TUS DATA  
REQUESTS, SET 1**

Dear Secretary Homsher:

Enclosed you will find the Sustainable Energy Fund's ("SEF") responses to Bureau of  
Technical Utility Services' Data Requests, Set I, in connection with the above-referenced  
proceeding.

If you have any questions regarding this filing, please contact me.

Very truly yours,

*/s/ Judith D. Cassel*

Judith D. Cassel

*Counsel for Sustainable Energy Fund*

JDC/das  
Enclosures

cc: Dave Edinger, BTUS ([dedinger@pa.gov](mailto:dedinger@pa.gov))

PETITION TO MODIFY THE BY-LAWS OF THE SUSTAINABLE ENERGY FUND;  
DOCKET NO. M-2023-3041567

**SUSTAINABLE ENERGY FUND'S RESPONSES TO BUREAU OF TECHNICAL  
UTILITY SERVICES' DATA REQUESTS, SET 1**

- TUS-1. The Petition is titled "PETITION OF SUSTAINABLE ENERGY FUND FOR APPROVAL TO AMEND BYLAWS AND CHANGE NAME" and contains Section I. Background and Section II. Name Change. However, no inclusion of Section III. provides justification for changing the Bylaws. Please provide:
- a. The justification for changing the Bylaws in Appendix A, Article II, Section 1. Purpose, and Appendix A, Article II, Section 2. Approach.
  - b. The authority that grants the SEF the ability to change its name and mission scope as presented in Appendix A.

**RESPONSE:**

- a. PP&L Sustainable Energy Fund ("SEF") is justified in changing its name as it views changing its name as in keeping with the original intent of the mission at the time of creation. Nora Mead Brownell (former FERC and Pennsylvania PUC Commissioner) communicated to me, John Costlow, years ago that the Commission at the time anticipated the Sustainable Energy Funds would continue into the future. Second, at the time of creation, sustainability was nascent. It was innovative. To continue to move the ball forward when it comes to energy conservation, energy efficiency, and renewable energy, the organization must remain on the leading edge by incorporating new and important related aspects of the renewable energy sector into its operational modes. The name change reflects the current and future of renewable, sustainable energy.
- b. Since SEF was adopted on July 23, 2007, it has not changed its name. SEF's current Bylaws were approved by the Commission. Under Article III, Section 1 of the Bylaws, changes (such as the name change proposed here) are to be governed by SEF's Board of Directors – Directors that were approved by the Commission. Here, the Board of Directors has approved the name change. Additionally, the name change is not inconsistent with its original Articles of Incorporation, filed in 1999, which stated in relevant part "[t]he mission of the corporation is to promote, research, and invest in clean and renewable energy technologies, energy conservation, energy efficiency, and sustainable energy enterprises that provide opportunities and benefits to PP&L rate payers." SEF's regenerative and restorative initiatives have grown organically from, and are consistent with, its original mandates.

SEF has petitioned this Commission for Approval to change its name. Based on advice of counsel, not only does the Commonwealth allow a nonprofit to change its name, but Title 15 Pa C.S. §5911, §5914, §5915, and §5916 detail the procedure to do so. Further, the Internal Revenue Service requires that they be informed of the name change on the 990. In addition, if changing the name of a nonprofit organization were not allowed, surely the Commission would not have approved the West Penn Power Sustainable Energy Fund to be renamed the West Penn Energy

PETITION TO MODIFY THE BY-LAWS OF THE SUSTAINABLE ENERGY FUND;  
DOCKET NO. M-2023-3041567

**SUSTAINABLE ENERGY FUND'S RESPONSES TO BUREAU OF TECHNICAL  
UTILITY SERVICES' DATA REQUESTS, SET 1**

Fund. In August of this year, at a special awards dinner featuring thought leaders from the sustainable energy movement, SEF unveiled its petition to the Commission for a name change. The name change is not antithetical to operating in an entrepreneurial manner; it is exactly what would be expected of an organization operating entrepreneurially.

The theme of this year's Energypath conference was regenerative energy. John Costlow provided a speech on what regenerative energy is. The conference speakers included the PA PUC Chairman, Steven De Frank, and Director of Energy for the PA DEP, Dave Althoff.

The name itself is not misleading or likely to be confused with any other Pennsylvania entity. (7 P.S. § 805).

**PROVIDED BY:** John Costlow

**DATE:** September 26, 2025

PETITION TO MODIFY THE BY-LAWS OF THE SUSTAINABLE ENERGY FUND;  
DOCKET NO. M-2023-3041567

**SUSTAINABLE ENERGY FUND'S RESPONSES TO BUREAU OF TECHNICAL  
UTILITY SERVICES' DATA REQUESTS, SET 1**

TUS-2. Appendix A, Article 1, Section 1. – If the SEF seeks approval of a name change, please explain why this section is not changed to reflect the proposed name change.

**RESPONSE:** This was a clerical error and should read.

Section 1. Name. The name of the corporation is Regenerative Energy Initiative (the “corporation”).

**PROVIDED BY:** John Costlow

**DATE:** September 26, 2025

PETITION TO MODIFY THE BY-LAWS OF THE SUSTAINABLE ENERGY FUND;  
DOCKET NO. M-2023-3041567

**SUSTAINABLE ENERGY FUND'S RESPONSES TO BUREAU OF TECHNICAL  
UTILITY SERVICES' DATA REQUESTS, SET 1**

TUS-3. Appendix A, Article 1, Section 1. – Please define “regenerative sustainable energy systems,” as it is used in this section.

**RESPONSE:**

The creation, distribution, and/or utilization of energy resources is efficiently and circularly capable of renewing or restoring stakeholders. Sustainable systems are designed to meet current needs without compromising the ability of future generations to meet theirs. Regenerative systems go beyond sustainability in that they focus not just on not making things worse, but actually making things better. Regenerative systems restore ecosystems, replenish resources, and/or improve social and economic resilience.

**PROVIDED BY:** John Costlow

**DATE:** September 26, 2025

PETITION TO MODIFY THE BY-LAWS OF THE SUSTAINABLE ENERGY FUND;  
DOCKET NO. M-2023-3041567

**SUSTAINABLE ENERGY FUND'S RESPONSES TO BUREAU OF TECHNICAL  
UTILITY SERVICES' DATA REQUESTS, SET 1**

- TUS-4. Appendix B, Page 2, Logic for Name – “A regenerative energy initiative refers to a program, project, or movement aimed at advancing energy systems that go beyond sustainability by actively restoring, replenishing, and improving environmental systems.”
- a. Please define “energy systems,” as it is used in the statement above.
  - b. What components, policies, technologies, or other frameworks make up an energy system? Please provide examples. Please provide specific examples of the types of projects, programs, movements or other aspects that would qualify as a regenerative energy initiative.
  - c. Please provide specific examples of the types of projects, programs, movements or other aspects that would NOT qualify as a regenerative energy initiative.
  - d. If the SEF has funded a regenerative energy initiative, please provide the details of that, and why it was funded.
  - e. If the SEF has denied funding for a regenerative energy initiative, and if the denial was based upon the qualities of the regenerative energy initiative, please provide the details of that and why funding was denied.

**RESPONSE:**

- a. Energy systems include systems that generate energy, distribute energy, and consume energy.
- b. Energy systems are made up of: generation, storage, transmission, distribution, and control systems. Policies are those that flow from regulation, market events, rules, incentives, subsidies, and standard operating procedures.
- c. The Sustainable Energy Fund does not intend to deny funding it already provides for Energy Conservation, Energy Efficiency, and Renewable Energy projects, but sees these new systems in a large part as financially viable and currently being financed by institutions such as TD Bank.

An example of an energy project that does “good” is the Nonprofit Energy Makeover. SEF leads the makeover, which focuses on energy measures. There are also non-energy measures provided by others. For example, PPL employees sorted donated clothing as part of the makeover and the Day of Caring. The energy measures, such as more efficient heating and air conditioning, will not only save money that can be spent on Family Promises' mission, which is housing homeless families, but also these measures will make the facility more livable, a measure which does “good”. Installation of more energy-efficient washers will also decrease drying time and associated energy consumption, but does “good” by processing laundry faster for the 32 residents.

- d. The SEF has not funded any projects simply because they are regenerative, although at times, projects that are presented contain regenerative aspects.

PETITION TO MODIFY THE BY-LAWS OF THE SUSTAINABLE ENERGY FUND;  
DOCKET NO. M-2023-3041567

**SUSTAINABLE ENERGY FUND'S RESPONSES TO BUREAU OF TECHNICAL  
UTILITY SERVICES' DATA REQUESTS, SET 1**

Examples include the acid mine drainage project in Luzerne County that utilizes energy generated by a micro hydro system to power equipment to treat acid mine drainage. This system not only provides renewable energy attributes but also does “good” by contributing to the treatment of water discharge.

- e. The SEF has not denied funding for any regenerative energy project.

**PROVIDED BY:** John Costlow

**DATE:** September 26, 2025

PETITION TO MODIFY THE BY-LAWS OF THE SUSTAINABLE ENERGY FUND;  
DOCKET NO. M-2023-3041567

**SUSTAINABLE ENERGY FUND'S RESPONSES TO BUREAU OF TECHNICAL  
UTILITY SERVICES' DATA REQUESTS, SET 1**

- TUS-5. Appendix B, Page 2, Logic for Name – “The goal is to restore environmental balance and an energy system that gives back more than it takes.”
- a. Please explain how restoring environmental balance is within the scope of responsibility for the SEF and how such an approach directly benefits electric ratepayers in the PPL service territory.
  - b. Please provide examples of an energy system that gives back more than it takes. Specifically, what elements of return from an energy system would the SEF consider when an energy system “gives back more than it takes”?

**RESPONSE:**

- a. The naming of the funds as “Sustainable Energy Funds” denotes a sustainable approach to energy systems. The Brundtland Report in 1987 defined sustainability as meeting the needs of the present without compromising future generations' ability to meet their own energy needs. Sustainable Energy is seen as meeting the energy needs of today without compromising the ability of future generations to meet their needs. This definition emphasizes intergenerational equity, ensuring that energy decisions made today do not harm opportunities and communities tomorrow. This would include energy production, distribution, and utilization, with an impact on resource scarcity and new demands from technologies like AI. The future holds challenges to our energy sources and infrastructure. Being able to mitigate negative impacts to climate change and income inequities, while improving the delivery of energy, benefiting the environment, and meeting social demands is all part of SEF's sustainable and regenerative goals.
- b. Energy systems can not just provide energy or curtail energy consumption; they can provide “good”. The Funds were created with the intent of continually doing good; if not, they would not have been named “Sustainable”.
  - a. SEF approved a solar installation for Penn Forest Natural Burial Park. Beyond funding a solar photovoltaic system generating “clean” electricity for the facility. The facility provides biodegradable caskets, prohibits toxic embalming fluids, and prohibits burial vaults. This type of project does “good” far beyond just producing energy and represents the cutting edge of sustainable and regenerative thought.

**PROVIDED BY:** John Costlow

**DATE:** September 26, 2025

PETITION TO MODIFY THE BY-LAWS OF THE SUSTAINABLE ENERGY FUND;  
DOCKET NO. M-2023-3041567

**SUSTAINABLE ENERGY FUND'S RESPONSES TO BUREAU OF TECHNICAL  
UTILITY SERVICES' DATA REQUESTS, SET 1**

TUS-6. Does the SEF consider funding of an energy system that is non-electrical to be beneficial to PPL electric ratepayers. If so, please explain and provide examples.

**RESPONSE:**

Although systems beyond electrical, like natural gas water heating, provide both energy benefits and environmental benefits to PPL Electric ratepayers, the Fund does not and does not intend to fund these non-electrical systems. Natural gas water heating systems decrease the load on the electrical grid, thereby lowering demand and consequently prices. They also reduce carbon emissions when compared to electric water heating in general and are a much more efficient use of resources.

**PROVIDED BY:** John Costlow

**DATE:** September 26, 2025

PETITION TO MODIFY THE BY-LAWS OF THE SUSTAINABLE ENERGY FUND;  
DOCKET NO. M-2023-3041567

**SUSTAINABLE ENERGY FUND'S RESPONSES TO BUREAU OF TECHNICAL  
UTILITY SERVICES' DATA REQUESTS, SET 1**

TUS-7. When considering funding for an energy system, what percent of the total project cost dedicated to electricity-related energy-efficiency, conservation, and/or renewable or sustainable energy is, or would be, required?

**RESPONSE:**

Sustainable Energy Fund only provides funding for energy-related project costs. This would not change.

**PROVIDED BY:** John Costlow

**DATE:** September 26, 2025

## VERIFICATION

I, John Costlow, President and CEO, the Sustainable Energy Fund, hereby state that the facts above set forth are true and correct to the best of my knowledge, information, and belief, and that I expect to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. § 4904 (relating to unsworn falsification to authorities).

  
\_\_\_\_\_  
Name: John Costlow  
Title: President and CEO

Date: September 26, 2025