

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Joint Application of Pike County Light and	:	
Power Company, Leatherstocking Gas Company,	:	
LLC, Corning Energy Corporation, ACP Series 3	:	
Partnership L.P., Argo Capital Platform (P) 2017,	:	
L.P., Argo Capital Platform (K) Series 3, L.P.,	:	A-2025-3055264
ACP Crotona Holdings L.P., ACP Crotona Corp.,	:	A-2025-3055265
Argo Infrastructure Partners LLC and Apollo	:	A-2025-3055335
Global Management, Inc. for a Certificate of	:	
Public Convenience under sections 1102(A)(3)	:	
and 1103 of the Public Utility Code and all other	:	
necessary approvals to effect an indirect change	:	
of control of Pike County Light and Power	:	
Company's and Leatherstocking Gas Company's	:	
parent company, Corning Energy Corporation	:	

PREHEARING ORDER

On May 19, 2025, Pike County Light and Power Company, Leatherstocking Gas Company, LLC, Corning Energy Corporation, ACP Series 3 Partnership L.P., Argo Capital Platform (P) 2017, L.P. Argo Capital Platform (K) Series 3, L.P., ACP Crotona Holdings L.P., ACP Crotona Corp., Argo Infrastructure Partners LLC and Apollo Global Management, Inc. (Joint Applicants) filed with the Pennsylvania Public Utility Commission (Commission) an Application to request approval from the Commission for Apollo's proposed acquisition of the Argo Entities (Application) under Sections 1102(a)(3) and 1103 of the Pennsylvania Public Utility Code at docket numbers A-2025-3055264, A-2025-3055265 and A-2025-3055335. Upon completion, the proposed acquisition will result in a new controlling interest in Corning, which is the direct parent of Pike and Leatherstocking. The Application was published in the Pennsylvania Bulletin on May 30, 2025, with a protest deadline of June 16, 2025.

On June 13, 2025, the Office of Consumer Advocate (OCA) filed a Notice of Intervention, Protest and Public Statement through its attorney, Harrison Breitman, Esquire.

On June 16, 2025, the Office of Small Business Advocate (OSBA) filed a Notice of Appearance, Notice of Intervention and Public Statement through its attorney, Steven C. Gray, Esquire.

On August 5, 2025, the Commission served a notice establishing an initial telephonic prehearing conference for this matter for Tuesday, August 12, 2025 at 10:00 a.m. and assigning me as the presiding officer.

I served a prehearing conference order on August 5, 2025, setting forth the rules and expectations for the conference.

On August 11, 2025, OCA filed a Notice of Appearance through its attorney, David T. Evrard, Esquire.

No other complaints or petitions to intervene have been filed to date.

The telephonic prehearing conference was held as scheduled on August 12, 2025. The participants were:

Corning	Thomas J. Sniscak, Esquire and Whitney E. Snyder, Esquire
Argo	Alan Michael Seltzer, Esquire and John R. Povilaitis, Esquire
Apollo	Kenneth M. Kulak, Esquire
OCA	David T. Evrard, Esquire
OSBA	Steven C. Gray, Esquire

This Order sets forth the procedural matters addressed at the prehearing conference.

ORDER

THEREFORE,

IT IS ORDERED:

1. That the active parties of record as of this date are the Joint Applicants, OCA, and OSBA.

2. That service on the Joint Applicants shall be made on Ms. Snyder, Mr. Sniscak, Mr. Struble, Mr. Seltzer, Mr. Povilaitis, Mr. Kulak, Ms. Vasudevan, and Ms. McGlinn; service on OCA shall be made at OCAApolloArgo@paoca.org; and service on OSBA shall be made on Mr. Gray. A service list is attached to this Order. Please direct any changes, corrections or additions to me.

3. That our e-mail distribution list is in the chart that follows¹:

Party	Counsel	E-mail
Joint Applicant	Whitney E. Snyder, Esquire	wesnyder@hmslegal.com
Joint Applicant	Thomas J. Sniscak, Esquire	tjsniscak@hmslegal.com
Joint Applicant	Erich W. Struble, Esquire	ewstruble@hmslegal.com

¹ We note that Erich W. Struble, Esquire filed a Notice of Appearance on behalf of the Joint Applicants on September 9, 2025, and we are therefore including him in the email distribution list and service lists.

Joint Applicant	Alan Michael Seltzer, Esquire	alan.seltzer@bipc.com
Joint Applicant	John F. Povilaitis, Esquire	john.povilaitis@bipc.com
Joint Applicant	Kenneth M. Kulak, Esquire	ken.kulak@morganlewis.com
Joint Applicant	Catherine G. Vasudevan, Esquire	catherine.vasudevan@morganlewis.com
Joint Applicant	Brooke E. McGlinn, Esquire	bmclinn@morganlewis.com
OCA	Harrison Breitman, Esquire	OCAApolloArgo@paoca.org
OCA	David T. Evrard, Esquire	OCAApolloArgo@paoca.org
OSBA	Steven C. Gray, Esquire	sgray@pa.gov

From Office of OALJ

Title	Name	E-mail
ALJ	Charece Z. Collins	charcollin@pa.gov

4. That parties may arrange service among themselves as they agree. Electronic service of documents is permitted. Pursuant to 52 Pa. Code § 5.154(c), the parties are permitted without further order to limit the service of documents to parties who indicate that they do not wish to be served with such documents.

5. That parties may serve documents electronically by 4:30 p.m. to meet any required due date.

6. That pursuant to 52 Pa. Code § 5.342(d), the Commission's regulations relating to discovery are modified and agreed upon by the parties as follows:

(1) Answers to written interrogatories shall be served in-hand within ten (10) calendar days of service.²

(2) Objections to interrogatories shall be communicated orally within three (3) calendar days of service of the interrogatories; unresolved objections shall be served to the ALJ in writing within six (6) calendar days of service of the interrogatories.

(3) Motions to dismiss objections and/or direct the answering of interrogatories shall be filed within three (3) calendar days of service of the written objections. Answers to motions to dismiss objections and/or answering of interrogatories shall be filed within three (3) calendar days of service of such motions.

(4) Requests for admissions will be deemed admitted unless answered within ten (10) calendar days or objected to within five (5) calendar days of service.

(5) Answers to on-the-record data requests shall be served in-hand within seven (7) calendar days of the requests.

(6) Any discovery served after noon (12 p.m.) on a Friday or the day before a holiday will be deemed to have been served on the following business day for purposes of tracking due dates.

(7) All discovery due dates are to be "in-hand" and electronic service on the due date will satisfy the "in-hand" requirement.

(8) Pursuant to 52 Pa. Code § 5.341(b) and § 5.342(e), respectively, neither discovery requests and responses, nor objections to interrogatories, are to be served on the Commission or the Administrative Law Judges, although a certificate of service should be filed with the Commission's Secretary.

² All references in the proposed discovery rule modifications to calendar day due dates assume that due dates falling on a Saturday, Sunday or holiday default to the next business day.

7. That the following procedural schedule is adopted:
- | | |
|------------------------------|--|
| Non-Company Direct Testimony | September 18, 2025 |
| Rebuttal Testimony | October 9, 2025 |
| Surrebuttal Testimony | October 24, 2025 |
| Oral Rejoinder Outline | October 31, 2025 |
| Hearings (two days) | November 5 & 6, 2025 (10:00 a.m.) ³ |
| Main Briefs | November 19, 2025 |
| Reply Briefs ⁴ | December 5, 2025 |

The due dates included in the schedule will be considered “in-hand” dates, and electronic service on the due date will satisfy the “in-hand” requirement.

8. That the parties comply with the Commission’s requirements for the preparation and service of written testimony. 52 Pa. Code § 5.412.

9. That motions with respect to written testimony must be presented in writing no later than three days prior to the date that the witness sponsoring the testimony is scheduled to testify. Answers to such motions may be filed within three days or sooner if circumstances warrant. Oral motions, other than that for good cause, will not be accepted.

10. That any party, or anyone that a party plans to call as a witness, who needs an accommodation for a disability in order to participate in the hearings may request one. Please call the scheduling office for the Office of Administrative Law Judge (717) 787-1399 at least five (5) business days prior to the hearing to submit this request. If a party or witness requires an interpreter to participate in the hearing, we will have an interpreter present. Please call the scheduling office (717) 787-1399 at the PUC at least ten (10) business days prior to the hearing to submit a request. Persons who are deaf or hearing-impaired may call a relay operator at 711.

11. That the parties shall stipulate to any matters they reasonably can to expedite this proceeding, lessen the burden of time and expenses in litigation on all parties and

³ As the parties have waived the cross-examination of their witnesses, only one hearing is necessary and has been scheduled for November 5, 2025.

⁴ Or the submission of a Joint Settlement Petition with accompanying statements in support. I thank the parties for any efforts made to attempt to settle this matter.

conserve administrative hearing resources. 52 Pa. Code §§ 5.232 and 5.234. All stipulations entered into by the parties shall be reduced to writing, signed by the parties to be bound thereby, and moved into the record during the hearing in this case. An exception to this requirement may occur when circumstances of time and expediency warrant. If so, an oral presentation of a stipulation is permissible, if it is followed by a reduction to writing as herein directed.

12. That the evidentiary hearings in this matter constitute formal legal proceedings and will be conducted in accordance with the Commission's Rules of Administrative Practice and Procedure and the Pennsylvania Rules of Evidence as applied to administrative hearings.

13. That the parties must comply with 52 Pa. Code §§ 5.501, *et seq.*, regarding the preparation and filing of briefs. 52 Pa. Code § 5.501(e) requires that "[b]riefs shall be as concise as possible." **All briefs must be written pursuant to an identical outline.** Service of briefs can be made electronically by no later than 4:30 p.m. on the dates listed. Parties are directed to e-mail me a copy of as-filed briefs in ADOBE or other compatible PDF format in addition to a WORD-formatted document. The format of the briefs served electronically on the parties may be as requested by the parties.

14. That all main briefs, regardless of length, must contain:
- A. A table of contents;
 - B. A history of the proceeding;
 - C. A discussion;
 - D. Proposed findings of fact (with record citations to transcript pages or exhibits where supporting evidence appears);
 - E. Proposed conclusions of law (with citations to supporting statutes, regulations or relevant case law); and
 - F. Proposed ordering paragraphs specifically identifying the relief sought.

15. That the parties are to confer among themselves to attempt to resolve all or some of the issues associated with the Complaints in this proceeding. The parties are

commended for their willingness and efforts to discuss settlement to date. The parties are reminded that it is the Commission's policy to encourage settlements. 52 Pa. Code § 5.231(a). The parties are strongly urged to seriously explore this possibility. If a settlement is reached, a joint settlement petition executed by representatives of all parties to be bound thereby, together with statements in support of settlement by all signatory parties, must be filed with the Secretary for the Commission and served on me. Any settlement petition should also include proposed findings of fact with page references to statements of testimony and exhibits, proposed conclusions of law, with legal citations and proposed ordering paragraphs.

16. That the parties shall comply with the procedural rules and regulations discussed herein.

17. That any provision of this prehearing order may be modified upon motion and good cause shown by any party in interest in accordance with 52 Pa. Code § 5.223(a).

Date: November 4, 2025

_____/s/
Charece Z. Collins
Administrative Law Judge

A-2025-3055264, A-2025-3055265, A-2025-3055335 - JOINT APPLICATION OF PIKE COUNTY LIGHT AND POWER COMPANY, LEATHERSTOCKING GAS COMPANY, LLC, CORNING ENERGY CORPORATION, ACP SERIES 3 PARTNERSHIP L.P., ARGO CAPITAL PLATFORM (P) 2017, L.P., ARGO CAPITAL PLATFORM (K) SERIES 3, L.P., ACP CROTONA HOLDINGS L.P., ACP CROTONA CORP., ARGO INFRASTRUCTURE PARTNERS LLC AND APOLLO GLOBAL MANAGEMENT, INC. FOR A CERTIFICATE OF PUBLIC CONVENIENCE UNDER SECTIONS 1102(A)(3) AND 1103 OF THE PUBLIC UTILITY CODE AND ALL OTHER NECESSARY APPROVALS TO EFFECT AN INDIRECT CHANGE OF CONTROL OF PIKE COUNTY LIGHT AND POWER COMPANY'S AND LEATHERSTOCKING GAS COMPANY'S PARENT COMPANY, CORNING ENERGY CORPORATION.

Revised November 4, 2025

WHITNEY E. SNYDER ESQUIRE
THOMAS J. SNISCAK ESQUIRE
ERICH STRUBLE ESQUIRE
HMS LEGAL LLP
501 CORPORATE CIRCLE, SUITE 302
HARRISBURG PA 17110
717.703.0807
717.236.1300
717.703.0812
wesnyder@hmslegal.com
tjsniscak@hmslegal.com
ewstruble@hmslegal.com

Served via eService November 4, 2025

ALAN MICHAEL SELTZER ESQUIRE
JOHN F. POVILAITIS ESQUIRE
BUCHANAN INGERSOLL & ROONEY
409 NORTH 2ND STREET, SUITE 500
HARRISBURG PA 17101-1357
610.372.4761
717.237.4800
717.237.4825
alan.seltzer@bipc.com
john.povilaitis@bipc.com

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HARRISON W. BREITMAN ESQUIRE
DAVID EVRARD ESQUIRE
PA OFFICE OF CONSUMER ADVOCATE
555 WALNUT STREET, 5TH FLOOR
HARRISBURG PA 17101
717.780.4536
717.780.4541
hbreitman@paoca.org
devrard@paoca.org

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KENNETH M. KULAK ESQUIRE
CATHERINE G. VASUDEVAN ESQUIRE
BROOKE E. MCGLINN ESQUIRE
MORGAN LEWIS & BOCKIUS LLP
2222 MARKET STREET
PHILADELPHIA PA 19103-2921
215.963.5384
215.963.5952
215.963.5404
ken.kulak@morganlewis.com
catherine.vasudevan@morganlewis.com
bmcglinn@morganlewis.com

Served via eService November 4, 2025

STEVEN C. GRAY ESQUIRE
OFFICE OF SMALL BUSINESS ADVOCATE
FORUM PLACE
555 WALNUT STREET, 1ST FLOOR
HARRISBURG PA 17101
717.783.2525
717.783.2831
sgray@pa.gov
Served via Email November 4, 2025