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November 4, 2025

By Electronic Filing

Matthew Homsher, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor North
P.O. Box 3265
Harrisburg, PA 17105-3265

Re: Pennsylvania Public Utility Commission, Coalition for Affordable Utility Services
And Energy Efficiency in Pennsylvania, Office of Small Business Advocate, Brad
and Jennifer Wooley v. PPL Electric Utilities Corporation; Docket Nos. R-2025-
3057164, et al.; **SEF PREHEARING CONFERENCE MEMORANDUM**

Dear Secretary Homsher:

Enclosed for electronic filing please find the Prehearing Conference Memorandum of The Sustainable Energy Fund (“SEF”), by and through its undersigned counsel, with regard to the above- referenced matters. Copies to be served in accordance with the attached Certificate of Service.

Sincerely,

/s/ Judith D. Cassel

Judith Cassel
Whitney Snyder
Micah R. Bucy
Kathryn C. Read-Fisher

Counsels for The Sustainable Energy Fund

JDC/das

Enclosure

cc: The Honorable Christopher P. Pell (cpell@pa.gov)
The Honorable Barbara Shadie Nause (bshadienau@pa.gov)
Per Certificate of Service

BEFORE THE

PENNSYLVANIA PUBLIC UTILITY COMMISSION

| | | | |
|---|---|-------------|----------------|
| Pennsylvania Public Utility Commission | : | Docket Nos. | R-2025-3057164 |
| Coalition for Affordable Utility Services | : | | |
| And Energy Efficiency in Pennsylvania | : | | C-2025-3057844 |
| Office of Small Business Advocate | : | | C-2025-3057889 |
| Brad and Jennifer Wooley | : | | C-2025-3057946 |
| | : | | |
| v. | : | | |
| | : | | |
| PPL Electric Utilities Corporation | : | | |

**PREHEARING MEMORANDUM OF
THE SUSTAINABLE ENERGY FUND**

Respectfully submitted,

/s/ Judith D. Cassel

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Counsels for The Sustainable Energy Fund

Date: November 4, 2025

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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| v. | : | | |
| | : | | |
| PPL Electric Utilities Corporation | : | | |

**PREHEARING CONFERENCE MEMORANDUM OF
THE SUSTAINABLE ENERGY FUND**

Pursuant to the Prehearing Conference Order of Deputy Chief Administrative Law Judge Christopher P. Pell and Administrative Law Judge Barbara Shadie Nause issued on October 23, 2025, Section 333 of the Public Utility Code, 66 Pa. C. S. § 333, and in anticipation of the telephonic Prehearing Conference scheduled for November 5, 2025, The Sustainable Energy Fund (“SEF”), by and through its undersigned counsel, HMS Legal LLP, respectfully provides the following information:

I. INTRODUCTION AND PROCEDURAL HISTORY

1. On September 30, 2025, PPL Electric Utilities Corporation (“PPL”) filed Original Tariff Electric – Pa. P.U.C. No. 202 (“Tariff No. 202”) seeking a general rate increase pursuant to 66 Pa. C.S. § 1308(d) of the Public Utility Code and Original Tariff Electric – Pa. P.U.C. No. 2S (“Tariff No. 2S”), which is PPL’s proposed Electric Generation Supplier Coordination Tariff and sets forth PPL’s rules, regulations, charges, and riders for its provision of coordination services to electric generation suppliers (“EGSs”).

2. On October 6, 2025, the Commission on Economic Opportunity (“CEO”) filed a Petition to Intervene in this proceeding.

3. Also on October 6, 2025, the Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania (“CAUSE-PA”) filed a Formal Complaint. The Complaint was docketed at C-2025-3057844.

4. On October 9, 2025, the OSBA filed a Formal Complaint, Public Statement, and Verification. The Complaint was docketed at C-2025-3057889.

5. On October 12, 2025, Brad and Jennifer Wooley filed a Formal Complaint against the proposed rate increase. The Complaint was docketed at C-2025-3057946.

6. On October 16, 2025, Aspen Power, 38 Degrees, CVE North America, Syncarpha Capital, LLC, Twilight Renewables, Bollinger Solar, and CEP Renewables, LLC, (collectively, the “Customer-Generator Coalition,” “CGC” or the “Coalition”) filed a Petition to Intervene in this proceeding.

7. By Order entered on October 23, 2025, the Pennsylvania Public Utility Commission (“Commission”) instituted an investigation into the lawfulness, justness, and reasonableness of the proposed rate increase. Pursuant to Section 1308(d) of the Public Utility Code, 66 Pa. C.S.A. § 1308(d), proposed Original Tariff Electric – Pa. P.U.C. No. 202 and Original Tariff Electric – Pa. P.U.C. No. 2S were suspended by operation of law until July 1, 2026, unless permitted by Commission Order to become effective at an earlier date. In addition, the Commission ordered that the investigation include consideration of the lawfulness, justness, and reasonableness of PPL Electric’s existing rates, rules, and regulations. The matter was assigned to the Office of Administrative Law Judge for the prompt scheduling of hearings culminating in the issuance of a Recommended Decision.

8. On October 27, 2025, the Coalition for Community Solar Access and the Solar Energy Industries Association (the “Joint Solar Advocates”) filed a Joint Petition to Intervene in this proceeding.

9. On October 28, 2025, the Energy Justice Advocates (the “EJA”) filed a Petition to Intervene and Protest in this proceeding.

10. Also on October 28, 2025, Dimension PA 1 LLC (“Dimension”) filed a Petition to Intervene in this proceeding.

11. On October 29, 2025, Aspen Power, 38 Degrees, CVE North America, Syncarpha Capital, LLC, Twilight Renewables, Bollinger Solar, and CEP Renewables, LLC, filed a Motion to Amend Petition to Intervene in this proceeding, to add new CGC members.

12. On October 31, 2025, SEF filed a Petition to Intervene.

II. SERVICE ON SEF

14. The SEF is represented by the attorneys at HMS Legal LLP. SEF requests service as follows:

Judith D. Cassel, PA Attorney ID No. 209393
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For the purposes of satisfying the in-hand requirements for discovery responses, prepared testimony and briefs, SEF will accept electronic delivery of documents.

III. REPRESENTATION AT PREHEARING CONFERENCE

15. SEF will be represented at the Prehearing Conference by Judith Cassel who will serve as lead counsel in this proceeding.

IV. DISCOVERY

16. The SEF agrees with the OCA's discovery schedule.

V. SETTLEMENT

17. SEF is willing to engage in settlement discussions.

VI. ISSUES PRESENTED

18. This proceeding presents multiple issues of critical importance to SEF and other similarly situated entities that fund distributed renewable generation facilities and/or projects within PPL service territory. The SEF is engaged in the development, ownership, and operation of renewable, sustainable and regenerative energy generation throughout the Commonwealth, including within PPL's service territory, under the Pennsylvania Alternative Energy Portfolio Standards Act ("AEPS Act"), 73 P.S. §§ 1648.1 *et seq.*, and its implementing regulations at 52 Pa. Code §§ 75.1–75.17.

19. SEF's argument is that PPL's proposals are inconsistent with statutory mandates, discriminatory in application, unsupported by empirical evidence, and contrary to the Commonwealth's renewable energy policy objectives. SEF through its participation intends to preserve full-retail net-metering protections for customer-generators, maintain equitable treatment among rate classes, and uphold investor confidence in Pennsylvania's distributed generation market.

The following issues are of primary concern to SEF:

- Whether the proposed MRPL construct violates the AEPS Act and 52 Pa. Code § 75.13 by depriving customer-generators of full-retail value crediting.
- Whether PPL's tariff revisions unlawfully discriminate among similarly situated customers by reclassifying high-export, low-load systems into large commercial classes.
- Whether the proposed Net Metering construct for GSC-2 customers violates the AEPS Act and 52 Pa. Code § 75.13 by depriving customer-generators of full-retail value crediting.
- Whether the proposed transfer of AEC ownership to PPL contravenes 73 P.S. § 1648.1 and established market principles.
- Whether the MRPL and AEC proposals are unjust, unreasonable, or contrary to public policy under 66 Pa. C.S. § 1301.
- The retroactive and chilling effect these proposals would have on existing and planned distributed generation projects.
- Recovery of \$21 million of DERM.
- Broader implications for rate design, cost allocation, affiliate transactions, and default-service procurement.

SEF reserves the right to raise other relevant issues and respond to other issues that may arise in the course of this proceeding.

VII. WITNESSES

20. At this time, SEF is in the process of identifying and interviewing suitable expert witnesses for this proceeding. SEF intends to call John Costlow and as a fact and expert witness. SEF

respectfully reserves the right to supplement this Prehearing Conference Memorandum to identify its witnesses once they have been formally retained and their scope of testimony confirmed.

VIII. EVIDENCE

21. SEF anticipates presenting the following written testimony: direct, rebuttal, and, if necessary, surrebuttal, along with accompanying exhibits, analyses, and supporting documentation during the evidentiary phase of this proceeding. SEF's evidence will include, but is not limited to, data obtained through discovery, relevant tariff provisions, applicable statutes and regulations under the AEPS Act and 52 Pa. Code Chapter 75, as well as Commission precedent, cost-of-service studies, financial and economic modeling, and other public filings relevant to the issues raised herein.

22. SEF reserves the option of relying upon materials produced by other parties, including PPL Electric Utilities Corporation's filings, supporting testimony, discovery responses, and other relevant submissions to the Commission.

23. Finally, SEF expressly reserves the right to supplement or modify its evidentiary presentation as the record develops, consistent with the procedural schedule established by the presiding Administrative Law Judges.

IX. PUBLIC INPUT HEARINGS

24. Given the scope of the changes and the customer impact it may cause, SEF respectfully requests that public input hearings be in-person.

X. PROCEDURAL SCHEDULE

25. SEF has no issue with the procedural schedule as proposed by Office of Consumer Advocate.

WHEREFORE, SEF respectfully submits this Prehearing Conference Memorandum.

Respectfully submitted

/s/ Judith D. Cassel

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Counsel for The Sustainable Energy Fund

Date: November 4, 2025

CERTIFICATE OF SERVICE
Docket No. R-2025-3057164, et al.

I hereby certify that a true and correct copy of this filing has been served upon the following persons, in the manner indicated, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

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