

From: Alliance to Stop the Line

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To the Pennsylvania Public Utility Commission Chairman and Commissioners,

Kindly accept this comment on behalf of concerned citizens in North Eastern Pennsylvania, home of Commissioner Yanora. This comment is in response to the recent PUC Proposed Tariff Structure for Large Load Customers at Docket No. M-2025-3054271

While grateful for the initiative that the PUC has taken to address tariffs for Large Load customers, we have many concerns with the proposed tariff structure. Please consider the following.

In a publication entitled "UNCERTAINTY AND UPWARD BIAS ARE INHERENT IN DATA CENTER ELECTRICITY DEMAND PROJECTIONS" from July 2025, these insightful words were written:

***"2.1.3 Data center developers submit redundant requests for electric service across multiple jurisdictions***

*The timing mismatch between data center development and the comparatively slower pace of energy infrastructure buildout, coupled with the typically low cost of submitting a request for service to a utility, creates a strong incentive for potential data center customers to submit multiple, redundant requests for service across several utility jurisdictions. This approach gives developers optionality for negotiating and selecting a site that meets their needs, including timetable for achieving commercial operations. Industry experts have observed that "[D]ata center developers consider multiple states as possible locations for data centers, and they query multiple utilities simultaneously for electricity rates and incentives prior to making a final selection." Meta's former energy strategy director remarked that technology companies themselves are "getting the same project bid into them multiple times," making it difficult to distinguish viable projects from speculative ones. This dynamic is increasingly evident, including in regional planning processes. As parties to a recent Federal Energy Regulatory Commission ("FERC") docket noted "... PJM has no way to cross-check whether a data center in, for example, Exelon's service territory has also made the same proposal in Dominion's territory, and both proposals end up in PJM's forecast even though only one will be built. ... [I]n a recent presentation at the Pennsylvania Environmental Law Forum, PJM's own Senior Manager of Government Services, Stephen Bennett, stated that data center companies 'are pitching the same data centers in different locations.'" A former Google senior director of software engineering said there are "5 to 10 times more interconnection requests than data centers actually being built." Microsoft expressed concerns that "over-forecasting demand from data centers could lead to procuring excessive carbonintensive generation," and recommended that the Georgia Public Service Commission ("GPSC") only approve near-term resource planning decisions in Georgia Power Company's 2023*

*Integrated Resource Plan (“IRP”) Update based primarily on “known, mature projects that have made firm commitments to Georgia Power.”*

*The problem reverberates beyond electric utilities. Because of concerns over potential duplication of requests, executives in the US natural gas industry have publicly voiced skepticism for growth in gas demand from data center electric power customers. The Vice President of New Ventures for pipeline company The Williams Companies (“Williams”) noted at an industry event: “... if you look at how these [data center] projects are coming into different organizations, there is double and triple [counting] ... it is the same project because you have different players that are developing pieces.” “It’s creating a lot of problems for these regulators and utilities because how do you differentiate between a real project and a fake project?” the president of a shale gas producer remarked at the same event, adding that he expects only 10% of data center projects that have been announced to be built.”*

All of these and many more factors are significantly impacting the discussion about appropriate requirements and tariffs in place. As we have stressed previously, it is critical to enact regular demand forecasts, and as outlined in the OCA’s wider and excellent proposed regulatory tariff framework, (though we feel that credit rating should not apply and these guidelines should be applied equally to any Large Load Customer.) It is imperative to require stringent requirements such as implementing safeguards to prevent cost shifting to co-location sites so as to evade peak period demand charges.

But perhaps more concerning aside from all this, is the lack of enforce-ability of this proposed tariff. What then is the purpose? This is simply allowing a problem to unravel further, without any meaningful guidelines in place for Large Load customers. Large Load Customers are already in many cases receiving large state and local tax breaks and incentives. A lax tariff system essentially green lights any other activity they may take, furthering the burden of socialized costs on the average residential and small business ratepayer. This is unacceptable. The PUC has a critical decision to make and one that could end up leading to economic, environmental and quality of life impacts that the Commonwealth may take years to recover from if there is no sincere action taken by the Commissioners at this time.

We kindly submit these thoughts and entrust you to enact the best decision for the Commonwealth.

Sincerely,

*Alliance to Stop the Line*

*Luzerne County Community Action Coalition*

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