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File #: 205510

December 26, 2025

VIA ELECTRONIC FILING

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

**Re: Petition of PPL Electric Utilities Corporation for Approval of its Second
Distribution Energy Resources Management Plan
Docket No. P-2024-3049223**

Dear Secretary Homsher:

Enclosed for filing is PPL Electric Utilities Corporation's Emergency Petition for Clarification of the Pennsylvania Public Utility Commission's ("Commission") Opinion and Order entered December 24, 2025 ("Tolling Order"), which tolled the 30-day period for filing a Petition for Review with the Commonwealth Court of Pennsylvania.

As set forth in the Emergency Petition, PPL Electric respectfully requests that:

1. The Commission establish a deadline of December 29, 2025, for Answers to this Emergency Petition; and
2. The Commission issue an Order no later than December 31, 2025, which grants this Petition and clarifies that the Tolling Order did **not** grant a stay or supersedeas pending review and consideration of the merits of the Office of Consumer Advocate's Petition for Reconsideration and/or Clarification and the Joint Solar Parties' Petition for Clarification and Stay/Supersedeas.

Copies of this Emergency Petition are being served as indicated on the Certificate of Service.

Matthew Homsher, Secretary
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Respectfully submitted,



Devin Ryan

DR/bfc
Enclosures

cc: The Honorable John M. Coogan (*via email; w/attachments*)
Office of Special of Assistants (*via email; w/attachment*)
Certificate of Service

CERTIFICATE OF SERVICE

(Docket No. P-2024-3049223)

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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Date: December 26, 2025



Devin T. Ryan

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Petition of PPL Electric Utilities Corporation :
for Approval of its Second Distributed Energy : Docket No. P-2024-3049223
Resources Management Plan :

**EMERGENCY PETITION OF PPL ELECTRIC UTILITIES CORPORATION FOR
CLARIFICATION OF THE TOLLING ORDER ENTERED DECEMBER 24, 2025**

PPL Electric Utilities Corporation (“PPL Electric” or the “Company”) pursuant to Section 703(g) of the Public Utility Code, 66 Pa.C.S. § 703(g), and Section 5.572 of the Pennsylvania Public Utility Commission’s (“Commission”) regulations, 52 Pa. Code § 5.572, hereby files this Emergency Petition requesting clarification of the Commission’s Opinion and Order at Docket No. P-2024-3049223 (“Tolling Order”), which tolled the 30-day time period for filing a petition for review with the Commonwealth Court by granting the Petition for Reconsideration and/or Clarification (“OCA Petition”) filed by the Office of Consumer Advocate (“OCA”) and the Petition for Clarification and Stay/Supersedeas (“JSP Petition”) filed by American Home Contractors, Inc. (“AHC”), the Solar Energy Industries Association (“SEIA”), SolarEdge Technologies, Inc. (“SolarEdge”), Sun Directed, Tesla, Inc. (“Tesla”), and Trinity Solar, LLC (“Trinity Solar”) (collectively, “Joint Solar Parties” or “JSPs”) pending further review and consideration of the merits within the meaning of Pa. R.A.P. 1701(b)(3).

PPL Electric respectfully requests that: (1) the Commission issue an Order by no later than December 31, 2025, clarifying that no stay or supersedeas was granted by its Tolling Order; and (2) establish a deadline of December 29, 2025, for Answers to this Emergency Petition in order to facilitate a ruling by December 31, 2025. The JSPs requested a stay or supersedeas of the Commission’s December 3, 2025 Opinion and Order (“Final Order”), which approved the Company’s Second Distributed Energy Resources (“DER”) Management Plan with

two minor modifications, “pending resolution of a judicial appeal filed by the JSPs in the Court of the Commonwealth.” (JSP Petition, p. 1.) The Company does not view the Commission’s Tolling Order as granting any stay or supersedeas of its Final Order. The Commission expressly states in its Tolling Order that “[g]ranted reconsideration pending review of, and consideration on, the merits of the Petitions in order to preserve Commission jurisdiction and toll the thirty-day time period for filing a petition for appellate review does not automatically stay the Commission’s underlying Opinion and Order.” (Tolling Order, p. 2.) The Commission also goes on to state that the OCA Petition and JSP Petition “are hereby granted pending further review of, and consideration on, the merits” within “the meaning of Pa. R.A.P. 1701(b)(3).” (*Id.*, p. 2.) Critically, Rule 1701(b)(3) only deals with the granting of reconsideration, while Rule 1701(b)(1)-(2) deal with, among other things, the grant of a stay or supersedeas. *See* Pa. R.A.P. 1701(b)(1)-(3). However, the Commission’s Ordering Paragraph states that the OCA Petition and JSP Petition are “hereby granted, pending further review of, and consideration on, the merits.” (*Id.*, p. 3.) Thus, despite the clear language in the Commission’s Tolling Order, PPL Electric expects that the JSPs or other parties may view the Commission’s Tolling Order as temporarily granting their request for a stay or supersedeas.

The Company currently is set to launch its Second DER Management Plan **on January 3, 2026**, pursuant to the terms of the Final Order and the Commission’s Opinion and Order entered September 12, 2024, in the First DER Management Plan proceeding at Docket No. P-2024-3049223 (“Pilot Program Extension Order”), which extended the current DER Management Pilot Program until 30 days after the entry of the Commission’s Final Order in this proceeding. Consistent with the Second DER Management Petition approved by the Commission, the Company will be filing its Rule 12 compliance tariff supplement on or before January 2, 2026, to

become effective on one day's notice. (*See, e.g.,* Second DER Management Petition, p. 32.) Moreover, the Company's DER Management Pilot Program is ongoing, and the annual cap of 3,000 DER Management devices is set to reset on January 1, 2026. (*See* Final Order, p. 5 n.6.) Thus, the Company is set to resume installing DER Management devices on January 1, 2026, and to launch its Second DER Management Plan on January 3, 2026.

PPL Electric will explain why the OCA Petition and JSP Petition should be denied on the merits in its Answers that will be timely filed on December 29, 2025. In the meantime, for the avoidance of doubt, PPL Electric respectfully requests that the Commission issue an Order no later than December 31, 2025, clarifying that the JSPs' request for a stay or supersedeas has **not** been granted pending further review and consideration of the merits of the OCA Petition and JSP Petition and that the Tolling Order only tolled the 30-day review period so that the Commission would retain jurisdiction over the matter. Such clarification will ensure that: (1) the Company's launch of its Second DER Management Plan on January 3, 2026, can proceed smoothly and without interference or disruption; and (2) the Company and its customers do not lose out unnecessarily on the significant benefits of the Second DER Management Plan.

These new and novel issues have not been addressed in this proceeding and, more importantly, raise important legal issues that were overlooked or not considered by the Commission. For these reasons, and as explained in more detail herein, the Company respectfully requests that: (1) the Commission establish a deadline of December 29, 2025, for Answers to this Emergency Petition; and (2) the Commission issue an Order no later than December 31, 2025, which grants this Petition and clarifies that the Tolling Order did **not** grant a stay or supersedeas pending review and consideration of the merits of the OCA Petition and JSP Petition.

I. INTRODUCTION¹

1. PPL Electric is an electric distribution and transmission company subject to the regulatory jurisdiction of the Commission.

2. On May 20, 2024, PPL Electric filed a Petition requesting the Commission's approval of tariff modifications and other authorizations that are needed to implement PPL Electric's Second 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.

3. On December 3, 2025, the Commission issued its Final Order, which granted the Company's DER Management Petition subject to two modifications: (1) within 12 months of the Final Order's entry date, the Company shall file a DER Orchestration Plan with the Commission and provide an evaluation of three different flexible interconnection approaches; and (2) within 12 months of the Final Order's entry date, PPL Electric shall conduct a Request for Proposal from third-party aggregators and original equipment manufacturers.

4. On December 18, 2025, the OCA filed the OCA Petition and the JSPs filed the JSP Petition.

5. On December 24, 2025, the Commission issued its Tolling Order.

II. THE STANDARD FOR GRANT OF CLARIFICATION HAS BEEN MET.

6. The Commission's standard for granting reconsideration, rehearing, and clarification following final orders is set forth in *Duick v. Pennsylvania Gas and Water Co.*, 56 Pa. P.U.C. 553, 559 (1982):

A petition for reconsideration, under the provisions of 66 Pa.C.S. § 703(g), may properly raise any matters designed to convince the

¹ This Introduction provides a truncated procedural history that is relevant for purposes of this Emergency Petition.

Commission that it should exercise its discretion under this code section to rescind or amend a prior order in whole or in part. In this regard we agree with the Court in the Pennsylvania Railroad Company case, wherein it was said that “[p]arties ..., cannot be permitted by a second motion to review and reconsider, to raise the same questions which were specifically considered and decided against them....” What we expect to see raised in such petitions are new and novel arguments, not previously heard, or considerations which appear to have been overlooked or not addressed by the Commission.

7. The Commission has cautioned that the operative language of the *Duick* standard focuses on the deliberations of the Commission, not the arguments of the parties. *See Pa. PUC v PPL Electric Utilities Corp.*, Docket No. R-2012-2290597 (Order entered May 22, 2014).

8. Further, application of the *Duick* standard requires a “two-step analysis.” *Pa. PUC v. Great American Power, LLC*, 2023 Pa. PUC LEXIS 255, at *4 (Order entered Sept. 21, 2023) (citation omitted).

9. “The first step is that [the Commission] determine[s] whether a party has offered new and novel arguments or identified considerations that appear to have been overlooked or not addressed by the Commission in its previous order.” *Id.* at *5 (citation omitted).

10. “The second step of the *Duick* analysis is to evaluate the new or novel argument, or overlooked consideration that is alleged, in order to determine whether to modify [the Commission’s previous decision.” *Id.* (citation omitted).

11. However, the Commission “will not necessarily modify [its] prior decision just because a party offers a new and novel argument or identifies a consideration that was overlooked or not addressed by the Commission in its previous order.” *Id.* (citation omitted).

12. In the Tolling Order, the Commission states that “[g]ranting reconsideration pending review of, and consideration on, the merits of the Petitions in order to preserve Commission jurisdiction and toll the thirty-day time period for filing a petition for appellate review

does not automatically stay the Commission’s underlying Opinion and Order” and that “petitions seeking a stay or supersedeas must be filed with the Commission within fifteen (15) days after the underlying Opinion and Order becomes final.” (Tolling Order, p. 2.)

13. Further, the Commission “grant[s] reconsideration of the [OCA] Petition and the [JSP] Clarification/Stay Petition, within the meaning of Pa. R.A.P. 1701(b)(3), pending review of, and consideration on, the merits of the Petitions.” (*Id.*)

14. Notably, Rule 1701(b)(3) only concerns the grant of petitions for reconsideration, while Rule 1701(b)(1)-(2) deal with, among other things, the grant of a stay or supersedeas. *See* Pa. R.A.P. 1701(b)(1)-(3).

15. Nevertheless, in its Ordering Paragraph, the Commission states that the OCA Petition and JSP Petition are “granted, pending further review of, and consideration on, the merits.” (Tolling Order, p. 3.)

16. As such, and given the JSPs’ opposition to the Second DER Management Plan, including the early filing of a Petition for Review with the Commonwealth Court on the same day that they filed the JSP Petition with the Commission, PPL Electric expects that the JSPs will incorrectly interpret the Commission’s Tolling Order as granting a stay or supersedeas of the Final Order and delaying the implementation of the Second DER Management Plan.

17. The new and novel issues discussed above have not been addressed in this proceeding and, more importantly, raise important legal issues that were overlooked or not considered or by the Tolling Order. These issues clearly satisfy the Commission’s standard for reconsideration, rehearing, or clarification under *Duick, supra*.

III. ARGUMENT FOR CLARIFICATION

18. PPL Electric respectfully requests that the Commission issue an Order by no later than December 31, 2025, in which the Commission clarifies that no stay or supersedeas of the Final Order was granted through its Tolling Order.

19. In its Final Order, the Commission approved the Second DER Management Plan with two minor modifications: (1) within 12 months of the Final Order's entry date, the Company shall file a DER Orchestration Plan with the Commission and provide an evaluation of three different flexible interconnection approaches; and (2) within 12 months of the Final Order's entry date, PPL Electric shall conduct a Request for Proposal from third-party aggregators and original equipment manufacturers.

20. Pursuant to the Final Order and the Commission's Pilot Program Extension Order, PPL Electric continues to operate its DER Management Pilot Program and is set to launch its Second DER Management Plan on January 3, 2026.

21. In its Tolling Order, the Commission explicitly states in its Tolling Order that “[g]ranting reconsideration pending review of, and consideration on, the merits of the Petitions in order to preserve Commission jurisdiction and toll the thirty-day time period for filing a petition for appellate review does not automatically stay the Commission's underlying Opinion and Order.” (Tolling Order, p. 2.)

22. Moreover, the Commission declares that the OCA Petition and JSP Petition “are hereby granted pending further review of, and consideration on, the merits” within “the meaning of Pa. R.A.P. 1701(b)(3).” (*Id.*)

23. Rule 1701(b)(3) only deals with the granting of reconsideration, while Rule 1701(b)(1)-(2) deal with, among other things, the grant of a stay or supersedeas. *See* Pa. R.A.P. 1701(b)(1)-(3).

24. Therefore, the Commission's Tolling Order should not be viewed as granting any stay or supersedeas of the Final Order.

25. Nonetheless, PPL Electric expects that the other parties may incorrectly view the Tolling Order as granting a stay or supersedeas pending the Commission's review and consideration of the merits of the OCA Petition and JSP Petition.

26. If so, there is a potential risk that the implementation of PPL Electric's Second DER Management Plan or even the continuation of the DER Management Pilot Program could be disrupted.

27. As such, for the avoidance of doubt, PPL Electric respectfully requests that the Commission issue an Order by no later than December 31, 2025, clarifying that no stay or supersedeas of the Final Order was granted through its Tolling Order.

28. Such clarification will ensure that: (1) the Company's launch of its Second DER Management Plan on January 3, 2026, can proceed smoothly without any potential disruption; and (2) the Company and its customers do not lose out unnecessarily on the significant benefits of the Second DER Management Plan.

29. Additionally, Answers to Petitions for Clarification are normally due within 10 calendar days of service. *See* 52 Pa. Code § 5.572(e).

30. PPL Electric is set to file its Rule 12 compliance tariff supplement on or before January 2, 2026, as part of its launch of the Second DER Management Plan on January 3, 2026.

31. Thus, a Commission ruling by December 31, 2025, on this Emergency Petition is required.

32. To facilitate a Commission ruling by December 31, 2025, PPL Electric respectfully requests that the Commission shorten the Answer deadline to December 29, 2025.

IV. CONCLUSION

WHEREFORE, PPL Electric Utilities Corporation respectfully requests that the Commission set a December 29, 2025 deadline for Answers to this Emergency Petition and issue an Order clarifying that no stay or supersedeas was granted in its December 24, 2025 Opinion and Order.

Respectfully submitted,



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Dated: December 26, 2025

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