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Devin Ryan

dryan@postschell.com  
717-612-6052 Direct  
717-731-1985 Direct Fax  
File #: 205510

January 2, 2026

***VIA ELECTRONIC FILING***

Matthew L. 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**

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Dear Secretary Homsher:

Enclosed for filing on behalf of PPL Electric Utilities Corporation (“PPL Electric”) is the Motion to Strike the “Reply” of the Joint Solar Parties to PPL Electric’s Answer to the Joint Solar Parties’ Petition for Clarification and Stay/Supersedeas in the above-referenced proceeding. Copies are being provided as indicated on the Certificate of Service.

Respectfully submitted,



Devin Ryan

DTR/dmc  
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).

### VIA E-MAIL

Harrison W. Breitman, Esquire  
Christy Appleby, Esquire  
Melanie Joy El Atieh, Esquire  
Office of Consumer Advocate  
Forum Place  
555 Walnut Street, 5th Floor  
Harrisburg, PA 17101-1923  
E-mail: hbreitman@paoca.org  
cappleby@paoca.org  
melatieh@paoca.org

Steven C. Gray, Esquire  
Rebecca Lyttle, Esquire  
Office of Small Business Advocate  
Forum Place  
555 Walnut Street, 1<sup>st</sup> Floor  
Harrisburg, PA 17101  
E-mail: sgray@pa.gov  
relyttle@pa.gov

Bernice I. Corman, Esquire  
BICKY CORMAN LAW PLLC  
1250 Connecticut Avenue, NW, Suite 700  
Washington, DC 20036  
E-mail: bcorman@bickycormanlaw.com  
*Counsel for American Home Contractors,  
Inc., Enphase Energy, Inc., the Solar Energy  
Industries Association, SolarEdge  
Technologies, Inc., Sun Directed, Tesla,  
Inc., and Trinity Solar, LLC*

Judith D. Cassel, Esquire  
Micah Bucy, Esquire  
Hawke, McKeon & Sniscak LLP  
100 North Tenth Street  
Harrisburg, PA 17101  
E-mail: jdcassel@hmslegal.com  
mrbucy@hmslegal.com  
*Counsel for SEF*

Adeolu A. Bakare, Esquire  
Rebecca Kimmel, Esquire  
McNees Wallace and Nurick LLC  
100 Pine Street  
P.O. Box 1166  
Harrisburg, PA 17108  
E-mail: abakare@mcneeslaw.com  
rkimmel@mcneeslaw.com  
*Counsel for PPLICA*

Date: January 2, 2026



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Devin T. Ryan

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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

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**NOTICE TO PLEAD**

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YOU ARE HEREBY ADVISED THAT, PURSUANT TO 52 PA. CODE § 5.103(c), ANSWERS TO MOTIONS ARE DUE WITHIN TWENTY (20) DAYS AFTER THE DATE OF SERVICE. YOUR ANSWERS SHOULD BE FILED WITH THE SECRETARY OF THE PENNSYLVANIA PUBLIC UTILITY COMMISSION, P.O. BOX 3265, HARRISBURG, PA 17105-3265. A COPY SHOULD ALSO BE SERVED ON THE UNDERSIGNED COUNSEL.

Kimberly A. Klock (ID # 89716)  
Michael J. Shafer (ID # 205681)  
PPL Services Corporation  
645 Hamilton Street, Suite 700  
Allentown, PA 18101  
Phone: 610-774-5696  
Fax: 610-774-4102  
E-mail: [kklock@pplweb.com](mailto:kklock@pplweb.com)  
[mjshafer@pplweb.com](mailto:mjshafer@pplweb.com)



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Devin T. Ryan (ID # 316602)  
Post & Schell, P.C.  
One Oxford Centre  
301 Grant Street, Suite 3010  
Pittsburgh, PA 15219  
Phone: 717-612-6052  
E-mail: [dryan@postschell.com](mailto:dryan@postschell.com)

David B. MacGregor (ID # 28804)  
Megan E. Rulli (ID# 331981)  
Post & Schell, P.C.  
17 North Second Street, 12<sup>th</sup> Floor  
Harrisburg, PA 17101-1601  
Phone: 717-731-1970  
717.612.6018  
Fax: 717-731-1985  
E-mail: [dmacgregor@postschell.com](mailto:dmacgregor@postschell.com)  
[mrulli@postschell.com](mailto:mrulli@postschell.com)

Dated: January 2, 2026

*Attorneys for PPL Electric Utilities Corp.*

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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

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**MOTION OF PPL ELECTRIC UTILITIES CORPORATION TO  
STRIKE THE JOINT SOLAR PARTIES’ “REPLY” TO  
PPL ELECTRIC UTILITIES CORPORATION’S ANSWER TO  
THE PETITION OF JOINT SOLAR PARTIES FOR  
CLARIFICATION AND STAY/SUPERSEDEAS**

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**TO PENNSYLVANIA PUBLIC UTILITY COMMISSION:**

AND NOW, comes PPL Electric Utilities Corporation (“PPL Electric” or the “Company”) by and through its attorneys, Post & Schell, P.C., and files, pursuant to the Pennsylvania Public Utility Commission’s (“Commission”) regulations at 52 Pa. Code § 5.103, this Motion to Strike the “Reply” of Tesla, Inc. (“Tesla”), Sun Directed, American Home Contractors (“AHC”), SolarEdge Technologies, Inc. (“SolarEdge”), Trinity Solar, LLC (“Trinity Solar”) and the Solar Energy Industries Association (“SEIA”) (collectively, “Joint Solar Parties” or “JSPs”) to PPL Electric’s Answer to the JSPs’ Petition for Clarification and Stay/Supersedeas (“JSP Petition”).<sup>1</sup>

The JSPs’ “Reply” is an improper pleading and not authorized by the Commission’s regulations. The JSPs try to justify the filing of their “Reply” by arguing that PPL Electric seeks affirmative relief in its Answer and, as a result, the JSPs are entitled to file a Reply. *See* JSPs’ “Reply,” p. 1. The JSPs also contend that a “Reply” is proper because PPL Electric’s Answer purportedly raises new legal arguments not included in the Company’s Briefs or Exceptions and

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<sup>1</sup> In that Petition, the JSPs seek clarification and a stay or supersedeas of the Commission’s December 3, 2025, Order approving PPL Electric’s Second Distributed Energy Resources (“DER”) Management Plan.

“inaccurately construes arguments by the JSPs as new.” *Id.*, pp. 1-2. However, the JSPs’ arguments flatly contravene the Commission’s regulations and Commission precedent and misconstrue the Company’s purely legal arguments as requests for affirmative relief.

First, the Commission’s regulations only allow Replies to Answers in two limited circumstances: if the Answer pleads New Matter or seeks affirmative relief. *See* 52 Pa. Code § 5.62. Neither condition applies here.<sup>2</sup> Contrary to the JSPs’ characterizations, the Company’s Answer merely asks the Commission to reject the JSP Petition and raises legal arguments in support. None of these arguments request affirmative relief, raise additional questions of law or fact, or allege an injury. As such, the JSPs’ “Reply” to the Company’s Answer is not authorized under the Commission’s regulations.

Second, the Commission rejected essentially the same argument in another case. In *Petition of Duquesne Light Company*, Docket Nos. P-890386, *et al.*, 1990 Pa. PUC LEXIS 22 (Order dated Feb. 6, 1990) (“*Duquesne*”), Duquesne Light Company (“Duquesne Light”) filed a Reply to the Office of Trial Staff’s (“OTS”) Answer to Duquesne Light’s Petition and tried to justify the filing by arguing that OTS’s Answer sought affirmative relief because it asked the Commission to reject the Petition. The Commission rejected Duquesne Light’s position and granted OTS’s Motion to Strike Duquesne Light’s Reply. *See id.* Therefore, consistent with Commission precedent, the Commission should follow suit here and strike the JSPs’ Reply.

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<sup>2</sup> The Joint Solar Parties should know that their “Reply” is an improper pleading because the Commission previously granted the Company’s Motion to Strike their attempted “Reply” to the Company’s Answer to the JSPs’ Petition for Rescission of Amendment of the Company’s Pilot Program. *See Petition of PPL Electric Utilities Corp. for Approval of Tariff Modifications and Waivers of Regulations Necessary to Implement its Distributed Energy Resources Management Plan*, Docket No. P-2019-3010128 (Opinion and Order entered May 23, 2024). In that instance, the Joint Solar Parties inaccurately argued that the Company’s Answer contained New Matter necessitating a response. Presumably learning from this first failed attempt, the Joint Solar Parties now contend that the Company’s Answer requests affirmative relief. As explained below, these claims are meritless. Indeed, the JSPs have submitted a number of improper filings in this proceeding, having also filed “Surrejoinder Testimony” and a “Surreply Brief” outside the bounds of the Commission’s regulations and the established litigation schedule.

Third, the Commission should reject the JSPs' claims that their "Reply" is warranted because the Company improperly raised new arguments related to the *Process Gas*<sup>3</sup> standards and the necessity of a statewide rulemaking proceeding in its Answer. Here, the Company could not have raised these arguments earlier because they respond to claims made for the first time in the JSP Petition. The Commission should reject the JSPs' suggestion that the Company was not permitted to respond to these claims.

In support thereof, PPL Electric states as follows:

**I. BACKGROUND**

1. PPL Electric is a public utility that provides electric distribution service and provider of last resort services in Pennsylvania subject to the regulatory jurisdiction of the Commission. PPL Electric furnishes electric distribution, transmission, and provider of last resort electric supply services to approximately 1.5 million customers throughout its certificated service territory, which includes all or portions of 29 counties and encompasses approximately 10,000 square miles in eastern and central Pennsylvania.

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. The Joint Solar Parties, the Office of Consumer Advocate ("OCA"), the Office of Small Business Advocate ("OSBA"), the PP&L Industrial Customer Alliance ("PPLICA"), and the Sustainable Energy Fund of Central Eastern Pennsylvania ("SEF") participated in the proceeding. The parties conducted discovery and submitted several rounds of testimony.

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<sup>3</sup> *Pa. PUC v. Process Gas Consumers Grp.*, 467 A.2d 805 (1983) ("*Process Gas*").

4. On August 12, 2024, PPL Electric, OCA, OSBA, SEF, and JSPs filed a Joint Petition for an Extension of PPL Electric’s DER Management Pilot Program Period at Docket No. P-2019-3010128, the docket for the Company’s First DER Management Plan. The Joint Petition requested an extension of the Company’s currently effective Pilot Program period until 30 days after the Commission’s Final Order is entered in the instant proceeding.

5. On September 12, 2024, the Commission granted the Joint Petition filed at Docket No. P-2019-3010128 and extended the Pilot Program period as requested (“Pilot Program Extension Order”).

6. Hearings were held on February 11 and 12, 2025. Several parties conducted cross-examination. In addition, the parties’ testimony and exhibits were admitted into the record.

7. Following the hearing, parties submitted Main Briefs on March 25, 2025, and Reply Briefs on April 15, 2025.

8. On June 30, 2025, the Commission issued Administrative Law Judge John M. Coogan’s (“ALJ”) Recommended Decision (“RD”), in which he recommended that the Commission deny the Company’s Second DER Management Petition.

9. PPL Electric and the JSPs filed Exceptions to the RD on July 15, 2025. PPL Electric, the JSPs, OCA, and OSBA filed Replies to Exceptions on July 22, 2025.

10. On December 3, 2025, the Commission issued its Order granting the Company’s Second DER Management Petition subject to 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 an RFP from third-party aggregators and original equipment manufacturers (“Final Order”).

11. On December 18, 2025, the OCA filed a Petition for Reconsideration and/or Clarification, and the JSPs filed their Petition for Clarification and Stay/Supersedeas.

12. On December 24, 2025, the Commission issued its Tolling Order, which tolled the 30-day time period for filing a petition for review with the Commonwealth Court by granting the JSP Petition and the OCA Petition pending further review and consideration of the merits within the meaning of Pa. R.A.P. 1701(b)(3).

13. On December 26, 2025, PPL Electric filed an Emergency Petition requesting that the Commission issue an Order clarifying that the Tolling Order did not grant any stay or supersedeas of the Final Order.

14. On December 29, 2025, the Joint Solar Parties and the OCA filed Answers to the Company's Emergency Petition.

15. Also on December 29, 2025, PPL Electric filed its Answer to the JSP Petition and the OCA Petition.

16. On December 30, 2025, the JSPs filed their "Reply" to the Company's Answer to the JSP Petition.

## **II. MOTION TO STRIKE**

### **A. THE COMMISSION SHOULD STRIKE THE JSPPS' "REPLY" BECAUSE SUCH A FILING CONTRAVENES THE COMMISSION'S REGULATIONS AND COMMISSION PRECEDENT**

50. The Commission should strike the JSPs' "Reply" to PPL Electric's Answer to the JSP Petition because it is an improper pleading and not authorized by the Commission's regulations.

51. The Commission's regulations only allow Replies to Answers in two limited circumstances: if the Answer pleads New Matter or seeks affirmative relief. *See* 52 Pa. Code § 5.62.

52. The JSPs allege that PPL Electric requested affirmative relief in its Answer and, therefore, they are entitled to file a Reply to the Company's Answer. *See* JSPs' "Reply," p. 1. The JSPs also argue that their "Reply" is warranted because the Company "improperly raises new legal arguments not raised by it in its briefs or exceptions, or inaccurately construes arguments by the JSPs as new, permitting the JSPs to Reply per 52 Pa. Code §§ 5.62 and 63." *See id.*, pp. 1-2.

53. The JSPs' position contravenes the Commission's regulations and Commission precedent.

54. First, contrary to the JSPs' characterizations, PPL Electric's Answer to the JSP Petition contains no requests for affirmative relief. *See* 52 Pa. Code § 5.62(a). As the Commission has explained:

Answers seeking affirmative relief must conform to the guidelines of 52 Pa. Code § 5.62. There must be questions of law or fact common to those of the complaint or petition. There must be an injury suffered by the participant filing the answer. There must be relief sought against another party in the proceeding. 52 Pa. Code § 5.62(a).

*Duquesne*, 1990 Pa. PUC LEXIS 22, at \*7-8.

55. Here, the Company's Answer asks the Commission to reject the JSP Petition. In support of this position, the Company makes several legal arguments in response to the issues raised by the JSPs, including that: (1) the effect of a stay would be to extend the term of the Pilot Program pursuant to the terms of the Pilot Program Extension Order; (2) the financial harms alleged by the JSPs are not a proper basis to support a finding of irreparable harm under the *Process Gas* standard; (3) the JSPs waived any argument that approval of the Company's Second DER Management Plan Petition requires amendment of the AEPS regulations by failing to raise it in their Briefs or Exceptions; and (4) the Commission does not need to expressly justify declining to adopt the ALJ's credibility determinations. *See* PPL's Answer to the JSP Petition, pp. 9-33.

56. None of the Company's arguments request affirmative relief, raise additional questions of law or fact, or allege an injury. As such, the JSPs' "Reply" to the Company's Answer is not authorized under the Commission's regulations. *See* 52 Pa. Code § 5.62(a).

57. Second, the Commission previously rejected essentially the same argument in *Duquesne*. *See Duquesne*, 1990 Pa. PUC LEXIS 22, at \*7-8. In *Duquesne*, Duquesne Light filed a Reply to the Answer of the OTS to Duquesne Light's Petition. *See id.* at \*7. When trying to justify the filing of its Reply, Duquesne Light contended that OTS's Answer sought affirmative relief because it "affirmatively requests that the Commission reject the Petition . . . or, alternatively, order an investigation and hearings . . ." *See id.* The Commission rejected Duquesne Light's position and granted OTS's Motion to Strike Duquesne Light's Reply. *See id.* at \*7-8. In so doing, the Commission found the following:

The answer filed by OTS does not raise additional questions of law or fact. The answer does not allege an injury. The answer does not seek affirmative relief against Duquesne. The answer does request that Duquesne's petition be rejected or, in the alternative, that Duquesne be required to support the assertions made in its petitions.

The OTS answer does not seek affirmative relief and, therefore, Duquesne's reply to that answer was improperly filed. Hence, OTS's Motion to Strike Duquesne's reply is hereby granted and Duquesne's Reply to Answer of the Office of Trial Staff is hereby stricken.

*Id.*

58. As in *Duquesne*, here the Company's Answer does not raise additional questions of law or fact, does not allege an injury, and does not seek affirmative relief against the JSPs. The Company merely advances legal arguments in opposition to those raised by the JSPs. Thus, the Commission should adhere to its precedent in *Duquesne* and strike the JSPs' "Reply" to the Company's Answer.

59. Third, the JSPs claim that the Company improperly raised new arguments in its Answer and “depriv[ed] the JSPs of their due process right to respond.” See JSP “Reply,” p. 3. The “new” arguments that the JSPs refer to are: (1) that the JSPs cannot rely on allegations of financial harm to demonstrate irreparable harm under the *Process Gas* standards; and (2) that the JSPs waived the opportunity to argue that approval of the Company’s Second DER Management Plan Petition requires amendment of the AEPS regulations.<sup>4</sup> See JSP “Reply,” pp. 3-4.

60. The Company could not have raised these arguments earlier because the Joint Solar Parties both requested a stay and argued that the Commission could not approve the Second DER Management Plan Petition without notice and comment rulemaking for the first time in its December 18, 2025, Petition. The JSPs’ suggestion that the Company is barred from raising these arguments in response to the JSP Petition is frivolous and should be rejected out of hand.

61. Finally, assuming *arguendo* that PPL Electric’s Answer “contained inappropriate arguments,” the JSPs’ “remedy would have been to file a Motion to Strike, not an Answer under 52 Pa. Code § 5.63.” See *Pa. PUC v. Philadelphia Gas Works*, 2009 Pa. PUC LEXIS 596, at \*27 (Order entered Mar. 26, 2009).

62. For these reasons, PPL Electric respectfully requests that the Commission strike the JSPs’ “Reply” to the Company’s Answer and disregard that “Reply” when adjudicating the JSP Petition.

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<sup>4</sup> The JSPs also claim that they “clearly voluminously argued, and Administrative Law Judge Coogan concluded, that utility-specific standards interpretations warrant notice and comment in state-wide proceedings.” JSP “Reply,” p. 4 (citing RD, p. 45; JSP Reply Exceptions, p. 19). To be clear, the ALJ never found that statewide notice and comment rulemaking was a *prerequisite* to approving the Company’s Second DER Management Plan, and the JSPs did not specifically argue that such amendments were *required* for approval until they filed the JSP Petition.

### **III. CONCLUSION**

WHEREFORE, PPL Electric Utilities Corporation respectfully requests that the Pennsylvania Public Utility Commission strike the “Reply” filed by the Joint Solar Parties and disregard the “Reply” when ruling on the Joint Solar Parties’ Petition for Clarification and Stay/Supersedeas, as described in this Motion.

Respectfully submitted,



Kimberly A. Klock (ID # 89716)  
Michael J. Shafer (ID # 205681)  
PPL Services Corporation  
645 Hamilton Street, Suite 700  
Allentown, PA 18101  
Phone: 610-774-5696  
Fax: 610-774-4102  
E-mail: kklock@pplweb.com  
mjshafer@pplweb.com

---

Devin T. Ryan (ID # 316602)  
Post & Schell, P.C.  
One Oxford Centre  
301 Grant Street, Suite 3010  
Pittsburgh, PA 15219  
Phone: 717-612-6052  
E-mail: dryan@postschell.com

David B. MacGregor (ID # 28804)  
Megan E. Rulli (ID# 331981)  
Post & Schell, P.C.  
17 North Second Street, 12<sup>th</sup> Floor  
Harrisburg, PA 17101-1601  
Phone: 717-731-1970  
717.612.6018  
Fax: 717-731-1985  
E-mail: dmacgregor@postschell.com  
mrulli@postschell.com

Dated: January 2, 2026

*Attorneys for PPL Electric Utilities Corp.*