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File #: 209995

February 14, 2026

***VIA 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: PA Public Utility Commission, et al. v. PPL Electric Utilities Corporation**  
**Docket Nos. R-2025-3057164, et al.**

Dear Secretary Homsher:

Enclosed for filing on behalf of PPL Electric Utilities Corporation is the Motion to Sever the Maximum Registered Peak Load Proposal from the Base Rate Case in the above-referenced proceeding. Copies are being served as indicated on the Certificate of Service.

Respectfully submitted,



Devin Ryan

DR/bfc  
Enclosures

cc: Honorable Christopher Pell (w/ enclosures)  
Honorable Barbara Shadie Nause (w/ enclosures)  
Legal Assistant Eric Ball (w/ enclosures)  
Legal Assistant Pamela McNeal (w/ enclosures)  
Certificate of Service

## CERTIFICATE OF SERVICE

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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Dated: February 14, 2026



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Devin T. Ryan

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission	:	Docket Nos. R-2025-3057164
Coalition for Affordable Utility Services and	:	C-2025-3057844
Energy Efficiency in Pennsylvania	:	
Office of Small Business Advocate	:	C-2025-3057889
Brad and Jennifer Woolley	:	C-2025-3057946
Office of Consumer Advocate	:	C-2025-3058130
Joint Solar Advocates	:	C-2025-3058251
PP&L Industrial Customer Alliance	:	C-2025-3058271
Convergent Energy and Power LP	:	C-2025-3058300
Rik Bhattacharyya	:	C-2025-3058846
Safiyah Junaid	:	C-2025-3058982
Stacey Kimmel-Smith	:	C-2025-3059151
John Gadowski	:	C-2025-3059330
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	:	
v.	:	
	:	
	:	
PPL Electric Utilities Corporation	:	

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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 NORMALLY DUE WITHIN TWENTY (20) DAYS AFTER THE DATE OF SERVICE. **IN THE ENCLOSED MOTION TO SEVER, IT IS REQUESTED THAT AN EXPEDITED ANSWER DEADLINE BE SET FOR FEBRUARY 15, 2026, DUE TO THE NEED FOR AN URGENT RULING ON THE MATTER, AS IT WILL DIRECTLY AFFECT THE CONDUCT OF THE HEARINGS SET TO BEGIN ON FEBRUARY 17, 2026.** YOUR ANSWERS SHOULD BE FILED WITH THE SECRETARY OF THE PENNSYLVANIA PUBLIC UTILITY COMMISSION, P.O. BOX 3265, HARRISBURG, PA 17105-3265. A COPY OF YOUR REPLY SHOULD ALSO BE SERVED ON THE UNDERSIGNED COUNSEL.

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Dated: February 14, 2026

*Counsel for PPL Electric Utilities Corporation*

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission	:	Docket Nos. R-2025-3057164
Coalition for Affordable Utility Services and	:	C-2025-3057844
Energy Efficiency in Pennsylvania	:	
Office of Small Business Advocate	:	C-2025-3057889
Brad and Jennifer Woolley	:	C-2025-3057946
Office of Consumer Advocate	:	C-2025-3058130
Joint Solar Advocates	:	C-2025-3058251
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Convergent Energy and Power LP	:	C-2025-3058300
Rik Bhattacharyya	:	C-2025-3058846
Safiyah Junaid	:	C-2025-3058982
Stacey Kimmel-Smith	:	C-2025-3059151
John Gadowski	:	C-2025-3059330
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PPL Electric Utilities Corporation	:	

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**MOTION TO SEVER THE MAXIMUM REGISTERED PEAK LOAD PROPOSAL  
FROM THE BASE RATE CASE**

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**TO DEPUTY CHIEF ADMINISTRATIVE LAW JUDGE CHRISTOPHER P. PELL AND  
ADMINISTRATIVE LAW JUDGE BARBARA SHADIE NAUSE:**

PPL Electric Utilities Corporation (“PPL Electric” or the “Company”) hereby requests that Deputy Chief Administrative Law Judge Christopher P. Pell and Administrative Law Judge Barbara Shadie Nause (the “ALJs”) enter the attached Order severing the Maximum Registered Peak Load (“MRPL”) proposal from this base rate case proceeding pursuant to 52 Pa. Code § 5.103. Specifically, PPL Electric respectfully requests that the MRPL issue be severed, so that a separate proceeding can be established where the evidentiary record developed to date on the issue can be transferred, and the parties can have a full and fair opportunity to litigate the proposal. PPL Electric’s understanding is that all the active parties, except the Customer-Generator Coalition

(“CGC”) and the Professional Dairy Managers of Pennsylvania (“PDMP”), support, do not oppose, or take no position on the relief requested in this Motion.

This request is specifically designed to protect the due process rights of the parties who oppose the Company’s MRPL proposal. Late on February 10, 2026, Andrew Castanaro, who is PPL Electric’s witness on the MRPL proposal, discovered errors in his key analyses that needed to be corrected. Those corrections had significant impacts on his analyses. Additionally, in light of those corrections, Mr. Castanaro updated his analyses to incorporate certain assumptions in an effort to address other parties’ criticism about his studies. As such, on February 11, 2026, the Company’s counsel informed all the parties who submitted testimony on the MRPL proposal about the errors and the Company’s plan to provide corrected and updated analyses. PPL Electric then provided Mr. Castanaro’s corrected and updated analyses to the other parties on February 12, 2026, via email. Lastly, PPL Electric submitted those analyses as part of Mr. Castanaro’s rejoinder testimony on February 13, 2026.

The evidentiary hearings are set to begin on February 17, 2026, and there is insufficient time for parties to engage in discovery about the corrected and updated analyses. Also, there is no further opportunity under the established litigation schedule for parties to submit additional written testimony.

To resolve any due process concerns, PPL Electric respectfully requests that the MRPL proposal be severed from this base rate case. Doing so would establish a separate proceeding where the parties will have a full and fair opportunity to engage in discovery, submit testimony, and litigate the MRPL proposal in light of Mr. Castanaro’s corrections and updates. The MRPL also does not affect the Company’s base rate revenue increase, so it can be adjudicated in a separate proceeding.

Additionally, the parties have invested a lot of time and expense in creating a record with respect to the MRPL. A severed proceeding would ensure that the parties do not need to start from scratch in litigating the proposal. Also, from the Company's perspective, this is a pressing proposal that needs to be addressed by the Commission. The severed proceeding can still provide CGC and others a swift ruling on the MRPL by setting appropriate deadlines for discovery, testimony, and briefs, while also providing enough time for parties to review and respond to the Company's analyses. Thus, severing the MRPL issue from the base rate case appropriately balances that urgency with the protection of parties' due process rights.

Lastly, the ALJs' ruling on this Motion will have a direct and immediate impact on the hearings set to begin on February 17, 2026. As of February 14, 2026, most of the cross-examination that is scheduled to be conducted concerns the MRPL proposal. Thus, **PPL Electric respectfully requests that an expedited Answer deadline of February 15, 2026, be established to help facilitate a ruling on the Motion before the evidentiary hearings commence on February 17, 2026.**

For these reasons, and as further set forth herein, PPL Electric respectfully requests that the ALJs grant this Motion, sever the MRPL proposal from the base rate case, establish a separate proceeding for the litigation and adjudication of the MRPL proposal, and transfer the testimony and exhibits submitted to date on the MRPL issue to that separate proceeding.

In support thereof, PPL Electric avers as follows:

**I. BACKGROUND**

1. The above-captioned proceeding was initiated on September 30, 2025, when PPL Electric filed with the Pennsylvania Public Utility Commission ("Commission") Original Tariff Electric – Pa. P.U.C. No. 202 ("Tariff No. 202") and Original Tariff Electric – Pa. P.U.C. No. 2S ("Tariff No. 2S"), along with supporting information required by 52 Pa. Code §§ 53.52 and 53.53,

to become effective December 1, 2025. In Tariff No. 202, PPL Electric proposes a general increase in annual base electric distribution revenue of \$356,271,443.

2. On October 2, 2025, the Office of Small Business Advocate (“OSBA”) filed a Notice of Appearance.

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

4. Also on October 6, 2025, the Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania (“CAUSE-PA”) filed a Complaint. CAUSE-PA’s Complaint was assigned Docket No. C-2025-3057844.

5. On October 9, 2025, OSBA filed a Complaint, Public Statement, and Verification. OSBA’s Complaint was assigned Docket No. C-2025-3057889.

6. Also on October 9, 2025, the Commission’s Bureau of Investigation and Enforcement (“I&E”) filed a Notice of Appearance.

7. On October 14, 2025, PPL Electric was served with a Complaint filed by Brad and Jennifer Woolley at Docket No. C-2025-3057946 regarding the Company’s proposed electric rate increase at Docket No. R-2025-3057164.

8. On October 16, 2025, CAUSE-PA filed a Notice of Appearance.

9. Also 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” or the “CGC”) filed a Petition to Intervene.

10. On October 17, 2025, Eric Joseph Epstein filed a Petition to Intervene.

11. On October 23, 2025, the Commission entered an Order suspending Tariff Nos. 202 and 2S by operation of law until July 1, 2026, unless otherwise directed by Order of the Commission. Vice Chair Barrow also issued a Statement regarding the proceeding.

12. Also on October 23, 2025, an Initial Telephonic Prehearing Conference Notice was issued, which scheduled a prehearing conference in the above-captioned matter for Wednesday, November 5, 2025, at 9:00 AM before the ALJs. The ALJs also issued a Prehearing Conference Order, which, among other things, directed the parties to file Prehearing Conference Memoranda on or before Friday, October 31, 2025.

13. Further, on October 23, 2025, the Office of Consumer Advocate (“OCA”) filed a Complaint, Public Statement, and Notice of Appearance. OCA’s Complaint was assigned Docket No. C-2025-3058130.

14. On October 27, 2025, the Coalition for Community Solar Access (“CCSA”) and the Solar Energy Industries Association (“SEIA”) (collectively, the “Joint Solar Advocates” or “JSA”) filed a Petition to Intervene. Also on October 27, 2025, CGC filed a Notice of Appearance.

15. On October 28, 2025, the Clean Air Council, Vote Solar, and the Union of Concerned Scientists (collectively, the “Energy Justice Advocates” or “EJA”) filed a Petition to Intervene and Protest. Also on October 28, 2025, Dimension PA 1 LLC filed a Petition to Intervene. Further, on October 28, 2025, CAUSE-PA filed a Notice of Appearance.

16. On October 29, 2025, Environmental Defense Fund (“EDF”), Natural Resources Defense Council (“NRDC”), and Citizens for Pennsylvania’s Future (“PennFuture”) (collectively, “Environmental Intervenors”) filed a Petition to Intervene. Also, CGC filed a Motion for Leave to Amend Petition to Intervene.

17. On October 31, 2025, PPL Electric filed a Notice of Entry of Appearance, the Joint Solar Advocates (“JSA”) filed a Complaint that was assigned Docket No. C-2025-3058251, the PP&L Industrial Customer Alliance (“PPLICA”) filed a Complaint that was assigned Docket No. C-2025-3058251, Convergent Energy and Power LP (“Convergent”) filed a Complaint that was assigned Docket No. C-2025-3058300, the Retail Energy Supply Association (“RESA”) filed a Petition to Intervene, PDMP filed a Petition to Intervene, Walmart Inc. (“Walmart”), filed a Petition to Intervene, and OCA and Environmental Intervenors each filed a Notice of Appearance. Additionally, various parties filed Prehearing Memoranda in the proceeding.

18. On November 3, 2025, POWER Interfaith and Physicians for Social Responsibility Pennsylvania (“PSR PA”) filed a Petition to Intervene and Protest as part of their intent to join the EJA group.

19. On November 4, 2025, the United States Department of Defense and all other Federal Executive Agencies (“DOD/FEA”) filed a Petition to Intervene and a Motion for Admission *Pro Hac Vice*.

20. On November 5, 2025, the Sustainable Energy Fund (“SEF”) filed a Notice of Appearance and its Prehearing Conference Memorandum. Also on November 5, 2025, IGS Solar (“IGS”) filed a Petition to Intervene. Further, the Prehearing Conference was held as scheduled.

21. On November 14, 2025, the ALJs issued Prehearing Order #1.

22. On November 17, 2025, the Commission issued a Notice for the in-person and telephonic public input hearings.

23. On November 25, 2025, PPL Electric was served with a Complaint filed by Rik Bhattacharyya at Docket No. C-2025-3058846 regarding the Company’s proposed electric rate increase at Docket No. R-2025-3057164.

24. On December 2, 2025, CGC filed a Second Motion for Leave to Amend Petition to Intervene. Also, PPL Electric was served with a Complaint filed by Safiya Junaid at Docket No. C-2025-3058982 regarding the Company's proposed electric rate increase at Docket No. R-2025-3057164.

25. On December 4, 2025, the Commission issued a Notice scheduling an additional in-person public input hearing.

26. On December 9, 2025, PPL Electric was served with a Complaint filed by Stacey Kimmel-Smith at Docket No. C-2025-3059151 regarding the Company's proposed electric rate increase at Docket No. R-2025-3057164.

27. The public input hearings were held as scheduled on December 8-11 and 18, 2025.

28. On December 16, 2025, the ALJs issued Prehearing Order #2, setting a December 30, 2025 due date for supplemental direct testimony about the public input hearing testimony.

29. On December 17, 2025, the OCA filed a Notice of Entry of Appearance. Also, PPL Electric was served with a Complaint filed by John Gadomski at Docket No. C-2025-3059330 regarding the Company's proposed electric rate increase at Docket No. R-2025-3057164.

30. On December 18, 2025, the Commission issued a Notice scheduling the in-person evidentiary hearings for February 17-20, 2025, in Harrisburg, PA.

31. On December 22, 2025, written direct testimony and exhibits were served by I&E, OCA, OSBA, CAUSE-PA, CEO, CGC, Convergent, Environmental Intervenors, EJA, JSA, PDMP, PPLICA, RESA, SEF, and Walmart.

32. On January 12, 2026, the ALJs issued Prehearing Order #3, granting CGC's Motion for Leave to Amend Petition to Intervene and Second Motion for Leave to Amend Petition to Intervene.

33. Various comments have been filed by individuals in the proceeding regarding the proposed base rate increase as well.

34. On January 23, 2026, written rebuttal testimony and exhibits were served by PPL Electric, CGC, I&E, IGS Solar, JSA, OCA, OSBA, PPLICA, RESA, SEF, and Walmart.

35. On February 9, 2026, written surrebuttal testimony and exhibits were served by PPL Electric, CAUSE-PA, CGC, Convergent, EI, EJA, I&E, JSA, OCA, PDMP, PPLICA, RESA, and SEF.

36. On February 13, 2026, written rejoinder testimony and exhibits were served by PPL Electric.

37. Also, on February 13 and 14, 2026, PPL Electric and other parties exchanged emails with the ALJs about the errors identified in Mr. Castanaro's exhibits and the Company's forthcoming Motion to Sever the MRPL proposal from the base rate case.

## **II. MOTION TO SEVER**

38. PPL Electric respectfully requests that the ALJs enter the attached Order severing the MPRL proposal from this base rate case, so that a separate proceeding can be established where the evidentiary record developed to date on the issue can be transferred, and the parties can have a full and fair opportunity to litigate the proposal.

39. PPL Electric makes this request to protect other parties' due process rights in responding to PPL Electric Witness Castanaro's corrected and updated analyses, which were provided informally to the parties on February 12, 2026, and submitted as part of Mr. Castanaro's rejoinder testimony on February 13, 2026.

40. Late on February 10, 2026, Mr. Castanaro, who is PPL Electric's witness on the MRPL proposal, discovered two errors in his key analyses that needed to be corrected.

41. First, Mr. Castanaro found that his PPL Electric Exhibit AC-1 utilized a 0% cancellation rate instead of a 36% cancellation rate. That error resulted in the excess generation, Price to Compare (“PTC”), and total net metering compensation being overstated in that exhibit.

42. Second, Mr. Castanaro determined that his PPL Electric Exhibits AC-1 through AC-3 only included the excess generation from distribution Rate GS-3 no-load customer-generators served under default service Rate GSC-1 and failed to include the excess generation from distribution Rate LP-4 no-load customer-generators served under default service Rate GSC-1. The Rate LP-4 no-load customer-generators were mistakenly excluded because they are Large Commercial and Industrial (“C&I”) customers for the purposes of distribution rates but Small C&I customers for default service. The Rate LP-4 no-load customer-generators should have been included in the excess generation figures because these customers currently have less than 100 kW of peak demand, and their excess generation costs would be recovered through the Rate GSC-1 default service rate. This error resulted in a large understatement of the kWh generation data and the related PTC and compensation figures.

43. Those corrections had significant impacts on his analyses, as noted in his rejoinder testimony (PPL Electric St. No. 15-RJ). For example, when incorporating the Rate LP-4/Rate GSC-1 excess generation in the 36% cancellation rate scenario, the total kWh of excess generation increases from 1,430,455,085 kWh to 2,615,689,298 kWh in 2029, the PTC increases from \$0.20474 per kWh to \$0.29980 per kWh in 2029, and total net metering compensation paid to the no-load customer-generators increases from approximately \$303,708,557 million to \$795,012,047 million in 2029 (see PPL Electric Exhibits AC-1 and AC-1RJ). (See PPL Electric St. No. 15-RJ, pp. 3-4.) The corrected analyses were submitted as PPL Electric Exhibits AC-1RJ through 3RJ with Mr. Castanaro’s rejoinder testimony.

44. Additionally, the Company considered the criticisms of the other parties regarding the capacity factor assumptions and procurement assumptions that the Company has used in these exhibits. As such, PPL Electric has performed an additional analysis using a 17.3% capacity factor suggested in JSA Witness Lucas's direct testimony and has reduced the amount of procurement from the Company's load following contracts by the amount of expected generation from customer generators. Those updated analyses were submitted as PPL Electric Exhibits AC-4RJ through 6RJ with Mr. Castanaro's rejoinder testimony.

45. PPL Electric worked expeditiously to inform other parties about and provide them with the corrected and updated analyses. On February 11, 2026, the Company's counsel informed all the parties who submitted testimony on the MPRL proposal about the errors and the Company's plan to provide corrected and updated analyses. PPL Electric then provided Mr. Castanaro's corrected and updated analyses to the other parties on February 12, 2026, via email. Further, as noted above, PPL Electric submitted those analyses as part of Mr. Castanaro's rejoinder testimony on February 13, 2026.

46. The evidentiary hearings are set to begin on February 17, 2026, and there is insufficient time for parties to engage in discovery about the corrected and updated analyses.

47. Also, there is no further opportunity under the established litigation schedule for parties to submit additional written testimony.

48. "The Commission, as an administrative body, is bound by the due process provisions of constitutional law and by the principles of common fairness." *Hess v. Pa. PUC*, 107 A.3d 246, 266 (Pa. Cmwlth. 2014) (citations omitted).

49. “Among the requirements of due process are notice and an opportunity to be heard on the issues, to be apprised of the evidence submitted, to cross-examine witnesses, to inspect documents, and to offer evidence in explanation or rebuttal.” *Id.* (citations omitted).

50. Accordingly, the other parties must have a full and fair opportunity to review the Company’s corrected and updated analyses and present evidence in response in order protect their due process rights.

51. To resolve any due process concerns, PPL Electric respectfully requests that the MRPL proposal be severed from this base rate case. Doing so would establish a separate proceeding where the parties will have a full and fair opportunity to engage in discovery, submit testimony, and litigate the MRPL proposal in light of Mr. Castanaro’s corrections and updates.

52. The MRPL also does not affect the Company’s base rate revenue increase. If approved, the MRPL would change the classification requirements under the Company’s default service rates. Nothing in the calculation of PPL Electric’s proposed base rate revenue increase would be impacted if the MRPL is approved or denied. Therefore, the matter can be adjudicated in a separate proceeding.

53. In addition, the parties have invested a lot of time and expense in creating a record with respect to the MRPL. The parties engaged in substantial discovery and submitted multiple rounds of testimony and exhibits in support or opposition to the MRPL proposal. A severed proceeding would ensure that the parties do not need to start from scratch in litigating the proposal.

54. Also, from the Company’s perspective, this is a pressing proposal that needs to be addressed by the Commission. That position is reinforced by the reasoning offered by CGC for their opposition to the severance request, i.e., the need for speedy resolution. The severed proceeding can still provide CGC and others a swift ruling on the MRPL by setting appropriate

deadlines for discovery, testimony, and briefs, while also providing enough time for parties to review and respond to the Company's analyses. Thus, severing the MRPL issue from the base rate case appropriately balances that urgency with the protection of parties' due process rights.

55. Furthermore, severing the MRPL proposal would not raise single issue ratemaking concerns. The Commonwealth Court has long held that single issue ratemaking: (1) only applies to "a matter that is normally considered in a base rate case"; and (2) "does not apply to surcharges under Section 1307 of the Code." *Popowsky v. Pa. PUC*, 13 A.3d 583, 593 (Pa. Cmwlth. 2011) (citing and quoting *Pa. Indus. Energy Coalition v. Pa. PUC*, 653 A.2d 1336, 1350 (Pa. Cmwlth. 1995)).

56. Here, the MRPL does not affect any component of the Company's base rates and, in fact, has been considered outside of base rate proceedings, including in UGI Electric's Default Service Plan ("DSP") proceeding. The MRPL also only affects the customer classification under the Company's default service rates, which are Section 1307 surcharges. *See* 66 Pa. C.S. § 2807(e)(3.9) ("The default service provider shall have the right to recover on a full and current basis, pursuant to a reconcilable automatic adjustment clause under section 1307 . . . all reasonable costs incurred under this section and a commission-approved competitive procurement plan). Therefore, the doctrine of single issue ratemaking does not apply to the MRPL.

57. Moreover, to the extent that parties contend that this proposal is better addressed in a Default Service Plan ("DSP") proceeding, this proposal need not be confined to such a proceeding. Although UGI Utilities, Inc. – Electric Division ("UGI Electric") and more recently FirstEnergy Pennsylvania Electric Company ("FE PA") have litigated similar proposals in their DSP cases, Citizens' Electric Company of Lewisburg, PA ("Citizens' Electric") recently had a similar proposal approved in its 2025 Rate Case. *See Petition of UGI Utils., Inc. – Elec. Div. for*

*Approval of a Default Serv. Plan for the Period of June 1, 2025 through May 31, 2029*, Docket Nos. P-2024-3049343, *et al.* (Order entered Feb. 20, 2025), *appeal pending*, *Penn Renewables, LLC v. Pa. PUC*, No. 337 C.D. 2025; *Petition of FirstEnergy Pa. Elec. Co. for Approval of its Default Serv. Program for the Period June 1, 2027 to May 31, 2031*, Docket No. P-2026-3060298 (Petition dated Feb. 3, 2026).

58. Also, to extent that CGC and others are looking for clarity sooner rather than later, PPL Electric's current DSP VI Plan does not expire until May 31, 2029, so the Company will not file its next DSP for a couple years. Therefore, punting the issue to the Company's next DSP proceeding will not provide a faster resolution.

59. Finally, Commission precedent supports severing this issue from PPL Electric's base rate case. In Duquesne Light Company's ("Duquesne Light") 2013 Rate Case at Docket Nos. R-2013-2372129, *et al.*, Duquesne Light filed a Motion to Sever the Rider No. 18 portion of the Complaint filed by NRG Power Midwest LP ("NRG Midwest"), NRG Energy Center Pittsburgh LLC ("NRGP"), and Reliant Energy Northeast LLC ("REN") from the base rate case. NRG Midwest, NRG, and REN opposed Duquesne Light's request and filed an Exception to Administrative Law Judge Conrad Johnson's ("ALJ Johnson") decision to sever that issue from the case. The Commission agreed with ALJ Johnson, finding:

We are in agreement with the ALJ that the Rider No. 18 issues were severable from our consideration of the base rate Settlement before us, and that they should be held in abeyance for disposition at a future time. We find that there simply was insufficient time to render a thorough and reasoned decision on these issues within the regulatory time constraints inherent in a Section 1308(d) base rate proceeding. In so doing, it is important to note that Duquesne itself did not propose any changes to its currently effective Rider No. 18 in conjunction with its base rate increase request. The issues arose solely due to a challenge of Duquesne's existing Rider No. 18 by the NRG Companies and do not have any effect on the agreed upon revenue requirement contained within the Settlement. Therefore,

we shall adopt the ALJ's recommendation that the base rate investigation be closed; that the issues held in abeyance be resolved based upon the existing record; and that the NRG Companies have the burden of proof with regard to the deferred issues.

*Pa. PUC v. Duquesne Light Co.*, Docket Nos. R-2013-2372129, *et al.*, p. 30 (Order entered Apr. 23, 2014) (emphasis added).

60. For these reasons, PPL Electric respectfully requests that the ALJs grant the Company's request to sever the MRPL proposal from the base rate case, so that a separate proceeding can be established for the litigation and adjudication of the matter. Such relief is necessary to protect other parties' due process rights and ensure the orderly, efficient, and sound resolution of the MRPL proposal.

### **III. NEED FOR EXPEDITED ANSWER DEADLINE**

61. As noted on the Notice to Plead, PPL Electric respectfully requests that an expedited Answer deadline of February 15, 2026, be established to help facilitate a ruling on the Motion before the evidentiary hearings commence on February 17, 2026.

62. The ALJs' ruling on this Motion will have a direct and immediate impact on the hearings set to begin on February 17, 2026. As of February 14, 2026, most of the cross-examination that is scheduled to be conducted concerns the MRPL proposal.

63. Furthermore, the parties are well-aware of the filing of this Motion to Sever, including the Company's reasoning and arguments in support due to the exchange of correspondence among the parties and ALJs on February 13 and 14, 2026.

64. Thus, the Company requests that the ALJs direct that Answers in response to this Motion be due by February 15, 2026.

WHEREFORE, for all the reasons set forth above, PPL Electric Utilities Corporation respectfully requests that Your Honors issue the attached Order granting the Motion to Sever the Maximum Registered Peak Load proposal from the instant base rate proceeding, establishing a separate proceeding for the litigation and adjudication of the proposal, and transferring the testimony and exhibits submitted to date on the proposal to that separate proceeding.

Respectfully submitted,



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Dated: February 14, 2026

*Counsel for PPL Electric Utilities Corporation*



Dated: \_\_\_\_\_

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Christopher P. Pell  
Deputy Chief Administrative Law Judge

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Barbara Shadie Nause  
Administrative Law Judge