



341 White Pond Drive
Akron, OH 44320

Tori L. Giesler, Esq.
(717) 490-3292
tgiesler@firstenergycorp.com

February 23, 2026

VIA ELECTRONIC FILING

Matthew Homsher, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor
Harrisburg, PA 17120

Re: Sunrise Energy LLC v. FirstEnergy Pennsylvania Electric Company
Docket No. C-2025-3056807

Dear Secretary Homsher:

Enclosed please find the Objection of FirstEnergy Pennsylvania Electric Company to the Petition of Sunrise Energy, LLC for Leave to Withdraw its Formal Complaint. This document has been served on the Complainant as shown in the Certificate of Service.

Please contact me if you have any questions regarding this matter.

Very truly yours,

Tori L. Giesler

TLG/mlr

Enclosures

c: As Per Certificate of Service

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Sunrise Energy, LLC,	:
Complainant,	:
	:
	:
v.	:
	:
	:
FirstEnergy Pennsylvania Electric Company,	:
Respondent.	:
	:

Docket No. C-2025-3056807

**OBJECTION OF FIRSTENERGY PENNSYLVANIA ELECTRIC COMPANY TO
THE PETITION OF SUNRISE ENERGY, LLC FOR LEAVE
TO WITHDRAW FORMAL COMPLAINT**

Pursuant to 52 Pa. Code § 5.94(a), FirstEnergy Pennsylvania (“FE PA”) hereby submits this Objection to the Petition of Sunrise Energy, LLC (“Sunrise” or “Complainant”) for Leave to Withdraw its Formal Complaint before the Pennsylvania Public Utility Commission (“Commission”). FE PA submits that granting Sunrise’s Petition is not in the public interest. Rather, the Petition is a latent and improper attempt to forum shop, which occurred only after FE PA expended significant time and resources attempting to resolve the Formal Complaint and respond to discovery and discovery-related motions, and after an Administrative Law Judge was formally assigned to this matter. Therefore, the Petition to Withdraw should be denied.

The Formal Complaint was filed with the Commission on August 11, 2025. Critically, the Formal Complaint contains no allegation or averment that it needed to be resolved on an expedited basis. FE PA filed an Answer to the Formal Complaint on September 23, 2025. After the Formal

Complaint was filed, the Parties engaged in both discovery and settlement discussions. In addition, Sunrise initiated discovery motions practice on January 22, 2026, when it filed a Motion for Sanctions, seeking an Order requiring FE PA to produce certain discovery. FE PA answered that Motion on January 27, 2026. All of these actions require FE PA to expend time and resources in order to prepare and participate in settlement discussions or to carry on the litigation of this proceeding.

By Notice dated February 4, 2026, the Parties were informed of a Prehearing Conference to be held on March 17, 2026 before the Honorable Administrative Law Judge Mark A. Hoyer. Almost two weeks later, Sunrise filed the instant Petition, now claiming for the first time that the relief sought will become “moot” if not addressed in the near term, noting that it wishes to have the flexibility to “pursue other remedies as appropriate”, which includes a reservation of right to refile with the Commission in the future. This latent attempt to withdraw this proceeding is consistent with the Complainant’s past pattern of filing in a number of forums to attempt to obtain the same result.¹ It appears that Complainant plans to follow this tactic here and restart the process of litigating its claims after already having required FE PA to expend time and resources responding to his claims in this proceeding, thereby requiring FE PA to duplicate its efforts to respond to its claims in another proceeding. As such, the Commission will not be “relieved of the need to expend any further resources” if the Complainant files again with the Commission or another tribunal, as the Complainant’s past history of litigation suggests that it will.

¹ See, e.g., *Hommrich v. Commonwealth*, 344 A.3d 121, 127 (Pa. Cmwlth. 2025) (describing David Hommrich, officer of Sunrise, as a “frequent petitioner in alternative energy litigation”); *Hommrich v. Commonwealth*, 316 A.3d 652 (Pa. Cmwlth. 2024); *Hommrich v. Commonwealth*, 231 A.3d 1027 (Pa. Cmwlth. 2020); *Pa. PUC v. Sunrise Energy, LLC*, 177 A.3d 436 (Pa. Cmwlth. 2018); *Hommrich v. Commonwealth*, 2017 Pa. Commw. Unpub. LEXIS 555 (Cmwlth. July 28, 2017); *Sunrise Energy, LLC v. FirstEnergy Corp.*, 148 A.3d 894 (Pa. Cmwlth. 2016).

For the reasons outlined above, FE PA respectfully requests that Sunrise's request to withdraw the above-captioned Complaint without prejudice be denied. Complainant should be required to either: (a) continue the litigation of this proceeding until disposition in order to ensure the time and resources already expended by FE PA and the Commission are not wasted, or (b) withdraw the Formal Complaint with prejudice to prevent Complainant from requiring FE PA and/or the Commission engaging in duplicative efforts to resolve his claims in another proceeding.

Respectfully submitted,



Tori L. Giesler, Esquire (PA ID # 207742)
Timothy K. McHugh, Esquire (PA ID #317906)
FirstEnergy Service Company
341 White Pond Drive
Akron, OH 44320
Phone: (717) 490-3292
Phone: (610) 301-9072
E-mail: tgiesler@firstenergycorp.com
E-mail: tmchugh@firstenergycorp.com

*Counsels for FirstEnergy Pennsylvania Electric
Company*

DATED: February 23, 2026

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Sunrise Energy, LLC,	:
Complainant,	:
	:
v.	:
	: Docket No. C-2025-3056807
	:
FirstEnergy Pennsylvania Electric Company,	:
Respondent.	:

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the Objection of FirstEnergy Pennsylvania Electric Company to the Petition of Sunrise Energy, LLC for Leave to Withdraw its Formal Complaint upon the individual listed below, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

Service by electronic mail as follows:

Chief Administrative Law Judge
Charles E. Rainey, Jr.
crainey@pa.gov

Todd S. Stewart
tsstewart@hmslegal.com

Counsel for Sunrise Energy LLC

Dated: February 23, 2026



Tori L. Giesler, Esquire (PA ID # 207742)
Timothy K. McHugh, Esquire (PA ID # 317906)
FirstEnergy Service Company
341 White Pond Drive
Akron, OH 44320
Phone: (717) 490-3292
Phone: (610) 301-9072
E-mail: tgiesler@firstenergycorp.com
E-mail: tmchugh@firstenergycorp.com

Counsels for FirstEnergy Pennsylvania Electric
Company