



Todd S. Stewart
717.703.0800
tsstewart@hmslegal.com

Regulation is a maze. We can show you the way!

501 Corporate Circle, Suite 302, Harrisburg, PA 17110 Phone: 717.236.1300 Fax: 717.236.4841 www.hmslegal.com

February 26, 2026

VIA ELECTRONIC FILING

Matthew L. Homsher, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120

RE: Sunrise Energy, LLC v. FirstEnergy Pennsylvania Electric Company; Docket No. C-2025-3056807; **MOTION FOR LEAVE TO FILE ANSWER TO RESPONDENT'S OBJECTION AND ANSWER TO RESPONDENT'S OBJECTION**

Dear Secretary Homsher:

Enclosed for filing with the Pennsylvania Public Utility Commission is Sunrise Energy, LLC's Motion for Leave to File Answer to Respondent's Objection and Sunrise Energy, LLC's Answer to Respondent's Objection in the above-captioned matter. A copy of the Motion and Answer has been served as indicated on the attached Certificate of Service.

Thank you for your attention to this matter. If you have any questions related to this filing, please do not hesitate to contact my office.

Very truly yours,

A handwritten signature in blue ink, appearing to read "T. Stewart", is written over the closing text.

Todd S. Stewart
Counsel for Sunrise Energy, LLC

TSS/jld

Enclosure

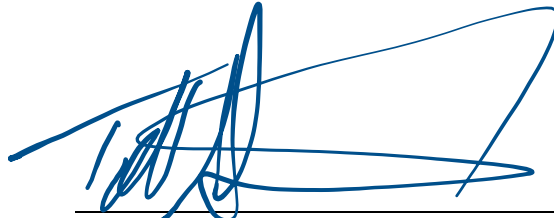
cc: Administrative Law Judge Mark A. Hoyer (via electronic mail – mhoyer@pa.gov)
Per Certificate of Service

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing document upon the parties, listed below, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a party).

VIA ELECTRONIC MAIL

Tori L. Giesler, Esquire
Timothy McHugh, Esquire
FirstEnergy Service Company
341 White Pond Drive
Akron, OH 044320
tgiesler@firstenergycorp.com
tmchugh@firstenergycorp.com
*Counsel for FirstEnergy Pennsylvania Electric
Company*



Todd S. Stewart

DATED: February 26, 2026

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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

**SUNRISE ENERGY, LLC’S MOTION FOR LEAVE
TO FILE ANSWER TO RESPONDENT’S OBJECTION**

TO THE ADMINISTRATIVE LAW JUDGE MARK A. HOYER:

NOW COMES Sunrise Energy, LLC (“Sunrise” or “Company”) and hereby files this Motion for Leave to File an Answer to the FirstEnergy Pennsylvania Electric Company’s Objection to the Petition of Sunrise Energy, LLC For Leave to Withdraw Formal Complaint (“Objection”) filed pursuant to Section 5.103 of the Pennsylvania Public Utility Commission’s (“Commission”) regulations, 52 Pa. Code § 5.103. Sunrise respectfully petitions Deputy Chief Administrative Law Judge Mark A. Hoyer (the “ALJ”) and the Commission to grant Sunrise leave to file an Answer to the Objection and to accept the Answer for filing. Sunrise is filing its Answer to the Objection concurrently with the instant Motion.

In support of the instant Motion, Sunrise avers as follows:

1. On February 13, 2026, Sunrise filed a Petition for Leave to Withdraw Formal Complaint (“Petition to Withdraw”) pursuant to 52 Pa. Code § 5.94(a) in the above-captioned

matter, without prejudice, because the relief sought is becoming moot and to conserve the resources of the parties and the Commission.

2. On February 23, 2026, FirstEnergy filed an Objection to Sunrise's Petition for Leave to Withdraw Formal Complaint ("Objection"), alleging that the withdrawal is an improper attempt at forum shopping and that granting the Petition would not serve the public interest.

3. FirstEnergy's Objection raises arguments that warrant a response from Sunrise to ensure the Commission has a complete record upon which to make its determination.

4. FirstEnergy's primary contention with Sunrise's Petition to Withdraw rests on the speculative assertion that Sunrise is engaging in forum shopping. FirstEnergy has provided no concrete evidence to support this claim.

5. Instead, FirstEnergy relies on prior litigation involving David Hommrich, an officer of Sunrise, in unrelated alternative energy matters to support its forum shopping allegation.

6. The cited cases involved different claims, different parties, and different legal issues than the instant matter. The mere fact that a party or its principals have been involved in prior litigation does not establish forum shopping in a subsequent and unrelated proceeding.

7. Accordingly, FirstEnergy's reliance on past litigation involving Sunrise or its officers is irrelevant to the issues before the Commission. Each case must be evaluated on its own merits, and there is no evidence that Sunrise's request to withdraw its Complaint in this matter is motivated by improper intent.

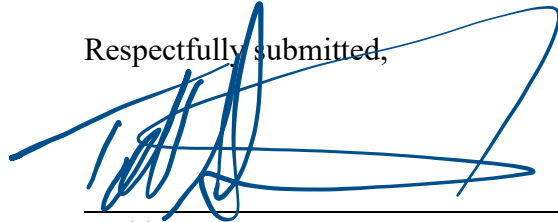
8. FirstEnergy also argues that it has expended significant time and resources in this proceeding and that granting the Petition to Withdraw would render those efforts wasted. The Commission's regulations do not require a party to continue litigation solely because an opposing party has incurred litigation costs.

9. Sunrise's withdrawal will not prejudice FirstEnergy. The withdrawal is without prejudice and does not preclude FirstEnergy from defending against any future claim that may arise.

10. Ultimately, FirstEnergy's Objection seeks to restrict Sunrise's statutory right to withdraw its Complaint based on conjecture regarding actions Sunrise may or may not take in the future.

WHEREFORE, Sunrise Energy, LLC respectfully requests that the Commission and the Presiding Administrative Law Judge grant this Motion for Leave to File an Answer to the Objection, accept Sunrise's Answer for filing, and, upon consideration of the Answer, deny FirstEnergy's Objection to the Petition for Leave to Withdraw Formal Complaint, together with such other and further relief as may be deemed appropriate.

Respectfully submitted,



Todd S. Stewart, Attorney ID No. 75556
HMS Legal LLP
501 Corporate Circle, Suite 302
Harrisburg, PA 17110
(717) 236-1300
(717) 236-4841 (fax)
tsstewart@hmslegal.com

Counsel for Sunrise Energy, LLC

DATED: February 26, 2026

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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

**SUNRISE ENERGY, LLC’S
ANSWER TO RESPONDENT’S OBJECTION**

TO THE ADMINISTRATIVE LAW JUDGE MARK A. HOYER:

NOW COMES Sunrise Energy, LLC (“Sunrise” or “Company”) and hereby files this Answer to the FirstEnergy Pennsylvania Electric Company’s Objection to the Petition of Sunrise Energy, LLC For Leave to Withdraw Formal Complaint (“Objection”) filed pursuant to Sections 5.62 and 5.103 of the Pennsylvania Public Utility Commission’s (“Commission”) regulations, 52 Pa. Code § 5.61 and § 5.103. Sunrise respectfully requests that Deputy Chief Administrative Law Judge Mark A. Hoyer (the “ALJ”) and the Commission give consideration to Sunrise’s Answer to the Objection. Sunrise is filing this Answer to the Objection concurrently with a Motion for Leave to File an Answer.

1. On February 13, 2026, Sunrise filed a Petition for Leave to Withdraw Formal Complaint (“Petition to Withdraw”) pursuant to 52 Pa. Code § 5.94(a) in the above-captioned matter, without prejudice, because the relief sought is becoming moot and to conserve the resources of the parties and the Commission. The Complaint had been filed on August 11, 2025

and due to attempts to settle which proved untenable, was dragging on with no end in sight and the clock running out on the customer generator projects due to the Big Beautiful Bill Act, which was discussed with Counsel for First Energy Pennsylvania Electric Company (“FirstEnergy”) on several occasions. It is true that the Complaint, filed in August, did not specify a timeline, but the utter lack of alacrity demonstrated by First Energy as the matter progressed made it clear that this matter was not resolvable in short order.

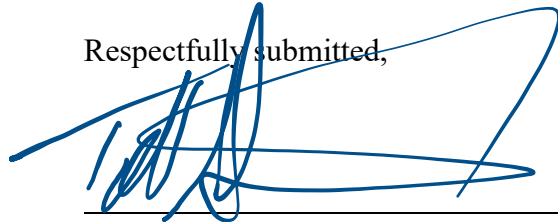
2. On February 23, 2026, FirstEnergy filed an Objection to Sunrise’s Petition for Leave to Withdraw Formal Complaint (“Objection”), alleging that the withdrawal is an improper attempt at forum shopping and that granting the Petition would not serve the public interest. FirstEnergy’s accusations lack any legal or factual support. Not only has FirstEnergy not provided concrete evidence to support this claim; it instead relies on prior litigation involving David Hommrich, an officer of Sunrise, in unrelated alternative energy matters to support its forum shopping allegation, in matters where no forum shopping occurred. The cited cases involved different claims, different parties, and different legal issues than the instant matter. The mere fact that a party or its principals have been involved in prior litigation does not establish forum shopping in a subsequent and unrelated proceeding. Accordingly, FirstEnergy’s reliance on past litigation involving Sunrise or its officers is irrelevant to the issues before the Commission. Each case must be evaluated on its own merits, and there is no evidence that Sunrise’s request to withdraw its Complaint in this matter is motivated by improper intent.

3. FirstEnergy also argues that it has expended significant time and resources in this proceeding and that granting the Petition to Withdraw would render those efforts wasted. The Commission’s regulations do not require a party to continue litigation solely because an opposing party has incurred litigation costs. Sunrise’s withdrawal will not prejudice FirstEnergy. The

withdrawal request is without prejudice and does not preclude FirstEnergy from defending against any future claim that may arise. In short, FirstEnergy's Objection seeks to restrict Sunrise's statutory right to withdraw its Complaint based on conjecture regarding actions Sunrise may or may not take in the future.

WHEREFORE, Sunrise Energy, LLC respectfully requests that the Commission and the Presiding Administrative Law Judge grant Sunrise's Motion for Leave to File an Answer to the Objection, accept Sunrise's Answer for filing, and, upon consideration of the Answer, deny FirstEnergy's Objection to the Petition for Leave to Withdraw Formal Complaint, together with such other and further relief as may be deemed appropriate.

Respectfully submitted,



Todd S. Stewart, Attorney ID No. 75556
HMS Legal LLP
501 Corporate Circle, Suite 302
Harrisburg, PA 17110
(717) 236-1300
(717) 236-4841 (fax)
tsstewart@hmslegal.com

Counsel for Sunrise Energy, LLC

DATED: February 26, 2026