

March 16, 2026

VIA ELECTRONIC FILING

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

**RE: Petition of FirstEnergy Pennsylvania Electric Company for Approval
of Its Default Service Program for the Period June 1, 2027 to May 31,
2031**

Docket No. P-2026-3060298

Dear Secretary Homsher:

On behalf of Constellation Energy Generation, LLC and Constellation NewEnergy, Inc., please find enclosed a Petition to Intervene and a Prehearing Conference Memorandum in the above-referenced proceeding.

Please contact me at (412) 506-2158 or colleen.kartychak@constellation.com if you have any questions in connection with this filing.

Regards,

Colleen P. Kartychak

cc: Administrative Law Judge Mark A. Hoyer (mhoyer@pa.gov)
Administrative Law Judge Erin L. Gannon (egannon@pa.gov)
Certificate of Service

Enclosures

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing documents upon the parties, listed below, in accordance with the requirements of 52 Pa. Code § 1.54.

Dated this 16th day of March, 2026.

VIA ELECTRONIC MAIL

<p>Christopher O’Hara, Esq. PJM Interconnection LLC 2750 Monroe Boulevard Audubon, PA 19403 Christopher.Ohara@pjm.com</p>	<p>Kenneth M. Kulak, Esq. Brooke E. McGlinn, Esq. Morgan, Lewis & Bockius LLP 2222 Market Street Philadelphia, PA 19103-2921 ken.kulak@morganlewis.com bmcglinn@morganlewis.com</p>
<p>Angelina Umstead, Esq. Tori Giesler, Esq. FirstEnergy Service Company 2800 Pottsville Pike PO Box 16001 Reading, PA 19612 aumstead@firstenergycorp.com tgiesler@firstenergycorp.com</p>	<p>Harrison W. Breitman, Esq. Katherine Kennedy, Esq. Olivia M. Spergel, Esq. Office of Consumer Advocate 555 Walnut Street, 5th Floor Harrisburg, PA 17101 hbreitman@paoca.org kkennedy@paoca.org ospergel@paoca.org</p>
<p>Elizabeth R. Marx, Esq. John Sweet, Esq. Lauren Berman, Esq. Levi Phillips, Esq. Ria Pereira, Esq. Pennsylvania Utility Law Project 118 Locust Street Harrisburg, PA 17101 emarx@pautilitylawproject.org jsweet@pautilitylawproject.org lberman@pautilitylawproject.org lphillips@pautilitylawproject.org rpereira@pautilitylawproject.org</p>	<p>Allison C. Kaster, Esq. Rate Counsel Bureau of Investigation & Enforcement Pennsylvania Public Utility Commission Commonwealth Keystone Building 400 North Street, 2nd Floor Harrisburg, PA 17120 akaster@pa.gov</p>
<p>Charis Mincavage, Esq. Matthew L. Garber, Esq. Rebecca Kimmel, Esq. Susan E Bruce, Esq. McNees Wallace & Nurick 100 Pine Street P.O. Box 1166 Harrisburg, PA 17108 cmincavage@mcneeslaw.com</p>	<p>Michael Gianantonio, Esq. Robert F. Daley, Esq. Robert Oeirce & Associates, P.C. 707 Grant Street-125 Gulf Tower Pittsburgh, PA 15219 Mgianantonio@peircelaw.com</p>

<p>mgarber@mcneeslaw.com rkimmel@mcneeslaw.com sbruce@mcneeslaw.com</p>	
<p>Thomas J. Sniscak, Esq. Todd S. Stewart, Esq. Whitney E. Snyder, Esq. Erich Struble, Esq. Melissa A. Chapaska, Esq. HMS Legal LLP 100 N. Tenth Street Harrisburg, PA 17101 tjsniscak@hmslegal.com tsstewart@hmslegal.com wesnyder@hmslegal.com ewstruble@hmslegal.com machapaska@hmslegal.com</p>	<p>Deanne O'Dell, Esq Eckert Seamans 213 Market Street Harrisburg, PA 17101 Dodell@eckertseamans.com</p>
<p>Daniel Markind Flaster Greenberg 1717 Arch Street Suite 3300 Philadelphia, PA 19103 daniel.markind@flatergreenberg.com</p>	<p>Rebecca Lyttle Erin Fure Small Business Advocate Forum Place, First Floor 555 Walnut Street Harrisburg, PA 17101 relyttle@pa.gov</p>
<p>Donald Wagner, Esq. Michael A Gruin, Esq. Nicholas Stobbe Esq. Stevens & Lee 16th Floor 17 North Second Street Harrisburg, PA 17101 mag@stevenslee.com Nicholas.stobbe@stevenslee.com</p>	<p>Samuel W. Cortes, Esq Fox Rothschild LLP 747 Constitution Drive Suite 100 Exton, PA 19341 scortes@foxrothschild.com talston@foxrothschild.com</p>

Colleen P. Kartychak

Colleen P. Kartychak
Constellation
PA Attorney ID # 91091
1310 Point Street
Baltimore, MD 21231
Tel.: (412) 506-2158
colleen.kartychak@constellation.com

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Petition of FirstEnergy Pennsylvania Electric
Company for Approval of Its Default Service
Program for the Period June 1, 2027 to
May 31, 2031

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Docket No. P-2026-3060298

**PETITION TO INTERVENE OF CONSTELLATION ENERGY GENERATION, LLC
AND CONSTELLATION NEWENERGY, INC.**

Before the Pennsylvania Public Utility Commission (the “Commission”), pursuant to 52 Pa. Code §§ 5.71-5.76, Constellation Energy Generation, LLC (“CEG”) and Constellation NewEnergy, Inc. (“CNE”) (CNE together with CEG, collectively, “Constellation”), by their undersigned counsel, hereby file this Petition to Intervene in the above-captioned proceeding. In support of this Petition to Intervene, Constellation states the following:

1. The principal place of business of Constellation is:

1310 Point Street, Eighth Floor
Baltimore, MD 21231

2. The name and address of counsel to Constellation in this matter is:

Colleen Kartychak, Esq.
Constellation Energy Generation, LLC
PA Attorney ID # 91091
1310 Point Street
Baltimore, MD 21231
Tel.: (412) 506-2158
colleen.kartychak@constellation.com

Constellation respectfully requests that service be made to its counsel of record, Colleen Kartychak.

3. On February 3, 2026, FirstEnergy Pennsylvania Electric Company (“FE”) filed a Petition for Approval of Its Default Service Program for the Period June 1, 2027 to May 31, 2031 (“DSP VII Petition”) pursuant to Section 2807(e) of the Public Utility Code.

4. Constellation is a publicly-traded holding company headquartered in Baltimore, Maryland, with operations and business activities in 48 states, the District of Columbia, Canada, and the United Kingdom.


5. CEG has been granted market-based rate authority by the Federal Energy Regulatory Commission and is a buyer and seller of wholesale electricity and capacity. CEG provides wholesale power and risk management services to wholesale customers, including through participation in wholesale load procurements, in both regulated and restructured energy markets. CNE is a retail marketing subsidiary of Constellation and is a licensed electric generation supplier in the Commonwealth of Pennsylvania. Both CEG and CNE are active participants in PJM Interconnection, L.L.C.

6. As suppliers of wholesale and retail energy and related products in the FE service territory, CEG and CNE fall squarely within the test articulated for intervention in this proceeding. That is, CEG and CNE each possess “[a]n interest which may be directly affected and which is not adequately represented by existing participants, and as to which the petitioner may be bound by the action of the Commission in the proceeding.” Pa. Code § 5.72(a)(1). The DSP VII Petition presents fundamental issues that affect the ability of Constellation to compete in the Commonwealth’s electricity markets. The public interest demands that Constellation be afforded the opportunity to be heard in this proceeding. *See* Pa. Code § 5.72(a)(3).

7. Due to the early stage of this proceeding, Constellation is still formulating a position on the proposed DSP VII Petition and will finalize its positions after an opportunity to further study and evaluate the filing, conduct discovery, and obtain additional information, as necessary.

WHEREFORE, for all the foregoing reasons, Constellation respectfully requests that its Petition to Intervene be granted and that the Commission grant such other relief as is just and reasonable under the circumstances.

Respectfully Submitted,



Colleen P. Kartychak
Constellation
PA Attorney ID # 91091
1310 Point Street
Baltimore, MD 21231
Tel.: (412) 506-2158
colleen.kartychak@constellation.com

*Counsel to Constellation Energy Generation, LLC and
Constellation NewEnergy, Inc.*

Dated: March 16, 2026

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Petition of FirstEnergy Pennsylvania Electric
Company for Approval of Its Default Service
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May 31, 2031

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Docket No. P-2026-3060298

**PREHEARING CONFERENCE MEMORANDUM OF CONSTELLATION ENERGY
GENERATION, LLC AND CONSTELLATION NEWENERGY, INC.**

Before the Pennsylvania Public Utility Commission (the “Commission”), pursuant to 52 Pa. Code §§ 5.222 and the Prehearing Conference Order in this proceeding issued February 19, 2026, Constellation Energy Generation, LLC (“CEG”) and Constellation NewEnergy, Inc. (“CNE”) (CNE together with CEG, collectively, “Constellation”), by their undersigned counsel, hereby file this Prehearing Conference Memorandum.

I. INTRODUCTION

On February 3, 2026, FirstEnergy Pennsylvania Electric Company (“FE”) filed a Petition for Approval of Its Default Service Program for the Period June 1, 2027 to May 31, 2031 (“DSP VII Petition”) pursuant to Section 2807(e) of the Public Utility Code. In a petition to intervene submitted concurrently with this memorandum, Constellation seeks to become a party to this proceeding, to ensure that its interest as a wholesale and retail supplier of electricity are adequately represented.

II. SERVICE

Constellation consents to accept electronic delivery of documents and respectfully requests that service be made to the following individuals:

Marsha D Makel, Esq.
Constellation
Pro Hac Vice
1310 Point Street
Baltimore, MD 21231
Tel.: (267) 533-5387
marsha.makel@constellation.com

Linda S. Kizuka, Esq.
Constellation
Pro Hac Vice
250 Massachusetts Ave., N.W. Suite 760
Washington, D.C. 20001
Tel: (202) 347-7500
linda.kizuka@constellation.com

Colleen Kartychak, Esq.
Constellation
PA Attorney ID # 91091
1310 Point Street
Baltimore, MD 21231 Tel.:
(412) 506-2158
colleen.kartychak@constellation.com

III. DISCUSSION

Constellation is at this time still formulating its positions on the issues presented by the DSP VII Petition. Based on a preliminary review, Constellation expects that potential issues in this proceeding will include, among other things: (i) the manner in which FE is proposing to conduct default service procurements for various customer classes under the DSP VII Petition, including but not limited to the structure of FE's proposed treatment of Alternative Energy Portfolio Standards requirements; (ii) the manner in which the DSP VII Petition alters terms and conditions regarding the wholesale default service procurement process which could impact default service suppliers participation in future auctions in FE's service territories, like changes to how Network Integration Transmission Service are currently treated; and (iii) the manner in which

the DSP VII alters the terms and conditions under which electric generation suppliers provide service to retail end users, like the proposed requirements to return customers to default service at the conclusion of fixed duration contract term absent affirmative choice by the customer. Constellation reserves the right to address other issues as it deems appropriate.

Constellation is willing to participate in settlement discussions should they occur in this proceeding. Settlements often represent expeditious and less costly means of resolving issues raised in petitions before this Commission. At the time of this filing, Constellation is amenable to forthcoming schedules that may be proposed by the applicants and other parties. If settlement is unsuccessful, Constellation takes no position at this time on whether a hearing is necessary or whether the matter should instead be decided on legal briefs.

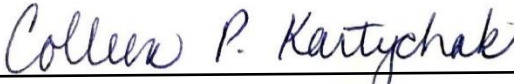
Constellation reserves the right to present in this proceeding direct, rebuttal, and surrebuttal fact and expert testimony, and reserves the right to add or change the identity of its witnesses at any time, upon appropriate notice to the ALJ and the parties.

Constellation intends to call into the initial prehearing conference scheduled for March 19, 2026.

IV. CONCLUSION

WHEREFORE, for all the foregoing reasons, Constellation requests that its Prehearing Memorandum be entered into the record of this proceeding.

Respectfully submitted,



Colleen P. Kartychak
Constellation
PA Attorney ID # 91091
1310 Point Street

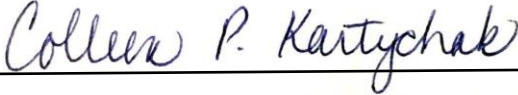
Baltimore, MD 21231
Tel.: (412) 506-2158
colleen.kartychak@constellation.com

*Counsel to Constellation Energy Generation, LLC and
Constellation NewEnergy, Inc.*

Dated: March 16, 2026

VERIFICATION

I, Colleen Kartychak, counsel for Constellation Energy Generation, LLC and Constellation NewEnergy, Inc., hereby state that the facts contained in the foregoing pleading are true and correct to the best of my knowledge, information and belief, that I am duly authorized to make this Verification, and that I expect to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 10 Pa. C.S. § 4904 (relating to unsworn falsification to authorities).



Colleen P. Kartychak
Constellation
PA Attorney ID # 91091
1310 Point Street
Baltimore, MD 21231
Tel.: (412) 506-2158
colleen.kartychak@constellation.com

*Counsel to Constellation Energy Generation, LLC and
Constellation NewEnergy, Inc.*

Dated: March 16, 2026