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March 17, 2026

**VIA ELECTRONIC FILING**

Matthew L. Homsher, Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street, 2<sup>nd</sup> Floor (filing room)  
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; **PREHEARING CONFERENCE MEMORANDUM OF THE PENNSYLVANIA STATE UNIVERSITY**

Dear Secretary Homsher:

Attached for filing is the Prehearing Conference Memorandum of The Pennsylvania State University. Copies of this document have been served in accordance with the attached Certificate of Service.

If you have any questions with regard to this filing, please direct them to me.

Very truly yours,

*/s/ Erich W. Struble*

Whitney E. Snyder  
Erich W. Struble

*Counsel for The Pennsylvania State University*

EWS/das  
Enclosures

cc: Administrative Law Judge Mark A. Hoyer (by email, [mhoyer@pa.gov](mailto:mhoyer@pa.gov))  
Administrative Law Judge Erin L. Gannon (by email, [egannon@pa.gov](mailto:egannon@pa.gov))  
Per Certificate of Service

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

PETITION OF FIRSTENERGY :  
PENNSYLVANIA ELECTRIC :  
COMPANY FOR APPROVAL OF ITS : Docket No. P-2026-3060298  
DEFAULT SERVICE PROGRAM FOR :  
THE PERIOD JUNE 1, 2027 TO MAY 31, :  
2031 :  
:

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**PREHEARING CONFERENCE MEMORANDUM OF  
THE PENNSYLVANIA STATE UNIVERSITY**

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**TO: DEPUTY CHIEF ADMINISTRATIVE LAW JUDGE HOYER  
ADMINISTRATIVE LAW JUDGE GANNON**

On February 3, 2026, FirstEnergy Pennsylvania Electric Company (“FirstEnergy”) filed a Petition for Approval of Its Default Service Program (“DSP Petition”) pursuant to Pennsylvania’s Electricity Generation Customer Choice and Competition Act, 66 Pa. C.S. § 2801 *et seq.*, as amended by Act 129 of 2008, the default service regulations of the Pennsylvania Public Utility Commission (“Commission”) at 52 Pa. Code §§ 54.181-54.190, and the Commission’s Policy Statement on default service at 52 Pa. Code §§ 69.1801-1817. The DSP Petition relates to default service rates to be charged by FirstEnergy during the period from June 1, 2027 to May 31, 2031.

On February 10, 2026, a Notice was issued by the Commission setting an Initial Call-In Telephonic Prehearing Conference in the above-captioned proceeding for Thursday, March 19, 2026 at 10:00 a.m. before Deputy Chief Administrative Law Judge (“ALJ”) Mark A. Hoyer and ALJ Erin L. Gannon. On February 19, 2026, the ALJs issued a Prehearing Conference Order requiring each party to file a Prehearing Conference Memorandum on or before March 17, 2026, by 3:30 p.m.

On March 10, 2026, the Pennsylvania State University (“Penn State”) filed its Petition to Intervene seeking full party status in this matter, as Penn State is a large and unique customer of FirstEnergy and will be substantially and directly affected by any decision, final order, or settlement.

Penn State, by and through its attorneys in this matter, HMS Legal LLP, hereby submits its Prehearing Conference Memorandum.

## **I. ACCEPTANCE OF SERVICE**

E-mail service of documents in this proceeding shall be accepted on behalf of Penn State by the following:

Whitney E. Snyder, Attorney I.D. No. 316625  
Erich W. Struble, Attorney I.D. No. 310768  
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Should hard copy service become necessary as this proceeding progresses, hard copy service can be sent to the attorneys and address listed above. For purposes of the prehearing conference, Erich Struble will be speaking on behalf of PSU.

## **II. SETTLEMENT**

There have been no settlement discussions to date, but Penn State is willing to participate in settlement discussions with the other parties.

## **III. DISCOVERY**

Penn State takes no position on modification of the discovery schedule at this time but is willing to work with the parties on mutually agreeable modifications.

#### **IV. SCHEDULE**

Penn State is working with the other parties to develop a mutually satisfactory schedule for consideration by Your Honors at the Prehearing Conference.

#### **V. WITNESSES**

Penn State reserves the right to offer the Direct Testimony of James L. Crist, P.E., in support of its positions. Mr. Crist's business address, telephone number and e-mail address are:

James L. Crist, P.E.  
Lumen Group, Inc.  
4226 Yarmouth Drive, Suite 101  
Allison Park, PA 15101  
(412) 487-9708  
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PSU requests that copies of all interrogatories, answers to interrogatories, testimony and exhibits submitted be e-mailed directly to Mr. Crist at [JLCrist@aol.com](mailto:JLCrist@aol.com). If called, Mr. Crist may present testimony regarding the effect of FirstEnergy's DSP Petition on the service and rates provided to Penn State. Mr. Crist reserves his right to also present testimony on any further issue that may arise as a result of further review of the filing, discovery or testimony or any position taken by any other party to this proceeding.

Additionally, Penn State may offer testimony of a member of its Office of Physical Plant - Energy and Sustainability Division ("OPP – Energy and Sustainability") regarding issues created or raised by the filing and its offered supporting information. Penn State reserves the right to present additional witnesses should its discovery or its review of responses to the discovery of other parties raise additional issues.

Penn State reserves the right to adopt any testimony of other witnesses, in whole or in part, and to offer additional witnesses and exhibits as may be necessary to address the testimony, exhibits, or evidence that may be presented by any party in this proceeding.

## VI. ISSUES

At this juncture, and subject to discovery and issues raised by Penn State and by other parties, Penn State intends to investigate and pursue the effect of FirstEnergy's proposed Default Service Plans on the service and rates provided to Penn State and particularly regarding these issues as they relate to FirstEnergy's West Penn rate district, of which Penn State is a sub-part. Penn State's position will be finalized in its evidence and briefs submitted under the procedural schedule developed in this case.

## VII. EVIDENCE

Penn State reserves the right to submit pre-filed direct testimony and associated exhibits addressing the issues identified in the preceding section. Penn State may also present additional testimony and exhibits after discovery or in response to testimony or exhibits introduced by any party or witness in this proceeding.

WHEREFORE, The Pennsylvania State University respectfully submits this Prehearing Conference Memorandum.

Respectfully submitted,

/s/ Erich W. Struble

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Dated: March 17, 2026

## 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).

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Dated: March 17, 2026