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March 17, 2026

VIA ELECTRONIC FILING

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

**Re: Petition of FirstEnergy Pennsylvania Electric Company for Approval of Its
Default Service Program for the Period from June 1, 2027 to May 31, 2031
Docket No. P-2026-3060298**

Dear Secretary Homsher:

Enclosed for filing please find the Prehearing Conference Memorandum of Town Square Energy East, LLC in the above-referenced proceeding. Copies of this filing have been served in accordance with the attached Certificate of Service.

Thank you, and please do not hesitate to contact me if you have any questions or concerns.

Best Regards,

STEVENS & LEE



Michael A. Gruin, Esq.

Encl.

cc: Deputy Chief Administrative Law Judge Mark A. Hoyer (via email)
Administrative Law Judge Erin L. Gannon (via email)
Certificate of Service

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Petition of FirstEnergy Pennsylvania :
Electric Company for Approval of Default : Docket No. P-2026-3060298
Service Program for the Period from :
June 1, 2027 to May 31, 2031 :

**PREHEARING CONFERENCE MEMORANDUM OF
TOWN SQUARE ENERGY EAST, LLC**

Pursuant to 52 Pa. Code § 5.22 and the Prehearing Conference Order issued on February 19, 2026, by the Deputy Chief Administrative Law Judge Mark A. Hoyer and Administrative Law Judge Erin L. Gannon (hereinafter, the “ALJs”), Town Square Energy East, LLC (“Town Square”), hereby submits its Pre-Hearing Conference Memorandum in this matter.

I. INTRODUCTION

1. On February 3, 2026, FirstEnergy Pennsylvania Electric Company (“FirstEnergy” or the “Company”) filed a Petition for Approval of Default Service Program (“DSP Petition”) at the above-referenced docket which contained proposed terms and conditions under which FirstEnergy would procure and supply default electric service between June 1, 2027, and May 31, 2031.

2. FirstEnergy’s DSP includes proposals to modify several important aspects of the residential retail electricity choice market within its service territory, as explained in more detail below.

3. On February 10, 2026, the Commission issued a Call-In Telephonic Prehearing Conference Notice, scheduling a Telephonic Prehearing Conference for March 19, 2026.

4. On February 21, 2026, the Telephonic Prehearing Conference Notice was published in the Pennsylvania Bulletin

5. On March 9, 2026, Town Square filed its Petition to Intervene in this matter.

6. Town Square is represented in this matter by the following counsel:

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Mr. Gruin will be the lead representative for purposes of the prehearing conference.

II. PRESENTLY IDENTIFIED ISSUES

7. Town Square has serious concerns with several aspects of the FirstEnergy DSP, including, but not limited to, the following:

- a. First Energy’s Default Service Plan includes a proposal to greatly reduce the availability of its Purchases of Receivables (“POR”) program by only allowing specific types of product offerings to be included in POR, and by restricting billing options to “bill ready” rather than “rate ready”. If

approved, these changes would materially impact the ability of Town Square and other suppliers to offer certain retail electricity supply products in FirstEnergy territory and limit the choices available to customers in FirstEnergy territory. This proposal by FirstEnergy is not reasonable or appropriate and contradicts the Commission's policies and orders regarding retail choice and the importance of POR to a vibrant market.

- b. First Energy's Default Service Plan includes proposals that would limit customer contract renewals and require ongoing customer enrollment confirmations that are not required by the Public Utility Code or the Commission's regulations, which, if enacted, will significantly impact Town's Square's relations with its existing and prospective customers.

8. Based on its preliminary evaluation, Town Square's position is that FirstEnergy's proposals are not reasonable, justified, appropriate or lawful, and the Commission should reject them in their entirety as being contrary to the Commission's regulations and Orders that currently govern the retail electricity market in Pennsylvania.

9. Town Square reserves the right to raise other issues, and respond to issues raised by other parties, that may arise throughout the course of this proceeding.

III. WITNESSES AND EVIDENCE

10. Town Square expects to present testimony from at least one witness regarding the problems and concerns with FirstEnergy's proposals to modify the retail market framework in FirstEnergy territory, and the negative impact it would have on the market and retail choice.

Town Square is in the process of identifying and interviewing suitable witnesses for this proceeding, and reserves the right to supplement its Prehearing Conference Memorandum to identify its witnesses and their scope of testimony.

11. Town Square reserves the right to submit Direct, Rebuttal, Surrebuttal and/or Rejoinder Testimony regarding all of the issues raised by the FirstEnergy Default Service Program, including, but not limited to, the issues identified in the Petitions to Intervene filed by Town Square and the other intervening parties in this proceeding.

IV. PROCEDURAL SCHEDULE

12. Town Square intends to cooperate with the other parties in the proceeding to develop a procedural schedule that allows for sufficient time to present evidence, testimony, and argument on the issues raised by FirstEnergy's DSP filing.

13. Town Square supports modifications to the standard discovery response periods, and will confer with the other parties to the proceeding to reach agreement on such modifications.

V. SETTLEMENT

14. Town Square is willing to engage in settlement discussions with all active parties at the appropriate stage of this proceeding.

Respectfully submitted,

STEVENS & LEE, P.C.



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Attorneys for Town Square Energy East, LLC

Dated: March 17, 2026

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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

CERTIFICATE OF SERVICE

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

VIA E-MAIL

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Dated: March 17, 2026

Michael A. Gruin