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April 2, 2026

VIA eFILING

Matthew L. Homsher, Secretary
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 in the above-captioned proceeding is the **Answer of FirstEnergy Pennsylvania Electric Company to the Motion of Sunrise Airport Road LLC, Sunrise Forrester Road LLC, Sunrise Franklin Road LLC, Sunrise Harlansburg Road LLC, Sunrise Hendersonville Road LLC, Sunrise McCurdy Road LLC, Sunrise Perry Highway LLC, Sunrise Sandy Lake Greenville Road LLC, Sunrise Sandy Lake Polk Road LLC, and Sunrise Springfield Church Road LLC to Compel Responses to Discovery Propounded to FirstEnergy – Set I.**

As indicated in the Certificate of Service, copies have been served upon all parties of record.

If you have any questions, please contact me directly at 215.963.5384. Thank you.

Very truly yours,



Kenneth M. Kulak

Enclosures

c: Per Certificate of Service (w/encls.)

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**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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

**ANSWER OF FIRSTENERGY PENNSYLVANIA ELECTRIC COMPANY TO THE
MOTION OF SUNRISE AIRPORT ROAD LLC, SUNRISE FORRESTER ROAD LLC,
SUNRISE FRANKLIN ROAD LLC, SUNRISE HARLANSBURG ROAD LLC, SUNRISE
HENDERSONVILLE ROAD LLC, SUNRISE MCCURDY ROAD LLC, SUNRISE
PERRY HIGHWAY LLC, SUNRISE SANDY LAKE GREENVILLE ROAD LLC,
SUNRISE SANDY LAKE POLK ROAD LLC, AND SUNRISE SPRINGFIELD CHURCH
ROAD LLC TO COMPEL RESPONSES TO DISCOVERY PROPOUNDED TO
FIRSTENERGY – SET I**

Pursuant to 52 Pa. Code § 5.342(g)(1), FirstEnergy Pennsylvania Electric Company (“FE PA” or the “Company”) hereby files this Answer opposing the Motion of Sunrise Airport Road LLC, Sunrise Forrester Road LLC, Sunrise Franklin Road LLC, Sunrise Harlansburg Road LLC, Sunrise Hendersonville Road LLC, Sunrise McCurdy Road LLC, Sunrise Perry Highway LLC, Sunrise Sandy Lake Greenville Road LLC, Sunrise Sandy Lake Polk Road LLC, and Sunrise Springfield Church Road LLC (collectively, the “Customer-Generator Coalition” or “CGC”) to Compel Responses to Discovery Propounded to FirstEnergy – Set I (the “Motion”), served by the CGC on March 27, 2026.¹ A copy of FE PA’s Objections is attached to this Answer as Appendix A. For the reasons set forth in the Company’s Objections and in its Answer, below, the CGC’s Motion should be denied and FE-PA’S Objections should be sustained.

¹ CGC served its Motion at 4:30 p.m. on Friday, March 27, and therefore is deemed served on the next business day – Monday, March 30, 2026 – under the discovery modifications adopted in this proceeding. *See* Prehearing Order (dated Mar. 23, 2026), p. 7 (“any discovery or discovery-related pleadings (such as objections, motions, and answers to same) served after 4:30 p.m. Monday through Thursday or after 1:30 p.m. on a Friday or the day before a holiday will be deemed to have been served on the next business day for purposes of calculating the due date for any responsive filing.”)

I. BACKGROUND

FE PA was formed through the combination of several predecessor Pennsylvania electric utilities after approval by the Pennsylvania Public Utility Commission (“Commission”). On January 1, 2024, Metropolitan Edison Company (“Met-Ed”), Pennsylvania Electric Company (“Penelec”), Pennsylvania Power Company (“Penn Power”), and West Penn Power Company (“West Penn”) (collectively, the “Predecessor Companies”), which were all affiliates and subsidiaries of FirstEnergy Corp., merged into FE PA.² Consistent with the approvals received from the Commission, FE PA was certificated as a public utility and authorized to provide public utility service in the territories of the Predecessor Companies (now, “Rate Districts”).

On February 3, 2026, FE PA filed with the Commission the above-captioned petition (the “Petition”) requesting that the Commission approve its seventh Default Service Program (“DSP VII”), which is designed to procure a prudent mix of long-term, short-term and spot market generation supplies and ensure that default service customers have access to an adequate and reliable supply of generation at the least cost over time for the period beginning June 1, 2027.

² *Joint Application of Metro. Edison Co., Pa. Elec. Company, Pa. Power Co., West Penn Power Co., Keystone Appalachian Transmission Co., Mid-Atlantic Interstate Transmission LLC, and FirstEnergy Pa. Electric Co. for All of the Necessary Authority, Approvals, and Certificates of Pub. Convenience for (1) the Agreements and Plans of Merger; (2) the Establishment of FirstEnergy Pa. Holding Co. LLC as an Intermediate Holding Co. in the Chain of Ownership of FirstEnergy Pa. Elec. Co.; (3) the Merger of Metro. Edison Co., Pa. Elec. Co., Pa. Power Co., and West Penn Power Co. with and into FirstEnergy Pa. Elec. Co.; (4) the Initiation by FirstEnergy Pa. Elec. Co. of Elec. Serv. in All Territories in this Commonwealth where Metro. Edison Co., Pa. Elec. Co., Pa. Power Company, and West Penn Power Co. Do or May Provide Elec. Service; (5) the Abandonment by Metro. Edison Co., Pa. Elec. Co., Pa. Power Co., and West Penn Power Co. of All Elec. Service in this Commonwealth; (6) the Adoption by FirstEnergy Pa. Elec. Co. of Metro. Edison Co., Pa. Elec. Co., Pa. Power Co., and West Penn Power Co.’s Existing Tariffs and their Application within New Service and Rate Districts of FirstEnergy Pa. Elec. Co. Corresponding to their Existing Service Territories as the Met-Ed Rate District, Penelec Rate District, Penn Power Rate District, West Penn Rate District, and The Pennsylvania State University Rate District, Respectively; (7) the Sale of Class B Membership Interests in Mid-Atlantic Interstate Transmission, LLC held by Met-Ed and Penelec to FirstEnergy Corp.; (8) the Contribution of West Penn Power Co.’s Transmission Assets to Keystone Appalachian Transmission Co.; (9) a Certificate of Pub. Convenience Conferring Upon Keystone Appalachian Transmission Co. the Status of a Pa. Pub. Util.; (10) Where Necessary, Associated Affiliated Interest Agreements; and (11) Any Other Approvals Necessary to Complete the Contemplated Transaction, Docket Nos. A-2023-3038771, et al. (Order entered Dec. 7, 2023).*

Among other things, the Petition addresses the classification of non-residential default service customers between the commercial and industrial procurement groups served under the Price to Compare Default Service Rate Rider (“PTC Rider”) and the Hourly Pricing Default Service Rider (“HP Rider”).

For DSP VII, FE PA proposes to maintain the customer class definitions that were approved in the Predecessor Companies’ current Commission-approved default service programs (“DSP VI”).³ Under FE PA’s current classification structure, the division between the commercial and industrial procurement classes is determined by a threshold of 100 kilowatt (“kW”) peak demand. Net metering customer-generators, which are nonutility owners and operators of distributed generation systems with generating capacity of less than five megawatts (“MW”)⁴ and a demand below 100 kW, are classified as commercial customers and assigned to the PTC Rider. As explained in the direct testimony of Company witness David M. Young (FE PA Statement No. 1), unlike traditional commercial and industrial (“C&I”) customers, net metering customer-generators have little or no onsite electric load – meaning they consume minimal energy from the grid – but they generate large amounts of electricity. As a result, these customers produce excess generation that is banked until the end of PJM Interconnection L.L.C. (“PJM”) planning year on May 31, at which point their banked generation is cashed out at the commercial PTC Rider rate. The costs associated with net metering credits and cash-outs are recovered from the other commercial PTC Rider customers.

³ See *Joint Petition of Metro. Edison Co., Pennsylvania Elec. Co., Pennsylvania Power Co., and West Penn Power Co. for Approval of their Default Serv. Programs for the Period Beginning June 1, 2023 through May 31, 2027*, Docket Nos. P-2021-3030012 et al. (Recommended Decision dated June 29, 2022) (“DSP VI RD”). The DSP VI RD was adopted without modification by the Commission in its Order entered August 4, 2022.

⁴ 73 P.S. § 1648.5; see also 73 Pa. St. § 1648.1 (definitions).

In this case, FE PA is proposing that default service customers with a demand of 100 kW or above **or** a maximum registered peak load (“MRPL”) of 100 kW or above will be served under the HP Rider. Default service customers with a demand below 100 kW **and** MRPL below 100 kW will be served under the PTC Rider. This approach to classification of “no load” net metering customer-generators includes both demand and supply impacts to ensure that large customer-generators are grouped with other large C&I customers for default supply purposes.⁵ The proposed change in the Company’s default service classification will be effective June 1, 2027, for new net-metering projects after June 1, 2027. However, existing net metering installations as of the end of DSP VI on May 31, 2027, will be exempt from reclassification until June 1, 2029.

In Question Nos. 1, 2 and 5-10 of the CGC’s Set I interrogatories (the “Set I Interrogatories”), the Customer-Generator Coalition seeks information on the processing of interconnection applications for net metering customer-generators. Specifically, the CGC requests: (1) the average processing times for such applications received by the Company, (2) amounts paid to the Company by current and prospective net-metering customer generators for load studies or similar interconnection study requirements, and (3) amounts paid by current and prospective net-metering customer generators for necessary distribution system upgrades to accommodate interconnection.

⁵ A similar approach for net metering customers was approved by the Commission in the default service proceedings of UGI Utilities, Inc. – Electric Division. *See Petition of UGI Utilities, Inc – Electric Division for Approval of a Default Service Plan for the period of June 1, 2025 through May 31, 2029* (Opinion and Order entered Feb. 20, 2025). The Commission’s decision was affirmed by the Commonwealth Court of Pennsylvania on March 13, 2026. *See Penn Renewables, LLC v. Pa. P.U.C.*, 2026 WL 790530 (Mar. 13, 2026).

II. ARGUMENT

The CGC broadly asserts that the requested information is needed to evaluate the reasonableness of FE PA's MRPL proposal and the impact of the Company's proposed change to the classification of non-residential default service customers on CGC members and the development of renewable energy projects in FE PA's service area. Information regarding FE PA's interconnection application process, including costs of engineering studies, equipment and construction required for interconnection, has no bearing on default service, the methodology used for customer classification, or the hourly pricing threshold in FE PA's MRPL proposal. As CGC acknowledges in its Motion (p. 6), excess energy and alternative energy credits from customer-generators under FE PA's net-metering tariff is not used to serve default service load or satisfy associated AEPS Act requirements.

The data requested in CGC's Set I Interrogatories also is not relevant to the costs of compensation for excess generation under Section 5 of the AEPS Act, which are recovered through default service rates. Customer-generators are responsible for the costs of engineering studies and any necessary facility upgrades to accommodate their interconnection requests. FE PA currently charges a flat \$10,000 fee on applicants to complete interconnection studies, and is not proposing to change that fee in this case. Similarly, the Company's MRPL proposal will not change amounts reimbursed to FE PA during the interconnection process.

In its Motion, the CGC attempts to defend its Set I Interrogatories by emphasizing that matters are discoverable if they "may lead to admissible evidence in the instant proceeding." While the scope of discovery under the Commission's regulations is certainly broad,⁶ it is not boundless. Matters outside the scope of a proceeding – such as the interconnection costs in the

⁶ See, e.g., *City of Pittsburgh v. Pa. Pub. Util. Comm'n*, 526 A.2d 1243, 1249 (Pa. Commw. Ct. 1987).

development of renewable energy in the Commonwealth – are not “relevant” to the Company’s proposals in these default service proceedings and, therefore, are not a valid subject for the issuance of discovery.⁷ Since these matters are not within the scope of this default service proceeding, the CGC’s interrogatories will not lead to the discovery of relevant material and its Motion should be denied in its entirety.

III. ANSWERS TO THE AVERMENTS IN THE NUMBERED PARAGRAPHS OF THE CGC’S MOTION

1-6. Admitted.

7. Admitted in part; denied in part. It is agreed that counsel discussed such an arrangement but also conveyed further review was necessary and upon further consideration, FE PA determined to maintain its objection to Set I, Question No. 1.

8.-9. Admitted.

10-14. It is not necessary to specifically admit or deny averments of law. In further answer, the CGC has not provided an accurate portrayal of controlling legal authority by generally averring that the “relevancy test” should be applied liberally and that information, to be discoverable, need only be “reasonably calculated” to lead to “admissible evidence”. Those broadly-stated rules cannot be invoked to inquire into matters that do not have a reasonable relationship to legitimate issues in this default service proceeding for the reasons discussed in Sections I and II above, which are incorporated herein by reference as if set forth at length.

⁷ See, e.g., *Re Structural Separation of Bell Atlantic-Pennsylvania, Inc. Retail and Wholesale Operations*, Docket No. M-00001353, 2000 Pa. PUC LEXIS 59 at *7-9 (Order entered Sept. 28, 2000) (affirming the Administrative Law Judge’s decision to reject evidence as “beyond the scope of the proceeding.”); *Pa. P.U.C. v. Pennsylvania-American Water Co.*, Docket Nos. R-00932670, *et al.*, 1994 Pa. PUC LEXIS 120 at *158 (Order entered July 26, 1994) (“The ALJ concluded as follows: ‘I agree with OTS that the issues raised by OCA are outside the scope of this investigation. . . .’ ”); *Re Gas Cost Rate No. 5*, 57 Pa. P.U.C. 158, 160 (1983) (“The testimony stricken by the ALJ addresses, in part, matters broader than the scope of the instant proceeding.”).

15. Paragraph No. 15 of the Motion is a request for relief to which an answer is not required.

16-19. Admitted.

20. Denied. It is specifically denied that FE PA's oral communication of its objections to the Set I Interrogatories was one-day after the deadline established during the Prehearing Conference. The CGC served its Set I interrogatories on Thursday, March 19, 2026. Three calendar days from the date of service is Sunday, March 22, 2026. Under the Commission's regulation at 52 Pa. Code § 1.12, in computing a period of time, the last day of the period is included unless it is a Saturday, Sunday or a legal holiday, in which event the day of the prescribed or allowed action shall run until the next preceding day, which is neither a Saturday, Sunday or holiday. Therefore, the Company timely communicated its objections to CGC counsel on Monday, March 23, 2026.

21. Denied for the reasons set forth in Sections I and II above, which are incorporated herein by reference as if set forth at length.

22-24. Denied as stated. FE PA's Objections, which are attached to the Motion, and the Company's direct testimony accompanying the Petition speak for themselves.

25. Denied. It is denied that the costs of compensation for excess generation under the Company's net metering tariff without changes to the current non-residential default service customer classification thresholds are "wholly irrelevant" to FE PA's proposed DSP VII. As previously explained, those costs are recovered from commercial default service customers through the PTC Rider in accordance with the Commission's regulations at 52 Pa. Code § 75.13.

26-29. Denied for the reasons set forth in Sections I and II and the answer to Paragraph 25 above, which are incorporated herein by reference as if set forth at length.

30. Admitted.

31. Denied for the reasons set forth in Sections I and II and the answer to Paragraph 25 above, which are incorporated herein by reference as if set forth at length.

32-33. Denied as stated. The direct testimony of Mr. Young (FE PA Statement No. 1) accompanying the Petition speaks for itself.

34-35. Admitted in part, denied in part. It is admitted that FE PA proposes to exempt operational projects before June 1, 2027 from reclassification until June 1, 2029. It is denied that average interconnection processing times are needed for CGC to determine which “existing or proposed projects” will be affected by the MRPL proposal. As the CGC concedes, in its Motion (p. 8), FE PA has proposed a date certain – June 1, 2027 – for interconnection requests eligible for the Company’s proposed exemption from reclassification.

36-37. It is not necessary to specifically admit or deny averments of law.

38-39. Denied for the reasons set forth in Sections I and II and Paragraph Nos. 25 and 34-35 above, which are incorporated herein by reference as if set forth at length.

40. Admitted.

41-45. Denied for the reasons set forth in Sections I and II and Paragraph Nos. 25 and 34-35 above, which are incorporated herein by reference as if set forth at length.

46-51. Admitted.

52-53. Denied for the reasons set forth in Sections I and II and the answers to Paragraph Nos. 25 and 34-35 above, which are incorporated herein by reference as if set forth at length.

54-55. Denied. Contrary to the CGC’s characterization of the Company’s position, FE PA’s Objections do not “pretend that its MRPL proposal simply does not exist.” The Company’s Objections (pp. 2, 6-7, 9) describe its proposed changes to the classification of non-residential

default service customers for DSP VII and explain that the information requested in the objectionable Set I Interrogatories are not related to threshold for hourly default service pricing.

56-57. FE PA's Objections, which are attached to the Motion, and the Company's direct testimony accompanying the Petition speak for themselves.

58. Denied. By way of further answer, the increases in costs associated with compensation for excess generation cited by the Company as support for its MRPL proposal do not justify CGC's requests for information on issues that are not related to default service or the threshold for application of the HP Rider.

59. Denied as stated. The CGC's Joint Petition to Intervene speaks for itself.

60. Denied as stated. The CGC's Prehearing Memorandum speaks for itself.

61. Admitted.

62. Admitted in part, denied in part. It is admitted that FE PA did not oppose the CGC's intervention in this case. It is denied that the amount of monies paid to FE PA by applicants during the interconnection process is relevant to the Company's classification of non-residential default service customers or costs associated with compensation for excess generation that are recovered from default service customers within the same class as the customer-generator.

63-64. Denied for the reasons set forth in Sections I and II and the answers to Paragraph Nos. 25, 34-35, 54-55, and 58 above, which are incorporated herein by reference as if set forth at length.

65. FE PA lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph No. 65 about how the Company's customer-generators use compensation for excess generation, and therefore denies them and demands strict proof of the allegations at any hearing held in this proceeding. The remaining averments of Paragraph No. 65

are denied for the reasons set forth in Sections I and II and the answers to Paragraph Nos. 25, 34-35, 54-55, 58, and 63 above, which are incorporated herein by reference as if set forth at length.

66. Denied for the reasons set forth in Sections I and II and the answers to Paragraph Nos. 25, 34-35, 54-55, 58, and 63 above, which are incorporated herein by reference as if set forth at length.

67. FE PA lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph No. 67 about the financial viability of CGC members' renewable energy projects, and therefore denies them and demands strict proof of the allegations at any hearing held in this proceeding. The remaining averments of Paragraph No. 67 are denied for the reasons set forth in Sections I and II and the answers to Paragraph Nos. 25, 34-35, 54-55, and 58, and 63 above, which are incorporated herein by reference as if set forth at length.

68-69. Denied for the reasons set forth in Sections I and II and the answers to Paragraph Nos. 25, 34-35, 54-55, and 58, and 63 above, which are incorporated herein by reference as if set forth at length.

70. Denied. While FE PA submitted testimony regarding the costs of payments to net metering customer-generators in support of its MRPL proposal, the CGC's interrogatories inquire into matters that have no relevance to those components of the PTC Rider or HP Rider rate used to determine the net metering compensation for customer-generators.

71. Denied. It is denied that the customer-generators' financial responsibility for the engineering studies and any necessary facility upgrades to accommodate their interconnection requests provides a valid basis for the CGC to inquire into the amount of reimbursements to the Company for those costs in these proceedings. As previously explained in Sections I and II above that information is not reasonably calculated to lead to admissible evidence. In addition, the CGC

already has in its possession information about the financial contributions of its members to interconnect projects to FE PA's distribution system in the Commonwealth.

72. Denied for the reasons set forth in Sections I and II and the answers to Paragraph Nos. 25, 34-35, 54-55, and 58, and 71 above, which are incorporated herein by reference as if set forth at length

WHEREFORE, for the foregoing reasons, the CGC's Motion should be denied, FE PA's Objections to CGC's Interrogatories (Set I) Question Nos. 1-2 and 5-10 should be sustained, and the ALJs should issue an Order directing that the Company is not required to furnish an answer to those Interrogatories.

Respectfully submitted,



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Electric Company*

Dated: April 2, 2026

APPENDIX A

FE PA OBJECTIONS TO CGC INTERROGATORIES (SET I)

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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

**OBJECTIONS OF
FIRSTENERGY PENNSYLVANIA ELECTRIC COMPANY TO THE
INTERROGATORIES (SET I) OF SUNRISE AIRPORT ROAD LLC, SUNRISE
FORRESTER ROAD LLC, SUNRISE FRANKLIN ROAD LLC, SUNRISE
HARLANSBURG ROAD LLC, SUNRISE HENDERSONVILLE ROAD LLC, SUNRISE
MCCURDY ROAD LLC, SUNRISE PERRY HIGHWAY LLC, SUNRISE SANDY LAKE
GREENVILLE ROAD LLC, SUNRISE SANDY LAKE POLK ROAD LLC, AND
SUNRISE SPRINGFIELD CHURCH ROAD LLC**

Pursuant to 66 Pa. C.S. §333(d) and 52 Pa. Code §5.342, FirstEnergy Pennsylvania Electric Company (“FE PA” or the “Company”) hereby objects to the First Set of Interrogatories (“Set I”), Nos. 1, 2, and 5 through 10, propounded by Sunrise Airport Road LLC, Sunrise Forrester Road LLC, Sunrise Franklin Road LLC, Sunrise Harlansburg Road LLC, Sunrise Hendersonville Road LLC, Sunrise McCurdy Road LLC, Sunrise Perry Highway LLC, Sunrise Sandy Lake Greenville Road LLC, Sunrise Sandy Lake Polk Road LLC, and Sunrise Springfield Church Road LLC (collectively, the “Customer-Generator Coalition” or “CGC”) on March 19, 2026. A copy of the CGC Set I Interrogatories, which consists of 29 questions, is attached to these Objections as Appendix A.

As explained below, FE PA objects to the interrogatories identified above because the questions inquire into subjects that are not relevant to any matters properly at issue in this proceeding.¹

¹ In accordance with the March 23, 2026 Prehearing Order in this proceeding, FE PA communicated written objections to these interrogatories on March 23, 2026, and counsel for FE PA and counsel for CGC subsequently conferred regarding these objections.

I. RELEVANT BACKGROUND

1. On February 3, 2026, FE PA filed with the Pennsylvania Public Utility Commission (the “Commission”) the above-captioned petition (the “Petition”) requesting that the Commission approve its seventh Default Service Program (“DSP VII”), which is designed to procure a prudent mix of long-term, short-term and spot market generation supplies and ensure that default service customers have access to an adequate and reliable supply of generation at the least cost over time for the period beginning June 1, 2027. Among other things, the Petition addresses the threshold for classification of default service customers between the Company’s commercial and industrial customer classes.

2. On March 9, 2026, the CGC filed a Petition to Intervene in the above-referenced docket. The CGC Petition to Intervene was granted by the presiding Administrative Law Judges (“ALJs”) at the telephonic Prehearing Conference held on March 19, 2026.

3. As previously noted, on March 19, 2026, the CGC issued its Interrogatories (Set I) containing Interrogatories 1-29 to which FE PA hereby objects to numbers 1, 2, and 5 through 10.

4. Section 333(d) of the Public Utility Code states, in pertinent part, as follows:

Interrogatories. – Any party to a proceeding may serve written interrogatories upon any other party for purposes of discovering *relevant*, unprivileged information.

66 Pa.C.S. § 333(d) (emphasis added).

5. The Commission’s regulations at 52 Pa. Code § 5.321(c) define the permissible scope of discovery in proceedings before the Commission as follows:

Scope. Subject to this subchapter, a party may obtain discovery regarding any matter, not privileged, *which is relevant to the subject matter involved in the pending action*, whether it relates to the claim or defense of the party seeking discovery or to the claim or defense of another party, including the existence, description, nature, content, custody, condition and location of any books, documents, or other tangible things and the identity and location of persons

having knowledge of a discoverable matter. It is not ground for objection that the information sought will be inadmissible at hearing if the information sought appears reasonably calculated to lead to the discovery of admissible evidence. (Emphasis added.)

6. The Commission's regulations at 52 Pa. Code § 5.361(a) further limit the scope of permissible discovery to exclude discovery which:

- (1) Is sought in bad faith.
- (2) Would cause unreasonable annoyance, embarrassment, oppression, burden or expense to the deponent, a person or party.
- (3) Relates to matter which is privileged
- (4) Would require the making of an unreasonable investigation by the deponent, a party or witness.

II. OBJECTIONS

7. CGC Interrogatory (Set I) No. 1 states as follows:

What is the average time between a <3MW customer-generator interconnection application being submitted and the application being approved or denied?

8. As previously explained, this proceeding involves FE PA's request for approval of its proposed DSP VII, which includes its proposals to procure default service generation supplies on behalf of the Company's default service customers, satisfy Alternative Energy Portfolio Standards ("AEPS") Act obligations associated with default service supply, and recover the costs of providing default service.

9. The receipt, processing, approval or rejection of any customer-generator interconnection applications received by the Company are unrelated to FE PA's plan to procure default service generation supplies and satisfy associated AEPS Act requirements. As explained in the direct testimony of Company witness David M. Young (FE PA Statement No. 1), excess energy from a customer-generator under FE PA's net-metering tariff is not used to serve default service load.

10. Similarly, the receipt, processing, approval or rejection of any customer-generator interconnection applications received by the Company are unrelated to the classification of non-residential default service customers between the commercial and industrial classes served under the Price to Compare Default Service Rate Rider (“PTC Rider”) and the Hourly Pricing Default Service Rider (“HP Rider”).

11. Finally, the receipt, processing, approval or rejection of any customer-generator interconnection applications received by the Company are not within the scope of statutory and Commission default service requirements. The inquiry into the average processing times for customer-generator interconnection applications received by the Company is irrelevant to this proceeding because it is unrelated to any aspect of FE PA’s proposed DSP VII or the Company’s statutory and Commission default service requirements.

12. The scope of permissible discovery in a proceeding before the Commission is limited to subjects that are relevant to matters properly at issue in such proceeding, as provided in 66 Pa.C.S. § 333(d) and the Commission’s regulations at 52 Pa. Code § 5.321(c). Accordingly, for the reasons set forth above, the CGC’s Interrogatories (Set I), No. 1, is not permissible discovery and, therefore, should be stricken.

13. CGC Interrogatory (Set I) No. 2 states as follows:

What is the average time between a >3MW customer-generator interconnection application being submitted and the application being approved or denied?

14. FE PA incorporates by reference the objections set forth in paragraphs 8-12.

15. The inquiry into the average processing time for customer-generator interconnection applications received by FE PA is irrelevant to this proceeding because it is unrelated to any aspect of the Company’s proposed DSP VII or FE PA’s statutory and Commission default service requirements.

16. The scope of permissible discovery in a proceeding before the Commission is limited to subjects that are relevant to matters properly at issue in such proceeding, as provided in 66 Pa.C.S. § 333(d) and the Commission's regulations at 52 Pa. Code § 5.321(c). Accordingly, for the reasons set forth above, the CGC's Interrogatories (Set I), No. 2, is not permissible discovery and, therefore, should be stricken.

17. CGC Interrogatory (Set I) No. 5² states as follows:

Please reference FirstEnergy St. No. 1. How much has been paid to FirstEnergy by current net-metering customer generators during the interconnection process related to load studies or similar interconnection study requirements?

18. FE PA incorporates by reference the objections set forth in paragraphs 8-12.

19. The inquiry into amounts paid to the Company by current net-metering customer generators for load studies or similar interconnection study requirements is irrelevant to this proceeding because it is unrelated to any aspect of FE PA's proposed DSP VII or the Company's default service requirements under the Public Utility Code and Commission default service requirements. The amount paid by a customer-generator for studies is a reimbursement to the Company for studies required to process the customer-generator's interconnection application.

20. The scope of permissible discovery in a proceeding before the Commission is limited to subjects that are relevant to matters properly at issue in such proceeding, as provided in 66 Pa.C.S. § 333(d) and the Commission's regulations at 52 Pa. Code § 5.321(c). Accordingly, for the reasons set forth above, the CGC's Interrogatories (Set I), No. 5, is not permissible discovery and, therefore, should be stricken.

² CGC's Set I Interrogatories contain errors in numbering that has been corrected in Appendix A. In the original version propounded by CGC included two questions with the same number (5).

21. CGC (Set I) No. 6 states as follows:

Please reference FirstEnergy St. No. 1. How much has been paid to FirstEnergy by current net-metering customer generators during the interconnection process related to FirstEnergy facilities' upgrades to accommodate interconnection?

22. FE PA incorporates by reference the objections set forth in paragraphs 8-12.

23. The inquiry into amounts paid by current net-metering customer generators for necessary distribution system upgrades to accommodate interconnection is irrelevant to this proceeding because it is unrelated to any aspect of FE PA's proposed DSP VII or the Company's default service requirements under the Public Utility Code and Commission default service requirements. Costs associated with upgrading FE PA distribution facilities to accommodate interconnection customers have no bearing on default service or the methodology used for customer classification or the hourly pricing threshold.

24. The scope of permissible discovery in a proceeding before the Commission is limited to subjects that are relevant to matters properly at issue in such proceeding, as provided in 66 Pa.C.S. § 333(d) and the Commission's regulations at 52 Pa. Code § 5.321(c). Accordingly, for the reasons set forth above, the CGC's Interrogatories (Set I), No. 6, is not permissible discovery and, therefore, should be stricken.

25. CGC Interrogatory (Set I) No. 7 states as follows:

Please reference FirstEnergy St. No. 1, p. 17, lines 8-10. How much has been paid to FirstEnergy by prospective net-metering customer generators currently in the Company's queue related to load studies or similar interconnection study requirements?

26. FE PA incorporates by reference the objections set forth in paragraphs 8-12.

27. The inquiry into amounts paid to the Company by prospective net-metering customer generators currently in the Company's queue for load studies or similar interconnection study requirements is irrelevant to this proceeding because it is unrelated to any aspect of FE PA's

proposed DSP VII or the Company's default service requirements under the Public Utility Code and Commission default service requirements. The amount paid by a customer-generator for studies is a reimbursement to the Company for studies required to process the customer-generator's interconnection application.

28. The scope of permissible discovery in a proceeding before the Commission is limited to subjects that are relevant to matters properly at issue in such proceeding, as provided in 66 Pa.C.S. § 333(d) and the Commission's regulations at 52 Pa. Code § 5.321(c). Accordingly, for the reasons set forth above, the CGC's Interrogatories (Set I), No. 7, is not permissible discovery and, therefore, should be stricken.

29. CGC Interrogatory (Set I) No. 8 states as follows:

Please reference FirstEnergy St. No. 1, p. 17, lines 8-10. How much has been paid to FirstEnergy by prospective net-metering customer generators currently in the Company's queue related to FirstEnergy facilities' upgrades to accommodate interconnection?

30. FE PA incorporates by reference the objections set forth in paragraphs 8-12.

31. The inquiry into amounts paid by prospective net-metering customer generators currently in the Company's queue for necessary distribution system upgrades to accommodate interconnection is irrelevant to this proceeding because it is unrelated to any aspect of FE PA's proposed DSP VII or the Company's default service requirements under the Public Utility Code and Commission default service requirements. Costs associated with upgrading FE PA distribution facilities to accommodate interconnection customers has no bearing on default service or the methodology used for customer classification or the hourly pricing threshold.

32. The scope of permissible discovery in a proceeding before the Commission is limited to subjects that are relevant to matters properly at issue in such proceeding, as provided in 66 Pa.C.S. § 333(d) and the Commission's regulations at 52 Pa. Code § 5.321(c). Accordingly,

for the reasons set forth above, the CGC's Interrogatories (Set I), No. 8, is not permissible discovery and, therefore, should be stricken.

33. CGC Interrogatory (Set I) No. 9 states as follows:

Please reference FirstEnergy St. No. 1, p. 17, lines 8-10. How much does FirstEnergy anticipate being paid by prospective net-metering customer generators to FirstEnergy related to load studies or similar interconnection study requirements?

34. FE PA incorporates by reference the objections set forth in paragraphs 8-12.

35. The inquiry into amounts the Company anticipates receiving from prospective net-metering customer generators for load studies or other interconnection study requirements is irrelevant to this proceeding because it is unrelated to any aspect of FE PA's proposed DSP VII or the Company's default service requirements under the Public Utility Code and Commission default service requirements. The amount paid by a customer-generator for studies is a reimbursement to the Company for studies required to process the customer-generator's interconnection application.

36. The scope of permissible discovery in a proceeding before the Commission is limited to subjects that are relevant to matters properly at issue in such proceeding, as provided in 66 Pa.C.S. § 333(d) and the Commission's regulations at 52 Pa. Code § 5.321(c). Accordingly, for the reasons set forth above, the CGC's Interrogatories (Set I), No. 9, is not permissible discovery and, therefore, should be stricken.

37. CGC Interrogatory (Set I) No. 10 states as follows:

Please reference FirstEnergy St. No. 1, p. 17, lines 8-10. How much does FirstEnergy anticipate being paid by prospective net-metering customer generators to FirstEnergy related to FirstEnergy facilities' upgrades to accommodate interconnection?

38. FE PA incorporates by reference the objections set forth in paragraphs 8-12.

39. The inquiry into amounts FE PA anticipates being paid by prospective net-metering customer generators for necessary distribution system upgrades to accommodate interconnection

is irrelevant to this proceeding because it is unrelated to any aspect of FE PA's proposed DSP VII or the Company's default service requirements under the Public Utility Code and Commission default service requirements. Costs associated with upgrading FE PA distribution facilities to accommodate interconnection customers has no bearing on default service or the methodology used for customer classification or the hourly pricing threshold.

40. The scope of permissible discovery in a proceeding before the Commission is limited to subjects that are relevant to matters properly at issue in such proceeding, as provided in 66 Pa.C.S. § 333(d) and the Commission's regulations at 52 Pa. Code § 5.321(c). Accordingly, for the reasons set forth above, the CGC's Interrogatories (Set I), No. 10 is not permissible discovery and, therefore, should be stricken.

III. CONCLUSION

WHEREFORE, for the foregoing reasons, FE PA's Objections to CGC Interrogatories (Set I) Nos. 5 through 10 should be granted, and the ALJs should issue an Order directing that the

Company is not required to furnish answers to those Interrogatories.

Respectfully submitted,



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Dated: March 24, 2026

*Counsel for FirstEnergy Pennsylvania
Electric Company*

APPENDIX A

CGC INTERROGATORIES (SET I)

SUNRISE AIRPORT ROAD LLC, SUNRISE FORRESTER ROAD LLC, SUNRISE FRANKLIN ROAD LLC, SUNRISE HARLANSBURG ROAD LLC, SUNRISE HENDERSONVILLE ROAD LLC, SUNRISE MCCURDY ROAD LLC, SUNRISE PERRY HIGHWAY LLC, SUNRISE SANDY LAKE GREENVILLE ROAD LLC, SUNRISE SANDY LAKE POLK ROAD LLC, AND SUNRISE SPRINGFIELD CHURCH ROAD LLC INTERROGATORIES AND REQUESTS FOR PRODUCTION OF DOCUMENTS, DIRECTED TO FIRSTENERGY PENNSYLVANIA ELECTRIC COMPANY – SET I

DOCKET NO. P-2026-3060298

1. What is the average time between a <3MW customer-generator interconnection application being submitted and the application being approved or denied?
2. What is the average time between a >3MW customer-generator interconnection application being submitted and the application being approved or denied?
3. Please reference FirstEnergy St. No. 1, p. 17, lines 8-10. Please identify the number of customer generator net-metering customer-generators currently in the interconnection queue who would be shifted from the PTC Rider to the HP Rider under the Company's Maximum Registered Peak Load ("MRPL") proposal?
4. Please reference FirstEnergy St. No. 1, p. 17, lines 8-10.
 - i. What is the current number of net-metering interconnection applications on the "Company's system?"
 - ii. How many of these net-metering interconnection applications have been approved by FirstEnergy and the Commission?
 - iii. How many of these net-metering interconnection applications are currently on-line and net-metering electricity back to FirstEnergy's grid?
5. Please reference FirstEnergy St. No. 1. How much has been paid to FirstEnergy by current net-metering customer generators during the interconnection process related to load studies or similar interconnection study requirements?
6. Please reference FirstEnergy St. No. 1. How much has been paid to FirstEnergy by current net-metering customer generators during the interconnection process related to FirstEnergy facilities' upgrades to accommodate interconnection?
7. Please reference FirstEnergy St. No. 1, p. 17, lines 8-10. How much has been paid to FirstEnergy by prospective net-metering customer generators currently in the Company's queue related to load studies or similar interconnection study requirements?

8. Please reference FirstEnergy St. No. 1, p. 17, lines 8-10. How much has been paid to FirstEnergy by prospective net-metering customer generators currently in the Company's queue related to FirstEnergy facilities' upgrades to accommodate interconnection?
9. Please reference FirstEnergy St. No. 1, p. 17, lines 8-10. How much does FirstEnergy anticipate being paid by prospective net-metering customer generators to FirstEnergy related to load studies or similar interconnection study requirements?
10. Please reference FirstEnergy St. No. 1, p. 17, lines 8-10. How much does FirstEnergy anticipate being paid by prospective net-metering customer generators to FirstEnergy related to FirstEnergy facilities' upgrades to accommodate interconnection?
11. Please reference FirstEnergy St. No. 1, pp. 18-19. Has FirstEnergy conducted any studies or analyses of the effects of the MRPL tariff proposal on FirstEnergy's default procurement of electricity based on its Default Service Plan ("DSP")? If yes, please provide all studies or analyses related to the same.
12. Does FirstEnergy recover net-metering customer-generator excess generation payouts in its distribution rates, through the PTC Rider, or through a different mechanism? Please provide all supporting documentation associated with answering this request.
13. Please reference FirstEnergy St. No. 1. Has FirstEnergy contacted any net-metering customer-generators – or prospective net-metering customer-generators – that would be affected by the MRPL tariff proposal to determine the proposal's effect on net-metering project viability?
 - i. If yes, please generally explain the responses received by potentially affected net-metering customer-generators or prospective net-metering customer-generators.
 - ii. If not, please explain why not.
14. Please reference FirstEnergy St. No. 1. Please explain whether the net-metering customer-generators to be reclassified as HP Rider under the proposed MRPL tariff proposal would receive monthly bills that identify the Price-To-Compare ("PTC") as a separate line item.
15. Please reference FirstEnergy St. No. 1, p. 17. Does FirstEnergy believe that the load weighted locational marginal price ("LMP") is a single-rate option? If yes, please explain fully.
16. Please reference FirstEnergy St. No. 1, p. 17. Does FirstEnergy agree that LMP pricing can decline to below \$0.00? If not, please fully explain and provide any documentation or data relied upon to make this conclusion.

17. Please reference FirstEnergy St. No. 1. Has FirstEnergy performed any analysis of the changes to a customer-generator's demand charge that would occur as a result of FirstEnergy's proposed tariff change(s)?

- i. If yes, please provide the documents and data related to that analysis.
- ii. If no, please explain why not.

18. If the answer to 16, *supra*, is yes, please provide the anticipated annual changes to the demand charge, in dollars, for a customer-generator with an MRPL based on the Gross Generator Rating of:

- iii. 300 kW.
- iv. 400 kW
- v. 1MW
- vi. > 1MW.

19. Please reference FirstEnergy St. No. 1, p. 17, lines 15-18.

- i. Fully explain and provide any documentation or data relied on for the assertion "adding large customer-generator supply to the commercial procurement group would decrease load provided by default service suppliers and would increase risk premiums included in fixed-price full requirements products."
- ii. Have any default service providers informed FirstEnergy that they are building in "risk premiums" into their bids as a result of net-metering generation? If yes, please fully explain and provide documentation regarding the same.
- iii. If the answer to 18(ii), *supra*, is yes, please fully explain the level of risk premium(s) identified in default service supply bids as a result of net-metering generation and provide all documentation and data relied on for these assertions.

20. Please reference FirstEnergy St. No. 1, p. 17, lines 11-12, in which FirstEnergy does not use excess energy from net-metered customer generators as supply. Please explain how the physical excess energy from net-metered customer-generators is used by FirstEnergy after it is received from the customer-generator.

21. Please reference FirstEnergy St. No. 1, p. 17, lines 15-18.

- ii. Please state the factual basis for the statement that the assertion that adding large customer-generator supply to the commercial procurement group would increase risk premiums included in fixed-price full requirements products, and provide all documents which indicate that such premiums have been included in the past, and/or would be included in the future.

- iii. Has FirstEnergy quantified the “risk premium” that was included in fixed price full requirements products as a result of the alleged decreased load caused by customer-generators? If so, please state the amount of such risk premium that was included during each year of FirstEnergy’s DSP VI and the amount of such risk premium that is expected to be included during each individual year covered by DSP VII.
 - iv. Please identify and fully explain all other reasons why default service supply bidders have included or would include “risk premiums” in their bids, besides reduced load related to customer-generator supply.
- 22. Please reference FirstEnergy St. No. 1, p. 18, line 11. Please provide all documents, reports and analyses in FirstEnergy’s possession (i) which support the contention that the excess generation that is cashed out was collected from other commercial PTC Rider customers during the DSP VI, and (ii) which explain when such cashed out amounts were collected from other commercial PTC Rider customers during the DSP VI period.
- 23. Please reference FirstEnergy St. No. 1, p. 18, lines 14-15. Please state the per-kWh impact that the \$4.4 million true-up expense had on the commercial price to compare during each year of DSP VI, and the periods over which this \$4.4 million expense was included in the commercial price to compare.
- 24. Please reference FirstEnergy St. No. 1, p. 19, lines 6-9. Please fully explain the assertion that “most HP Rider customers are more active in managing their energy needs...” and provide all documentation and data relied upon in making this assertion.
- 25. Please reference FirstEnergy St. No. 1, p. 19, lines 13-15. Please fully explain all factors that the Company proposes to use to estimate the MRPL for new customers and provide any documentation or data relied on in making this assertion.
- 26. Please reference FirstEnergy St. No. 1., p. 19, lines 4-5. Under FirstEnergy’s proposal, would the costs to pay excess net-metered generation only be recovered from industrial customers who receive default supply service?
- 27. For each of the calendar years 2022, 2023, 2024 and 2025, please state:
 - v. The number of FirstEnergy customers whose measured demand made them eligible to receive default service under the PTC Rider.
 - vi. The number of FirstEnergy customers that received default service under the PTC Rider during the year in question.
 - vii. The number of FirstEnergy customers whose measured demand made them eligible to receive default service under the HP Rider.
 - viii. The number of FirstEnergy customers that received default service under the HP Rider during the year in question.

28. Please identify each component of the compensation rate that would be paid to customer-generators under rate schedule GS-Medium and GS-Large for net excess generation under FirstEnergy's proposed MRPL framework in each of the Company's four rate districts.
29. For each component identified in response to the preceding interrogatory, please state the proposed formula or methodology used to calculate that component, including all inputs, data sources, update frequency, and any reconciliation or true-up mechanism.
30. Please provide an illustrative calculation of the compensation rate for net excess generation under FirstEnergy's proposed MRPL framework in each of the Company's four rate districts, showing the numerical value of each component using the most recent available data.

**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 FROM JUNE 1, 2027 TO :
MAY 31, 2031 :

CERTIFICATE OF SERVICE

I hereby certify and affirm that I have on this day served copies of the **Answer of FirstEnergy Pennsylvania Electric Company to the Motion of Sunrise Airport Road LLC, Sunrise Forrester Road LLC, Sunrise Franklin Road LLC, Sunrise Harlansburg Road LLC, Sunrise Hendersonville Road LLC, Sunrise McCurdy Road LLC, Sunrise Perry Highway LLC, Sunrise Sandy Lake Greenville Road LLC, Sunrise Sandy Lake Polk Road LLC, and Sunrise Springfield Church Road LLC to Compel Responses to Discovery Propounded to FirstEnergy – Set I** on the persons listed below, in the manner specified in accordance with the requirements of 52 Pa. Code § 1.54:

VIA ELECTRONIC MAIL

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Dated: April 2, 2026

***=Executed Protective Order**