

# Buchanan

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May 4, 2026

Matthew L. Homsher, Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street, 2<sup>nd</sup> Floor  
Harrisburg, PA 17120

Re: Pennsylvania Public Utility Commission v. PPL Electric Utilities Corporation  
Docket No. R-2025-3057164

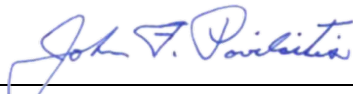
Dear Secretary Homsher:

Enclosed for filing please find the Solar Energy Industries Association and the Coalition for Community Solar Access (the "Joint Solar Advocates") Reply to Exceptions in the above-captioned proceeding.

Copies of this letter are being served on the parties per the attached Certificate of Service. Should you have any questions, please do not hesitate to contact me.

Sincerely,

BUCHANAN INGERSOLL & ROONEY PC

By:   
\_\_\_\_\_  
John F. Povilaitis, Esquire

JFP/psm  
Enclosure

cc: Deputy Chief Administrative Law Judge Christopher P. Pell  
Administrative Law Judge Barbara Shadie Nause  
Certificate of Service

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission	:	Docket Nos. R-2025-3057164
Coalition For Affordable Utility Services and	:	
Energy Efficiency in Pennsylvania	:	C-2025-3057844
Office of Small Business Advocate	:	C-2025-3057889
Office of Consumer Advocate	:	C-2025-3058130
Brad and Jennifer Wooley	:	C-2025-3057946
PP&L Industrial Customer Alliance	:	C-2025-3058271
Convergent Energy and Power LP	:	C-2025-3058300
Solar Energy Industries Association and The	:	C-2025-3058251
Coalition for Community Solar Access	:	
Rik Bhattacharyya	:	C-2025-3058846
Safiya Junaid	:	C-2025-3058982
Stacey Kimmel-Smith	:	C-2025-3059151
John Gadowski	:	C-2025-3059330
Thatcher Graham	:	C-2026-3060429
	:	
v.	:	
	:	
PPL Electric Utilities Corporation	:	

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**JOINT SOLAR ADVOCATES REPLY TO EXCEPTIONS**

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The Coalition for Community Solar Access<sup>1</sup> and the Solar Energy Industries Association<sup>2</sup> (collectively the “Joint Solar Advocates” or “JSA”), by and through their counsel pursuant, 52 Pa. Code §§ 5.21,5.32(b), file this Reply to the Exceptions filed by Aspen Power Partners LLC, 38

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<sup>1</sup> The Coalition for Community Solar Access or CCSA is a 501(c)(6) nonprofit trade organization focused on supporting the community solar industry through legislative and regulatory efforts. CCSA has over 120 member companies and is active in virtually all state-level community solar markets, as well as the federal level. CCSA is an active participant in community solar issues pending before the Pennsylvania General Assembly, which includes net metering by customer generators.

<sup>2</sup> The Solar Energy Industries Association (“SEIA”) is the national trade association for the United States solar industry. SEIA works to support solar energy by expanding markets, reducing costs, increasing generation reliability, removing market barriers, and providing education on the benefits of solar energy and energy storage. SEIA works with its 1,200 member companies and other strategic partners to advocate for policies that promote the aforementioned goals.

Degrees North, Bollinger Solar , CEP Renewables, LLC, CVE North America, Dynamic Energy Solutions, LLC, EDPR NA Distributed Generation LLC, Encore Renewable Energy, GS Power Partners, Prospect14 LLC, Radial Power LLC, Reading Anthracite Company, Scale Microgrids, Schuylkill Reclamation Corporation, Solar Renewable Energy, LLC, SR1 Captura Sage Holdco I, LLC, and Syncarpha Capital, LLC, collectively the Customer-Generator Coalition (“CGC”).

## **I. INTRODUCTION**

On April 17, 2026, the Recommended Decision of presiding Administrative Law Judges Christopher P. Pell and Barbara Shadie Nause was issued in the instant proceeding (“Recommended Decision” or “RD”). The RD recommended that the Pennsylvania Public Utility Commission (“Commission”) approve the Joint Petition for Approval of Non-Unanimous Settlement of All Issues filed in the above-captioned proceeding in its entirety without modification (“Settlement”). The Settlement addresses, among other issues, the proposed modifications to PPL Electric Utilities Corporation’s (“PPL”) Maximum Registered Peak Load (“MRPL”) construct which would assign default supply customers on the Generation Supply Charge (“GSC”) to Rate GSC-1 or Rate GSC-2 based on their MRPL. (PPL Electric St. No. 15, p. 2) As a result of the proposed change, net energy metering customer-generators (“customer generators”), who are currently assigned to Rate GSC-1 would be reassigned to Rate GSC-2 and would receive less compensation for their exports to the grid. The Settlement, which the RD approved, adopts the MRPL framework with two mitigations for impacted customer-generators (1) a grandfathering framework that permits some customer-generators to remain on Rate GSC-1 for a 10-year period and (2) the addition of a capacity component, line losses, and a gross-up of the generation component for the Gross Receipts Tax to the Rate GSC-2 compensation rate. CGC requests that the Commission reject the Recommended Decision and deny approval of the

proposed MRPL provisions. CGC bases this request in part on the assertion that “Recommended Decision relies on a record that does not contain substantial evidence sufficient to support the conclusions reached with respect to MRPL and the treatment of customer-generators.”<sup>3</sup> This position is in error.

## II. REPLY TO EXCEPTIONS

### A. JSA Reply to CGC Exception No. 3 - The Recommended Decision Did Not Err in Concluding that the MRPL Provisions are Supported by Substantial Evidence

CGC asserts that “[t]he record also lacks foundational evidence linking the MRPL construct to cost causation.”<sup>4</sup> Specifically, CGC attests that the Pennsylvania Public Utility Code and supporting case law require a cost-of-service study, class cost allocation analysis, or system impact analysis demonstrating that customer-generators impose costs consistent with the proposed MRPL classification framework.<sup>5</sup> Having made this assertion, the CGC then mischaracterizes the status of the record in this proceeding in an effort to boost its argument that adoption of the MRPL framework requires that a cost-of-service study have been performed. CGC’s legal and factual arguments are in error.

CCG asserts that the “Public Utility Code requires that proposed rates and classifications be supported by record evidence demonstrating that the resulting rates are just, reasonable, and grounded in a rational connection to cost causation.” Thus, CGC’s exception is based on the assumption that the MRPL construct, whereby customers are assigned to either Rate GSC-1 or Rate GSC-2, cannot be adopted by the Commission in the absence of a cost-of-service study. In

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<sup>3</sup> CGC Exceptions, p. 4.

<sup>4</sup> *Id.*, p. 14.

<sup>5</sup> *Id.*, p. 13.

support of this assertion, CGC points to Pennsylvania Public Utility Code Section 1301 and *Popowsky v. Pa. PUC*, 695 A.2d 448, (Pa. Cmwlth. 1997) (“*Popowsky*”).<sup>6</sup>

Looking at the first reference – Pennsylvania Public Utility Code Section 1301- it requires that every rate received by a public utility be “just and reasonable, and in conformity with regulations or orders of the commission.” The Code section does not explicitly require the performance of a cost-of-service study to determine a rate classification, as the MRPL is intended to be used for, is just and reasonable. The Commission has previously adopted MRPL-type proposals applicable to net-metered customer-generators in proceedings such as the UGI Utilities, Inc. – Electric Division (“UGI”), a default service proceeding where a full cost-of-service study was not performed.<sup>7</sup> The UGI determination was upheld by the Commonwealth Court. Thus, the MRPL framework is clearly in conformance with “orders of the commission” as required by Section 1301.

Nor does *Popowsky* support CGC’s position. The reality is that the Commission has discretion to determine whether a rate classification is just and reasonable.<sup>8</sup> The record of this proceeding provides the Commission sufficient grounds to adopt the MRPL construct. *See* PPL Electric St. Nos. 15, 15-R, 15-SR, 15-RJ.

CGC attempts to denigrate the record underlying the MRPL provisions in the Settlement by arguing that the data supporting PPL’s MRPL proposal shifted throughout the proceeding. Thus,

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<sup>6</sup> Id., p. 13, footnote 13.

<sup>7</sup> *Petition of UGI Utils., Inc. – Elec. Div. for Approval of a Default Serv. Plan for the Period of June 1, 2025, through May 31, 2029*, 2025 Pa. PUC LEXIS 68, at \*26 (Order entered Feb. 20, 2025) (“*UGP*”).

<sup>8</sup> *Popowsky v. Pa. Pub. Util. Comm'n*, 683 A.2d 958, 961 (Pa. Cmwlth. 1996) (There is no single way to arrive at just and reasonable rates, and “[t]he [Commission] has broad discretion in determining whether rates are reasonable” and “is vested with discretion to decide what factors it will consider in setting or evaluating a utility's rates).

CGC points out that “PPL’s witness, Andrew Castanaro, testified that material corrections were required to the Company’s primary analytical exhibits, including revisions to assumed project cancellation rates and the treatment of excess generation from no-load customer-generator projects in the interconnection queue” and that it “materially changed the resulting estimates of system impact and customer cost.”<sup>9</sup> While that might be true, the impact of those changes are reflected on the record (*see* PPL Statement No. 15-RJ and No. 15-SSRJ) and provide underlying support for the MRPL provisions in the Settlement.<sup>10</sup> Moreover, PPL’s changes are consistent with the record evidence presented earlier in the proceeding by the JSA regarding errors in PPL’s cancellation rate and PPL’s estimation of generation by customer-generators. (JSA Statement No. 1, pp. 38-49).

In addition, CGC’s arguments overlook the fact that PPL is not seeking to have its MRPL proposal, as set forth in its initial showing, adopted. Rather the Settlement reflects two very significant mitigations to that proposal: (1) a grandfathering framework that permits some customer-generators to remain on Rate GSC-1 for a 10-year period, and (2) the addition of a capacity component, line losses, and a gross-up of the generation component for the Gross Receipts Tax to the Rate GSC-2 compensation rate. PPL’s corrections to its MRPL testimony provide support for these mitigations as they confirm the conclusions drawn in the JSA’s testimony that (1) the addition of a certain level of new customer generation on the GSC-1 rate through the proposed grandfathering framework would not have adverse consequences on other customers on the GSC-1 rate (JSA Statement No. 2, p. 34) and that customer-generators on the GSC-2 rate were

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<sup>9</sup> CGC Exceptions, p. 13.

<sup>10</sup> *PPL Electric Utilities Corporation’s Statement in Support of Joint Petition for Approval of Non-Unanimous Settlement of All Issues*, p. 67 citing PPL Electric St. No. 15-SSRJ for support of grandfathering provisions and increase in GSC-2 rate provisions of the Settlement.

being undercompensated for their exports (JSA Statement 2, pp. 29-31; PPL Statement No. 15-SSRJ, pp. 3-4 and Exhibit AC-1SSRJ).

CGC's assertion that the Recommended Decision relies on a record that does not contain substantial evidence sufficient to support the conclusions reached with respect to MRPL and the treatment of customer-generators is in error. The Commission should set aside CGC's Exception No. 3.

**B. JSA Reply to Exception No. 5 - The Recommended Decision Applies the Proper Legal Standard for Approval of a Non-Unanimous Settlement**

CGC asserts that in approving the MRPL provisions in the Settlement, the Recommended Decision relies simply on the fact that they are embedded in a negotiated settlement – not because an independent determination was made that they are just and reasonable, supported by substantial evidence, and consistent with applicable law and Commission regulations. CGC's assertion is simply an inaccurate portrayal of the Recommended Decision.

CGC's assertion that the Recommended Decision relies solely on the fact that the MRPL provisions were embedded in a settlement as basis for approval is in error. As noted by the RD, the Commission should set aside CGC's Exception No. 5 because:

Settlement provides a reasonable process that permits existing and certain projects to remain in Rate GSC-1, while mitigating the potential rate impact that other grandfathering proposals would have<sup>11</sup>

... the Settlement helps address concerns about the financial impact of the MRPL proposal on projects that are not grandfathered and are reclassified to Rate GSC-2.<sup>12</sup>

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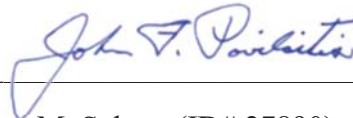
<sup>11</sup> Recommended Decision, p. 257 citing to PPL Electric St. No. 15-SSRJ.

<sup>12</sup> *Id.*, p. 258 citing to PPL Electric St. No. 15-SSRJ.

Notwithstanding the CGC's characterization, the Recommended Decision does not rely solely on the fact that a Settlement was reached on the MRPL issues as a basis for its approval. The Recommended Decision reflects an independent analysis of the supporting record.

WHEREFORE, the Joint Solar Advocates respectfully request that the Pennsylvania Public Utility Commission deny the Customer-Generator Coalition's Exceptions and grant such other relief as may be just and reasonable.

Respectfully submitted,



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Dated: May 4, 2026

## CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of this filing has been served upon the following persons, in the manner indicated, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

### VIA EMAIL ONLY

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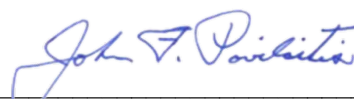
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**VIA FIRST CLASS MAIL**

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Date: May 4, 2026


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