

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Lexington Land Developers Corporation	:	
	:	
v.	:	C-2024-3052541
	:	
FirstEnergy Pennsylvania Electric Company	:	

REVISED SCHEDULING ORDER

On December 16, 2024, Lexington Land Developers Corporation (Lexington or Complainant) filed a Formal Complaint against FirstEnergy Pennsylvania Electric Company – Met-Ed Rate District (FE PA or Respondent), alleging that Lexington cannot get electric from FE PA for a development project. As relief, Lexington requests that the Commission order FE PA provide a date when the ILS study will be completed; when the plans will be completed; and when installation will be completed. If FE PA cannot provide these dates, Lexington requests that FE PA sell off territory to another provider that is able to provide electric service in a timely manner.

On January 6, 2025, FE PA filed an Answer and New Matter. FE PA’s New Matter included a notice to plead. FE PA denied it has not timely processed Complainant’s request for new service. In its New Matter, FE PA requested that this matter be referred to the Office of Administrative Law Judge’s Mediation Unit (OALJ Mediation Unit).

On January 22, 2025, Lexington filed a Reply to New Matter. In its Reply, Lexington agreed with the request that this matter be referred to the OALJ Mediation Unit.

On January 30, 2025, an Interim Order Setting Resolution Conference was issued. The case was not resolved in mediation.

On October 24, 2025, Lexington filed an Amended Formal Complaint. The Amended Formal Complaint was served on FE PA on October 28, 2025. Lexington states that it is in the process of developing Morgan's Crossing, a residential community within FE PA's service territory that, when built out, will consist of more than 100 homes in Carlisle, PA. Lexington avers that FE PA issued an initial load study estimating costs in excess of \$270,000 and informed Lexington that, as a precondition of extending a supply line and alleged system changes or improvements engendered by the request to serve Morgan's Crossing, Lexington must bear all of FE PA's costs; all land developers requesting service to developments within FE PA's service territory must bear all of FE PA's costs associated with a line extension and alleged upgrades to FE PA's system; and FE PA has no obligation to incur any costs of the line extension and alleged system changes. Lexington avers that FE PA's attempt to shift all costs of line extensions and system upgrades to Lexington is unlawful, unreasonable, and discriminatory in violation of the Public Utility Code (Code) and the Commission's regulations. As relief, Lexington requests that the Commission issue a declaratory order that FE PA's actions violated the Code and Commission regulations, and impose civil penalties.

On November 17, 2025, FE PA filed an Answer to Lexington's Amended Formal Complaint. FE PA denied that it violated the Code, Commission regulations or its Commission-approved tariff regarding the request of Complainant for new underground service to its development. FE PA also denied that its tariff violates the Code or Commission regulations.

On December 5, 2025, the Commission issued a Telephonic Prehearing Conference Notice, setting this proceeding for a Prehearing Conference on January 30, 2026 at 10:00 a.m. Also on December 5, 2025, and in accordance with the provisions of 66 Pa. C.S. §333 and 52 Pa. Code §§5.221-5.223, a Prehearing Conference Order was issued outlining various procedural matters to be addressed at the Prehearing Conference scheduled for January 30, 2026.

On January 16, 2026, Lexington issued a Notice of Deposition of James B. Ensminger. No objections to the Notice of Deposition were received.

On January 27, 2026, parties submitted prehearing memoranda outlining their respective positions on various procedural matters. The Prehearing Conference convened on January 30, 2026, as scheduled. George A. Bibikos, Esquire, appeared for Lexington, and Margaret A. Morris, Esquire, appeared for FE PA.

On February 2, 2026, I issued a Scheduling Order, setting forth the procedural matters addressed during the Prehearing Conference. Also on February 2, 2026, I issued an Order granting the Notice of Deposition.

On February 25, 2026, Lexington and FE PA filed a Joint Motion for Protective Order.

On February 27, 2026, I issued a Protective Order.

On April 27, 2026, Lexington filed a Combined Motion to Compel Responses to Discovery Requests and For Sanctions (Combined Motion).

On May 7, 2026, I issued Prehearing Order # 1, granting in part and denying in part Lexington's Combined Motion.

On May 13, 2026, Lexington filed a Motion for Sanctions (Sanctions Motion).

On May 19, 2026, FE PA filed an Answer to the Sanctions Motion.

On May 20, 2026, I issued Prehearing Order # 2, granting in part and denying in part Lexington's Sanctions Motion. Prehearing Order # 2 suspended the procedural schedule established by Ordering Paragraph No. 1 of the Scheduling Order issued on February 2, 2026, and scheduled a Prehearing Conference for June 2, 2026.

On May 21, 2026, the Commission issued a Further Telephonic Prehearing Conference Notice, setting this proceeding for a Prehearing Conference on June 2, 2026 at 1:00 p.m.

The Prehearing Conference convened on June 2, 2026, as scheduled. George A. Bibikos, Esquire, appeared for Lexington, and Margaret A. Morris, Esquire, appeared for FE PA. During the Prehearing Conference, parties agreed to a revised procedural schedule. The purpose of this order is to amend the February 2, 2026 Scheduling Order and set forth the revised procedural schedule.

ORDER

THEREFORE,

IT IS ORDERED:

1. That the procedural schedule set at Ordering Paragraph No. 1 in the February 2, 2026 Scheduling Order is replaced by the following schedule:

Complainant Direct Written Testimony & Exhibits	August 19, 2026
Respondent Direct Written Testimony & Exhibits	September 18, 2026
Complainant Rebuttal Written Testimony & Exhibits	October 2, 2026
Respondent Rebuttal Written Testimony & Exhibits	October 16, 2026
Exchange Proposed Stipulated Facts and Proposed Joint Exhibits	October 26, 2026
Hearing (Telephonic)	November 10, 2026
Main Briefs	30 days after receipt of hearing transcript
Reply Briefs	20 days after Main Briefs

2. That all other ordering paragraphs in the February 2, 2026 Scheduling Order remain in effect.

Date: June 3, 2026

_____/s/
John M. Coogan
Administrative Law Judge

**C-2024-3052541 - LEXINGTON LAND DEVELOPERS CORP v. FIRSTENERGY
PENNSYLVANIA ELECTRIC COMPANY**

Revised February 27, 2026

PHILIP GARLAND PRESIDENT
LEXINGTON LAND DEVELOPERS CORP
336 WEST KING STREET
LANCASTER PA 17603
717.917.4671

devprg@comcast.net

Served via eService June 3, 2026

GEORGE A. BIBIKOS ESQUIRE
GA BIBIKOS LLC
5901 JONESTOWN ROAD #6330
HARRISBURG PA 17112
717.580.5305

gbibikos@gabibikos.com

Served via eService June 3, 2026

(Counsel for Lexington Land Developers Corp)

MARGARET MORRIS ESQUIRE
REGER RIZZO & DARNALL
CIRA CENTRE 13TH FL
2929 ARCH STREET
PHILADELPHIA PA 19104

215.495.6524

215.870.5785

mmorris@regerlaw.com

Served via eService *June 3, 2026*

(Counsel for FirstEnergy PA Electric Co FKA Met-Ed)