

**PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17120**

Public Meeting held July 16, 2026

Commissioners Present:

Stephen M. DeFrank, Chairman
Kimberly Barrow, Vice Chair
Kathryn L. Zerfuss
John F. Coleman, Jr.
Ralph V. Yanora

Interconnection and Tariffs for Large Load Customers

M-2025-3054271

OPINION AND ORDER

BY THE COMMISSION:

Before the Pennsylvania Public Utility Commission (Commission) for consideration and disposition are: (1) a Petition for Reconsideration or Clarification (Petition for Reconsideration), filed on May 27, 2026, by the Energy Association of Pennsylvania (EAP); and (2) a Petition for Leave to Withdraw its Petition for

Reconsideration or Clarification (Petition to Withdraw), filed by EAP on June 1, 2026, relative to the above-captioned proceeding.¹

On June 5, 2026, the Office of Consumer Advocate in a letter stated, *inter alia*, that it would not be filing an Answer to the Petition for Reconsideration and that it did not object to the Petition to Withdrawal. On June 8, 2026, the Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania (CAUSE-PA) and the Tenant Union Representative Network (TURN) jointly filed a letter response in which they stated, *inter alia*, that they opposed the Petition for Reconsideration, but not withstanding that position, they were not opposed to EAP's Petition to Withdraw. On the same day, the Environmental Defense Fund also filed a letter in response, in which it stated, *inter alia*, that it would not be filing an answer to the Petition for Reconsideration and that it does not object to the Petition to Withdraw. For the reasons that follow, we shall grant the Petition to Withdraw and direct that the Petition for Reconsideration be withdrawn, consistent with this Opinion and Order.

I. History of Proceeding

On April 12, 2025, the Commission issued the *Notice of En Banc Hearing Concerning Interconnection and Tariffs for Large Load Customers* at Docket No. M-2025-3054271, designed to culminate in a proposed model tariff for Large Load

¹ Section 5.81(a) of the Commission's Regulations provides that "[t]he Commission or presiding officer, with or without motion, may order proceedings involving a common question of law or fact to be consolidated. The Commission or presiding officer may make orders concerning the conduct of the proceeding as may avoid unnecessary costs or delay." 52 Pa. Code § 5.81(a). Because the Petition for Reconsideration is the subject of the Petition to Withdraw, we shall consolidate our disposition of both petitions.

Customers. The Commission sought and received testimony and comments on topics such as:

- Appropriate MW size designations for large load tariffs.
- Deposits or financial security from Large Load Customers.
- Appropriate calculations of contributions in aid of construction.
- Minimum contract terms.
- Maximum times for interconnection studies and agreements.
- Monthly demand charge.
- Appropriate fees or expenses for interconnection studies.
- Load ramping schedules for customers that may phase in their usage.
- Exit or early termination fees.
- Distinctions in tariff designs for firm service versus interruptible Large Load Customers.
- Large customers bringing primary or back-up generation to serve their load, and any prudent standby rates.
- Transparent cost structures for interconnection.
- Optionality for infrastructure upgrades to be made directly by prospective interconnecting Large Load Customers at their own expense.
- Best practices learned from other jurisdictions.
- Any other procedures, rules, or tariff designs that can facilitate the efficient and timely interconnection of this unique category of electric customers.

On April 24, 2025, the *en banc* hearing was held with Chief Administrative Law Judge Charles Rainey presiding. All Commissioners were present and received evidence directly.

Parties were notified that additional comments could be filed within thirty days of the *en banc* hearing and that reply comments could be filed within

fifteen days of the conclusion of the comment period. Numerous comments and reply comments were filed.

On November 6, 2025, the Commission issued a Tentative Order. On November 22, 2025, the Tentative Order was published in the *Pennsylvania Bulletin* and comments could be filed within thirty days.

Subsequently, comments were filed by Advanced Energy United (AEU), Alliance of Nurses for Healthy Environments (Alliance), Alliance to Stop the Line (ASL), Amazon Data Services, Inc with its affiliate Amazon Web Services (Amazon), American Council for an Energy-Efficient Economy (ACEEE), American Transmission Systems, Incorporated, Better Path Coalition (BPC), Building Performance Architecture, Center for Coalfield Justice (CCJ), Citizens' Electric Company of Lewisburg, PA (Citizens'), Citizens for Pennsylvania's Future (PennFuture), Clean Air Council, Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania (CAUSE-PA), Columbia Gas of Pennsylvania, Inc. (Columbia), Commonwealth Foundation for Public Policy Alternatives (CFPPA), Concerned Residents of Western PA, Constellation Energy Generation, LLC (Constellation), Consumer Advisory Council (CAC), Data Center Coalition (DCC), Dollar Energy Fund (DEF), Duquesne Light Company (Duquesne), Earthjustice, Emerald AI, Energy Association of Pennsylvania (EAP), Energy Efficiency Alliance, Energy Efficiency Empowerment (EEE), Environmental Defense Fund (EDF), Environmental Health Project, Evangelical Environmental Network (EEN), Exus Renewables North America (Exus), FirstEnergy Pennsylvania Electric Company (FirstEnergy), Google LLC (Google), Governor Josh Shapiro Administration (The Shapiro Administration), Industrial Energy Consumers of Pennsylvania (IECPA), Invenergy Wind Development North America LLC, Invenergy Solar Development North America LLC, Invenergy Storage LLC, Invenergy Thermal Development Holdings LLC (Collectively, Invenergy), Keystone Appalachian Transmission Company, Keystone Energy Efficiency Alliance (KEEA),

Lehigh University's Institute for Cyber-Physical Infrastructure and Energy (I-CPIE), Mainspring Energy, Inc. (Mainspring), Manufacturer & Business Association (MBA), Marcellus Shale Coalition (MSC), Mid-Atlantic Interstate Transmission, LLC (MAIT), Moms Clean Air Force – PA Chapter (MCAF-PA), Natural Resources Defense Council (NRDC), Office of Consumer Advocate (OCA), Office of Small Business Advocate (OSBA), PECO Energy Company (PECO), Pennsylvania American Water Company (PAWC), Pennsylvania Stands Up, POWER Interfaith, PPL Electric Utilities Corporation (PPL), Protect Penn-Trafford (Protect PT), Schuylkill Community Action (SCA), Sierra Club, State Representative Danielle Friel Otten (Otten), State Senator Carolyn Comitta (Comitta), State Senator Katie J. Muth (Muth), State Senator Lindsey M. Williams (Williams), Tenant Union Representative Network (TURN), Trans-Allegheny Interstate Line Company, Vicinity Energy Inc and its subsidiaries including Grays Ferry Cogeneration Partnership and Vicinity Energy Philadelphia, Inc. (Vicinity), Vistra Corp. (Vistra), Vote Solar, Walmart Inc. (Walmart), Wellsboro Electric Company (Wellsboro), York County Farm Bureau (YCFB) and various comments from the public.

Earthjustice's joint comments referred to comments filed by Earthjustice, Sierra Club, Pennsylvania Stands Up, Vote Solar, Clean Air Council, and POWER Interfaith. MCAF-PA's joint comments refer to comments filed by MCAF-PA, Clean Air Council, Energy Efficiency Alliance, Center for Coalfield Justice, Environmental Health Project, Alliance of Nurses for Healthy Environments, Clearesult, Energy Efficiency Empowerment, and Building Performance Architecture, with Center for Coalfield Justice (CCJ) and Energy Efficiency Empowerment (EEE) filing separate comments. FirstEnergy filed joint comments with its affiliates Mid-Atlantic Interstate Transmission, LLC, Keystone Appalachian Transmission Company, American Transmission Systems, Incorporated, and Trans-Allegheny Interstate Line Company. CAUSE-PA and TURN filed joint comments. Citizens' and Wellsboro filed joint comments. Amazon Data Services and its affiliate Amazon Web Services filed comments together. Vicinity Energy Inc and its subsidiaries including Grays Ferry

Cogeneration Partnership and Vicinity Energy Philadelphia, Inc filed comments together. Invenergy Wind Development North America LLC, Invenergy Solar Development North America LLC, Invenergy Storage LLC, and Invenergy Thermal Development Holdings LLC filed comments together. Columbia expressed support for comments made by EAP.

On May 12, 2026, the Commission entered a Final Order in this matter at the above docket (*May 2026 Interconnection and Tariffs for Large Load Customers Final Order*).

On May 27, 2026, EAP filed its Petition for Reconsideration of the *May 2026 Interconnection and Tariffs for Large Load Customers Final Order*.

On June 1, 2026, EAP filed its Petition to Withdraw the Petition for Reconsideration.

On June 5, 2026, OCA filed a letter response in which it stated, *inter alia*, that it would not be filing an Answer to the Petition for Reconsideration and that it did not object to the Petition to Withdrawal.

On June 8, 2026, CAUSE-PA and TURN jointly filed a letter response in which they stated, *inter alia*, that they opposed the Petition for Reconsideration but not withstanding that position, they were not opposed to EAP's Petition to Withdraw. On that same day, the Environmental Defense Fund also filed a letter in response, in which it stated, *inter alia*, that it would not be filing an answer to the Petition for Reconsideration and that it did not object to the Petition to Withdraw.

II. Discussion

A. Legal Standards

1. Petitions to Withdraw an Uncontested Pleading

The Commission's Regulations prescribe a process for parties seeking to withdraw pleadings in uncontested matters or proceedings before a final decision by the Commission has been issued. More specifically, Section 1.82 of the Commission's Regulations, 52 Pa. Code § 1.82, in relevant part, provides:

A party that desires to terminate an uncontested matter or proceeding before final decision by the Commission or otherwise desires to withdraw a submittal or pleading, shall file a petition for leave to withdraw the appropriate document. If no party objects to the petition within 10 days of service, the matter may be stricken by the Commission or by the presiding officer. If upon review the presiding officer or the Commission determines that the public interest requires continuation of the proceedings, the petition will be denied and the staff may be directed to participate.

52 Pa. Code § 1.82(a)).²

B. EAP's Petitions

1. EAP's Petition for Reconsideration

In its Petition for Reconsideration, the EAP requests reconsideration or clarification of the Commission's *May 2026 Interconnection and Tariffs for Large Load*

² While Section 1.82(a) of our Regulations provides that an objection to the Petition to Withdraw may be filed within 10 days of the filing of the Petition, as noted *infra*, in the present case, no party has filed an objection to the Petition to Withdraw.

Customers Final Order. Specifically, EAP avers that the Commission’s Opinion and Order and Model Tariff should be reconsidered concerning three important aspects:

1. Establishing a “but-for” test and contribution in aid of construction requirement for transmission network upgrades that are squarely within the Federal Energy Regulatory Commission’s (FERC) jurisdiction;
2. Permitting Large Load Customers to self-construct infrastructure upgrades, “even if those upgrades would be network upgrades impacting the broader grid rather than infrastructure on the customer side of the meter,” when FERC and the North American Electric Reliability Corporation have jurisdiction over such upgrades; and
3. Mandating that electric distribution companies (EDCs) complete interconnection studies for transmission facilities subject to FERC’s exclusive jurisdiction within 6 months and refund 50% of the application fee for each 90-day period beyond the 6-month deadline, despite the studies requiring coordination with the FERC-approved interconnection procedures of PJM Interconnection, LLC (PJM) and involving other issues that are outside of the EDC’s control.

Additionally, EAP noted that FERC was set to issue an Order in its docket addressing the interconnection of large loads to the interstate transmission system. Petition for Reconsideration at 1-3. EAP closes its Petition for Reconsideration by requesting reconsideration or clarification of the *May 2026 Interconnection and Tariffs for Large Load Customers Final Order*. *Id.* at 16.

2. EAP’s Petition to Withdraw

In its Petition to Withdraw, EAP states that, essentially, it has determined that it would be appropriate to withdraw the Petition for Reconsideration, that withdrawal of the Petition for Reconsideration would not create an adverse impact, and that the

public interest does not require that the proceeding continue since EAP has reserved its, and its members' rights, to pursue the issues, claims and arguments in other proceedings. Petition to Withdraw at 1-3.

3. OCA, CAUSE-PA, TURN and EDF Letters in Response

As noted previously, the above-named Parties filed letters in response to the Petition to Withdraw, in which they, *inter alia*, noted that they either did not object to or did not oppose the Petition to Withdraw. OCA Letter at 1; CAUSE-PA and TURN Letter at 1; EDF Letter at 1.

C. Disposition

In considering the instant Petitions, we note that we are not required to consider, expressly or at length, each and every contention raised by a party to our proceedings. *University of Pennsylvania v. Pa. PUC*, 485 A.2d 1217 (Pa. Cmwlth. 1984). Any argument that is not specifically addressed herein shall be deemed to have been duly considered and denied without further discussion.

Based upon EAP's filing of its Petition to Withdraw its Petition for Reconsideration, to which no party either objects or opposes, we shall grant the withdrawal. Upon review, we see no public interest served by continuing the proceeding. Therefore, since there are no objections to the withdrawal and there is no public interest in continuing the matter we shall grant EAP's Petition to Withdraw the Petition for Reconsideration. Consequently, we shall direct that EAP's Petition for Reconsideration or Clarification be withdrawn.

III. Conclusion

For the reasons discussed herein, we shall: (1) grant EAP's Petition to Withdraw; and (2) direct that EAP's Petition for Reconsideration be withdrawn, consistent with this Opinion and Order; **THEREFORE,**

IT IS ORDERED:

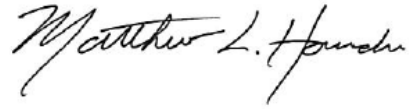
1. That the Petition for Reconsideration or Clarification filed by the Energy Association of Pennsylvania, on May 27, 2026, and the Petition to Withdraw the Petition for Reconsideration or Clarification filed by the Energy Association of Pennsylvania, on June 1, 2026, at Docket No. M-2025-3054271, are consolidated for purposes of disposition.

2. That the Petition to Withdraw the Petition for Reconsideration or Clarification filed by the Energy Association of Pennsylvania, on June 1, 2026, at Docket No. M-2025-3054271, is granted.

3. That the Petition for Reconsideration or Clarification filed by the Energy Association of Pennsylvania, on May 27, 2026, at Docket No. M-2025-3054271, is withdrawn.

4. That this proceeding, at Docket No. M-2025-3054271, is to be marked closed.

BY THE COMMISSION,

A handwritten signature in black ink, reading "Matthew L. Homsher". The signature is written in a cursive, flowing style.

Matthew L. Homsher
Secretary

(SEAL)

ORDER ADOPTED: July 16, 2026

ORDER ENTERED: July 16, 2026