



July 24, 2026

Filed Electronically

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

**Re: Potential Regulations for Interconnecting Electric Loads
Docket No. L-2025-3059032 - Comments of Base Retail, LLC**

Dear Secretary Homsher,

Attached for filing please find the Comments of Base Retail, LLC ("Base") in the above-referenced docket. These Comments are submitted in response to the Secretarial Letter published on July 4, 2026 in the Pennsylvania Bulletin at 56 Pa.B. 3865.

I am available at your convenience to address any questions.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Zina Bash", positioned above a horizontal line.

Zina Bash
Chief Legal Officer
Base Retail, LLC
205 E Riverside Drive, Ste 100
Austin, TX 78704
zina@basepowercompany.com

Enc.

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Potential Regulations for : Docket No. L-2025-3059032
Interconnecting Electric Loads :

COMMENTS OF BASE RETAIL, LLC.

Base submits these comments in response to the Pennsylvania Public Utility Commission Secretarial Letter published in the Pennsylvania Bulletin on July 4, 2026 (56 Pa.B. 3865). The Letter requested comments from interested parties regarding the possibility of promulgating regulations for interconnecting electric loads, including large loads. Base is an energy technology company that designs, manufactures, installs, owns, and operates residential battery systems; our behind-the-meter batteries participate in wholesale markets and deliver capacity to customers in regulated and deregulated energy markets. Base is also an energy supplier in deregulated markets.

By the end of this calendar year, Base will be deploying 100 megawatts of power each month. Given the speed at which we are able to deploy large amounts of capacity, targeted precisely to where it is needed, we have entered into agreements in principle with datacenters to serve as their contracted capacity. Specifically, under agreements with datacenters, we would deploy one or two 20-kilowatt batteries on thousands of homes in the same utility territory as the datacenters and commit to dispatching those batteries at peak times, creating a net reduction (or peak-shaving) in demand that is equivalent to the direct curtailment of the datacenter's demand.

These comments focus largely on the Commission's questions regarding queue ordering (Question 8) and review-level thresholds (Question 3), and also raise one other issue for the Commission's consideration.

I. RESPONSE TO THE COMMISSION'S QUESTIONS

Response to Question 8: Criteria for Queue Advancement.

Base answers this question with reference to a recent New Jersey law that was enacted this month known as the "Data Center Fair Share Act." P.L. 2026, c. 32 (N.J.). Sections 1(b)(9) and 1(b)(10) of P.L.

2026, c. 32 (N.J.) together offer a workable model for milestone-based queue prioritization tied to demonstrated, verifiable customer commitments rather than to subjective or easily-gamed criteria.

Section 1(b)(9): the demand-reduction trade program as the qualifying milestone. Section 1(b)(9) directs the New Jersey Board of Public Utilities to define the parameters of a voluntary bilateral demand-reduction trade program under which a datacenter customer may contract with, or fund, a third party to deliver eligible demand-reduction measures (e.g., incremental energy efficiency, demand response enrollment, behind-the-meter storage, or managed electrification) in the utility's own service territory. Critically, the law requires that any claimed reduction be measured and verified through interval metering and be shown to be quantifiable, additional, and coincident with system need, and it permits a negative peak-load-contribution value for customers who export energy during relevant hours. This creates an objective, auditable "milestone": a customer either has, or does not have, a measured and verified demand-reduction commitment of a defined size, coincident with peak system need.

Section 1(b)(10): tying queue priority to the milestone. Section 1(b)(10) then directs that datacenter customers who make binding commitments in furtherance of the demand-reduction program in 1(b)(9) receive priority in interconnection. In other words, the law does not award queue position for a vague promise of future favorable behavior; it awards priority only once a customer has made a binding, measurable, and verifiable commitment that offsets the very system capacity its load will consume.

Residential behind-the-meter battery aggregation as a qualifying commitment. Base highlights that Section 1(b)(9) does not limit eligible demand-reduction measures to utility-scale or commercial resources. The law expressly lists "behind-the-meter energy storage" among the eligible categories of demand-reduction measures that a datacenter customer may procure or fund through a third party, alongside incremental energy efficiency, demand response enrollment, and managed electrification. Base, as an aggregator of residential behind-the-meter battery capacity, is squarely the type of third-party counterparty this provision contemplates: a datacenter or other large-load customer could contract directly with Base for a defined, measured quantity of aggregated residential battery discharge, coincident with system peak, in exchange for funding the deployment of that residential storage. The law reinforces this

pathway in three additional respects that Base encourages the Commission to adopt in Pennsylvania: (i) the ability of the aggregated residential batteries to export energy to the grid during peak events, with those exports measured and settled on an interval basis through advanced metering infrastructure, so that the reductions are quantifiable, coincident, and verifiable; (ii) the establishment of a negative peak-load-contribution (“PLC”) value for those exporting residential resources during the relevant peak hours, consistent with at least one FERC-approved tariff, as Section 1(b)(9) provides; and (iii) the ability of aggregated residential resources to commit a negative PLC under a bilateral agreement with a large-load customer to satisfy the customer’s demand-reduction obligation. Together, interval-metered export and a negative PLC give a datacenter’s bilateral agreement with a residential behind-the-meter aggregator the same measurable, verifiable character as the utility-scale measures that the law contemplates; Base recommends that any Pennsylvania framework make clear that such agreements qualify a large-load applicant for queue priority, as similarly required under Section 1(b)(10).

Applying this framework, Base respectfully recommends the following criteria and conditions:

Criteria that should be permitted to move a project ahead in the queue:

- A binding, contractually enforceable commitment to procure or fund demand-reduction measures under a Commission-approved bilateral trade program modeled on Section 1(b)(9), with the reduction measured and verified through interval metering (e.g., advanced metering infrastructure) and shown to be incremental to what would have occurred anyway, and coincident with system peak.
- A binding bilateral agreement with a residential behind-the-meter battery aggregator (such as Base) for a defined quantity of aggregated, peak-coincident discharge, where the exported energy during peak demand is assigned a negative PLC value and can be used to satisfy the aggregator’s obligations for demand-reduction under the agreement, consistent with Section 1(b)(9).
- Posting of financial security sufficient to make the commitment enforceable, so that a milestone credited for queue purposes cannot later be abandoned without consequence.

Conditions that should apply to any milestone-based queue jump:

- The cost of any bilateral demand-reduction transaction should not be recovered in EDC rates; the benefit of the capacity reduction should flow to the customer that paid for it by directly reducing the capacity cost obligations assigned to the large load.
- The program should be designed for compatibility with PJM’s capacity-market mechanisms (including any peak-shaving or backstop-auction adjustment), so that verified reductions actually flow through to the regional load forecast.

Factors that should not, standing alone, be a basis for queue priority:

- Non-binding statements of intent, letters of interest, or unverified representations about future efficiency, generation, or peak-shaving plans.
- The customer’s size, prominence, or economic-development value alone, without a corresponding binding and verifiable system benefit.
- Payment of a priority fee untethered to an actual reduction in system impact, as that would effectively allow a customer to buy queue position rather than earn it through a measurable offset.

In Base’s view, the New Jersey model is instructive precisely because it ties queue priority to a milestone that is both binding and independently verifiable, avoiding the risk that “milestone-based” queue-jumping becomes arbitrary or manipulable. Base urges the Commission to adopt a comparable, measurement-and-verification-based standard for any milestone-based queue prioritization it establishes.

Response to Question 3: Review Levels Based on Load Size.

Pennsylvania’s interconnection regulations establish tiered interconnection review based on system size. Base would request that the Commission raise the Level 1 review threshold from 10 kW to 40 kW of nameplate export capacity. Per the U.S. Department of Energy’s 2025 DER Interconnection Roadmap, the threshold for interconnecting new DERs through a “‘simplified’ interconnection process” is “typically set at 50 kW, although in some jurisdictions the threshold is lower, often 25 kW.”¹ These

¹ U.S. Dep’t of Energy, Interconnection Innovation e-Xchange, Distributed Energy Resource Interconnection Roadmap 23 (Jan. 16, 2025), <https://www.energy.gov/sites/default/files/2025-01/i2X%20DER%20Interconnection%20Roadmap.pdf>.

thresholds are consistent with the current sizing of residential storage systems. Recognizing this industry standard would increase DER deployments in the Commonwealth.

Base further requests that the Commission use a system's export limit, enforced by a certified Power Control System ("PCS")—rather than its nameplate capacity—to determine its review tier. IEEE 1547-2018, which is incorporated by reference for all review levels (52 Pa. Code § 75.35), defines power and monitoring-control functions that allow a DER to be configured so that its exports are limited to a fixed value, regardless of the DER's nameplate capacity. A 40 kW residential storage installation configured with a PCS to limit export to 10 kW or 25 kW, therefore, presents the same circuit-level export profile, and therefore the same distribution grid impact, as a system with a smaller nameplate rating.

II. ADDITIONAL ISSUE FOR COMMISSION CONSIDERATION

The Letter also invites comment on "any other topics that interested parties believe should be included" in potential rulemaking. Base raises the following issue for the Commission's consideration.

Application of the Negative-PLC Framework Outside the Large-Load Context.

The negative-PLC framework described above with regard to large-load customers should be extended beyond that framework, to maximize the benefit to consumers and the grid of advantageously timed exports by behind-the-meter resources. When these resources export energy to the grid at peak times, they produce a measurable reduction in demand for capacity (and transmission costs) wherever they sit on the system, which can then be recognized in load forecasts and resulting procurement targets. By allowing negative PLCs (and the corresponding negative network service peak load ("NSPL") values that exporting resources earn) to be transactable across loads—both within the loadbook of a single load-serving entity ("LSE") and among multiple LSEs—the Commission would incentivize grid-friendly exports even outside of the large-load context by reducing the relevant LSE's aggregate capacity and transmission obligations. Such netting would concretely benefit consumers by putting sustained downward pressure on capacity and transmission costs.

Additionally, to ensure that these capacity-demand reductions lower the capacity actually procured—rather than simply shifting cost among customers—the Commission should require the EDC to

submit a Peak-Shaving Adjustment, Load Forecast Adjustment, or similar adjustment, to PJM reflecting the negative PLC values generated. This allows verified reductions in capacity demand to be reflected in the load forecast PJM uses to procure capacity, including through any backstop auction, so that the reduction lowers the quantity of capacity procured on the region's behalf and, therefore, the cost borne by ratepayers.

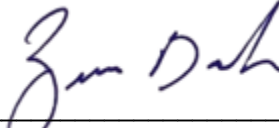
III. CONCLUSION

Base underscores that everything described above depends on residential behind-the-meter batteries being able to come online quickly and efficiently. These resources help relieve capacity constraints—but only if they can be deployed at the scale and speed the grid needs. That requires a standardized interconnection process across utilities: one that is sensible, not unduly burdensome, and above all consistent from utility to utility and over time. Base's ability to deploy batteries in bulk rests on that kind of predictability. The recommendations above will deliver their intended benefit only if the underlying interconnection framework is standardized and reliable.

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Base appreciates the Commission's invitation to comment and welcomes the opportunity to answer any questions.

Respectfully submitted,



Zina Bash
Chief Legal Officer
Base Retail, LLC
205 E Riverside Drive, Ste 100
Austin, TX 78704
zina@basepowercompany.com

Dated: July 24, 2026