BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

Petition of FirstEnergy Pennsylvania Electric Company

for Approval of Its Default Service Program

for the Period June 1, 2027 through May 31, 2031

Docket No. P-2026-3060298

EXCEPTIONS OF INFINITY CAPITAL, LLC

Infinity Capital, LLC ("Infinity Capital") respectfully submits these limited Exceptions to the Recommended Decision issued August 21, 2026. Infinity Capital supports a workable default-service structure, but excepts to two aspects that directly affect existing customer-generators: (1) the two-year grandfathering period; and (2) the absence of a sufficiently defined and durable methodology for determining the capacity portion of Hourly Pricing ("HP") Rider export compensation.

EXCEPTION NO. 1 - EXISTING CUSTOMER-GENERATORS SHOULD RECEIVE A LONGER GRANDFATHERING PERIOD

The Recommended Decision should be modified to provide existing customer-generators a longer transition period. It approves the Settlement provision under which customer-generators online before June 1, 2027 are exempt from MRPL reclassification only until June 1, 2029. R.D. at 115-116. The Decision also recognizes requests for a longer period, including a 10-year period comparable to the approach approved in the PPL Electric proceeding. R.D. at 116.

Infinity Capital previously advised the Commission that it made substantial, long-term investments in distributed solar generation under the regulatory and tariff framework then in effect. Those investments were undertaken in good faith and with long-term financial obligations. A two-year transition does not reasonably protect those reliance interests. The concern is not that rates can never change; it is that an abrupt reclassification materially changes the compensation framework for capital assets already constructed and financed under a different framework.

The Recommended Decision acknowledges reliance and regulatory-certainty concerns raised by solar parties, including that existing projects made investment decisions under the prior rate structure. R.D. at 122-123. Infinity Capital therefore respectfully requests that the Commission adopt at least a 10-year grandfathering period, or another materially longer transition that reasonably protects existing investments.

EXCEPTION NO. 2 - THE CAPACITY PORTION OF HP RIDER EXPORT COMPENSATION SHOULD BE EXPRESSLY DEFINED

The Commission should require a transparent, formula-based methodology for determining the capacity portion of net-excess-generation compensation. The Settlement provides that net excess generation compensation under the HP Rider will include capacity and line-loss portions through May 31, 2041, absent a material change in PJM capacity markets. R.D. at 115-116, 119-121. Infinity Capital supports preservation of those components.

However, the Recommended Decision highlights an important difference between the PPL and FirstEnergy structures. It states that the PPL settlement contains specific definitions relating to capacity, while FirstEnergy's HP Rider includes capacity based on the cost paid to wholesale default-service suppliers. R.D. at 121 n.478. The Decision also notes concern regarding oversight of the compensation formula. R.D. at 122.

Infinity Capital raised this transparency issue earlier in this proceeding, requesting a precise, formula-based definition of HP Rider export compensation and identification of which HP Rider components are included or excluded. The Recommended Decision confirms that the HP Rider is based on hourly PJM LMP plus associated costs such as capacity, ancillary services, PJM administrative expenses, and AEPS compliance costs. R.D. at 138. Yet the methodology for isolating and calculating the protected "capacity portion" for exported generation is not stated with the same specificity as the PPL methodology.

Infinity Capital therefore respectfully requests that the Commission require FirstEnergy to state, in the approved tariff or compliance filing, the formula and data inputs used to determine the capacity portion credited to customer-generator exports; apply that methodology consistently and on a non-discriminatory basis; and require Commission approval, with notice to affected customer-generators, before any material change to that methodology.

CONCLUSION

Infinity Capital respectfully requests that the Commission modify the Recommended Decision to (1) provide a materially longer grandfathering period for existing customer-generators, preferably at least 10 years; and (2) require a clear and durable methodology for determining the capacity portion of HP Rider net-excess-generation compensation.

Respectfully submitted,

INFINITY CAPITAL, LLC
121 Redners Way
Leesport, PA 19533
610-798-3042

By: /s/ Authorized Representative
Date: August 25, 2026

CERTIFICATE OF SERVICE

I certify that on August 25, 2026, a true and correct copy of the foregoing **Exceptions of Infinity Capital, LLC** was filed electronically with the Pennsylvania Public Utility Commission and served upon the parties of record for Docket No. P-2026-3060298 who accept electronic service through the Commission's eFiling/eService system.

Parties of record who do not accept electronic service will be served in accordance with the applicable Commission service rules.

A courtesy copy will also be provided to the Commission's Office of Special Assistants at ra-OSA@pa.gov.

INFINITY CAPITAL, LLC
By: /s/ Authorized Representative
Date: August 25, 2026