GOVERNOR'S OFFICE OF GENERAL COUNSEL

October 30, 2026

Via Electronic Mail

The Honorable John Coogan
Administrative Law Judge
Pennsylvania Public Utility Commission
400 North Street
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The Honorable Erin Gannon
Administrative Law Judge
Pennsylvania Public Utility Commission
400 North Street
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RE: Petition of PPL Electric Utilities Corporation for Approval of Its Non-Bypassable Customer Protection Transmission Rider, Elimination of Its Transmission Service Charge, Changes to Its Generation Supply Charges, Changes to Its Retail Tariff, and Changes to Its Electric Generation Supplier Coordination Tariff, Docket No. P-2026-3065185

Petition of PPL Electric Utilities Corporation for Amendment of Its Default Service Program and Procurement Plan for the Period June 1, 2025, through May 31, 2029, Docket No. P-2026-3047290

Petition of PPL Electric Utilities Corporation for Waiver of Any and All Regulations Necessary to Implement the Company's Proposals, Docket No. P-2026-3065186

Pennsylvania Consumer Advocate v. PPL Electric Utilities Corporation, Docket No. C2026-3065756

Your Honors:

Please find the attached Prehearing Memorandum of Governor Josh Shapiro in the above-noted proceedings. As indicated on the attached Certificate of Service, service on the parties was accomplished by email only.

Very truly yours,

/s/ Mark Szybist
Mark Szybist
Special Counsel for Energy Affordability

MS/JP
Enclosure
cc: Secretary Matthew L. Homsher (via E-file)

CERTIFICATE OF SERVICE

I hereby certify that I have on this day filed electronically on the Commission's electronic filing system and served a true copy of the following document, the Petition to Intervene of Governor Josh Shapiro, upon the parties of record in this proceeding in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a party), in the manner and upon the parties listed below.

VIA ELECTRONIC MAIL

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DATED: October 30, 2026

/s/ Mark Szybist
Mark Szybist, Esq.

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Petition of PPL Electric Utilities Corporation for Approval of Its Non-Bypassable Customer Protection Transmission Rider, Elimination of Its Transmission Service Charge, Changes to Its Generation Supply Charges, Changes to Its Retail Tariff, and Changes to Its Electric Generation Supplier Coordination Tariff	:	Docket No. P-2026-3065185
Petition of PPL Electric Utilities Corporation for Amendment of Its Default Service Program and Procurement Plan for the Period June 1, 2025, through May 31, 2029	:	Docket No. P-2026-3047290
Petition of PPL Electric Utilities Corporation for Waiver of Any and All Regulations Necessary to Implement the Company's Proposals Pennsylvania	:	Docket No. P-2026-3065186
Pennsylvania Consumer Advocate	:	Docket No. C-2026-3065756
v.	:	
PPL Electric Utilities Corporation	:	

PREHEARING MEMORANDUM
OF GOVERNOR JOSH SHAPIRO

Pursuant to the Prehearing Conference Orders issued in the above-captioned matters by the Honorable Administrative Law Judges ("ALJ") John M. Coogan and Erin L. Gannon of the Office of Administrative Law Judge of the Pennsylvania Public Utility Commission ("Commission"), and pursuant to Section 333 of the Public Utility Code (Code), 66 Pa. C.S. § 333, and the

Commission's regulations at 52 Pa. Code §§ 5.221-5.224, Pennsylvania Governor Josh Shapiro ("Governor Shapiro" or "Administration"), through his counsel, submits the following Prehearing Conference Memorandum.[1]

I. Background

On September 15, 2026, PPL Electric Utilities Corporation ("PPL") filed a petition under sections 703(g), 1307(a), and 2807(e)(6)-(7) of the Public Utility Code, 66 Pa.C.S.A. §§ 703(g), 1307(a), 2807(e)(6)-(7), seeking Commission approval of a non-bypassable "Consumer Protection Transmission Charge," or CPTR. If implemented, the proposed CPTR would change the way in which PPL recovers various transmission system charges from the company's customers. PPL's petition also seeks approval for associated changes to its default service program and its plan to procure electric power for PPL customers that do not shop on Pennsylvania's retail electricity market, and for waivers of Commission regulations to the extent necessary to implement the CPTR. PPL's petition has been docketed to Docket No. P-2026-3065186, Docket No. P-2026-3065185, and Docket No. P 2024-3047290 (collectively, "PPL case").

On October 2, 2026, the Pennsylvania Office of Consumer Advocate ("OCA") filed a complaint under section 1309 of the Public Utility Code, 66 Pa. C.S. § 1309 against PPL alleging that the current tariff rates and service of PPL are unjust, unreasonable, and unduly preferential or discriminatory because they cause existing customers to pay costs caused by large computational load entities and expose customers to the risk of service interruptions that may result from data centers' demand for electricity outstripping electricity supply. The OCA complaint is docketed at

[1] For purposes of economy, the Administration is submitting a single prehearing conference memorandum that addresses both the petition of PPL Electric Utilities Corporation docketed to Docket Nos. P-2026-3065185, P-2026-3047290, and P-2026-3065186 and the complaint of the Pennsylvania Consumer Advocate against PPL docketed to Docket No. C-2026-3065756. The Administration recognizes that PPL's petition case is not currently consolidated with OCA's section 1309 case and is filing this memorandum in both matters.

Docket No. C-2026-3065756 ("OCA case"). On October 16, 2026, Governor Shapiro filed a Petition to Intervene in the OCA case.

On October 14, 2026, ALJs John M. Coogan and Erin L. Gannon issued a prehearing conference order in the PPL case setting a telephonic prehearing conference for Tuesday, November 3, 2026 at 10:00 AM and requiring parties to file a prehearing memorandum no later than Friday, October 30.

On October 20, 2026, ALJs Coogan and Gannon issued a prehearing conference order in the OCA case likewise setting a telephonic prehearing conference for Tuesday, November 3, 2026, at 10:00 a.m. and requiring parties to file a prehearing memorandum no later than Friday, October 30, 2026. The order noted that "[d]ue to the anticipated overlapping of issues and parties, a Prehearing Conference is being scheduled in this matter contemporaneously with the November 3, 2026 Prehearing Conference scheduled for [the PPL case]." The ALJs instructed the parties to address in their prehearing memoranda their positions on whether the PPL case and the OCA case should be consolidated.

On October 23, 2026, Governor Shapiro filed a Petition to Intervene in the PPL case. Also on October 23, 2026 OCA filed an Amended Complaint in Docket No. C-2026-3065756.

On October 29, 2026 PPL filed a motion to consolidate the PPL case and the OCA case for purposes of discovery, hearing, and adjudication. PPL's motion argues that consolidation will promote the timely, efficient, and consistent disposition of both cases because they present overlapping issues and could, in the absence of consolidation, result in conflicting relief ordered by the Commission.[2] PPL also requests a limited waiver of the Commission's regulation at 52 Pa. Code § 54.185(b), which imposes a 9-month deadline for the Commission to issue a final ruling

[2] *See* Docket No. P-2026-3065185 *et cet*., PPL Electric Utilities Corporation's Motion to Consolidate Proceedings and Waive the 9-Month Deadline Under 52 Pa. Code § 54.185(b) (October 29, 2026) at 2.

on PPL's proposal to amend its default service program and procurement plan, on the grounds that waiver will facilitate consolidation by enabling the Commission to make a final decision on a consolidated case at the Commission's July 29, 2027 public meeting.[3]

II. Consolidation

The Administration supports consolidation of the PPL case and the OCA case (along with PPL's being granted a partial waiver of 52 Pa. Code § 54.185(b)) for the reasons cited by PPL in its motion, provided that the consolidated case follows the procedural schedule proposed by OCA in its prehearing conference memorandum.

III. Issues to be Presented

The Administration has conducted a preliminary review of OCA's Complaint. The Administration supports OCA's claims and requested relief and believes they are consistent with the Governor's Responsible Infrastructure Development ("GRID") framework and Executive Order No. 2026-05, "Protecting Pennsylvanians from Data Center Impacts" ("EO 26-05"). The Administration agrees with OCA that the current provisions, rules, and policies in PPL's retail and supplier tariffs fail to sufficiently account for increased interconnections of large data centers to PPL's system and expose PPL customers, including the Administration, to the cost and reliability impacts from increased interconnection.

The Administration has also conducted a preliminary relief of PPL's petition and proposed non-bypassable CPTR. The Administration believes that the stated goals of PPL's CPTR proposal are generally aligned with the GRID principles and EO 26-05. However, the Administration disputes that the proposal, as currently designed, will achieve those goals or will adequately support customer affordability. Among other things, the Administration opposes PPL's assertions

[3] *Id.*

that it would be just and reasonable for PPL to allocate CPTR charges to Rate Schedule LP-6 in its current form, given concerns about intra-class cost-shifting and shortcomings with the LP-6 rate schedule as identified in OCA's Complaint.

Consistent with EO 2026-05, Governor Shapiro believes that the following specific issues of concern must be addressed in these proceedings to determine whether PPL's proposals are just, reasonable, and in the public interest:

a. Necessary utility tariff changes, rules, procedures, and oversight to meet EO 2026-05's objectives consistent with the applicable FERC requirements and the Commission's authority.
b. Appropriate curtailment procedures, critical-load classifications, and reliability requirements for data centers during pre-emergency and emergency events.
c. Allocation of PJM reliability backstop auction costs and other data center-related costs to ensure non-data center customers are not responsible for those expenses.
d. Responsibility for utility interconnection costs attributable to data center development and protections against cost-shifting due to nonpayment or project failure.
e. Utility reporting, large-load registration, megawatt adjustments, and implementation of applicable PJM reliability and IRAS credit procedures.

Governor Shapiro also identifies the following issue for consideration in these proceedings:

a. The implications of CPTR non-bypassable transmission charge on the potential for the retail electricity market to provide innovations and serve customers.

IV. Witnesses and Testimony

Governor Shapiro intends to present the following witness to testify in this matter, but reserves the right to call additional or substitute witnesses as may be warranted upon proper notice to Your Honors and the parties:

Christina Simeone, Ph.D.
301 North Third Street
Suite 200
Harrisburg, PA 17101
chsimeone@pa.gov

Ms. Simeone may address some or all the issues identified above, as well as other issues that may arise throughout this proceeding.

V. Discovery

The Administration supports the discovery modifications proposed by OCA in its prehearing conference memorandum in these matters.

VI. Public Input Hearings

Governor Shapiro supports the scheduling of both in-person and virtual public input hearings in this matter.

VII. Service on Governor Shapiro

Governor Shapiro is represented by attorneys Mark Szybist and Jordyn Pace. All documents should be served on Governor Shapiro as follows:

Mark Szybist, Esq. PA ID: 94112
Phone: 717-237-8484
mszybist@pa.gov
Jordyn Pace, Esq. PA ID: 336280
Phone: 717-787-4461
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301 North Third Street
Suite 200
Harrisburg, PA 17101

Governor Shapiro requests that parties agree to electronic service in these proceedings.

VIII. Representation of Governor Shapiro at Prehearing Conference

At the Prehearing Conference, Governor Shapiro will be represented by Mark Szybist, Esq., and Jordyn Pace, Esq.

IX. Litigation Schedule

The Administration has had discussions with most of the parties and prospective parties with the goal of reaching a mutually agreeable litigation schedule. The Administration supports the schedule proposed by OCA in its prehearing memorandum, which is reprinted below, and believes that it is agreeable to most parties:

Event	**Proposed Dates**	**Days Between**
Prehearing Conference (PHC)	November 3, 2026	
Public Input Hearings (PIHs) options	January 5, 6, 7 January 12, 13, 14	63 days (between PHC and Jan. 5)
Direct Testimony (All Parties, All Issues)	Thursday, January 14, 2027	72 days (between PHC and Jan. 14)
Supplement Direct (Limited to Public Input Hearings)	Tuesday, February 2, 2027	19 days (between last PIH and Feb. 2.)
Rebuttal Testimony (all parties and all issues)	Friday, February 12, 2027	29 days (between Direct and Feb. 12)
Surrebuttal Testimony (all parties and all issues)	Friday, March 5, 2027	21 days
Written Rejoinder (PPL only as to Petition; OCA only as to Amended Complaint)	Thursday, March 11, 2027	6 days

Evidentiary Hearings	Tuesday, March 16, 2027, through Thursday, March 18, 2027	5 days
Main Briefs	Thursday, April 8, 2027	23 days
Reply Briefs	Friday, April 23, 2027	21 days
End of Suspension Period	July 20, 2027	9 months from Amended Complaint
Public Meeting for Final Order	July 29, 2027	9 days (between end of suspension period and Public Meeting date)

X. Settlement

Governor Shapiro will maintain an open dialogue and is willing to make good faith efforts to successfully resolve this matter through settlement. In the event settlement discussions fail to result in a full and complete resolution of the matter, Governor Shapiro is prepared to fully or partially litigate this proceeding.

WHEREFORE, Governor Shapiro respectfully submits this Prehearing Memorandum.

Respectfully submitted,

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