COMMONWEALTH OF PENNSYLVANIA

DARRYL A. LAWRENCE
Consumer Advocate

OFFICE OF CONSUMER ADVOCATE
555 Walnut Street, 5th Floor, Forum Place
Harrisburg, Pennsylvania 17101-1923
(717) 783-5048
(800) 684-6560

@pa_oca
/pennoca
FAX (717) 783-7152
consumer@paoca.org
www.oca.pa.gov

November 6, 2026

Via Electronic Filing
Matthew L. Homsher, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120

Re: Pennsylvania Consumer Advocate
v.
PPL Electric Utilities Corporation;
Docket No. C-2026-3065756

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 Waiver of Any and All Regulations Necessary to Implement the Company's Proposals
Docket No. P-2026-3065186

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-2024-3047290

Dear Secretary Homsher:

I. INTRODUCTION

Consistent with the direction given by Administrative Law Judges (ALJs) Coogan and Gannon during the prehearing conference held on November 3, 2026, in the above-captioned proceedings, the Office of Consumer Advocate (OCA) submits this letter. This letter explains the OCA's position in support of the oral rulings made by the ALJs during the prehearing conference to: (1) consolidate the above-captioned OCA complaint proceeding with the PPL Electric Utilities Corporation Petition proceeding; and (2) use the July 29, 2027, Public Meeting date for the purpose of establishing a reasonable litigation schedule for the consolidated proceedings.

II. THE OCA'S COMPLAINT

In its prehearing Memo and at the Prehearing Conference, the OCA requested that the July 29, 2027, Public Meeting be used when establishing the litigation schedule because it will produce a reasonable schedule that will provide the parties and members of the public with a meaningful opportunity to be heard and to develop a robust evidentiary record. This proposal was not objected to by any party before or during the prehearing conference. The OCA averred that using a litigation schedule that used a Public Meeting date before July 29, 2027, would produce an undue burden on all parties and members of the public who may wish to participate. The OCA's request to use the July 29, 2027, Public meeting date for purposes of establishing a procedural schedule was (1) made with full support or without objection from all other parties, (2) is permissible under the plain language of the statute, and (3) is in the public interest and promotes due process and judicial economy for parties, consumers, and members of the public who wish to testify at a public input hearing and for the parties of record who wish to submit written testimonies and briefs.

The request to use the July 29th Public Meeting for establishment of the litigation schedule is not prohibited by the plain language of Section 1309(b). The plain language of Section 1309(b) establishes a nine-month suspension period and expressly contemplates the possibility of the Commission entering a final order after the end of the suspension period, for any reason, and provides that the consequences for doing so would be, simply, to make any refunds retroactive to the end of the suspension period.[1] PPL Electric, the party who would be issuing the refunds, if any, did not object to this proposal. Therefore, the plain language of statutory deadline under Section 1309 does not prevent the Commission from accommodating legitimate scheduling needs to protect the public interest and due process rights of all parties, so long as refunds, if any, are retroactive back to the end of the suspension period.[2] As such, the ALJs acted consistent with the Public Utility Code when they established the litigation schedule based on the July 29, 2027, Public Meeting date.

III. PPL ELECTRIC'S PETITION

PPL Electric's request to use the July 29, 2027, Public Meeting date for establishing a procedural schedule for its Petition and under a consolidated proceeding is also permissible under the Public Utility Code and is in the public interest. Similar to the OCA's request to use the July 29, 2027, Public Meeting date for establishing the procedural schedule for its Complaint, PPL Electric's request to use the July 29, 2027, Public Meeting date for purposes of establishing a procedural schedule was (1) is made with full support or without objection from all other parties, (2) is permissible under the plain language of the statute, (3) was allowed in PECO's 2024 Default Service Plan (DSP) proceeding, and (4) is in the public interest.

1 *See* 66 Pa. C.S. § 1309(b).
2 *Id*.

Section 2807(e)(3.6) of the Public Utility Code provides that "[i]f the Commission fails to issue a final order on the plan within nine months of the date that the plan is filed, the plan shall be deemed to be approved and the default service provided **may** implement the plan as filed."[3] Under the plain language of the statute, PPL Electric as the party who brought the action requesting the change to its DSP, may elect not to implement the plan, as filed, at the conclusion of the statutory period, if no final order is entered at the end of the nine month period.[4] At the Prehearing conference, PPL Electric stated its intention to not implement the plan before a Commission Order stating it would be "unconscionable" to do so. Further, in the recent PECO Electric 2024 DSP case, the presiding ALJs granted PECO's request to voluntarily extend the nine-month statutory deadline under Section 2807(e)(3.6).[5] Therefore, in this proceeding, the ALJs acted consistent with the Public Utility Code and prior DSP cases when they granted PPL Electric's request to establish a litigation schedule based on the July 29, 2027, Public Meeting date, which is after the statutory period, given PPL Electric's expressed intention to not implement their DSP modifications as filed if the Commission issues a final order after the statutory period.

3 66 Pa C.S. 2807(e)(3.6)(emphasis added).
4 *Id*.
5 S*ee* Petition of PECO Energy Company dated June 26, 2024, Docket No. P-2024-3046008.

IV. CONCLUSION

Therefore, the ALJs ruling to implement a schedule based on the July 29, 2027, Public Meeting date is permissible under the Public Utility Code and in the public interest.

Copies have been served on the parties as indicated on the enclosed Certificate of Service.

Respectfully submitted,

/s/ Johnathan M. Longhurst
Johnathan M. Longhurst, Esq.
Assistant Consumer Advocate
PA Attorney I.D. # 338157
Email: JLonghurst@paoca.org

Melanie Joy El Atieh
Deputy Consumer Advocate
PA Bar ID # 209323

Assistant Consumer Advocates
Jacob Guthrie
PA Bar ID # 334367

Katherine "Katie" Kennedy
PA Bar ID # 317237

Olivia Spergel
PA Bar ID # 337929

Crystal M. Zook
PA Bar ID # 334159

Ryan Morden
PA Bar ID # 335679

Email: OCAPPL1309@paoca.org

Enclosures

cc: Administrative Law Judge John M. Coogan (Via Email Only: jcoogan@pa.gov)
Administrative Law Judge Erin L. Gannon (Via Email Only: egannon@pa.gov)
Certificate of Service

CERTIFICATE OF SERVICE

Pennsylvania Consumer Advocate	:	
	:	
v.	:	Docket No. C-2026-3065756
	:	
PPL Electric Utilities Corporation	:	

I hereby certify that I have this day filed electronically on the Commission's electronic filing system and served a true copy of the following document, the Office of Consumer Advocate's Letter re: Litigation Schedule, upon parties of record in this proceeding in accordance with the requirements of 52 Pa. Code Section 1.54 (relating to service by a participant), in the manner and upon the persons listed below.

Dated this 6th day of November 2026.

SERVICE BY E-MAIL ONLY

Scott B. Granger, Esq.
PA Public Utility Commission
Bureau of Investigation & Enforcement
400 North Street, 2nd Floor West
Harrisburg, PA 17105-3265
sgranger@pa.gov
Counsel for Bureau of Investigation & Enforcement (I&E)

Steven C. Gray, Esq.
Small Business Advocate
Office of Small Business Advocate
555 Walnut Street, 1st Floor
Harrisburg, PA 17101
sgray@pa.gov
Counsel for Office of Small Business Advocate (OSBA)

Devin T. Ryan, Esq.
Hayley E. Wilburn, Esq.
Emily Grecu, Esq.
Post & Schell, P.C.
One Oxford Centre
301 Grant Street, Suite 3010
Pittsburgh, PA 15219
dryan@postschell.com
hwilburn@postschell.com
egrecu@postschell.com
Counsel for PPL Electric Utilities Corporation

Michael J. Shafer, Esq.
PPL Services Corporation
645 Hamilton Street, Suite 700
Allentown, PA 18101
mjshafer@pplweb.com
Counsel for PPL Electric Utilities Corporation

Deanne M. O'Dell, Esq.
Eckert Seamans Cherin & Mellott, LLC
213 Market Street, 8th Floor
Harrisburg, PA 17101
dodell@eckertseamans.com
Counsel for Retail Energy Supply Association (RESA)

David B. MacGregor, Esq.
Lindsay A. Berkstresser, Esq.
Megan E. Rulli, Esq.
Post & Schell, P.C.
17 North Second Street, 12th Floor
Harrisburg, PA 17101-1601
dmacgregor@postschell.com
lberkstresser@postschell.com
mrulli@postschell.com
Counsel for PPL Electric Utilities Corporation

Ria M. Pereira, Esq.
Levi A. Phillips, Esq.
Elizabeth R. Marx, Esq.
John W. Sweet, Esq.
Lauren N. Berman, Esq.
Pennsylvania Utility Law Project
118 Locust Street
Harrisburg, PA 17101
pulp@pautilitylawproject.org
Counsel for the Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania (CAUSE-PA)

Mark Szybist, Esq.
Jordyn Pace, Esq.
301 North Third Street
Harrisburg, PA 17101
mszybist@pa.gov
jorpace@pa.gov
Counsel for Governor Josh Shapiro

Lauren M. Burge, Esq.
Eckert Seamans Cherin & Mellott, LLC
600 Grant Street, 44th Floor
Pittsburgh, PA 15219
lburge@eckertseamans.com
Counsel for Retail Energy Supply Association (RESA)

Morgan A. Sipple
Director, Energy Policy – FERC and RTOs
DATA CENTER COALITION
1250 H Street, N.W.
Washington, D.C. 20005
morgan@datacentercoalition.org

Stephen J. Hug, Esq.
Ben N. Reiter, Esq.
Akin Gump Strauss Hauer & Feld LLP
2001 K Street, N.W.
Washington, D.C. 20006
shug@akingump.com
breiter@akingump.com
Counsel for the Data Center Coalition (DCC)

Samuel W. Cortes, Esq.
Ashley L. Beach, Esq.
Fox Rothschild LLP
747 Constitution Drive
Suite 100
Exton, PA 19341
scortes@foxrothschild.com
abeach@foxrothschild.com
Counsel for the Data Center Coalition (DCC)

Erika Cook
38 Red Rock Road
Sugarloaf, PA 18249
elcook33@gmail.com
Pro Se

John Zola
17 Dagostin Road
Sugarloaf, PA 18249
zolajj@gmail.com
Pro Se

Emma H. Bast, Esq.
Jessica R. O'Neill, Esq.
Citizens for Pennsylvania's Future
610 North Third Street
Harrisburg, PA 7101
bast@pennfuture.org
oneill@pennfuture.org
Counsel for Environmental Defense Fund (EDF), Natural Resources Defense Council (NRDC), and Pennsylvania's Future (PennFuture) (collectively, "Environmental Intervenors")

Adeolu A. Bakare, Esq.
Rebecca Kimmel, Esq.
Victoria A. Geddis, Esq.
McNees, Wallace & Nurick
100 Pine Street
Harrisburg, PA 17108-1166
abakare@mcneeslaw.com
rkimmel@mcneeslaw.com
vgeddis@mcneeslaw.com
Counsel for PP&L Industrial Customer Alliance (PPLICA)

Justin L. Carpenter, Esq.
614 South 4th Street, Suite #307
Philadelphia, PA 19147
jcarpenter@keealliance.org
Counsel for Keystone Energy Efficiency Alliance (KEEA)

Whitney E. Snyder
Todd S. Stewart
HMS Legal, LLP
501 Corporate Circle, Suite 302
Harrisburg, PA 17110
wesnyder@hmslegal.com
tsstewart@hmslegal.com
Counsel for Amazon Data Services, Inc. (Amazon)

Judith D. Cassel, Esq.
Micah R. Bucy, Esq.
Kathryn C. Read-Fisher, Esq,
HMS Legal LLP
501 Corporate Circle
Harrisburg, PA 17110
jdcassel@hmslegal.com
mrbucy@hmslegal.com
kcr@hmslegal.com
Counsel for Regenerative Energy Initiative (REI)

Michael Zimmerman, Esq.
Environmental Defense Fund
257 Park Ave. S.
New York, NY 10010
mzimmerman@edf.org
Counsel for Environmental Defense Fund (EDF)

Pamela C. Polacek, Esq.
Chief Legal and Regulatory Officer
C&T Enterprises, Inc.
Venetia, PA 15367
ppolacek@ctenterprises.org
Counsel for Citizens' Electric Company of Lewisburg, PA (Citizens' Electric)

Christopher J. Pottmeyer, Esq.
Jones Day
500 Grant Street, Suite 4500
Pittsburgh, Pennsylvania 15219-2514
cpottmeyer@jonesday.com
Counsel for Constellation Energy Generation, LLC and Constellation NewEnergy, Inc.

Ryan A. Doringo, Esq.
Jacob J. Thackston, Esq.
Jones Day
901 Lakeside Ave.
Cleveland, Ohio 44114
radoringo@jonesday.com
jthackston@jonesday.com
Counsel for Constellation Energy Generation, LLC and Constellation NewEnergy, Inc.

Brian R. Greene
Simeon A. Brown
GreeneHurlocker, PLC
4908 Monument Avenue, 2nd Floor
Richmond, VA 23230
BGreene@GreeneHurlocker.com
SBrown@GreeneHurlocker.com
Counsel for Amazon Data Services, Inc. (Amazon)

/s/ Johnathan M. Longhurst
Johnathan M. Longhurst, Esq.
Assistant Consumer Advocate
PA Attorney I.D. # 338157
Email: JLonghurst@paoca.org

Melanie Joy El Atieh, Esq.
Deputy Consumer Advocate
PA Attorney I.D. # 209323
Email: MElAtieh@paoca.org

Jacob D. Guthrie, Esq.
Assistant Consumer Advocate
PA Attorney I.D. # 334367
Email: JGuthrie@paoca.org

Katherine "Katie" Kennedy, Esq.
Assistant Consumer Advocate
PA Attorney I.D. # 317237
Email: KKennedy@paoca.org

Ryan Morden, Esq.
Assistant Consumer Advocate
PA Attorney I.D. # 335679
Email: RMorden@paoca.org

Olivia M. Spergel, Esq.
Assistant Consumer Advocate
PA Attorney I.D. # 337929
Email: OSpergel@paoca.org

Crystal M. Zook, Esq.
Assistant Consumer Advocate
PA Attorney I.D. # 334159
Email: CZook@paoca.org

Email: OCAPPL1309@paoca.org

Counsel for:
Darryl A. Lawrence
Consumer Advocate

Office of Consumer Advocate
555 Walnut Street
5th Floor, Forum Place
Harrisburg, PA 17101-1923
Phone: 717-783-5048
Fax: 717-783-7152

Dated: November 6, 2026