



November 6, 2019

***Via Electronic Filing***

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street, 2<sup>nd</sup> Floor  
Harrisburg, PA 17120

**RE:       Petition of PPL Electric Utilities Corporation for Approval of Tariff  
          Modifications and Waivers of Regulations Necessary to Implement its  
          Distributed Energy Resources Management Plan  
          Docket No. P-2019-3010128**

**Proposed Litigation Schedule of Sunrun Inc.**

Secretary Chiavetta:

Enclosed please find the *Proposed Litigation Schedule of Sunrun Inc.* for filing in the above-referenced proceeding. Please contact me if you have any questions concerning this matter.

Sincerely,

*/s/ James M. Van Nostrand*

James M. Van Nostrand  
Keyes & Fox LLP

*Counsel to Sunrun Inc.*

cc: Hon. Mary D. Long, Administrative Law Judge

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Petition of PPL Electric Utilities Corporation :  
for Approval of Tariff Modifications and :  
Waivers of Regulations Necessary to : Docket No. P-2019-3010128  
Implement its Distributed Energy Resources :  
Management Plan :

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**PROPOSED LITIGATION SCHEDULE OF SUNRUN INC.**

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James M. Van Nostrand  
Pennsylvania Bar # 327054  
Keyes & Fox LLP  
275 Orchard Drive  
Pittsburgh, PA 15228  
Phone: (304) 777-6050  
E-mail: [jvannostrand@keyesfox.com](mailto:jvannostrand@keyesfox.com)

*Counsel to Sunrun Inc.*

DATED: November 6, 2019

**BEFORE THE  
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**PROPOSED LITIGATION SCHEDULE OF SUNRUN INC.**

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Pursuant to the September 25, 2019 Order by Administrative Law Judge Emily DeVoe, Sunrun Inc. (“Sunrun”) provides its proposed litigation schedule in the above referenced docket.

The Commission’s Opinion and Order of October 17, 2019 (“Order”) on the Petitions for Interlocutory Review submitted by Sunrun and the Natural Resources Defense Council found the “Petitions are improper as they are premature, and we will return the matter to the presiding ALJ for such further proceedings as may be deemed necessary for the creation of a full and complete record upon which the Commission may consider the matter, consistent with this Opinion and Order.” Order at 2. Specifically, the Order directs that “[b]ased on the lack of a fully developed record on whether the scope of this proceeding should be considered on a utility-by-utility basis or on a statewide basis,” the matter shall return “to the OALJ for the development of the record and determination of the scope of the proceeding in order to review PPL’s request for authority to require customers seeking interconnection under the AEPS Act to install inverter equipment which does not comply with the technical standards authorized by Commission regulations at 52 Pa. Code § 75.35.” Order at 12.

In accordance with Commission’s Order and Opinion, Sunrun proposes that the litigation schedule at this time be limited to the development of a record and a determination on the scope

of the proceeding. The following proposed litigation schedule will allow the parties to further develop the record on the question of an appropriate scope for the proceeding and for the OALJ to make a determination on this question as an initial Phase I determination. The proposed schedule allows the parties to issue discovery, submit initial and reply statements of position, and present oral argument on whether any or all of the issues should be addressed on a statewide basis or proceed pursuant to a standard administrative litigation process.

In the event that the OALJ’s Phase I determination sets one or more issues raised in PPL’s Petition for determination through a standard administrative litigation process, the issue or issues would be addressed in Phase II. Because the Order directs the development of a record and determination on the threshold question of the appropriate scope of the proceeding, Sunrun respectfully submits that a schedule for Phase II should be developed only if necessary and after further development of the record on the appropriate scope and a ruling on this threshold question.

In accordance with the foregoing, Sunrun proposes the following litigation schedule.

**Phase I: Scope of Proceeding**

<b>EVENT</b>	<b>DATE</b>
End of Discovery Period	November 27, 2019
Responses to Discovery	December 11, 2019
Statements of Position / Briefs	December 20, 2019
Reply Statements of Position / Briefs	January 8, 2020
Oral Argument	January 22, 2020
OALJ Ruling	February 12, 2020

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**Phase II: Merits**

To be determined if the Phase I Ruling sets one or more issue for determination through the standard administrative litigation process.

Respectfully Submitted this 6<sup>th</sup> day of November 2019.

*/s/ James M. Van Nostrand*

James M. Van Nostrand

Pennsylvania Bar # 327054

Keyes & Fox LLP

275 Orchard Drive

Pittsburgh, PA 15228

Phone: (304) 777-6050

E-mail: [jvannostrand@keyesfox.com](mailto:jvannostrand@keyesfox.com)

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Implement its Distributed Energy Resources :  
Management Plan :

**CERTIFICATE OF SERVICE**

I hereby certify that I have this day served a true copy of the following document, *Proposed Litigation Schedule of Sunrun Inc.*, upon parties of record in this proceeding in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant), in the manner and upon the persons listed below:

VIA E-MAIL

**Hon. Mary D. Long**  
Pennsylvania Pub. Util. Commission  
301 5<sup>th</sup> Avenue, Suite 220  
Pittsburgh, PA 15222  
[malong@pa.gov](mailto:malong@pa.gov)

*Hard-copy also provided.*

**Kimberly A. Klock, Esquire**  
PPL Services Corporation  
2 North Ninth Street  
Allentown, PA 18101  
[kklock@pplweb.com](mailto:kklock@pplweb.com)  
[mlbartolomei@pplweb.com](mailto:mlbartolomei@pplweb.com)

**Ed Merrick**  
Vice President, Regulatory Affairs  
Trinity Solar  
2211 Allenwood Road  
Wall, NJ 07719  
[ed.merrick@trinity-solar.com](mailto:ed.merrick@trinity-solar.com)

**Devin T. Ryan, Esquire**  
Post & Schell, P.C.  
17 North Second Street, 12<sup>th</sup> Floor  
Harrisburg, PA 17101-1601  
[dryan@postschell.com](mailto:dryan@postschell.com)  
[jlangan@postschell.com](mailto:jlangan@postschell.com)

For PPL Electric Utilities Corp.

**Phillip D. Demanchick, Esquire**  
**Darryl A. Lawrence, Esquire**  
Office of Consumer Advocate  
555 Walnut Street  
5<sup>th</sup> Floor, Forum Place  
Harrisburg, PA 17101  
[PDemanchick@paoca.org](mailto:PDemanchick@paoca.org)  
[DLawrence@paoca.org](mailto:DLawrence@paoca.org)

**Sharon Pillar**  
President  
SUNWPA  
1435 Bedford Ave., Suite 140  
Pittsburgh, PA 15143  
[pillarsharon@gmail.com](mailto:pillarsharon@gmail.com)

**Joseph Morinville**  
Energy Independent Solutions, LLC  
2121 Noblestown Road, Ste. 222  
Pittsburgh, PA 15205  
[joe@eissolar.com](mailto:joe@eissolar.com)

**Mark Bortman**  
Exact Solar  
1655 Fairfield Road  
Yardley, PA 19067  
[mark@exactsolar.com](mailto:mark@exactsolar.com)

**Mark Szybist**  
Natural Resources Defense Counsel  
1152 15<sup>th</sup> Street NW, Ste. 300  
Washington, DC 20005  
[mszybist@nrdc.org](mailto:mszybist@nrdc.org)

**Andrew J. Karas**  
Fair Shake Environmental Legal Services  
647 E Market Street  
Akron, OH 44304  
[akaras@fairshake-els.org](mailto:akaras@fairshake-els.org)

**Ron Celentano**  
Pennsylvania SEIA  
7821 Flourtown Ave.  
Wyndmoor, PA 19038  
[CelentanoR@aol.com](mailto:CelentanoR@aol.com)

**Sara Baldwin**  
IREC  
125 Wolf Road, Suite 207  
Albany, NY 12205  
[sarab@irecusa.org](mailto:sarab@irecusa.org)

**Kenneth L Mickens, Esquire**  
316 Yorkshire Drive  
Harrisburg, PA 17111-6933  
[kmickens11@verizon.net](mailto:kmickens11@verizon.net)

For Sustainable Energy Fund

VIA FIRST CLASS MAIL, POSTAGE PREPAID

**David B. MacGregor, Esquire**  
Post & Schell, P.C.  
17 North Second Street, 12<sup>th</sup> Floor  
Harrisburg, PA 17101-1601

For PPL Electric Utilities Corp.

**David T Evrard, Esquire**  
Office of Consumer Advocate  
555 Walnut Street  
5<sup>th</sup> Floor, Forum Place  
Harrisburg, PA 17101

**John Costlow**  
President  
Sustainable Energy Fund  
4110 Independence Drive, Suite 100  
Schnecksville, PA 18078

**Richard A. Kanaskie, Esquire**  
Bureau of Investigation and Enforcement  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street  
Harrisburg, PA 17105-3265

**Ric O'Connell**  
GridLab  
20120 University Ave.  
Berkeley, CA 94704

**Michael Shafer**  
Assistant General Counsel  
PPL Electric Utilities Corporation  
2 North Ninth Street  
Allentown, PA 18101

**Emily Collins**

Fair Shake Environmental Legal Services  
647 E Market Street  
Akron, OH 44304

Dated this 6<sup>th</sup> day of November 2019.

*/s/ Vanessa Luthringer*

Keyes & Fox LLP

1155 Kildaire Farm Rd., Suite 202-203

Cary, NC 27511

[vluthringer@keyesfox.com](mailto:vluthringer@keyesfox.com)