



Judith D. Cassel  
(717) 703-0804  
[jdcassel@hmslegal.com](mailto:jdcassel@hmslegal.com)

Micah R. Bucy  
(717) 703-0811  
[mrbcucy@hmslegal.com](mailto:mrbcucy@hmslegal.com)

Aaron D. Rosengarten  
(717) 703-0808  
[adrosengarten@hmslegal.com](mailto:adrosengarten@hmslegal.com)

---

100 North Tenth Street, Harrisburg, PA 17101 Phone: 717.236.1300 Fax: 717.236.4841 [www.hmslegal.com](http://www.hmslegal.com)

May 12, 2023

**VIA ELECTRONIC FILING**

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street, Filing Room  
Harrisburg, PA 17120

Re: Petition of PPL Electric Utilities Corporation for Approval of Changes to its Act 129 Phase IV Energy Efficiency and Conservation Plan; Docket No. M-2020-3020824; **PREHEARING CONFERENCE MEMORANDUM OF THE SUSTAINABLE ENERGY FUND OF CENTRAL EASTERN PENNSYLVANIA**

Dear Secretary Chiavetta:

Enclosed for filing with the Pennsylvania Public Utility Commission is the Prehearing Conference Memorandum of The Sustainable Energy Fund of Central Eastern Pennsylvania.

Thank you for your attention to this matter. If you have any questions, please contact me.

Sincerely,

*/s/ Judith D. Cassel*

Judith D. Cassel  
Micah R. Bucy  
Aaron D. Rosengarten  
*Counsel for The Sustainable Energy Fund of Central Eastern Pennsylvania*

JDC/das

Enclosure

cc: Deputy Chief Administrative Law Judge Mark A. Hoyer ([mhoyer@pa.gov](mailto:mhoyer@pa.gov))  
Administrative Law Judge Emily I. DeVoe ([edevoe@pa.gov](mailto:edevoe@pa.gov))  
Nick Miskanic ([nmiskanic@pa.gov](mailto:nmiskanic@pa.gov))  
Per Certificate of Service

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Petition of PPL Electric Utilities :  
Corporation for Approval of Changes to its :  
Act 129 Phase IV Energy Efficiency and : Docket No. M-2020-3020824  
Conservation Plan :

---

**THE SUSTAINABLE ENERGY FUND OF  
CENTRAL EASTERN PENNSYLVANIA'S  
PREHEARING CONFERENCE MEMORANDUM**

---

**TO: THE HONORABLE MARK A. HOYER AND HONORABLE EMILY I. DEVOE:**

Pursuant to the Pennsylvania Public Utility Commission's ("PUC" or the "Commission") Telephonic Prehearing Conference Notice, the Commission's regulations at 52 Pa. Code § 5.222(d)(1), and the April 24, 2023 Prehearing Conference Order, The Sustainable Energy Fund of Central Eastern Pennsylvania ("SEF"), by and through its counsel in this matter, hereby submit this Prehearing Conference Memorandum in the above-captioned proceeding for the telephonic prehearing conference scheduled for May 15, 2023.

**A. STATEMENT OF SEF'S POSITION**

SEF supports PPL's amendments as to Nos. 5, 7, and 8 of its Petition. SEF anticipates monitoring the proceeding to ensure that PPL's proposed amendments are approved and any further amendments to Nos. 5, 7, and 8 of PPL's Petition do not negatively impact SEF's position.

**B. PROCEDURAL HISTORY**

The PPL Electric Utilities Corporation filed a Petition for Approval of Changes to its Act 129 Phase IV Energy Efficiency and Conservation (EE&C) Plan (Petition) on December 30, 2022, requesting eleven modifications to its Phase IV Plan. On January 19, 2023, the Office of Small Business Advocate (OSBA) and Coalition for Affordable Utility Services and Energy Efficiency

in Pennsylvania (CAUSE-PA) filed Answers to the Petition. On April 20, 2023, the Honorable Vice Chairman, Stephen DeFrank filed a motion to approve Nos. 4, 6, and 9-11 of the proposed changes in the Petition and moved to refer Nos. 5, 7, and 8 to the Office of Administrative Law Judge for scheduling a hearing before an Administrative Law Judge. A Prehearing Conference was scheduled for May 15, 2023.

**C. SERVICE**

For purposes of service in the above-captioned proceeding, please direct all communications to SEF to the following counsel:

Judith D. Cassel, Esquire  
Micah R. Bucy, Esquire  
Aaron D. Rosengarten, Esquire  
Hawke McKeon & Sniscak LLP  
100 North Tenth Street  
Harrisburg, PA 17101  
jdcassel@hmslegal.com  
mrbucy@hmslegal.com  
adrosengarten@hmslegal.com

**D. ISSUES**

1. The issues to be addressed in the administrative hearing are as follows:
  - a. Shift approximately \$18M from the Large C&I budget to the Small C&I budget;
  - b. Increase the estimated savings and estimated peak demand reductions for the small C&I program; and,
  - c. decrease the estimated savings and estimated peak demand reductions for the large C&I program.

**E. DISCOVERY** – SEF does not anticipate needing discovery.

**F. WITNESSES**

a. John Costlow (if needed)

**G. SCHEDULE FOR SUBMISSION OF TESTIMONY, HEARINGS AND BRIEFS**

The parties are continuing to discuss and attempt to reach agreement on a litigation schedule. SEF is willing to engage in informal discovery and settlement negotiations prior to the filing of other parties direct testimony with a procedural schedule as follows:

Prehearing Conference	May 15, 2023
Informal Discovery and Settlement Negotiations	May 15, 2023 thru May 30, 2023
Potential Submission of Settlement Petition	May 30, 2023
If no settlement reached, proceed with litigation:	
Other Parties Direct Testimony	June 5, 2023
Rebuttal Testimony	June 15, 2023
Surrebuttal Testimony	June 25, 2023
Oral Rejoinder/Evidentiary Hearings	June 30, 2023
Main Briefs	July 15, 2023
Reply Briefs/Settlement Petition	July 22, 2023
Recommended Decision	
Exceptions	
Reply Exceptions	
Public Meeting	

**H. PROTECTIVE ORDER - None**

**I. SETTLEMENT**

SEF is open, available and amenable to settlement discussions with the parties in accordance with 52 Pa. Code § 5.231(a).

WHEREFORE, The Sustainable Energy Fund of Central Eastern Pennsylvania respectfully submits this Prehearing Conference Memorandum.

Respectfully submitted,

/s/ Judith D. Cassel

Judith D. Cassel, Attorney ID #209393

Micah R. Bucy, Attorney ID #320196

Aaron D. Rosengarten, Attorney ID #329506

Hawke McKeon & Sniscak LLP

100 North Tenth Street

Harrisburg, PA 17101

717-236-1300

[jdcassel@hmslegal.com](mailto:jdcassel@hmslegal.com)

[mrbcucy@hmslegal.com](mailto:mrbcucy@hmslegal.com)

[adrosengarten@hmslegal.com](mailto:adrosengarten@hmslegal.com)

*Counsel for Sustainable Energy Fund of Central  
Eastern Pennsylvania*

Dated: May 12, 2023

**CERTIFICATE OF SERVICE**

I hereby certify that I have this day served a true copy of the foregoing document upon the parties, listed below, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a party).

**VIA ELECTRONIC MAIL ONLY**

Devin T Ryan Esquire  
Post & Schell PC  
17 North Second Street 12 Floor  
Harrisburg PA 17101  
[dryan@postschell.com](mailto:dryan@postschell.com)  
*Represents FirstEnergy*

David B Macgregor Esquire  
Post & Schell PC  
Four Penn Center  
1600 John F Kennedy Boulevard  
Philadelphia PA 19103-2808  
[dmacgregor@postschell.com](mailto:dmacgregor@postschell.com)  
*Represents FirstEnergy*

Kimberly A. Klock  
Michael J. Shafer  
PPL Services Corporation  
2 North Ninth Street  
Allentown, PA 18101  
[kklock@pplweb.com](mailto:kklock@pplweb.com)  
[mjshafer@pplweb.com](mailto:mjshafer@pplweb.com)

Steven C. Gray  
Office of Small Business Advocate  
1st Floor, Forum Place  
555 Walnut Street,  
Harrisburg, PA 17101  
[sgray@pa.gov](mailto:sgray@pa.gov)

John Sweet  
Elizabeth R. Marx  
Ria Pereira  
Pennsylvania Utility Law Project  
118 Locust Street  
Harrisburg, PA 17101  
[jsweet@pautilitylawproject.org](mailto:jsweet@pautilitylawproject.org)  
[emarx@pautilitylawproject.org](mailto:emarx@pautilitylawproject.org)  
[rpereira@pautilitylawproject.org](mailto:rpereira@pautilitylawproject.org)

Aron J Beatty Esquire  
Christy Appleby Esquire  
Office of Consumer Advocate  
555 Walnut Street 5th Floor  
Forum Place  
Harrisburg PA 17101  
[abeatty@paoca.org](mailto:abeatty@paoca.org)  
[cappleby@paoca.org](mailto:cappleby@paoca.org)

Mark C Szybist Esquire  
1152 15<sup>TH</sup> St NW Suite 300  
Washington DC 20005  
[mszybist@nrdc.org](mailto:mszybist@nrdc.org)

Joseph L. Vullo  
Burke Vullo Reilly Roberts  
1460 Wyoming Avenue  
Forty Fort, PA 18704  
[jlvullo@bvrrlaw.com](mailto:jlvullo@bvrrlaw.com)

James M Van Nostrand Esquire  
Keyes & Fox LLP  
320 Fort Duquesne Blvd Suite 15K  
Pittsburgh PA 15222  
[jvannostrand@keyesfox.com](mailto:jvannostrand@keyesfox.com)

Adeolu A Bakare Esquire  
Jo-Anne Thompson Esquire  
Mcnees Wallace & Nurick LLC  
100 Pine Street  
PO Box 1166  
Harrisburg PA 17108-1166  
[abakare@mcneeslaw.com](mailto:abakare@mcneeslaw.com)  
[jthompson@mcneeslaw.com](mailto:jthompson@mcneeslaw.com)

/s/ Judith D. Cassel  
Judith D. Cassel  
Micah R. Bucy  
Aaron D. Rosengarten

Dated this 12<sup>th</sup> of May, 2023