



GOVERNOR'S OFFICE OF GENERAL COUNSEL

October 15, 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 to Intervene of Governor Josh Shapiro

Dear Secretary Homsher:

Enclosed for filing with the Pennsylvania Public Utility Commission is the Petition to Intervene of Governor Josh Shapiro in the above-captioned proceeding. Copies of this Petition have been served as indicated on the attached Certificate of Service.

Thank you for your attention to this matter. If you have any questions related to this filing, please do not hesitate to contact my office.

Very truly yours,

/s/ Mark Szybist

Mark Szybist

Special Counsel for Energy Affordability

MS/JP
Enclosure
cc:

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

Melanie Joy El Atieh, Esq.
Jacob D. Guthrie, Esq.
Katherine "Katie" Kennedy, Esq.
Ryan Morden, Esq.
Crystal M. Zook, Esq.
Office of Consumer Advocate
555 Walnut Street
5th Floor, Forum Place
Harrisburg, PA 17101-1923
MElAtieh@paoca.org
JGuthrie@paoca.org
KKennedy@paoca.org
RMorden@paoca.org
CZook@paoca.org
OCAPPL1309@paoca.org

Allison Kaster, Esq.
PA Public Utility Commission
Bureau of Investigation & Enforcement
400 North Street, 2nd Floor
West Harrisburg, PA 17105-3265
akaster@pa.gov

NazAarah Sabree, Esq.
Small Business Advocate
Office of Small Business Advocate
555 Walnut Street, 1st Floor
Harrisburg, PA 17101
Ra-sba@pa.gov
Ria Pereira, Esq.
Pennsylvania Utility Law Project

Devin T. Ryan, Esq.
Post & Schell, P.C.
One Oxford Centre
301 Grant Street, Suite 3010
Pittsburgh, PA 15219
dryan@postschell.com

Kimberly A. Klock, Esq.
Michael J. Shafer, Esq.
PPL Services Corporation
645 Hamilton Street, Suite 700
Allentown, PA 18101
kklock@pplweb.com
mjshafer@pplweb.com

David B. MacGregor, Esq.
Post & Schell, P.C.
17 North Second Street, 12th Floor
Harrisburg, PA 17101-1601
dmacgregor@postschell.com

Counsel for CAUSE-PA
118 Locust Street
Harrisburg, PA 17101
pulp@pautilitylawproject.org

DATED: October 15, 2026

/s/ Mark Szybist
Mark Szybist, Esq.

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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

**PETITION TO INTERVENE
OF GOVERNOR JOSH SHAPIRO**

Before the Pennsylvania Public Utility Commission (“Commission”), Josh Shapiro, in his official capacity as Governor of Pennsylvania, by and through counsel, files this Petition to Intervene in the above-captioned case pursuant to 52 Pa. Code §§ 5.71-5.74. In support of this petition, Governor Shapiro states and avers as follows:

1. Petitioner is Josh Shapiro, in his official capacity as Governor of Pennsylvania (“Governor Shapiro” or “Administration”). Governor Shapiro’s official mailing address is 301 North Third Street, Suite 200, Harrisburg, PA 17101.

2. Petitioner is represented in this matter by the following counsel:

Mark Szybist, Esq.
Special Counsel for Energy Affordability
PA Attorney I.D. # 94112
Phone: 717-237-8484
mszybist@pa.gov

Jordyn Pace, Esq.
Assistant Counsel
PA Attorney I.D. # 336280
Phone: 717-787-4461
jorpace@pa.gov

3. This case commenced on October 2, 2026 with the filing of a complaint by the Pennsylvania Consumer Advocate (“OCA”) under section 1309 of the Public Utility Code, 66 Pa.C.S.A. § 1309. OCA’s complaint alleges, among other things, that the current tariff rates and service of respondent PPL Electric Utilities Corporation (“PPL”), a Pennsylvania public utility and electric distribution company, are unjust, unreasonable, and unduly preferential or discriminatory because they unjustly cause existing customers to pay costs caused by large computational load entities—i.e., large data centers—and expose customers to the risk of service interruptions that may result from data centers’ demand for electricity outstripping electricity supply.

4. OCA requests, among other relief, that the Commission direct PPL to establish new rate and service classifications for large data centers; adopt tariff provisions that ensure data centers will pay for all of the transmission network upgrade costs that they cause, as well as costs associated with the PJM Interconnection’s Reliability Backstop Procurement (“RBP”) and Interim Resource Adequacy Service (“IRAS”);¹ require that large data centers be on interruptible rates; and adopt interconnection and load-shedding tariff provisions that protect existing customers from reliability risks caused by the integration of large data centers into PPL’s electric system.²

5. Governor Shapiro seeks to intervene in this matter to protect and advance the interests of PPL customers—including Commonwealth executive agencies that are PPL customers

¹ On September 29, 2026 the Federal Energy Regulatory Commission (“FERC”) issued an order accepting PJM’s RBP proposal but suspending its implementation until February 28, 2027. *See* Docket Nos. ER26-3380-000, EL26-108-000, Order Accepting Reliability Backstop Procurement and Establishing Further Procedures, (September 29, 2026). On October 9, 2026 FERC issued an order rejecting PJM’s IRAS proposal, expressing concerns that certain aspects of the proposal may be unjust and unreasonable and providing guidance on how PJM could address those concerns, should it refile a revised IRAS proposal. *See* Docket No. ER26-3515-000, Order Accepting Tariff Revisions in Part and Rejecting Tariff Revisions in Part (October 9, 2026).

² PPL recently adopted a new rate schedule that applies to new large data centers, as well as other new large loads (LP-6, Large Load Connections) pursuant to the settlement of the company’s most recent base rate case. *See* Complaint at ¶¶ 18, 121. However, OCA avers, and the Administration agrees, that LP-6 does not adequately protect existing customers from the known and foreseeable costs and reliability impacts of new large data centers in PPL’s service territory. *See id.* at ¶ 122.

and large consumers of electricity—by ensuring that PPL adopts tariff provisions that comport with the Governor’s Responsible Infrastructure Development (“GRID”) framework and Executive Order No. 2026-05, “Protecting Pennsylvanians from Data Center Impacts” (“EO 26-05”), signed on August 18, 2026.

6. Governor Shapiro’s eligibility to intervene in Commission proceedings is governed by 52 Pa. Code § 5.72(b), which provides that the Commonwealth, or an officer or agency of the Commonwealth may intervene as of right in a Commission proceeding, subject to the conditions set forth in § 5.72(a)(1)-(3).

7. 52 Pa. Code § 5.72(a) states that “[a] petition to intervene may be filed by a person claiming a right to intervene or an interest of such nature that intervention is necessary or appropriate to the administration of the statute under which the proceeding is brought.” The regulation further identifies, at § 5.72(a)(1)-(3), three types of rights or interest that a person may demonstrate to qualify for intervention:

- a. A right conferred by statute of the United States or of the Commonwealth (52 Pa. Code § 5.72(a)(1));
- b. A right or interest “which may be directly affected and which is not adequately represented by existing participants, and as to which the petitioner may be bound by the action of the Commission in the proceeding” (52 Pa. Code § 5.72(a)(2)); and
- c. “Another interest of such nature that participation of the petitioner may be in the public interest” (52 Pa. Code § 5.72(a)(3)).

8. The Commission grants intervention under 52 Pa. Code § 5.72(a)(2) where the petitioner shows a direct, concrete stake that existing parties do not adequately represent. In *Petition of Peoples Nat. Gas Co. LLC for Approval of Its Energy Efficiency & Conservation Plan*,

Docket No. M-2017-2640306, 2018 WL 3093613, at *12–13 (June 14, 2018), the Commission allowed Duquesne Light Company (“DLC”) to intervene in Peoples Natural Gas Company (“Peoples”) energy efficiency and conservation plan proceeding. DLC was a Peoples customer and sought to participate to develop the record and challenge costs that Peoples proposed to recover from customers. The Commission found that DLC was eligible to intervene under section 5.72(a)(2) because DLC had an interest in the reasonableness of recoverable costs, that interest was not adequately represented by existing parties, and DLC would be bound by the Commission’s decision. *Id.*

9. The Commission has discretion to grant intervention under section 5.72(a)(3) where the petitioner shows that its participation in the proceeding may serve the public interest, even absent a direct legal right or a showing that the petitioner would be bound by the proceeding. *In Petition of Peoples Gas*, the Commission found DLC’s intervention appropriate because the company raised safety and electric distribution cost issues that implicated the public interest. 2018 WL 3093613, at *12–13. On the other hand, merely claiming public interest status is not enough to meet the burden under § 5.72(a)(3). In *Nat’l Ass’n for Advancement of Colored People, Inc. v. Pennsylvania Pub. Util. Comm’n*, 5 Pa. Cmwlth. 312, 315, 290 A.2d 704, 706 (1972), the Commonwealth Court held that the Commission did not abuse its discretion in denying intervention to a private association seeking to intervene in a rate case where the association argued that its intervention would serve the public interest ground because it was a public interest body but failed to provide a specific purpose for intervening. *Id.* at 328.

10. Intervention by Governor Shapiro in this matter is in the public interest and therefore authorized under section 5.72(a)(3) because as the head of Commonwealth agencies that execute the law and establish policies concerning (among other things) environmental protection,

economic development, and the collection of revenue, Governor Shapiro has a unique perspective on data center issues and a unique interest in understanding all potential impacts of data center projects in Pennsylvania.

11. Governor Shapiro has, to date, taken important policy actions in response to data center issues in the Commonwealth, including development of the GRID framework, which establishes standards that data centers must meet to receive support from the Commonwealth,³ and the signing of EO 26-05, which formalizes the GRID framework and provides specific directives to executive agencies and the Governor’s Special Counsel for Energy Affordability for GRID implementation.⁴

12. By virtue of his unique interest and perspective, Governor Shapiro is uniquely positioned to inform the records in this matter, and his intervention is a necessary and appropriate means for advancing the two main goals set forth in Section 3 of EO 26-05, “Protecting Pennsylvania Consumers,” namely, limiting reliability impacts on the electric system caused by data centers and preventing electric system costs caused by data centers from being imposed on existing customers.

13. The Administration also has an interest that qualifies for intervention under 52 Pa. Code § 5.72(a)(2) because Commonwealth agencies are customers of PPL, and the Executive Branch’s interest as a large consumer of PPL distribution and transmission services is not represented by any other party.⁵

³ The GRID standards are: (1) protecting energy affordability, (2) promoting transparency and community engagement, (3) supporting workforce and economic development, and (4) strengthening environmental protection. The standards were issued on May 27, 2026 and are available at <https://www.pa.gov/governor/newsroom/2026-press-releases/gov-shapiro-releases-full-grid-standards-to-protect-pennsylvania>.

⁴ Available at <https://www.pa.gov/content/dam/copapwp-pagov/en/oa/documents/policies/eo/2026-05.pdf>.

⁵ Commonwealth executive agencies receive electric service from PPL under several commercial and industrial and residential rate schedules, including LP-4, LP-5, GS-3, GS-1, GH-2, OP-3, RS, SA, SE, SHS, SLE, and SM.

14. The Administration's interest is directly affected by this proceeding because the disposition of OCA's claims will determine the extent to which costs and reliability impacts caused by large data centers are borne by those customers and the extent to which they are borne by existing PPL customers, including the Administration.⁶

15. Based on a preliminary review of OCA's complaint, the Administration believes that OCA's claims and requested relief are consistent with 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 continues to develop its positions concerning the issues in this matter.

16. This petition is timely filed within the time permitted by 52 Pa. Code § 5.74, and Governor Shapiro's intervention will not delay or cause prejudice to any current party in this proceeding. Governor Shapiro will take the proceeding as it stands and accept the schedule and proposed rules as set forth by the Commission or an administrative law judge appointed by the Commission to administer this case.

WHEREFORE, Governor Shapiro requests that the Commission grant this Petition and provide Governor Shapiro with full party status in this proceeding.

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⁶ The Commonwealth Court has held that the Commonwealth may protect its rights as a consumer of public utility services by filing a complaint concerning rates pursuant to public utility law, and as a party may appeal a decision of the Commission to the Commonwealth Court. *Pennsylvania Pub. Util. Comm'n v. Com.*, 23 Pa. Cmwlt. 566, 572, 353 A.2d 887, 890 (1976); 66 P.S. §§ 1431, 1434. The Commonwealth Court found that as a substantial consumer of electric service, the Commonwealth has an interest in participating in public utility rate cases. *Id.* The Administration's interest in the instant matter is analogous.

Respectfully submitted:

Jennifer C. Selber
General Counsel

/s/ Mark Szybist

Mark Szybist, Esq.
PA Attorney I.D. # 94112
Phone: 570-447-4019
mszybist@pa.gov

/s/ Jordyn Pace

Jordyn Pace, Esq.
PA Attorney I.D. # 336280
Phone: 717-787-4461
jorpace@pa.gov

Counsel for Governor Josh Shapiro

VERIFICATION

I, MARK SZYBIST, hereby state that the facts above set forth are true and correct (or are true and correct to the best of my knowledge, information, and belief) and that I expect to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 (relating to unsworn falsification to authorities).

DATED: October 15, 2026

/s/ Mark Szybist

Mark Szybist
Special Counsel for Energy Affordability