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File #: 150995

November 13, 2013

VIA ELECTRONIC FILING

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor North
P.O. Box 3265
Harrisburg, PA 17105-3265

Re: Application of PPL Electric Utilities Corporation filed Pursuant to 52 Pa. Code Chapter 57, Subchapter G, for Approval of the Siting and Construction of Transmission Lines Associated with the Northeast-Pocono Reliability Project in Portions of Luzerne, Lackawanna, Monroe, and Wayne Counties, Pennsylvania Docket Nos. A-2012-2340872, et al.

Dear Secretary Chiavetta:

Enclosed for filing is the Petition for Leave to Withdraw the Application of PPL Electric Utilities Corporation to Exercise the Power of Eminent Domain to Acquire an Easement and Right-of-Way Across the Property of Duke Realty 400 First Ave Gouldsboro LLC, in the above-referenced proceeding. Copies will be provided as indicated on the Certificate of Service.

Respectfully submitted,

Christopher T. Wright

CTW/jl
Enclosures

cc: Honorable David A. Salapa
Certificate of Service

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been served upon the following persons, in the manner indicated, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

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Blueberry Mountain Realty LLC
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Lillian Lupas
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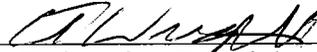
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Wilkes Barre, PA 18702

Date: November 13, 2013


Christopher T. Wright

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application of PPL Electric Utilities : Docket No. A-2012-2340872
Corporation filed Pursuant to 52 Pa. Code :
Chapter 57, Subchapter G, for Approval of the :
Siting and Construction of Transmission Lines :
Associated with the Northeast-Pocono :
Reliability Project in Portions of Luzerne, :
Lackawanna, Monroe, and Wayne Counties, :
Pennsylvania :

Petition of PPL Electric Utilities Corporation : Docket No. P-2012-2340871
for a Finding that a Building to Shelter Control :
Equipment at the North Pocono 230-69 kV :
Substation in Covington Township, :
Lackawanna County, Pennsylvania is :
Reasonably Necessary for the Convenience or :
Welfare of the Public :

Petition of PPL Electric Utilities Corporation : Docket No. P-2012-2341105
for a Finding that a Building to Shelter Control :
Equipment at the West Pocono 230-69 kV :
Substation in Buck Township, Luzerne :
County, Pennsylvania is Reasonably Necessary :
for the Convenience or Welfare of the Public :

Application Of PPL Electric Utilities :
Corporation Under 15 Pa.C.S. §1511(c) For A :
Finding And Determination That The Service :
To Be Furnished By The Applicant Through :
Its Proposed Exercise Of The Power Of :
Eminent Domain To Acquire Right-of-Way :
And Easement Over A Certain Portion Of The :
Lands Of The Following For Siting And :
Construction Of Transmission Lines :
Associated With The Proposed Northeast- :
Pocono Reliability Project Is Necessary Or :
Proper For The Service, Accommodation, :
Convenience Or Safety Of The Public: :
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Margaret G. Arthur and Barbara A. Saurman, Trustees of the Residuary Trust of James C. Arthur	:	Docket No. A-2012-2341115
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Clifton Acres, Inc.	:	Docket No. A-2013-2341236
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Sylvester J. Coccia	:	Docket No. A-2013-2341267
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Dietrich Hunting Club	:	Docket No. A-2013-2341237
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Lawrence Duda	:	Docket No. A-2013-2341271
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Fr E2 Property Holding LP	:	Docket No. A-2013-2341263
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FR First Avenue Property Holding, LP	:	Docket No. A-2012-2341123
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Donald W. Henderson and Louis V. Bellucci	:	Docket No. A-2013-2341262
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Bradley D. Hummel	:	Docket No. A-2013-2341220
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International Consolidated Investment Company	:	Docket No. A-2013-2341216
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John F. and Veronica B. Iskra	:	Docket No. A-2013-2341233
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Donald Januszewski	:	Docket No. A-2013-2341215
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John C. Justice and Linda S. Justice	:	Docket No. A-2012-2341107
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Anthony J. Lupas, Jr. and Lillian Lupas, John Lupas and Judy Lupas, Grace Lupas, Eugene A. Bartoli and Robert J. Frankelli	:	Docket No. A-2012-2341118
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Michael A. Mitch and Sue K. Mitch	:	Docket No. A-2013-2341234
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NLMS, Inc.	:	Docket No. A-2013-2341239
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Michael Palermo and Joanne Palermo	:	Docket No. A-2013-2341221
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Peter Palermo and Francine Palermo	:	Docket No. A-2013-2341211
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William Petrouleas and Joanna Petrouleas	:	Docket No. A-2013-2341209
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Edward R. Schultz	:	Docket No. A-2013-2341253
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Roberta Searfoss a/k/a Judy Searfoss, Executrix of the Estate of Euylla Hughes a/k/a Eylla Hughes	:	Docket No. A-2013-2341232
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Ronald G. Sidovar and Gloria J. Sidovar	:	Docket No. A-2012-2341120
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Ronald Solt	:	Docket No. A-2013-2341249
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Transcontinental Gas Pipe Line Corporation	:	Docket No. A-2013-2341208
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Duke Realty 400 First Avenue Gouldsboro Holding, LLC	:	Docket No. A-2013-2341241
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Grumble Knot LLC,	:	Docket No. A-2013-2344612
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Pennsylvania Glacial Till LLC, and	:	Docket No. A-2013-2344616
	:	
Blueberry Mountain Realty LLC.	:	Docket No. A-2013-2344605

Joe & Vanessa Caparo	:	Docket No. C-2011-2276731
v.	:	
PPL Electric Utilities Corporation	:	

**PETITION FOR LEAVE TO WITHDRAW THE
APPLICATION OF PPL ELECTRIC UTILITIES CORPORATION
TO EXERCISE THE POWER OF EMINENT DOMAIN TO ACQUIRE AN
EASEMENT AND RIGHT-OF WAY ACROSS THE PROPERTY OF
DUKE REALTY 400 FIRST AVE GOULDSBORO LLC**

TO THE PENNSYLVANIA PUBLIC UTILITY COMMISSION:

PPL Electric Utilities Corporation (“PPL Electric”) hereby petitions for leave to withdraw and terminate the Application of PPL Electric Utilities Corporation to Exercise the Power of Eminent Domain to Acquire an Easement and Right-of-Way Across the Property of Duke Realty 400 First Ave Gouldsboro LLC (“Duke Realty”), pursuant to 52 Pa. Code § 5.94(a).

In support thereof, PPL Electric states:

1. PPL Electric is a public utility and electric distribution company subject to the regulatory jurisdiction of the Pennsylvania Public Commission (“Commission”). PPL Electric furnishes electric distribution, transmission, and supplier of last resort services to approximately 1.4 million customers in a service area that includes approximately 10,000 square miles covering all or portions of twenty-nine counties in eastern and central Pennsylvania. PPL Electric’s principal offices are located at Two North Ninth Street, Allentown, PA 18101-1179.

2. On December 28, 2012, PPL Electric filed the “Application of PPL Electric Utilities Corporation filed Pursuant to 52 Pa. Code Chapter 57, Subchapter G, for Approval of the Siting and Construction of Transmission Lines Associated with the Northeast-Pocono Reliability Project in Portions of Luzerne, Lackawanna, Monroe, and Wayne Counties, Pennsylvania” (“Siting Application”), which was docketed at Docket No. A-2012-2340872.

3. On December 28, 2013, PPL Electric filed the “Application Of PPL Electric Utilities Corporation Under 15 Pa.C.S. §1511(c) For A Finding And Determination That The Service To Be Furnished By The Applicant Through Its Proposed Exercise Of The Power Of Eminent Domain To Acquire Right-of-Way And Easement Over A Certain Portion Of The Lands Of US Industrial Reit II In Covington Township, Lackawanna County, Pennsylvania For Siting And Construction Of Transmission Lines Associated With The Proposed Northeast-Pocono Reliability Project Is Necessary Or Proper For The Service, Accommodation, Convenience Or Safety Of The Public,” which was docketed at Docket No. A-2013-2341241 (“Duke Realty Application”).¹ The parcel that is the subject of the Duke Realty Application is Parcel No. 63, as set forth in the Siting Application, Attachment 4 Figures, Map Extent 4.

¹ On June 28, 2013, Duke Realty filed a motion to substitute as a party for US Industrial REIT II (“US REIT”). Duke Realty’s motion stated that it purchased the property that is the subject of the application at Docket No. A-2013-2341241, and that Duke Realty adopts the pleadings filed in this proceeding. Duke Realty’s motion was unopposed and granted by Prehearing Order No. 11, issued on July 9, 2013. Pursuant to Prehearing Order No. 11,

4. On January 8, 2013, the Honorable Administrative Law Judge David A. Salapa issued a Prehearing Order No. 1 that, *inter alia*, advised parties that they must file a protest or a petition to intervene by February 27, 2013, in order to participate in this matter.

5. On January 25, 2013, PPL Electric filed a motion to consolidate the Duke Realty Application with the above-captioned matters.

6. On January 29, 2013, Administrative Law Judge David A. Salapa issued Prehearing Order No. 2 that, *inter alia*, consolidated the Duke Realty Application with the above-captioned matters.

7. On February 27, 2013, Duke Realty's predecessor in interest, US REIT, filed a Petition to Intervene, which was granted by Prehearing Order No. 3.

8. By Recommended Decision dated October 8, 2013, Administrative Law Judge David A. Salapa recommended, *inter alia*, that the Commission grant the Duke Realty Application. As of the date of this petition, no final order regarding the Duke Realty Application has been entered.

9. On October 23, 2013, PPL Electric and Duke Realty executed an agreement by which Duke Realty conveyed a public utility easement and right-of-way across Parcel No. 63 to PPL Electric.

10. The above-mentioned agreement and conveyance renders the Duke Realty Application unnecessary.

11. Therefore, pursuant to Section 5.94(a) of the Commission's regulations, 52 Pa. Code § 5.94(a), PPL Electric seeks to withdraw and terminate the Duke Realty Application in its entirety.

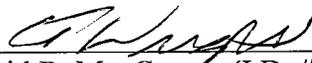
Duke Realty was substituted as a party for US REIT, and Duke Realty was substituted for US REIT in the caption, and Duke Realty was substituted for US REIT on the service list.

12. Counsel for PPL Electric has contacted Duke Realty and is authorized to represent that Duke Realty has no objection to the withdrawal and termination of the Duke Realty Application in its entirety, and that Duke Realty waives the twenty-day objection period.

WHEREFORE, PPL Electric Utilities Corporation respectfully requests that Pennsylvania Public Utility Commission permit PPL Electric to withdraw the Duke Realty Application and terminate the proceeding docketed at Docket A-2013-2341241.

Respectfully submitted,

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Dated: November 13, 2013

Attorneys for PPL Electric Utilities Corporation

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application of PPL Electric Utilities : Docket No. A-2012-2340872
Corporation filed Pursuant to 52 Pa. Code :
Chapter 57, Subchapter G, for Approval of the :
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Associated with the Northeast-Pocono :
Reliability Project in Portions of Luzerne, :
Lackawanna, Monroe, and Wayne Counties, :
Pennsylvania :

Petition of PPL Electric Utilities Corporation : Docket No. P-2012-2340871
for a Finding that a Building to Shelter Control :
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Substation in Covington Township, :
Lackawanna County, Pennsylvania is :
Reasonably Necessary for the Convenience or :
Welfare of the Public :

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Application Of PPL Electric Utilities :
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Lawrence Duda	:	Docket No. A-2013-2341271
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Fr E2 Property Holding LP	:	Docket No. A-2013-2341263
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FR First Avenue Property Holding, LP	:	Docket No. A-2012-2341123
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Donald W. Henderson and Louis V. Bellucci	:	Docket No. A-2013-2341262
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Bradley D. Hummel	:	Docket No. A-2013-2341220
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International Consolidated Investment Company	:	Docket No. A-2013-2341216
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John C. Justice and Linda S. Justice	:	Docket No. A-2012-2341107
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Anthony J. Lupas, Jr. and Lillian Lupas, John Lupas and Judy Lupas, Grace Lupas, Eugene A. Bartoli and Robert J. Frankelli	:	Docket No. A-2012-2341118
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William Petrouleas and Joanna Petrouleas	:	Docket No. A-2013-2341209
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Roberta Searfoss a/k/a Judy Searfoss, Executrix of the Estate of Euylla Hughes a/k/a Eylla Hughes	:	Docket No. A-2013-2341232
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Grumble Knot LLC,	:	Docket No. A-2013-2344612
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Pennsylvania Glacial Till LLC, and	:	Docket No. A-2013-2344616
	:	
Blueberry Mountain Realty LLC.	:	Docket No. A-2013-2344605

Joe & Vanessa Caparo	:	Docket No. C-2011-2276731
v.	:	
PPL Electric Utilities Corporation	:	

PROPOSED ORDER

On October 23, 2013, PPL Electric Utilities Corporation (“PPL Electric”) filed a Petition to Withdraw the Eminent Domain Application at Docket No. A-2013-2341241 regarding the property owned by Duke Realty 400 First Ave Gouldsboro LLC (“Duke Realty Application”). The Petition stated that Duke Realty 400 First Ave Gouldsboro LLC conveyed a public utility easement and right-of-way across the subject property to PPL Electric, and that the Eminent Domain Application was no longer necessary.

The Commission’s Rules of Practice and Procedure permit the withdrawal of a pleading in a contested matter, after considering any objections. 52 Pa. Code § 5.94(a). In its Petition,

PPL Electric stated that it was authorized by Duke Realty 400 First Ave Gouldsboro LLC to represent that Duke Realty 400 First Ave Gouldsboro LLC had no objection to the withdrawal and termination of the Eminent Domain Application, and that Duke Realty 400 First Ave Gouldsboro LLC waives the objection period under 52 Pa. Code § 5.94(a). As of the date of this order, no party has filed any document opposing PPL Electric's Petition to Withdraw the Duke Realty Application. The Petition will therefore be granted.

THEREFORE,

IT IS ORDERED:

1. That the petition of PPL Electric Utilities Corporation to withdraw its application regarding the property of Duke Realty 400 First Ave Gouldsboro LLC at A-2013-2341241, being unopposed, is granted and the application shall be terminated.
2. The application at A-2013-2341241 shall be removed from the caption of this proceeding and Duke Realty 400 First Ave Gouldsboro LLC shall be removed from the service list of this proceeding.

Date

Rosemary Chiavetta
Secretary