



17 North Second Street
12th Floor
Harrisburg, PA 17101-1601
717-731-1970 Main
717-731-1985 Fax
www.postschell.com

John H. Isom

jisom@postschell.com
717-612-6032 Direct
717-731-1985 Fax
File #: 2507/134402

February 13, 2009

BY HAND

James J. McNulty
Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor North
PO Box 3265
Harrisburg, PA 17105-3265

RE: 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 A Right-Of-Way And Easement Over And Across The Lands Of Anthony R. Domiano, Sr. and Anthony R. Domiano, Jr. in Archbald Borough, Lackawanna County For The Proposed Susquehanna-Roseland 500 kV Transmission Line in Portions of Lackawanna, Luzerne, Monroe, Pike And Wayne Counties, Pennsylvania Is Necessary Or Proper For The Service, Accommodation, Convenience Or Safety Of The Public (Docket No. A-2009-2088307)

Dear Secretary McNulty:

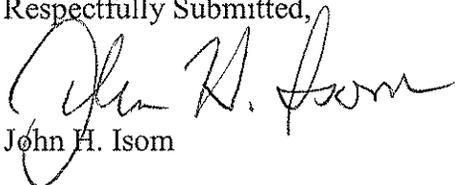
Enclosed for filing is the Petition for Leave to Withdraw the Application of PPL Electric Utilities Corporation to Exercise the Power of Eminent Domain to Acquire an Easement and Right-of-Way Across the Property of Anthony R. Domiano, Sr. and Anthony R. Domiano, Jr. in the above-referenced proceeding.

As indicated on the certificate of service, copies are being provided to the parties in the manner indicated.

February 13, 2009

Page 2

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "John H. Isom". The signature is written in a cursive style with a large initial "J".

John H. Isom

JHI/skr

Enclosures

cc: Certificate of Service

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing "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 Anthony R. Domiano, Sr. And Anthony R. Domiano, Jr." has been served upon the following persons, in the manner indicated, in accordance with the requirements of § 1.54 (relating to service by a participant).

VIA HAND DELIVERY

Honorable Susan D. Colwell
Administrative Law Judge
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor West
Harrisburg, PA 17105

VIA FIRST CLASS MAIL

Anthony R. Domiano, Sr. and
Anthony R. Domiano, Jr.
1 Domiano Drive
Enynon, PA 18403

Dianne E. Dusman, Esquire
Darryl Lawrence, Esquire
Shaun Sparks, Esquire
Office of Consumer Advocate
555 Walnut Street
Forum Place, 5th Floor
Harrisburg, PA 17101-1923

Charles Daniel Shields, Esquire
Office of Trial Staff
PO Box 3265
Commonwealth Keystone Building
400 North Street, 2nd Floor West
Harrisburg, PA 17105-3265

Beverly & Arthur Karten
255 At The Falls
Bushkill, PA 18324

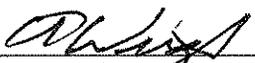
Date: February 13, 2009

William R. Lloyd, Jr., Esquire
Office of Small Business Advocate
Commerce Building
300 North Second Street, Suite 1102
Harrisburg, PA 17101

Paul M. Schmidt, Esquire
Zarwin Baum DeVito Kaplan Schaer Toddy,
P.C.
1515 Market Street, 12th Floor
Philadelphia, PA 19102-1981

Sheryl A. Rosen
668 Saw Creek Estates
Bushkill, PA 18324

Alix M. Mariette
63 Wickes Road
Bushkill, PA 18324



Christopher T. Wright

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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 A Right-Of-Way :
And Easement Over And Across The Lands Of : Docket No. A-2009-2088307
Anthony R. Domiano, Sr. and Anthony R. :
Domiano, Jr. In Archibald Borough, :
Lackawanna County For The Proposed :
Susquehanna-Roseland 500 kV Transmission :
Line In Portions Of Lackawanna, Luzerne, :
Monroe, Pike And Wayne Counties, :
Pennsylvania Is Necessary Or Proper For The :
Service, Accommodation, Convenience Or :
Safety Of The Public :

**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
ANTHONY R. DOMIANO, SR. AND ANTHONY R. DOMIANO, JR.**

TO THE PENNSYLVANIA PUBLIC UTILITY COMMISSION:

PPL Electric Utilities Corporation (“PPL Electric”), by and through its attorneys, 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 Anthony R. Domiano, Sr. and Anthony R. Domiano, Jr., pursuant to 52 Pa. Code §§ 1.82, 5.94(c), and in support thereof, states:

1. On January 28, 2009, 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 A Right-Of-Way And Easement Over And Across The Lands Of Anthony R. Domiano, Sr. and Anthony R. Domiano, Jr. In Archibald Borough, Lackawanna County For The Proposed Susquehanna-Roseland 500 kV Transmission Line In Portions Of Lackawanna, Luzerne, Monroe, Pike And Wayne Counties, Pennsylvania Is Necessary Or Proper For The Service, Accommodation, Convenience Or Safety Of The Public,” which was docketed at Docket No. A-2009-2088307 (“Condemnation Application”).

2. PPL Electric’s attorneys are:

David B. MacGregor (I.D. #28804)
Post & Schell, P.C.
Four Penn Center
1600 John F. Kennedy Boulevard
Philadelphia, PA 19103-2808
Voice: 215.587.1197
Fax: 215.320.4879
E-mail: dmacgregor@postschell.com

John H. Isom (I.D. #16569)
Andrew S. Tubbs (ID #80310)
Christopher T. Wright (I.D. #203412)
Post & Schell, P.C.
17 North Second Street
12th Floor
Harrisburg, PA 17101-1601
Voice: 717.731.1970
Fax: 717.731.1985
E-mail: jisom@postschell.com
E-mail: atubbs@postschell.com
E-mail: cwright@postschell.com

Paul E. Russell (I.D. #21643)
Associate General Counsel
PPL Services Corporation
Two North Ninth Street
Allentown, PA 18101
Voice: 610.774.4254
Fax: 610.774.6726
E-mail: perussell@pplweb.com

PPL Electric’s attorneys are authorized to receive all notices and communications regarding this Petition.

3. To date, no party has contested or otherwise formally opposed the Condemnation Application.

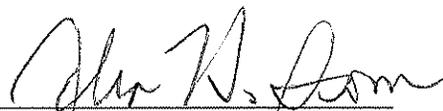
4. After filing of the Condemnation Application, PPL Electric and Anthony R. Domiano, Sr. and Anthony R. Domiano, executed an agreement by which the Domianos conveyed to PPL Electric a right-of-way and easement over and across the Domianos’ land.

5. The above-mentioned right-of-way and easement agreement renders the Condemnation Application unnecessary.

6. Pursuant to Sections 1.82 and 5.94(c) of the Regulations of the Pennsylvania Public Utility Commission, 52 Pa. Code §§ 1.82, 5.94(c), PPL Electric seeks to withdraw and terminate the Condemnation Application in its entirety.

WHEREFORE, PPL Electric Utilities Corporation respectfully requests Administrative Law Judge Susan D. Colwell permit PPL Electric to withdraw the Condemnation Application and terminate the proceeding docketed at Docket No. A-2009-2088307.

Respectfully submitted,



David B. MacGregor (Pa. Bar I.D. #28804)
Post & Schell, P.C.
Four Penn Center
1600 John F. Kennedy Boulevard
Philadelphia, PA 19103-2808
Voice: 215.587.1197
Fax: 215.320.4879
E-mail: dmacgregor@postschell.com

Paul E. Russell (Pa. Bar I.D. #21643)
Associate General Counsel
PPL Services Corporation
Two North Ninth Street
Allentown, PA 18101
Voice: 610.774.4254
Fax: 610.774.6726
E-mail: perussell@pplweb.com

John H. Isom (ID # 16569)
Andrew S. Tubbs (ID #80310)
Christopher T. Wright (ID #203412)
Post & Schell, P.C.
17 North Second Street
12th Floor
Harrisburg, PA 17101-1601
Voice: 717. 731.1970
Fax: 717.731.1985
E-mail: jisom@postschell.com
E-mail: atubbs@postschell.com
E-mail: cwright@postschell.com

Of Counsel:

Post & Schell, P.C.

Dated: February 13, 2009

Attorneys for PPL Electric Utilities Corporation