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July 15, 2009

James J. McNulty
Secretary
PA 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 Filed Pursuant to 52 Pa. Code Chapter 57, Subchapter G, for Approval of the Siting and Construction of the Pennsylvania Portion of The Proposed Susquehanna-Roseland 500 kV Transmission Line in Portions of Lackawanna, Luzerne, Monroe, Pike and Wayne Counties, Pennsylvania - Docket Nos. A-2009-2082652, et al

Dear Secretary McNulty:

Enclosed for filing is the original Motion of PPL Electric Utilities Corporation to Compel Saw Creek Estates Community Association to Provide Full and Complete Answers to Certain Interrogatories in the above-referenced proceeding.

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

Respectfully Submitted

John H. Isom

JHI/jl

Enclosures

cc: Honorable Susan D. Colwell

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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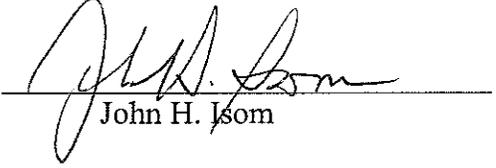
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Date: July 15, 2009



John H. Isom

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application of PPL Electric Utilities :
Corporation Filed Pursuant to 52 Pa. Code : Docket No. A-2009-2082652
Chapter 57, Subchapter G, for Approval of :
the Siting and Construction of the :
Pennsylvania Portion of The Proposed :
Susquehanna-Roseland 500 kV Transmission :
Line in Portions of Lackawanna, Luzerne, :
Monroe, Pike and Wayne Counties, :
Pennsylvania :

Petition of PPL Electric Utilities Corporation :
For A Finding That A Building To Shelter : Docket No. A-2009-2082832
Equipment At The 500-230kV Substation To :
Be Constructed In the Borough of Blakely, :
Lackawanna 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 A Right-Of- :
Way And Easement Over And Across The :
Lands Of The Property Owners Listed Below :
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 :

Chaudari Family Limited Partnership, : Docket No. A-2009-2088297
David Murphy, and Marguerite T. :
Kranick :

HaRa Corporation : Docket No. A-2009-2088337

Richard Coccodrilli, Jr., Jeffrey J. : Docket No. A-2009-2088327
Coccodrilli, Ryan T. Coccodrilli, and :
Joseph Williams :

D&L Realty Company : Docket No. A-2009-2088340
Kenneth Powell and Linda Powell : Docket No. A-2009-2088359
Rudolph Saporito and Maria Saporito : Docket No. A-2009-2088312
David Murphy : Docket No. A-2009-2088360

**MOTION OF PPL ELECTRIC UTILITIES CORPORATION
TO COMPEL SAW CREEK ESTATES COMMUNITY
ASSOCIATION TO PROVIDE FULL AND COMPLETE
ANSWERS TO CERTAIN INTERROGATORIES**

To Administrative Law Judge Susan D. Colwell:

PPL Electric Utilities Corporation (“PPL Electric”), pursuant to 52 Pa. Code § 5.103 and 5.342(g) and the ALJ’s Fourth Prehearing Order (March 10, 2009), hereby moves that Administrative Law Judge Susan D. Colwell (“ALJ”) issue an order compelling Saw Creek Estates Community Association (“SCECA”) to provide full and complete answers to certain interrogatories propounded to it by PPL Electric on July 2, 2009. In support of its Motion PPL Electric states the following:

1. On July 2, 2009, PPL Electric served upon SCECA “Interrogatories and Requests for Production of Documents from PPL Electric Utilities Corporation to Saw Creek Estates Community Association – Set II” (“PPL Electric Discovery to SCECA Set II”). These discovery requests deal with the testimony of SCECA witness David O. Carpenter, M.D., SCECA Statement No. 2, that was served by SCECA on June 29, 2009.

2. A complete copy of PPL Electric Discovery to SCECA Set II is provided as Attachment 1 hereto.

3. On July 3, 2009, SCECA served its “Responses to Interrogatories and Requests for Production of Documents from PPL Electric Utilities Corporation to Saw Creek Estates community Association – Set II” (“SCECA Responses Set II”). A complete copy of SCECA Responses - Set II is provided as Attachment 2 hereto.

4. PPL Electric notes initially that the SCECA Responses Set II purports to both object to all of PPL Electric discovery requests in PPL Electric Discovery to SCECA Set II on general grounds and certain discovery requests specifically, as well as providing purported answers to the discovery requests.

5. SCECA’s general objections on their face are clearly “boiler plate” objections that are completely unrelated to any of PPL Electric’s discover requests, particularly those identified below that are the subject of this Motion.

6. SCECA did not submit specific objections to any of PPL Electric’s Discovery to SCECA Set II that are the subjects of this Motion.

7. PPL Electric notes also that SCECA’s form of responding to PPL Electric’s discovery requests that combines objections and answers is directly contrary to the instructions of the ALJ set forth in her Fourth Prehearing Order, p. 11, Ordering ¶ 6.A., which modifies 52 Pa. Code § 5.342 as follows:

“Subsection (d) is modified to provide that objections to discovery are in lieu of answers, and not in addition to answers.”

8. PPL Electric in this Motion seeks an order from the ALJ compelling SCECA to provide full and complete answers to Discovery Requests 5 through 8, which are as follows:

“5. Identify (by lead author, title, journal name, volume, page and date) the published peer-reviewed studies that you rely on as the basis for your conclusion on page 5 of your direct testimony that “human exposure to magnetic fields in the calculated intensity

range of 2 – 4 mG results in an increase in the risk of cancer, particularly leukemia.”

“6. Identify (by lead author, title, journal name, volume, page and date) the published peer-reviewed studies that you rely on as the basis for your conclusion on page 5 of your direct testimony that “In the studies that have been reported the elevated risks varied between 1.5 and nearly 5-fold, and increased with intensity.”

“7. Identify (by lead author, title, journal name, volume, page and date) the published peer-reviewed studies that you rely on as the basis for your conclusion on page 5 of your direct testimony that “there is also strong evidence that occupational exposure of adults to electromagnetic fields increases risk of leukemia.”

“8. Identify (by lead author, title, journal name, volume, page and date) the published peer-reviewed studies that you rely on as the basis for your conclusion on page 5 of your direct testimony that “the calculated levels in the Saw Creek also present a risk of increased Alzheimer’s Disease and ALS.”

9. All of these discovery requests follow the same format. They all quote a short, specific statement from SCECA Statement No. 2 and request that the witness identify the peer-reviewed, published literature by author, journal, volume, page and date that provide the basis for the quoted statement.

10. In response to PPL Discovery Request No. 5, SCECA provided the following response:

“The references Dr. Carpenter relies on for the statement are all found in the publications of his that are attached, as well as in The Bioinitiative Report, of which he is the Co-editor, which is available on the website www.bioinitiative.org.”

11. SCECA’s responses to PPL Electric’s Discovery Requests 6 and 7 were identical and read as follows:

“See response to No. 5”

12. SCECA’s response to PPL Electric’s Discovery Request No. 8 was as follows:

“See response to No. 5. See also the chapter of the Bioinitiative Report dealing specifically neurodegenerative diseases.”

13. One problem with SCECA’s answers quoted above is that PPL Electric does not understand what they mean. SCECA provided electronic copies of one statement of Dr. Carpenter to Congress, 12 Powerpoint presentations that apparently were used in lectures given by Dr. Carpenter and nine published journal articles and made The BioInitiative Report available on the internet. If SCECA intended that these materials were the sources upon which Dr. Carpenter relied in making the statements quoted in PPL Electric Discovery Request Nos. 5 through 8, then SCECA has directed PPL Electric to approximately 1,000 pages of materials; The BioInitiative Report alone is approximately 600 pages long.

14. Most of these materials, including the statement to Congress, the Powerpoint presentations and The BioInitiative Report are not “published peer-reviewed studies,” as requested in the Discovery Requests. Thus, although SCECA directed PPL Electric to substantial materials, SCECA did not respond to the request for the specific “published peer-reviewed studies” on which Dr. Carpenter purports to base his opinions in this matter.

15. Nor did SCECA provide guidance regarding the location of the passages that purportedly support the statements quoted in the Discovery Requests, despite the fact that PPL Electric requested page references to the specific passages that, in Dr. Carpenter’s view, supported the quoted statement. If taken literally, SCECA’s answers state that every page of every document provided supports every quoted statement, a conclusion that is not and cannot be correct.

16. SCECA’s answers, however, are subject to the interpretation that it has referred PPL Electric not only to the materials provided but also to the materials referenced therein. Each of the nine published articles and The BioInitiative Report contain a substantial list of references

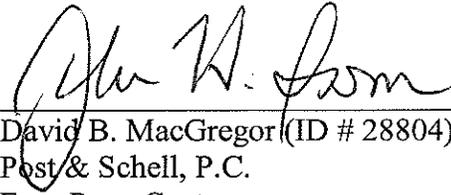
that are cited in the published materials. If this interpretation of SCECA's answers is correct, then its answers are even worse than under the first interpretation explained above. Under this second interpretation, SCECA has directed PPL Electric to many hundreds of citations and thousands of pages of materials, again without any of the requested guidance on the specific "published peer-reviewed studies" Dr. Carpenter relied on for the particular opinion quoted in the Discovery Request. If Dr. Carpenter is not able to identify the "published peer-reviewed" studies upon which he bases his expert opinion, then SCECA should say so, rather than purporting to identify sources which actually are not responsive to PPL Electric's discovery requests.

17. In addition, SCECA should be required to identify the pages containing the specific passages upon which Dr. Carpenter relies as support for each statement quoted in the Discovery Request.

18. PPL Electric has been in contact with SCECA regarding the issues raised in this Motion, but those contacts have not yet resulted in any resolution of the issues. If as a result of discussions between PPL Electric and SCECA the issues raised herein are narrowed or resolved, PPL Electric will promptly inform the ALJ and the other parties.

WHEREFORE, PPL Electric Utilities Corporation respectfully requests that Administrative Law Judge Susan D. Colwell order Saw Creek Estates Community Association to provide complete and responsive answers to Discovery Requests Nos. 5 through 8 of "Interrogatories and Requests for Production of Documents from PPL Electric Utilities Corporation to Saw Creek Estates Community Association – Set II," as explained above.

Respectfully submitted,



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Of Counsel:

Post & Schell, P.C.

Date: July 15, 2009

Attorneys for PPL Electric Utilities Corporation

ATTACHMENT 1

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application of PPL Electric Utilities :
Corporation Filed Pursuant to 52 Pa. Code : Docket No. A-2009-2082652
Chapter 57, Subchapter G, for Approval of :
the Siting and Construction of the :
Pennsylvania Portion of The Proposed :
Susquehanna-Roseland 500 kV Transmission :
Line in Portions of Lackawanna, Luzerne, :
Monroe, Pike and Wayne Counties, :
Pennsylvania :

Petition of PPL Electric Utilities Corporation :
For A Finding That A Building To Shelter : Docket No. A-2009-2082832
Equipment At The 500-230kV Substation To :
Be Constructed In the Borough of Blakely, :
Lackawanna 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 :
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Through Its Proposed Exercise Of The Power :
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Way And Easement Over And Across The :
Lands Of The Property Owners Listed Below :
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Chaudari Family Limited Partnership, : Docket No. A-2009-2088297
David Murphy, and Marguerite T. :
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Kenneth Powell and Linda Powell : Docket No. A-2009-2088359
Rudolph Saporito and Maria Saporito : Docket No. A-2009-2088312
David Murphy : Docket No. A-2009-2088360

**INTERROGATORIES AND REQUESTS FOR PRODUCTION OF DOCUMENTS
FROM PPL ELECTRIC UTILITIES CORPORATION
TO SAW CREEK ESTATES COMMUNITY ASSOCIATION – SET II**

Pursuant to 66 Pa.C.S. § 333 and 52 Pa. Code §§ 5.341 *et seq.*, PPL Electric Utilities Corporation (“PPL Electric”) propounds the following Interrogatories and Requests for Production of Documents to the Saw Creek Estates Community Association (“SCECA”). These Interrogatories and Requests for Production of Documents relate to SCECA Statement No. 2, sponsored by David O. Carpenter, M.D.

INSTRUCTIONS AND DEFINITIONS

1. These interrogatories are continuing and you are obliged to change, supplement and correct all answers given to conform to new or changing information.
2. The answers provided should first restate the question asked and identify the person(s) supplying the information.
3. If you object to providing any documents requested on any ground, identify such document by describing it as set forth in Instruction 6 and state the basis of your objection.
4. To “identify” a natural person means to state that person’s full name, title or position, employer, last known address and last known telephone number.
5. To “identify” a business entity means to state the full name of such business, the form of the business and its location or address.

6. To “identify” a “document” means to provide all of the following information irrespective of whether the document is deemed privileged or subject to any claim of privilege:

- a. The title or other means of identification of each such document;
- b. The date of each such document;
- c. The author, preparer or signer of each such document;
- d. A sufficient description of the subject matter of such document to permit an understanding of its contents and importance to the testimony or position being examined and the present or last known location of the document. The specific nature of the document should also be stated (e.g. letter, business record, memorandum, computer print-out, etc.).

In lieu of “identifying” any document, it shall be deemed a sufficient compliance with these interrogatories to attach a copy of each such document to the answers hereto and reference said document to the particular interrogatory to which the document is responsive.

7. Whenever the word “document” is used in these interrogatories, it includes, but is not limited to, all printed, typewritten, computer generated or readable, handwritten, graphic or recorded matter, however produced or reproduced, and however formal or informal. For purposes of these interrogatories, the term document includes the terms workpaper, communication and all writings of whatever kind, communications, records of whatever kind, letters, reports, memoranda, books, manuals, instructions, directives, forms, notes of meetings, telephone messages, notices, telegrams, diaries, agreements, written analyses or studies of whatever kind, handwritten notes of conversations, correspondence of whatever kind, summaries, surveys, calculation sheets, contracts, orders or invoices. “Documents” shall include matter stored on computerized memory, magnetic or other media.

8. When an objection is interposed to any question or part thereof, answer the question or all parts thereof to the extent not objected to.

9. As used herein, "SCECA" refers to the Saw Creek Estates Community Association as well as all of its employees, directors, representatives, agents, witnesses and attorneys.

INTERROGATORIES AND REQUESTS FOR PRODUCTION OF DOCUMENTS

1. Provide copies of all studies on electric and/or magnetic fields conducted under the New York State Powerlines Project which you described on page 2-3 of your direct testimony.
2. Provide copies of all public lectures you presented on electromagnetic fields from 1987 to present, which you described on page 3 of your direct testimony.
3. Provide copies of the testimony on electromagnetic fields you provided the U.S. House of Representatives in the 1990's and in 2009, which you described on page 3 of your direct testimony.
4. Provide copies of the lectures on electromagnetic fields you presented in London last September, which you described on page 3 of your direct testimony.
5. Identify (by lead author, title, journal name, volume, page and date) the published peer-reviewed studies that you rely on as the basis for your conclusion on page 5 of your direct testimony that "human exposure to magnetic fields in the calculated intensity range of 2 – 4 mG results in an increase in the risk of cancer, particularly leukemia."
6. Identify (by lead author, title, journal name, volume, page and date) the published peer-reviewed studies that you rely on as the basis for your conclusion on page 5 of your direct testimony that "In the studies that have been reported the elevated risks varied between 1.5 and nearly 5-fold, and increased with intensity."
7. Identify (by lead author, title, journal name, volume, page and date) the published peer-reviewed studies that you rely on as the basis for your conclusion on page 5 of your direct testimony that "there is also strong evidence that occupational exposure of adults to electromagnetic fields increases risk of leukemia."

8. Identify (by lead author, title, journal name, volume, page and date) the published peer-reviewed studies that you rely on as the basis for your conclusion on page 5 of your direct testimony that “the calculated levels in the Saw Creek also present a risk of increased Alzheimer’s Disease and ALS.”

9. Provide the name, address and telephone number of the person(s) who prepared the Exhibits Doc-1, Doc-2 and Doc-3 to your testimony.

Respectfully submitted,

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Of Counsel:

Post & Schell, P.C.

Date: July 2, 2009

Attorneys for PPL Electric Utilities Corporation

ATTACHMENT 2

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application of PPL Electric Utilities Corporation :
Filed Pursuant to 52 Pa. Code Chapter 57, : Docket Nos. A-2009-2082652, *et al.*
Subchapter G, for Approval of the Siting and :
Construction of the Pennsylvania Portion of :
The Proposed Susquehanna-Roseland 500 kV :
Transmission Line in Portions of Lackawanna, :
Luzerne, Monroe, Pike and Wayne Counties, :
Pennsylvania :

**RESPONSES TO INTERROGATORIES AND REQUESTS FOR PRODUCTION OF
DOCUMENTS FROM PPL ELECTRIC UTILITIES CORPORATION
TO SAW CREEK ESTATES COMMUNITY ASSOCIATION – SET II**

Pursuant to 52 Pa. Code Section 5.342 and the 4th Prehearing Order in the above-captioned matter, the Saw Creek Estates Community Association, Inc. (“SCECA”), by and through its attorneys, hereby answers and objects to Interrogatories and Requests for Production of Documents from PPL Electric Utilities Corporation (“PPL”) to SCECA – Set II. All answers are made without in any way waiving or intending to waive, but on the contrary, preserving:

1. All questions as to competency, materiality, privilege and admissibility as evidence for any purposes in any subsequent proceeding or the trial of this or any other actions;
2. The right to object on any ground to the use of any of these answers, or the subject matter thereof, in any subsequent proceeding or the hearing on this or any other actions;
3. The right to object on any ground at any time to a demand for further answers to these or other requests for discovery involving or relating to the subject matter of these discovery requests; and
4. The right to supplement and/or amend these answers.

General Objections to Interrogatories and Requests

SCECA objects to each interrogatory and request for production of documents propounded to the extent that:

A. it is vague, ambiguous, overbroad and/or not limited in time or scope or request information for a time period greater than that which is relevant to the instant action;

B. it is not relevant to the subject matter involved in the pending litigation and not reasonably calculated to lead to the discovery of admissible evidence;

C. it seeks information protected by the attorney-client privilege;

D. it seeks information protected by the work product doctrine;

E. it seeks information regarding individuals or matters with no apparent connection to any claim raised by the parties;

F. it requires SCECA to speculate about the future and about trial strategy;

G. it seeks proprietary business and/or personal information which is confidential and the disclosure of which could be detrimental to the privacy and interest of third parties or SCECA;

H. the information is available through public records;

I. the information requested would require the making of an unreasonable investigation;

J. the requestor already possesses or has equal access to the information or documents sought;

K. it is overly broad and any attempt to respond will be unduly or unreasonably annoying, burdensome, expensive, harassing and/or oppressive;

L. it calls for conclusions of law or is argumentative or contains the requestor's suggestions or contentions of law or fact. No responses are to be considered as agreement by SCECA with any suggestions or contentions of fact or law;

M. the instructions mischaracterize the requirements of the Pennsylvania Rules of Civil Procedure, the Pennsylvania Rules of Administrative Procedure, or the rules of the Pennsylvania Public Utility Commission.

N. It is impossible in the context of any question or request to set forth "all facts," to produce "all documents" or to identify all "participants" or "witnesses" or "individuals" pertinent to, or with knowledge of facts or events, or who participated in the event at issue in any Interrogatory. Such facts are, among other things, within the personal knowledge or possession of the SCECA, the requestor, and/or one or more of their representatives and witnesses. Moreover, to respond would require SCECA to undertake a limitless investigation.

P. SCECA objects to any question or request that asks for trial strategy and tactics, which are not discoverable under the Pennsylvania Rules of Civil Procedure, the Pennsylvania Rules of Administrative Procedure, or the rules of the Pennsylvania Public Utility Commission.

Q. SCECA objects to any question or request that requires SCECA to determine which facts may be relevant given the contentions of the requestor.

General Objection to Instructions and Definitions

SCECA objects to definitions set forth to the extent those definitions exceed parameters imposed by and/or the restrictions created under the Pennsylvania Rules of Civil Procedure, the Pennsylvania Rules of Administrative Procedure, or the rules of the Pennsylvania Public Utility

Commission. SCECA further objects to any definition of the word "you" to mean any person or entity other than SCECA. It does not purport to respond on behalf of any other person or entity.

SCECA reserves the right to make such other or additional objections as may be deemed appropriate upon further development of the case. SCECA specifically further reserves the right to supplement the responses as discovery concerning the above-captioned matter is outstanding and ongoing.

Specific Objections and Answers to Interrogatories and Requests

1. Provide copies of all studies on electric and/or magnetic fields conducted under the New York State Powerlines Project which you described on page 2-3 of your direct testimony.

RESPONSE:

Neither Dr. Carpenter nor SCECA possess copies of the Powerlines Project reports. They are believed to be available through the New York State Department of Health. There are 14 reports from individual projects plus the final report by the expert panel. A reprint of the scientific journal publication of the major human study is attached.

2. Provide copies of all public lectures you presented on electromagnetic fields from 1987 to present, which you described on page 3 of your direct testimony.

RESPONSE:

SCECA objects to this request as overbroad and unreasonable burdensome, and to the extent it is not likely to lead to the discovery of admissible evidence. Subject to and without waiving its objections, for many such lectures, copies do not exist. Attached are copies of Powerpoint presentations Dr. Carpenter has given on EMFs over the past 2-3 years. Dr. Carpenter no longer has any copies of those given in earlier times.

3. Provide copies of the testimony on electromagnetic fields you provided the U.S. House of Representatives in the 1990's and in 2009, which you described on page 3 of your direct testimony.

RESPONSE:

A copy of the statement Dr. Carpenter gave at the 2009 hearing in the US House of Representatives is attached. Dr. Carpenter no longer has any record of the statement from the

earlier testimony, not can he recover the date of that presentation.

4. Provide copies of the lectures on electromagnetic fields you presented in London last September, which you described on page 3 of your direct testimony.

RESPONSE:

Copies of both the London Powerpoint presentations from last September, as well as the paper that was published in the Journal of Physics as a result of the meeting, are attached.

5. Identify (by lead author, title, journal name, volume, page and date) the published peer-reviewed studies that you rely on as the basis for your conclusion on page 5 of your direct testimony that “human exposure to magnetic fields in the calculated intensity range of 2 – 4 mG results in an increase in the risk of cancer, particularly leukemia.”

RESPONSE:

The references Dr. Carpenter relies on for the statement are all found in the publications of his that are attached, as well as in The Bioinitiative Report, of which he is the Co-editor, which is available on the website www.bioinitiative.org.

6. Identify (by lead author, title, journal name, volume, page and date) the published peer-reviewed studies that you rely on as the basis for your conclusion on page 5 of your direct testimony that “In the studies that have been reported the elevated risks varied between 1.5 and nearly 5-fold, and increased with intensity.”

RESPONSE:

See response to No. 5.

7. Identify (by lead author, title, journal name, volume, page and date) the published peer-reviewed studies that you rely on as the basis for your conclusion on page 5 of

your direct testimony that “there is also strong evidence that occupational exposure of adults to electromagnetic fields increases risk of leukemia.”

RESPONSE:

See response to No. 5.

8. Identify (by lead author, title, journal name, volume, page and date) the published peer-reviewed studies that you rely on as the basis for your conclusion on page 5 of your direct testimony that “the calculated levels in the Saw Creek also present a risk of increased Alzheimer’s Disease and ALS.”

RESPONSE:

See response to No. 5. See also the chapter of the Bioinitiative Report dealing specifically with neurodegenerative diseases.

9. Provide the name, address and telephone number of the person(s) who prepared the Exhibits Doc-1, Doc-2 and Doc-3 to your testimony.

RESPONSE:

The person who prepared Exhibits DOC-1, DOC-2, and DOC-3 is David W. Fugate, Ph.D.