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File #: 2507/140074

February 23, 2012

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: Ronald Fedora v. PPL Electric Utilities Corporation
Docket No. C-2011-2272188

Dear Secretary Chiavetta:

Enclosed please find the Motion of PPL Electric Utilities Corporation to Stay the Hearing Date for the above-referenced proceeding. Copies will be provided as indicated on the certificate of service.

Respectfully Submitted,

Christopher T. Wright

CTW/skr

Enclosures

cc: Certificate of Service
Honorable Ember Jandebour


CERTIFICATE OF SERVICE

I hereby certify that true and correct copies of the foregoing have 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).

VIA FIRST CLASS MAIL

Ronald Fedora
480 Laurel Drive
Summit Hill, PA 18250

Date: February 23, 2012



Christopher T. Wright

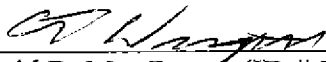
**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Ronald Fedora, :
 :
 Complainant, :
 :
 v. : Docket No. C-2011-2272188
 :
 PPL Electric Utilities Corporation, :
 :
 Respondent. :

NOTICE TO PLEAD

YOU ARE HEREBY ADVISED THAT, PURSUANT TO 52 PA. CODE §§ 5.102(b) AND 5.103(c), YOU MAY ANSWER THE ENCLOSED MOTION WITHIN TWENTY (20) DAYS AFTER THE DATE OF SERVICE. YOUR ANSWER SHOULD BE FILED WITH THE SECRETARY OF THE PENNSYLVANIA PUBLIC UTILITY COMMISSION, P.O. BOX 3265, HARRISBURG, PA 17105-3265. A COPY SHOULD ALSO BE SERVED ON THE UNDERSIGNED COUNSEL.

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Date: February 23, 2012

Attorneys for PPL Electric Utilities Corporation

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Ronald Fedora,	:	
	:	
Complainant,	:	
	:	
v.	:	Docket No. C-2011-2272188
	:	
PPL Electric Utilities Corporation,	:	
	:	
Respondent.	:	

**MOTION OF PPL ELECTRIC UTILITIES CORPORATION
TO STAY THE HEARING DATE**

TO ADMINISTRATIVE LAW JUDGE
EMBER S. JANDEBEUR:

AND NOW comes PPL Electric Utilities Corporation (“PPL Electric”) and files this Motion to Stay the Hearing Date pursuant to Section 5.103(a) of the Pennsylvania Public Utility Commission’s (“Commission”) regulations, 52 Pa. Code § 5.103(a), and requests that the Hearing Date be stayed indefinitely pending the disposition of the Motion for Partial Summary Judgment filed this same date by PPL Electric. In support thereof, PPL Electric states as follows:

1. PPL Electric furnishes electric service to approximately 1.4 million customers throughout its certificated service territory, which includes all or portions of twenty-nine counties and encompasses approximately 10,000 square miles in eastern and central Pennsylvania. PPL Electric is a “public utility” and an “electric distribution company” as

defined in Sections 102 and 2803 of the Pennsylvania Public Utility Code, 66 Pa.C.S. §§ 102, 2803.

2. Complainant Ronald Fedora (“Complainant”) is a residential customer of PPL Electric with a service address of 480 Laurel Drive, Summit Hill, Carbon County, Pennsylvania 18250.

3. On October 31, 2011, Complainant filed the above-captioned Complaint with the Commission.

4. PPL Electric was served with the Complaint by a Secretarial Letter dated November 10, 2011.

5. The Complaint alleges claims of trespass and safety on private land. The Complaint requests that the distribution poles be removed from his property and that PPL Electric pay actual damages

6. On November 30, 2011, PPL Electric filed an Answer to the Complaint asserting, among other things, that the Commission lacks subject matter jurisdiction over the trespass claims raised and relief sought in the Complaint.

7. By Prehearing Order dated January 23, 2012, the Honorable Administrative Law Judge Ember S. Jandebeur (“ALJ”) scheduled an initial hearing in this matter for April 2, 2012.

8. Contemporaneously herewith, PPL Electric is filing and serving a Motion for Partial Judgment on the Pleadings, requesting that the trespass claims and request for monetary damages be dismissed. PPL Electric is not requesting to dismiss the allegations in the Complaint related to safety or any other claims that are properly within the subject matter of the Commission.

9. The full and final disposition of PPL Electric's Motion for Partial Judgment on the Pleadings will dictate the issues, claims, and evidence to be addressed at the hearing.

10. Consequently, PPL Electric is herein requesting that the Hearing Date for this matter be stayed indefinitely pending the disposition of PPL Electric's Motion.


11. An indefinite stay of the Hearing Date until the resolution of PPL Electric's Motion for Partial Judgment on the Pleadings will help the parties avoid the costs of preparing for an evidentiary hearing on issues that are beyond the jurisdiction of the Commission and, ultimately, may not be addressed at the hearing. Further, an indefinite stay of the Hearing Date will ensure that Your Honor has sufficient time to fully consider and evaluate the merits of PPL Electric's motion.

12. Upon the disposition of the Motion for Partial Judgment on the Pleadings, the Hearing Date can be rescheduled for a later to-be-determined date, following an initial prehearing conference pursuant to Section 5.222 of the Commission's regulations, 52 Pa. Code § 5.222. An initial prehearing conference will allow the parties and Your Honor to establish an appropriate procedural schedule to address any remaining issues following the disposition of PPL Electric's Motion for Partial Judgment on the Pleadings.

WHEREFORE, PPL Electric Utilities Corporation respectfully requests that Administrative Law Judge Ember S. Jandebour enter an order granting the Motion of PPL Electric Utilities Corporation and staying the Hearing Date pending the disposition of the Motion for Partial Summary Judgment that may affect the issues and evidence to be addressed in this matter.

Respectfully submitted,

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Attorneys for PPL Electric Utilities Corporation

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v.	:	Docket No. C-2011-2272188
	:	
PPL Electric Utilities Corporation,	:	
	:	
Respondent.	:	

ORDER

Upon consideration of the Motion to Stay the Hearing Date filed by PPL Electric Utilities Corporation on February 23, 2012;

IT IS HEREBY ORDRED THAT:

1. The Hearing Date in the above-captioned matter is hereby stayed indefinitely pending the full and final disposition of the Motion for Partial Judgment on the Pleadings filed by PPL Electric on February 23, 2012, that will dictate the issues, claims, and evidence to be addressed in this proceeding; and

2. Upon the disposition of the Motion for Partial Judgment on the Pleadings, the Hearing Date shall be rescheduled for a later to-be-determined date, following an initial prehearing conference pursuant 52 Pa. Code § 5.222.

Dated: _____

Administrative Law Judge
Ember S. Jandebeur