



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

---

Christopher T. Wright

cwright@postschell.com  
717-612-6013 Direct  
717-731-1985 Fax  
File #: 2507/151801

June 4, 2012

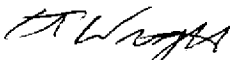
Rosemary Chiavetta  
Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street, 2nd Floor North  
P.O. Box 3265  
Harrisburg, PA 17105-3265

**RE: Merle & Sharon Eberly v. PPL Electric Utilities Corporation**  
**Docket No. C-2012-2304738**

Dear Secretary Chiavetta:

Enclosed please find the Motion of PPL Electric Utilities Corporation to Defer and Hold in Abeyance the Complaint of Merle and Sharon Eberly 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  
Kimberly Hafner

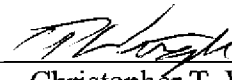
**CERTIFICATE OF SERVICE**

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**

Merle & Sharon Eberly  
1328 Oaklyn Drive  
Narvon, PA 17555

Date: June 4, 2012



---

Christopher T. Wright

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Merle and Sharon Eberly, :  
:   
Complainants, :   
:   
v. : Docket No. C-2012-2304738  
:   
PPL Electric Utilities Corporation, :   
:   
Respondent. :

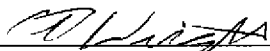
---

**NOTICE TO PLEAD**

---

YOU ARE HEREBY ADVISED THAT, PURSUANT TO 52 PA. CODE §§ 5.61(a)(1) 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.

Paul E. Russell (ID # 21643)  
Associate General Counsel  
PPL Services Corporation  
Two North Ninth Street  
Allentown, PA 18106  
Phone: 610-774-4254  
Fax: 215-587-1444  
E-mail: perussell@pplweb.com

  
David B. MacGregor (ID # 28804)  
Post & Schell, P.C.  
Four Penn Center  
1600 John F. Kennedy Boulevard  
Philadelphia, PA 19103-2808  
Phone: 215-587-1197  
Fax: 610-774-6726  
E-mail: dmacgregor@postschell.com

Of Counsel:

Post & Schell, P.C.

John H. Isom (ID # 16569)  
Christopher T. Wright (ID # 203412)  
Post & Schell, P.C.  
17 North Second Street  
12<sup>th</sup> Floor  
Harrisburg, PA 17101-1601  
Phone: 717-731-1970  
Fax: 717-731-1985  
E-mail: jisom@postschell.com  
cwright@postschell.com

Date: June 4, 2012

Attorneys for PPL Electric Utilities Corporation

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Merle and Sharon Eberly,	:	
	:	
Complainants,	:	
	:	
v.	:	Docket No. C-2012-2304738
	:	
PPL Electric Utilities Corporation,	:	
	:	
Respondent.	:	

---

**MOTION OF  
PPL ELECTRIC UTILITIES CORPORATION  
TO DEFER AND HOLD IN ABEYANCE  
THE COMPLAINT OF MERLE AND SHARON EBERLY**

---

TO THE PENNSYLVANIA PUBLIC UTILITY COMMISSION:

PPL Electric Utilities Corporation (“PPL Electric”) hereby files this Motion to defer and hold in abeyance the Complaint of Merle and Sharon Eberly (“Complainants”) until such time as PPL Electric submits an appropriate filing requesting Pennsylvania Public Utility Commission (“Commission”) approval of the siting and construction of a proposed transmission line project in the Lancaster region of Pennsylvania. In support thereof, PPL Electric states as follows:

**I. PROCEDURAL BACKGROUND**

1. 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 are residential customers of PPL Electric with a service address of 1328 Oaklyn Drive, Narvon, Pennsylvania 17555.

3. PPL Electric was served with the above-captioned Formal Complaint by a Secretarial Letter dated May 17, 2012. The Complaint raises issues related to the siting and route selection of a transmission line that PPL Electric proposes to construct in the future.

4. On May 23, 2012, PPL Electric filed an Answer to the Complaint asserting, among other things, that Complainants' claims regarding the proposed transmission line project are not ripe and should be dismissed without prejudice, and that Complainants' remedy is to participate in the Commission proceeding when PPL Electric files its request for Commission approval under 52 Pa. Code §§ 57.71 – 77. PPL Electric plans to submit an appropriate filing for Commission approval later this year.

5. To the extent that the Commission does not dismiss the Complaint without prejudice, PPL Electric herein requests, in the alternative, that the Complaint be held in abeyance pending the submission by PPL Electric of an appropriate filing seeking approval of the siting and construction of the transmission line so that the two related proceedings can be consolidated and considered together, and so that the proceedings can be adjudicated in an efficient manner on a complete record and with consistent results.

## **II. ARGUMENT**

6. 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.

7. PPL Electric owns approximately 5,000 miles of transmission lines operating at 69 kV (kilovolts) or higher, approximately 375 substations with a capacity of 10 MVA (megavolt amperes) or more, and approximately 43,000 miles of distribution lines operating at less than 69 kV.

8. Pursuant to Chapters 15 and 28 of the Public Utility Code, PPL Electric has a statutory obligation to provide adequate, efficient, safe and reasonable service and facilities, and to make all repairs, changes, alterations, substitutions, extensions, or improvements in or to such service or facilities as necessary for the accommodation, convenience, and safety to its customers. PPL Electric is further required to provide reasonably continuous service without unreasonable interruptions or delay.

9. “Electric service is essential to the health and well-being of residents, to public safety and to orderly economic development, and electric service should be available to all customers on reasonable terms and conditions.... Reliable electric service is of the utmost importance to the health, safety and welfare of the citizens of the Commonwealth.” 66 Pa.C.S. §§ 2808(9), (12).

10. On or about April 4, 2012, PPL Electric announced a multiyear project to meet growing demand for electricity and to reinforce the regional electric grid and improve service reliability for homes and businesses in the Lancaster region.

11. The Complaint raises issues related to the siting and route selection of the proposed transmission line, including the alleged adverse effect on real estate values, the alleged risk of danger to the health and safety of the public, and alleged adverse effect on the aesthetics and use of Complainants’ property. The Complaint requests that PPL Electric select an alternative route.

12. The project referenced in the Complaint is still in the planning stage and has not yet been submitted to the Commission for review and approval. No final decision regarding the route for the project has been made. Depending upon the route ultimately chosen for the project, the Complainants’ concerns may become moot.

13. Once the planning has been completed, PPL Electric intends to submit an appropriate filing requesting Commission approval of the siting and construction of the proposed transmission line. PPL Electric will provide the public notices for this project as required by Section 69.3102 of the Commission's Interim Siting Guidelines, 52 Pa. Code § 69.3102. Further, copies of the filing and notifications of filing will be served in accordance with the provisions of Section 57.74 of the Commission's regulations, 52 Pa. Code § 57.74.

14. It is clear that the above-captioned Complaint and the forthcoming filing by PPL Electric are interrelated and raise common issues of law and fact. Because the disposition of each of these matters is interrelated, the consolidation of these proceedings will promote the efficient use of the time and resources of the parties and the Commission. Upon filing the above-mentioned request for Commission approval of the siting and construction of the proposed transmission line, PPL Electric will timely file a motion to consolidate the Complaint with the filing for purposes of hearings and a decision.

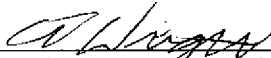
15. Based on the foregoing, the Complaint should be held in abeyance pending the filing by PPL Electric of an appropriate filing requesting Commission approval of the siting and construction of the proposed transmission line so that the two related proceedings can be consolidated and considered together, and so that the proceedings can be adjudicated in an efficient manner on a complete record and with consistent results.

### **III. CONCLUSION**

WHEREFORE, PPL Electric respectfully requests that Complaint of Merle and Sharon Eberly be deferred and held in abeyance until such time as PPL Electric submits an appropriate filing to the Pennsylvania Public Utility Commission regarding the proposed transmission line project in the Lancaster region of Pennsylvania, at which time PPL Electric will move to consolidate the related proceedings.

Respectfully submitted,

Paul E. Russell (ID # 21643)  
Associate General Counsel  
PPL Services Corporation  
Two North Ninth Street  
Allentown, PA 18106  
Phone: 610-774-4254  
Fax: 215-587-1444  
E-mail: perussell@pplweb.com

  
David B. MacGregor (ID # 28804)  
Post & Schell, P.C.  
Four Penn Center  
1600 John F. Kennedy Boulevard  
Philadelphia, PA 19103-2808  
Phone: 215-587-1197  
Fax: 610-774-6726  
E-mail: dmacgregor@postschell.com

Of Counsel:

Post & Schell, P.C.

John H. Isom (ID # 16569)  
Christopher T. Wright (ID # 203412)  
Post & Schell, P.C.  
17 North Second Street  
12<sup>th</sup> Floor  
Harrisburg, PA 17101-1601  
Phone: 717-731-1970  
Fax: 717-731-1985  
E-mail: jisom@postschell.com  
cwright@postschell.com

Date: June 4, 2011

Attorneys for PPL Electric Utilities Corporation