

of the proposed West Hempfield-McGovernville :
#1 and #2 138/69 kV tie line over and across the :
lands of JOHN E. LANDIS in East Hempfield :
Township, Lancaster County, is necessary or :
proper for the service, accommodation, :
convenience or safety of the public :

ORDER

On July 10, 2003, PPL Electric Utilities Corporation (PPL) filed a Letter of Notification pursuant to 52 Pa. Code Chapter 57 Subchapter G with respect to its proposed West Hempfield-McGovernville #1 and #1 138/69 kV tie line to be constructed in West Hempfield Township, Lancaster County, PUC Docket No. A-110500F0333. On March 30, 2004, PPL filed three applications 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 for the construction, operation and maintenance of the proposed West Hempfield-McGovernville #2 and #3 138/69 kV tie line is necessary or proper for the service, accommodation, convenience or safety of the public, over and across the lands of (1) Mahlon N. Zimmerman and Rozanne L. Zimmerman, PUC Docket No. A-110500F0342; (2) East Hempfield Township, PUC Docket No. A-110500F0343; and (3) John E. Landis, PUC Docket No. A-100500F0344.

On May 18, 2004, a notice was issued setting the initial hearing for June 10, 2004 and appointing the case to me. The four dockets had been consolidated prior to being assigned to the Office of Administrative Law Judge.

On May 28, 2004, PPL filed a Petition to Withdraw Its Application To Exercise The Power of Eminent Domain Across the Property of Mahlon N. Zimmerman and Rozanne L. Zimmerman since the Zimmermans had reached an agreement with PPL. No responses were filed to the petition, which is granted as a matter of course. Accordingly, PUC Docket No. A-110500F0342 will be marked closed as satisfied by the Commission Secretary.

On June 10, 2004, the initial hearing, which took the form of a prehearing conference, was held. PPL, represented by attorney Anthony DeCusatis, participated by

telephone from its headquarters in Allentown; John E. Landis was represented by attorney Brian Byler, who participated by telephone from his Lancaster office; East Hempfield Township was represented by attorney Susan Smith, who participated in person in Harrisburg. The conference was transcribed by a court reporter.

During the course of the conference, PPL explained the proposed project and the procedures which it has followed to reach this point in the execution of the project. PPL stated that it requested consolidation of the four dockets because of the issues which were common to all of the cases.

On behalf of landowner John E. Landis, Attorney Byler expressed some dissatisfaction with his contacts with PPL representatives, and I encouraged the two parties to discuss the matter again, and in more detail, to attempt to settle any of the issues prior to preparing for the evidentiary hearing.

Attorney Smith indicated that East Hempfield Township has no opposition to the existence or siting of the proposed tie line. She also indicated that "preliminary" discussions had occurred regarding appropriate compensation for the Township land needed, which is less than an acre.

After some discussion, the following schedule was established:

Filing of PPL's direct testimony	July 19, 2004
Filing of Landis/East Hempfield testimony	August 16, 2004
Evidentiary Hearings	September 1 and 2, 2004

Documents and exhibits sent to me should be addressed to: Susan D. Colwell, Administrative Law Judge, Office of Administrative Law Judge, Pa. Public Utility Commission, P.O. Box 3265, Harrisburg PA 17105-3265. Service on that date can be electronic with hard copy to follow, if the hard copy cannot be delivered on that date: scolwell@state.pa.us.

Since neither Mr. Byler nor Ms. Smith filed a responsive pleading or prehearing memorandum, there is no record of either party's position regarding any of the issues. As this is necessary to PPL's preparation of its testimony, both parties shall be directed to prepare a position statement which clearly states those issues which will be subject to litigation. The parties are cautioned that the stated issues must be within the jurisdiction of the Commission in order to be considered.

THEREFORE,

IT IS ORDERED:


1. That the procedural schedule for these consolidated cases is as follows:

Filing of PPL's direct testimony	July 19, 2004
Filing of Landis/East Hempfield testimony	August 16, 2004
Evidentiary Hearings (in person, in Harrisburg)	Sept. 1 & 2, 2004

These are in-hand dates, which means that the other parties and the ALJ expect to have the testimony, complete with exhibits and a witness list, on the due dates.

2. Parties expecting to participate in the hearings must file a position statement and serve the other parties on or before July 1, 2004. Parties are cautioned that the stated issues must be within the jurisdiction of the Commission in order to be considered, and they must be explained in enough detail to permit PPL to address them.

Dated: June 11, 2004


Susan D. Colwell
Administrative Law Judge

A-110500F0333 Letter of Notification Of PPL Electric Utilities Corporation Filed Pursuant to 52 Pa. Code §57.75 (i)(1) with Respect to the Proposed West Hempfield-McGovernville #1 And #2 138/69 kV Tie Line To Be Constructed in East Hempfield Township, Lancaster County, Commonwealth of Pennsylvania.

A-110500F0343 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 For The Construction, Operation And Maintenance Of The Proposed West Hempfield-McGovernville #1 And #2 138/69 kV Tie Line Over And Across The Lands of EAST HEMPFIELD TOWNSHIP In East Hempfield Township, Lancaster County, Is Necessary Or Proper For The Service, Accommodation, Convenience Or Safety Of The Public

A-110500F0344 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 For The Construction, Operation And Maintenance Of The Proposed West Hempfield-McGovernville #1 And #2 138/69 kV Tie Line Over And Across The Lands of JOHN E. LANDIS In East Hempfield Township, Lancaster County, Is Necessary Or Proper For The Service, Accommodation, Convenience Or Safety Of The Public

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