

CAPTION SHEET

CASE MANAGEMENT SYSTEM

- 1. REPORT DATE: 00/00/00 :
- 2. BUREAU: FUS :
- 3. SECTION(S) : 4. PUBLIC MEETING DATE:
- 5. APPROVED BY: : 00/00/00
- DIRECTOR: :
- SUPERVISOR: :
- 6. PERSON IN CHARGE: : 7. DATE FILED: 05/15/06
- 8. DOCKET NO: A-110500 F0377 : 9. EFFECTIVE DATE: 00/00/00

PARTY/COMPLAINANT: FOUR SEASONS PRODUCE, INC

RESPONDENT/APPLICANT: PPL ELECTRIC UTILITIES CORP

COMP/APP COUNTY:

UTILITY CODE: 110500

ALLEGATION OR SUBJECT

APPLICATION OF PPL ELECTRIC UTILITIES CORPORATION FOR APRPOVAL OF THE TRANSFER BY SALE TO FOUR SEASONS PRODUCE, INC, OF FACILITIES LOCATED IN THE BOROUGH OF EPHRATA, LANCASTER COUNTY, PENNSYLVANIA.

DOCUMENT
FOLDER

DOCKETED

MAY 19 2006

ORIGINAL

Paul E. Russell
Associate General Counsel

PPL
Two North Ninth Street
Allentown, PA 18101-1179
Tel. 610.774.4254 Fax 610.774.6726
perussell@pplweb.com



FEDERAL EXPRESS

May 15, 2006

James J. McNulty, Esquire
Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, Pennsylvania 17120

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MAY 15 2006

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

A-110580F0377

**Re: Application of PPL Electric Utilities Corporation
For Approval of Sale of Facilities
Docket No.**

DOCUMENT
FOLDER

Dear Mr. McNulty:

Enclosed for filing, pursuant to 66 Pa. C. S. § 1102, are an original and three copies of PPL Electric Utilities Corporation's Application for the approval of the transfer by sale of certain facilities to Four Seasons Produce, Inc. The facilities are located in the Borough of Ephrata, Lancaster County, Pennsylvania.

Pursuant to 52 Pa. Code § 1.11, the enclosed document is to be deemed filed on May 15, 2006, which is the date it was deposited with an overnight express delivery service as shown on the delivery receipt attached to the mailing envelope.

In addition, please date and time-stamp the enclosed extra copy of this letter and return it to me in the envelope provided.

I have enclosed a check for \$350 to cover the filing fee.

Very truly yours,

Paul E. Russell
Paul E. Russell

Enclosures

cc: Mr. H. Edwin Rodrock

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ORIGINAL

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

In re: Application of PPL Electric
Utilities Corporation for Approval of the
Transfer by Sale to Four Seasons
Produce, Inc., of Facilities Located in
the Borough of Ephrata, Lancaster
County, Pennsylvania.

Application
Docket No. A 110500F0377

DOCUMENT
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PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

**APPLICATION OF
PPL ELECTRIC UTILITIES CORPORATION**

PPL Electric Utilities Corporation (hereafter "PPL Electric"), by its attorney, hereby makes application pursuant to 66 Pa. C.S. § 1102(a)(3) for the approval of a transfer by sale of certain facilities, and in support thereof states:

1. Applicant is PPL Electric Utilities Corporation, Two North Ninth Street, Allentown, Pennsylvania 18101, a public utility incorporated in Pennsylvania for the purpose of supplying light, heat and power to the public by means of electricity in all or portions of twenty-nine counties in eastern-central Pennsylvania.
2. The name and address of PPL Electric's attorney is Paul E. Russell, Two North Ninth Street, Allentown, Pennsylvania 18101.
3. Four Seasons Produce, Inc. (hereafter "Four Seasons"), a Pennsylvania corporation located in Lancaster County, Pennsylvania, is not affiliated with PPL Electric.

DOCUMENTS
MAY 19 2006

4. Four Seasons desires to purchase all of PPL Electric's rights, title and interest in certain electric facilities located in the Borough of Ephrata as detailed in Exhibit A of the Agreement. The purchase of these facilities will result in a reduction in Four Seasons' annual electric bill payments to PPL Electric of approximately \$44,812.

5. PPL Electric will recover the present day depreciated cost of these facilities and will no longer be responsible for maintenance thereof.

6. PPL Electric agreed to sell and Four Seasons agreed to purchase the facilities for \$42,985, representing the present day depreciated cost of the facilities. Attachment 1, which is attached hereto and made a part hereof, contains the Agreement of Sale and a description of the facilities.

7. The facilities' original cost, original depreciated cost, present day cost, and present day depreciated cost are as follows:

	<u>Other Facilities</u>	<u>Transformers</u>	<u>Total</u>
Original Cost Undepreciated	\$24,362	\$11,263	\$35,625
Original Cost Depreciated	23,440	9,095	32,535
Present Day Cost Undepreciated	26,480	21,705	48,185
Present Day Cost Depreciated	25,477	17,508	42,985

8. The sales price is the result of arms-length negotiations.

9. PPL Electric's engineering and operating representatives have reviewed the proposed sale of facilities and their relation to PPL Electric's operations.

PPL Electric is satisfied as to the adequacy, continuity, safety of service, and other relevant factors regarding electrical supply to Four Seasons.

10. Approval of this application is necessary and proper for Four Seasons to take service in a manner which does not result in uneconomic removal expenditures to PPL Electric, cause duplication of facilities, or render PPL Electric's existing facilities less valuable. The application also recognizes Four Seasons' right to service on the most favorable and economic basis under PPL Electric's retail tariff.

11. Attachment 2, which is attached hereto and made a part hereof, contains PPL Electric's responses to the Commission's Interrogatories regarding applications filed pursuant to 66 Pa. C.S. § 1102.

WHEREFORE, in view of the foregoing, PPL Electric respectfully requests that the Pennsylvania Public Utility Commission approve the above-captioned application for transfer of facilities by sale.

Respectfully submitted,

PPL Electric Utilities Corporation



Paul E. Russell
Its Attorney

Dated: May 15, 2006
at Allentown, Pennsylvania

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MAY 15 2006

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

ATTACHMENT 1



AGREEMENT OF SALE made this 15th day of May, 2006, in Allentown, Pennsylvania, between PPL Electric Utilities Corporation, hereinafter called VENDOR, a Pennsylvania corporation whose principal address is Two North Ninth Street, Allentown, Pennsylvania, and Four Seasons Produce Inc., hereinafter called VENDEE, 400 Wabash Road, Ephrata, PA 17522

WITNESSETH: That VENDOR in consideration of forty six thousand, two hundred ninety four dollars and ten cents (\$46,294.10 - PO# 13934) does hereby agree to sell unto VENDEE, all of its right, title and interest in and to certain electric facilities located at 400 Wabash Road, Ephrata, PA 17522 as described in the schedule attached hereto and made part hereof entitled "Exhibit A - LIST OF FACILITIES TO BE CONVEYED TO Four Seasons Produce, Inc. BY PPL ELECTRIC UTILITIES CORPORATION," and as shown on plan dated March 6,2006 entitled "Exhibit B - PLAN SHOWING LOCATION OF ELECTRIC FACILITIES TO BE CONVEYED TO Four Seasons Produce, Inc. BY PPL ELECTRIC UTILITIES CORPORATION," also attached hereto and made a part hereof.

VENDOR MAKES NO REPRESENTATIONS OR GUARANTEES, EXPRESS OR IMPLIED, IN RESPECT TO THE PROPERTY COVERED BY THIS AGREEMENT, EXCEPT THAT IT WILL DELIVER GOOD TITLE TO SAID PROPERTY FREE FROM ALL LIENS AND ENCUMBRANCES. THE REMEDY FOR THE BREACH OF SAID WARRANTY OF GOOD TITLE IS LIMITED TO THE REPLACEMENT OF ANY OF THE PROPERTY COVERED BY THIS AGREEMENT. VENDEE SHALL RECEIVE SAID PROPERTY "AS IS." THERE ARE NO WARRANTIES, INCLUDING THE WARRANTY OF MERCHANTABILITY, WHICH EXTEND BEYOND THE DESCRIPTION CONTAINED HEREIN.

VENDEE SHALL INDEMNIFY AND SAVE HARMLESS THE VENDOR AGAINST AND FROM ANY AND ALL CLAIMS, DEMANDS, ACTIONS, CAUSES OF ACTION, SUITS AND ALL OTHER LIABILITY WHATSOEVER ON ACCOUNT OF OR BY REASON OF, OR GROWING OUT OF PERSONAL INJURIES OR DEATH TO ANY PERSON OR ENTITY INCLUDING VENDEE AND ITS EMPLOYEES, OR PROPERTY DAMAGE SUFFERED BY ANY PERSON OR ENTITY INCLUDING VENDEE AND ITS EMPLOYEES, WHETHER OR NOT THE SAME RESULTS FROM THE NEGLIGENCE OF VENDOR OR ITS EMPLOYEES PRIOR, CONTEMPORANEOUS, OR SUBSEQUENT TO THE EXECUTION OF THIS AGREEMENT. THE INTENT OF THE PARTIES TO THIS AGREEMENT IS TO ABSOLVE AND PROTECT VENDOR FROM ANY AND ALL LOSS, PREDICATED ON STRICT AND/OR NEGLIGENT LIABILITY BY REASON OF THIS AGREEMENT.

THE VENDOR MAY AT ITS OPTION REQUIRE VENDEE TO PROVIDE EVIDENCE OF INSURANCE SATISFACTORY TO THE VENDOR COVERING THE LIABILITIES AND INDEMNIFICATION PROVIDED IN THIS AGREEMENT.

Upon acceptance of this Agreement by the parties hereto, VENDOR will invoice VENDEE for the amount shown above, which amount VENDEE agrees to pay upon presentation of said invoice. Upon payment of the amount specified in the invoice, title to the facilities will vest in VENDEE.

IN WITNESS WHEREOF, and intending to be legally bound hereby, the parties hereto have caused these presents to be duly executed the day and year aforesaid.

WITNESS:

[Signature]
Title Assistant Secretary

OFFICE OF GENERAL COUNSEL
BY: [Signature]
DATE: 5/10

PPL Electric Utilities Corporation

BY: [Signature]
Title President, PPL Electric Utilities Corporation

WITNESS

[Signature]
Title General Counsel

Four Seasons Produce, Inc.

BY: [Signature]
Title President and CEO

EXHIBIT A

**LIST OF ELECTRIC FACILITIES TO BE CONVEYED TO
FOUR SEASONS PRODUCE INCORPORATED BY PPL ELECTRIC
UTILITIES CORPORATION**

3/6/2006

Four Seasons Produce PO# 13934

210 feet 4CC750al-12 service conductors

1ea 2000kva 277/480v transformer, Square D – S/N 861054-A1

1ea 1000kva 277/480v transformer, McGraw Ed – S/N 882F773-002

2056 feet P3-2-OALJ primary conductor

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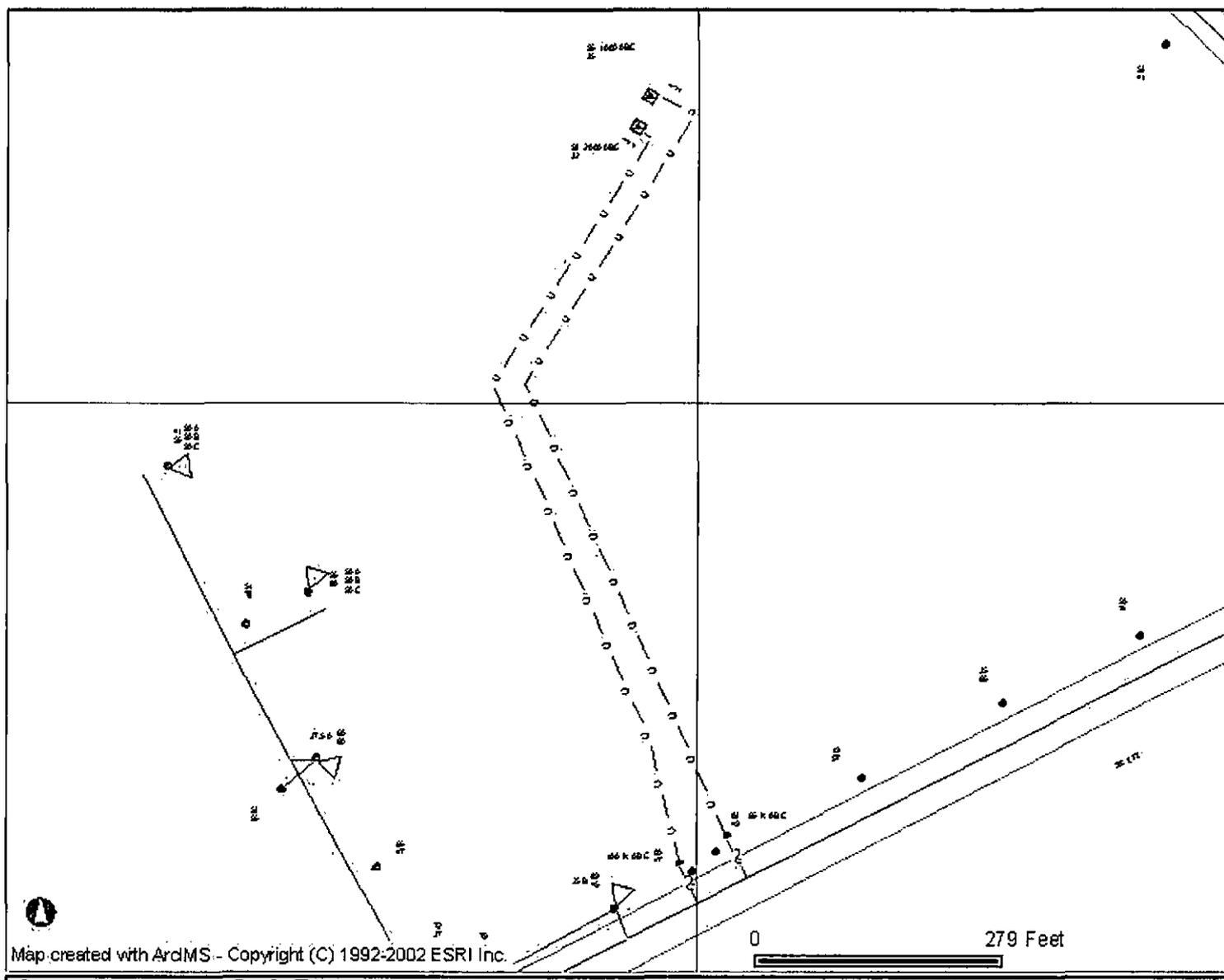
PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

EXHIBIT B

PLAN SHOWING LOCATION OF ELECTRIC FACILITIES TO BE CONVEYED TO FOUR SEASONS PRODUCE INCORPORATED (PO# 13934) BY PPL ELECTRIC UTILITIES CORPORATION

Transformer Grid# 44593s32232 – 2000kva
Transformer Grid# 44595s32235 – 1000kva
Rt 272 – N. Reading Road

3/6/2006



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PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

ATTACHMENT 2

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

In re: Application of PPL Electric :
Utilities Corporation for Approval of the :
Transfer by Sale to Four Seasons : Application
Produce, Inc., of Facilities Located in : Docket No. _____
the Borough of Ephrata, Lancaster :
County, Pennsylvania. :

**RESPONSES OF
PPL ELECTRIC UTILITIES CORPORATION
TO INTERROGATORIES PROPOUNDED BY THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Question:

1. Provide an accurate legal description and location identification of the property and the interest therein to be sold, leased or transferred.

Response:

1. See Exhibit A of the Agreement which is provided as Attachment 1 to the Application.

Question:

2. Provide, where applicable, an inventory identifying the buildings, structures, fixtures and other improvements, including appurtenant removable building equipment, which are considered to be part of the property for sale, lease or transfer.

Response:

2. See Exhibit A of the Agreement which is provided as Attachment 1 to the Application.

Question:

3. State whether or not the sale, lease or transfer of the property will affirmatively promote the service, accommodation, convenience or safety of the public in some substantial way. Explain.

Response:

3. The sale will significantly benefit Four Seasons Produce, Inc. (hereafter "Four Seasons"), by permitting more efficient and economical operations. PPL Electric Utilities Corporation (hereafter "PPL Electric") and its customers will benefit by no longer having to maintain the transferred facilities.

Question:

4. State the reason for the sale, lease or transfer of property.

Response:

4. Four Seasons requested the transfer to decrease its electric service costs.

Question:

5. State the alternatives that PPL Electric has considered to the prospective sale, lease or transfer.

Response:

5. PPL Electric did not consider any alternatives to the proposed sale, because it is most efficient and in the public interest for the customer to receive service under the most advantageous applicable tariff provisions.

Question:

6. State whether or not the sale, lease or transfer of this property will result in an interruption or curtailment of existing services to the public. Explain.

Response:

6. The proposed sale will not result in an interruption or curtailment of existing services to the public.

Question:

7. State whether or not the sale, lease or transfer of this property will result in either a staff reduction or a termination of some portion of PPL Electric's operation. Explain.

Response:

7. The sale involves a minor portion of PPL Electric's assets and will not cause a staff reduction or a termination of any of PPL Electric's operations.

Question:

8. State whether or not the sale, lease or transfer of this property will result in a physical relocation of the main office, branch office or service office of PPL Electric.

Response:

8. The sale will not result in the relocation of any PPL Electric offices.

Question:

9. State whether or not the sale of this property will require the acquisition of replacement property. If replacement is required, state the cost and description of the property to be acquired.

Response:

9. PPL Electric will not have to acquire replacement property due to the sale. The transferred facilities serve only Four Seasons.

Question:

10. State whether or not PPL Electric anticipates or has reason to believe that it will be necessary to seek a rate increase in order to withstand the financial impact of the transaction that is the subject of these interrogatories. Explain.

Response:

10. PPL Electric does not anticipate a need to seek increased rates due to this sale.

Question:

11. State whether or not the property has been part of a rate case that has appeared before the PUC. If it has been, identify the case by Commission docket number and date.

Response:

11. The property to be transferred has been included in PPL Electric's most recent base rate case at Docket No. R-00049255, and in prior rate cases.

Question:

12. State whether or not the property is the subject of a state or federal proceeding. If it is, identify the proceeding and explain.

Response:

12. The property is not the subject of any state or federal proceedings.

Question:

13. State whether the property is to be sold at a price above or below its fair market value as determined by at least two appraisals and a third review appraisal with the three appraisals being performed by qualified independent real estate appraisers; if the property is stock, indicate the book value and current market value of the shares involved.

Response:

13. Independent real estate appraisals were not needed because real estate is not involved in the sale. The sales price is PPL Electric's present day cost depreciated.

Question:

14. State the net profit or loss to be realized by PPL Electric from the sale, lease or transfer of this property after the following factors have been taken into consideration:

- a. date and cost of acquisition,
- b. cost of improvements,
- c. allowance for depreciation,
- d. brokerage fees and commissions,
- e. tax consequences of the sale,
- f. recording fees, transfer taxes, and similar expenses incidental to conveying such property,

- g. penalty costs and other charges for prepayment of any pre-existing recorded mortgage encumbering such property and
- h. net damages or benefits accruing to the remaining PPL Electric property.

Response:

- 14. PPL Electric will not realize a net gain or loss from the sale.

Question:

- 15. State the uses to which proceeds of this sale will be applied.

Response:

- 15. Proceeds from the sale will be applied to general corporate purposes.

Question:

- 16. State the accounting entries that will be made in the sale, lease or transfer of the property.

Response:

- 16. The retirement of depreciable facilities sold will be recorded as follows:

Account 108 - Accumulated Provision for Depreciation of Electric Utility Plant will be debited and Account 101-Electric Plant in Service will be credited for the sale of depreciable plant other than line transformers and customer meters. Interim retirements are not recorded for line transformers or customer meters.

The proceeds from the sale of depreciable assets will be recorded as follows:

Account 131 - Cash will be debited and Account 108 - Accumulated Provision for Depreciation of Electric Utility Plant will be credited.

Question:

17. State the effect that the sale will have on PPL Electric's short-range or long-range plans for expanding or upgrading any of the services that PPL Electric is now offering to the public.

Response:

17. The sale will not affect PPL Electric's short or long-range plans for expanding or upgrading any services now offered to the public.

Question:

18. Where an affiliated interest of a public utility is involved in the property transfer, explain fully the relationship between the affiliate and the jurisdictional utility.

Response:

18. No affiliated interests are involved in the sale.

Question:

19. State what portion of the original cost of the property being transferred represents material cost, and what portion represents installation cost.

Response:

19. Almost the entire amount of the property's original cost represents material costs.

Question:

20. State when the property was installed and/or constructed.

Response:

20. The equipment was installed in 1986 and 1988.

AFFIDAVIT

COMMONWEALTH OF PENNSYLVANIA)
: SS
COUNTY OF LEHIGH)

JOHN F. SIPICS, being duly sworn according to law, deposes and says that he is President-PPL Electric Utilities Corporation; that he is authorized to and does make this affidavit for it; and that the facts set forth above are true and correct to the best of his knowledge, information and belief and he expects the said PPL Electric Utilities Corporation to be able to prove the same at any hearing hereof.

John F. Sipics

Sworn to and subscribed
before me this 1st day
of May, 2006.

Francine A. Greenzweig

NOTARIAL SEAL
FRANCINE A. GREENZWEIG, Notary Public
City of Allentown, Lehigh County, PA
My Commission Expires Oct. 29, 2006

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MAY 15 2006

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P. O. BOX 3265, HARRISBURG PA 17105-3265

IN REPLY PLEASE
REFER TO OUR FILE
Secretary
717-772-7777

May 18, 2006

A-110500F0377

PAUL E RUSSELL
ASSOCIATE GENERAL COUNSEL
PPL ELECTRIC UTILITIES CORP.
TWO NORTH NINTH STREET
ALLENTOWN PA 18101-1179

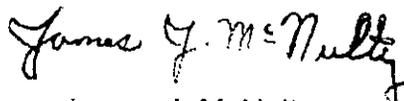
DOCUMENT
FOLDER

Dear Mr. Russell:

Receipt is acknowledged of the Application of PPL Electric Utilities Corporation for approval of the transfer by sale of certain facilities to Four Seasons Produce, Inc., located in the Borough of Ephrata, Lancaster County, PA, which has been captioned and docketed to the above number.

This matter will receive the attention of the Commission and you will be advised of any further necessary procedure.

Sincerely,



James J. McNulty
Secretary

JJM:ddt

DOCKETED

MAY 19 2006

COMMONWEALTH OF PENNSYLVANIA

DATE: May 18, 2006

SUBJECT: A-110500F0377

TO: Bureau of Fixed Utility Services

FROM: James J. McNulty, Secretary *ddt*

DOCUMENT
FOLDER

APPLICATION OF PPL ELECTRIC UTILITIES CORP.

We attach hereto a copy of the Application of PPL Electric Utilities Corporation for approval of the transfer by sale of certain facilities to Four Seasons Produce, Inc., located in the Borough of Ephrata, Lancaster County, PA, which has been captioned and docketed to the above number.

May we have a report prepared by your Bureau for public meeting.

Attachment

cc: Law Bureau

ddt

DOCKETED
MAY 19 2006

PENNSYLVANIA PUBLIC UTILITY COMMISSION

RECEIPT

The addressee named here has paid the PA P.U.C. for the following bill:

DATE: 5/22/2006
RECEIPT NO: 250221

PPL
TWO NORTH NINTH STREET
ALLENTOWN PA 18101

IN RE: Electrical Generation fees for PPL

Docket Number A-110500F0377..... \$350.00

REVENUE ACCOUNT: 001780-017601-107

CHECK NUMBER: 0011766573
CHECK AMOUNT: \$350.00

Michael Sobolesky
(for Department of Revenue)

DOCKETED
MAY 23 2006

**DOCUMENT
FOLDER**