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December 15, 2015

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

RE: Diane Marie Seese v. PPL Electric Utilities Corporation
Docket No: C-2015-2500818

Dear Ms. Chiavetta:

Enclosed for eFiling in the above-captioned matter is the Objection of PPL Electric to Application for Subpoena filed by Complainant.

Please note that this filing was eFiled with the Commission on the date indicated above.

Very truly yours,

KIMBERLY G. KRUPKA

KGK:ejm
Enclosure

cc: Administrative Law Judge Elizabeth H. Barnes (w/ enc.); *via email only*
Diane Marie Seese (w/enc.)
Amy M. Bellizia (w/enc.) *via email only*
Kimberly R. Hanson (w/enc.) *via email only*

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BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

DIANE MARIE SEESE,

COMPLAINANT,

VS.

PPL ELECTRIC UTILITIES CORPORATION,

RESPONDENT.

COMPLAINT DOCKET

NO. C-2015-2500818

**OBJECTION OF PPL ELECTRIC UTILITIES CORPORATION TO THE
APPLICATION FOR SUBPOENAS FILED BY COMPLAINANT**

AND NOW comes the Respondent, PPL Electric Utilities Corporation, by and through its counsel, Gross McGinley, LLP, and hereby files, pursuant to 52 Pa. Code § 5.421(f), the following Objections to the Application for Subpoenas filed by Complainant on December 8, 2015.

1. On or about December 8, 2015, Complainant, Diane Marie Seese (hereinafter "Complainant" and/or "Seese") filed with the Pennsylvania Public Utility Commission a document entitled "Subpoena & Discovery 5.321 SEC 333." (A true and correct copy of the document is attached hereto as Exhibit "A", and incorporated herein). The Administrative Law Judge deemed this filing as a Request for Subpoena.

2. Applications for Subpoenas for purposes of securing either documents or witnesses are governed by 52 Pa. Code § 5.421.

3. The written application for subpoena must state, inter alia, (1) the general relevance, materiality and scope of testimony or documentary evidence sought, and (2) the facts

to be proved by the documents in sufficient detail to indicate the necessity of the document. 52
Pa. Code § 5.421 (b).

4. The Application for Subpoena filed by Complainant simply requests subpoenas be served upon Kirby Kitner – Carrol Township Supervisor (“Chairman”), Richard Baum – Carroll Township Supervisor (“Vice Chairman”) and Danny Kirk – Carrol Township Supervisor & (Emergency) Management Coordinator.

5. The allegations set forth in Complainant’s Complaint concern the safety and adequacy of electricity services provided by PPL Electric.

6. The Complaint is completely devoid of any allegations pertaining to the actions or inactions of Carroll Township.

7. The Application for Subpoena fails to specify (1) the general relevance, materiality and scope of testimony or documentary evidence sought, and (2) the facts to be proved by the documents in sufficient detail to indicate the necessity of the document.

8. The Application for Subpoena fails to provide Respondent, or even Carroll Township, with any notice of the alleged need for the testimony of Kirby Kitner, Richard Baum, and/or Danny Kirk.

9. Complainant has failed to provide any rational basis for the testimony of the three (3) Carroll Township Supervisors in the within action.

10. The Application for Subpoena must further contain a notice that a response or objection to the application shall be filed with the Commission and presiding officer within ten (10) days of service of the application. 52 Pa. Code § 5.421(b)(3).

11. Complainant's Application for Subpoena did not contain a notice to Respondent or Carroll Township that a response or objection could be filed. In fact, Complainant never served Respondent with a copy of the Application, which was first received by Respondent on December 9, 2015 when the Administrative Law Judge provided a copy to Respondent.

12. A hearing in the within matter has been scheduled for December 21, 2015.

13. The ten day time period for any responses or objections does not expire until December 21, 2015, after the time of which the hearing is scheduled to commence.

14. Accordingly, Complainant failed to request the subpoenas in a timely manner.

WHEREFORE, Complainant's Application for Subpoena should be denied where it fails to set forth the general relevance, materiality and scope of testimony of the witnesses sought, there are no allegations pertaining to actions or inactions of Carrol Township, and where the Application was not filed timely so as to permit the Application to be decided prior to the scheduled hearing of December 21, 2015.

Respectfully submitted,

GROSS MCGINLEY, LLP



BY: _____

KIMBERLY G. KRUPKA, ESQUIRE
Attorney for Respondent, PPL Electric Utilities Corporation

Dated: 12/15/15
In Allentown, Pennsylvania

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

DIANE MARIE SEESE,

COMPLAINANT,

VS.

PPL ELECTRIC UTILITIES CORPORATION,

RESPONDENT.

COMPLAINT DOCKET

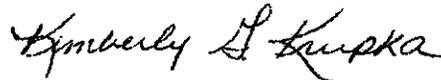
NO. C-2015-2500818

CERTIFICATE OF SERVICE

This is to certify that the RESPONSE on behalf of PPL ELECTRIC UTILITIES CORPORATION was mailed to counsel/complainant of record on behalf of Respondents by First Class United States Mail, postage on this the 15th day of December, 2015.

DIANE MARIE SEESE
5 ALLEN DRIVE
SHERMANSDALE PA 17090

GROSS MCGINLEY, LLP



By: _____
KIMBERLY G. KRUPKA, ESQUIRE
I.D. # 83071
Counsel for Defendant, PPL Electric Utilities
Corporation
33 South 7th Street, P.O. Box 4060
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Phone (610) 820-5450

EXHIBIT “A”

ELIZABETH H. BARNES
ADMINISTRATIVE LAW JUDGE
COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Diana M. Seese

Docket no. C-20150500818

VS.

PPL Electric Utility Corporation

subpoena's

Discovery 5.321 SEC. 333

KIRBY KITNER — Carroll Township Supervisor ("Chairman")
RICHARD BAUM — Carroll Township Supervisor ("Vice Chairman")
DANNY KIRK — Carroll Township Supervisor & Emergency Management
Coordinator

code 57.191 ^{"modified"} encroachment "on PPL Electric Utility
vegetation, sediments, stone dust, etc.
code relating to the adequacy of Safe, Reliable,
Energy.

Carroll Township Office of Supervisors
50 Rambo Hill Road
Shermans Dale, Pa. 17090

PA PUC
SECRETARY'S BUREAU

2015 DEC -8 PM 3:12

RECEIVED

Diana M. Seese

co. defendant for PPL Utilities Distribution Corporation
Kimberly Krupka