

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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 a right of way : A-2016-2571918
and easement over and a certain portion of the lands :
of the Heirs of Davis Dean, in West Abington, :
Lackawanna County, Pennsylvania is necessary or :
proper for the service, accommodation, convenience :
or safety of the public :

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 : A-2016-2571923
the applicant through its proposed exercise of the :
power of eminent domain to acquire a right of way :
and easement over and a certain portion of the lands :
of Dalton Equity, Inc., in West Abington, :
Lackawanna County, Pennsylvania is necessary or :
proper for the service, accommodation, convenience :
or safety of the public :

PREHEARING CONFERENCE ORDER

In accordance with the provisions of 66 Pa.C.S. §333 and 52 Pa.Code §§5.221 through 5.223, the Commission has scheduled an initial prehearing conference in the above-captioned case.

THEREFORE,

IT IS ORDERED:

1. That an initial prehearing conference shall be held at 10:00 a.m. on Tuesday, December 13, 2016, in Hearing Room 4 in the Commonwealth Keystone Building,

Harrisburg, Pennsylvania.

2. That pursuant to 52 Pa.Code §1.55, each party shall be limited to one entry on the service list. Parties shall provide the name, business address, business telephone number, business telefacsimile number (if any), and business e-mail address (if any) of the person they wish to have listed on the service list.

3. That on or before Friday, December 9, 2016, the parties shall file and serve initial prehearing conference memoranda which shall include:

- a.) The information described in Paragraph 2, above.
- b.) A statement regarding possible settlement of the case, subject to approval of the Pennsylvania Public Utility Commission.
- c.) A proposed plan and schedule of discovery.
- d.) Other proposed orders with respect to discovery.
- e.) A proposed schedule for the submission of written testimony, conducting an in-person hearing, and submission of briefs.
- f.) Names, business addresses, and telephone numbers of witnesses the party expects to call and the subject matter of each witness' testimony.
- g.) A list of the issues and sub-issues of this proceeding which the party intends to address and a statement of the party's position on each of the issues and sub-issues listed.
- h.) A statement describing the evidence the party proposes to present at hearing, relating the evidence to each of the issues and sub-issues the party intends to address.
- i.) Whether these proceedings should be consolidated pursuant to 52 Pa. Code §5.81 for purposes of hearing and decision since they may involve common questions of law and fact.

4. **That pursuant to 52 Pa.Code §§1.21 & 1.22, if you are an individual, you may represent yourself or you may have an attorney licensed to practice law in the Commonwealth of Pennsylvania, or admitted *Pro Hac Vice*, represent you.** However, if you are a partnership, corporation, trust, association, or governmental agency or subdivision, you must have an attorney licensed to practice law in the Commonwealth of Pennsylvania, or admitted *Pro Hac Vice*, represent you in this proceeding. Unless you are an attorney, you may not represent someone else. Attorneys shall enter their appearance in accordance with the provisions of 52 Pa.Code §1.24(b).

5. That parties shall review the regulations pertaining to prehearing conferences, in particular 52 Pa.Code §5.222(d), which provides that parties and counsel will be expected to attend the conference fully prepared for useful discussion of all problems involved in the proceeding, both procedural and substantive, and fully authorized to make commitments with respect thereto. The preparation should include, among other things, advance study of all relevant materials, and advance informal communication between the participants, including requests for additional data and information, to the extent it appears feasible and desirable.

6. That failure of a party to attend the initial prehearing conference, without good cause shown, shall constitute a waiver of all objections to the agreements reached, and to an order or ruling with respect thereto.


7. That a request for a change of the scheduled initial prehearing conference date shall state the agreement or opposition of other parties, and shall be submitted in writing no later than five (5) days prior to the initial prehearing conference. 52 Pa.Code §1.15(b). Requests for change must be sent to the undersigned Administrative Law Judge, with copies to all parties of record. The correct address is:

Elizabeth H. Barnes
Administrative Law Judge
P.O. Box 3265
Harrisburg, PA 17105-3265
Telephone: (717) 783-5452
Fax: (717) 787-0481

8. That a copy of this Order shall be served upon Thomas Sklanka, President of Dalton Equity, Inc., at RR 2 Box 2833 Factoryville, PA 18419 and Dalton Equity, Inc. at 318 Penn Avenue, 2nd Floor, Scranton, PA 18503.

9. That PPL Electric Utilities Corporation is directed to serve copies of its Applications at Docket Nos. A-2016-2571918 and A-2016-2571923 upon Thomas Sklanka, President of Dalton Equity, Inc., at RR 2 Box 2833 Factoryville, PA 18419 and Dalton Equity, Inc. at 318 Penn Avenue, 2nd Floor, Scranton, PA 18503 on or before November 13, 2016.

Date: November 3, 2016



Elizabeth H. Barnes
Administrative Law Judge

APPLICATION OF PPL ELECTRIC UTILITIES CORPORATION

A-2016-2571918 - 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 AND EASEMENT OVER A CERTAIN PORTION OF THE LANDS OF THE HEIRS OF DAVIS DEAN IN WEST ABINGTON LACKAWANNA COUNTY PENNSYLVANIA IS NECESSARY OR PROPER FOR THE SERVICE ACCOMMODATION CONVENIENCE OR SAFETY OF THE PUBLIC

A-2016-2571923 - FOR THE 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 AND EASEMENT OVER A CERTAIN PORTION OF THE LANDS OF DALTON EQUITY INC IN WEST ABINGTON LACKAWANNA COUNTY PENNSYLVANIA

Revised 11/3/16

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