

CAPTION SHEET

CASE MANAGEMENT SYSTEM

- 1. REPORT DATE: 00/00/00
- 2. BUREAU: ALJ
- 3. SECTION(S):
- 5. APPROVED BY: DIRECTOR: SUPERVISOR:
- 6. PERSON IN CHARGE:
- 8. DOCKET NO: C 20065882
- 4. PUBLIC MEETING DATE: 00/00/00
- 7. DATE FILED: 02/15/06
- 9. EFFECTIVE DATE: 00/00/00

PARTY/COMPLAINANT: MSK PROPERTIES LLC

RESPONDENT/APPLICANT: PPL ELECTRIC UTILITIES CORP

COMP/APP COUNTY: LEHIGH

UTILITY CODE: 110500

ALLEGATION OR SUBJECT

COMPLAINANT STATES THAT THEY WANT PPL TO CUT DOWN THE TREE IN THEIR BACKYARD SINCE THIS IS GROWING IN PPL'S RIGHT OF WAY.

DOCKETED

FEB 16 2006

DOCUMENT
FOLDER

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Formal Complaint Form

C-20065882

RECEIVED
2006 FEB 10 AM 9:11
SECRETARY'S BUREAU

Please print or type.

1. CUSTOMER NAME (COMPLAINANT)

Your name, mailing address, county, telephone number, utility account number and service address:

Name MSK Properties LLC / Michael S. Kocero
Street/P.O. Box 715 W. Market St Apt # _____
City Bethlehem State PA Zip 18018
County Lehigh
Area Code/HOME Phone 610-905-5873
Area Code/WORK Phone _____
Utility Account Number 1887014021
(from your bill)

If your complaint involves utility service provided to a different address than your mailing address, please list this information below.

Name MSK Properties LLC
Street/P.O. Box 148 E. Broad St
City Bethlehem State PA Zip 18018

2. UTILITY NAME (RESPONDENT)

Name of utility company your complaint concerns: PPL

3. TYPE OF UTILITY (check one)

- ELECTRIC
- GAS
- WATER
- TELEPHONE
(local, long distance)
- STEAM HEAT
- WASTE WATER
- MOTOR CARRIER
(taxi, moving company, limousine)

RECEIVED
2006 FEB 15 AM 9:00
SECRETARY'S BUREAU

DOCKETED

FEB 16 2006

DOCUMENT
FOLDER

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4. COMPLAINT (check one)

A. In general, what is your complaint?

- I want to oppose the company's proposed rate increase.
- There are incorrect charges on my bill.
- There is a reliability, safety or quality problem with my utility service.
- I received a notice that my utility service is being terminated.
- I would like a payment agreement.

Other (explain) *There is a tree in my backyard which is growing between two PPL poles. The power lines running to the poles are in PPL's right of way & it should be their responsibility to cut the tree.*

B. State the facts of your complaint.

Include any specific dates, times or places that are important. If the complaint is about a bill, tell us about any charges that you believe are not correct. Use additional paper if you need more space. Provide copies of all relevant documents you believe will support your complaint.

See attachment

5. RELIEF

What do you want the Public Utility Commission to do about your complaint? Use additional paper if you need more space.

I would like the PUC to request that PPL cut the tree down.

6. PROTECTION FROM ABUSE

Answer the following question if your complaint is against a natural gas distribution company, an electric distribution company or a water company AND your complaint is about a billing problem, an application for service problem, a termination of service problem or a request for a payment agreement.

Has a court granted a "Protection from Abuse" order for your personal safety?

YES

NO

7. PRIOR UTILITY CONTACT

Answer the following question only if you are a residential customer and your complaint is against an electric distribution utility, natural gas distribution utility or a water distribution utility.

Have you spoken to a utility company representative about this complaint?

YES (informal complaint #2015006)
(includes appeals of BCS determinations)

NO

If you tried to, but could not speak to a utility company representative about your complaint, please explain why.

8. VERIFICATION AND SIGNATURE

You must print or type your name below on the line provided for the verification paragraph, and you must sign and date (in ink) this form on the lines provided.

Verification: I Michael S. Kozlowski, hereby state that the facts above set forth are true and correct (or are true and correct to the best of my knowledge, information and belief) and that I expect to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. § 4904 (relating to unsworn falsification to authorities).

Michael S. Kozlowski
(Signature) 2/1/06
(Date)

at the beginning of Nov. 2005 I requested prices from tree surgeons to trim the trees on my property. I was told by both companies I contacted that they would not touch the tree in the backyard of the property, at 148 E. Broad St in Bethelton because the tree is growing through PPL power lines. The tree surgeons told me that it is PPL's responsibility to cut the tree since it is growing through wires that run between two PPL poles. They said the tree is in PPL's right of way.

I called PPL to request the tree be cut & I was told by a customer service rep. that it is not their responsibility. I proceeded to file an informal complaint with the PUC. On Nov. 30 2005 Gary Owens the Forester for PPL sent a written response stating he looked at the tree & determined it is not in their right of way.

I disagree with his response thus I am filing this formal complaint requesting PPL remove the tree.



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

FEBRUARY 10, 2006

IN REPLY PLEASE
REFER TO OUR FILE NUMBER

MSK PROPERTIES LLC
715 W MARKET STREET
BETHLEHEM PA 18018

Dear Sir/Madam:

We are returning your formal complaint form to you because there is additional information needed to process the complaint. Please follow the colored tabs marked missing information or original signature. Fill in the information requested and return them to the address listed at the top of this letter.

We are granting a 15-day extension from the date of this letter for the form to be returned.

Once we receive the formal with the information required we will be able to process your complaint. Thank you for your cooperation in this matter.

Very truly yours,

James J. McNulty
Secretary

Enclosures

ddi

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

DATE SERVED: February 16, 2006

MSK PROPERTIES LLC
Complainant

v.

PPL ELECTRIC UTILITIES CORPORATION
Respondent

Complaint Docket
No: C-20065882

DOCUMENT
FOLDER

DOCKETED

FEB 16 2006

FORMAL COMPLAINT NOTICE TO RESPONDENT TO ANSWER OR SATISFY

TO: PPL ELECTRIC UTILITIES CORPORATION

TAKE NOTICE:

That a complaint in the above entitled matter, of which the attached is a true and correct copy, has been presented and filed of record with the Pennsylvania Public Utility Commission. Section 702 of the Public Utility Code, 66 Pa. C.S. Section 702, requires the Commission to serve on each party named in a complaint a copy of the complaint and notice calling upon each party to satisfy the complaint, or to answer the same in writing within a specified time; THEREFORE,

1. You have twenty (20) days from the date on which this complaint is served to either satisfy this complaint or to file with the **Secretary of the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265**, an answer (original and three copies), in writing, under oath, which, as required by Section 5.61 of the Commission's Rules of Practice and Procedure, 52 Pa. Code Section 5.61, either affirms or specifically denies the allegations in this complaint. You must also serve a copy of the answer upon the complainant. The date of service is the mailing date as indicated by the date at the top of this Notice. Section 1.56(a) of the Commission's Rules of Practice and Procedure, 52 Pa. Code Section 1.56(a).

2. If you fail to either satisfy this complaint or to file answer or other responsive pleading within twenty (20) days, you will be deemed to have admitted all the allegations in this complaint in accordance with Section 5.61 of the Commission's Rules of Administrative Practice and Procedure, 52 Pa. Code Section 5.61. In that event, the Commission may, without hearing, enter an order which either revokes or suspends any certificate or permit held by you or which imposes a fine or any other appropriate penalty or remedy authorized by the Public Utility Code, 66 Pa. C.S. Section 101, et seq.; and, if

you are a customer of a utility, an order may be entered which prescribes a payment schedule or which authorizes termination of utility services. The Commission is not limited to the relief sought by the complainant in paragraph 4 of the attached complaint.

3. If you elect to satisfy this complaint you must file, within twenty (20) days from the date on which this complaint is served, affidavits executed by each complainant that this complaint has been satisfied. Such affidavits must describe the basis on which this complaint was satisfied; any settlement agreement between the parties must be reduced to writing and attached to the affidavit. Such affidavits are to be filed with the Secretary of the Commission at the address set forth in paragraph 1. Upon receipt of affidavits of satisfaction from all complainants, this complaint may be dismissed by the Commission in accordance with Section 703(a) of the Public Utility Code, 66 Pa. C.S. Section 703(a), unless the Commission determines that such dismissal would be contrary to the public interest, in which event the Commission may direct that hearings be held upon the complaint.

4. If you file an answer which admits the allegations in this complaint, or which fails to specifically deny the allegations in this complaint, the Commission may, without hearing, enter an order which either revokes or suspends any certificate held by you or which imposes a fine or any other appropriate penalty or remedy authorized by the Public Utility Code, 66 Pa. C. S. Section 101, et seq.; and, if you are a customer of a utility, an order may be entered which prescribes a payment schedule or which authorizes termination of utility services. The Commission is not limited to the relief sought by the complainant in paragraph 4 of the attached complaint.

5. If you file a timely answer which specifically denies the allegations in this complaint, or which raises material questions of law or fact, this matter shall be referred to the Office of Administrative Law Judge for hearing and decision. If, after hearing on the issues raised by that answer, you are found to have committed any of the violations alleged in the complaint, the Administrative Law Judge may render a decision which either revokes or suspends any certificate or permit held by you or which imposes a fine or any other appropriate penalty or remedy authorized by the Public Utility Code, 66 Pa. C. S. Section 101, et seq.; and, if you are a customer of a utility, an order may be entered which prescribes a payment schedule or which authorizes termination of utility services. In the imposition of a penalty after a hearing the Administrative Law Judge is not bound by the relief sought by the complainant in paragraph 4 of the attached complaint.

James J. McNulty
Secretary

(SEAL)

Certified Mail
Return Receipt Requested



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

IN REPLY PLEASE
REFER TO OUR FILE

DATE SERVED: February 16, 2006

C-20065882

PPL ELECTRIC UTILITIES CORPORATION
PAUL E RUSSELL GEN COUNSEL
TWO N 9TH ST
ALLENTOWN PA 18101-1179

Dear Mr. Russell:

A complaint has been filed against you before the Pennsylvania Public Utility Commission by MSK PROPERTIES LLC. To defend yourself against the claims stated in the following pages, you must act within twenty (20) days by filing in writing with the Commission, either personally or through your attorney, your defenses or objections to the claims stated against you. Or, you may satisfy the complaint by settling the matter with the Complainant and submitting proof of settlement to the Commission within twenty (20) days.

IF YOU FAIL TO RESPOND WITHIN TWENTY (20) DAYS, THE CASE MAY GO FORWARD IN YOUR ABSENCE AND A JUDGEMENT MAY BE ENTERED AGAINST YOU BY THE COMMISSION WITHOUT FURTHER NOTICE.

CUSTOMER OF A UTILITY

A payment schedule may be prescribed or a termination of utility services may be authorized. You may lose money or property or other rights important to you.

COMPANY/UTILITY

An Administrative Law Judge may revoke or suspend any certificate or permit held by you, or impose a fine, or any other appropriate penalty or remedy authorized by the Public Utility Code. You may lose money or property or other rights important to you.

Detailed instructions on how to proceed are contained in the attached pages. You are advised to read them carefully.

DOCUMENT
FOLDER

February 16, 2006

Unless you are a corporation or other organization, you may proceed without a lawyer. However, if you want a lawyer and do not have one or cannot afford one, the office listed below can tell you where you can get legal help:

Pennsylvania Lawyer Referral Service
Pennsylvania Bar Association
P.O. Box 186
Harrisburg, PA 17108
(800) 692-7375

Very truly yours,

James J. McNulty
Secretary

ddi

ORIGINAL

GROSS, MCGINLEY, LABARRE & EATON, LLP

MALCOLM J GROSS
PAUL A MCGINLEY
DONALD LABARRE, JR.
J JACKSON EATON, III
MICHAEL A HENRY
PATRICK J KELLY
WILLIAM J FRIES
ANNE K MANLEY
SUSAN ELLIS WILD
VICTOR F CAVACINI
ROBERT A ALPERT
JOHN P. SERVIS
ALLEN TULLAR
RICHARD T CURLEY
RAYMOND J D'RAYMOND

ATTORNEYS AT LAW
33 SOUTH SEVENTH STREET
P.O. BOX 4060
ALLENTOWN, PENNSYLVANIA 18105-4060

(610) 820-5450
TELEFAX (610) 820-6006
E-MAIL jgross@gmle.com
Direct number: (610) 871-1324

JOHN F GROSS
KIMBERLY G KRUPKA
K. A. SPOTTS-KIMMEL
ERROL C. DEANS, JR. *
ANDREW H HALSTON, JR.
LOREN A WALMER

OF COUNSEL
DAVID C. KEEHN

*Also admitted in NY

EASTON OFFICE:
717 WASHINGTON ST
EASTON PA 18042
(610) 258-1566

March 8, 2006

RECEIVED

MAR 8 2006

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

VIA FEDERAL EXPRESS

James J McNulty, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

RE: MSK Properties, LLC v. PPL Electric Utilities Corporation
Docket No. C-20065882


Dear Mr. McNulty:

Enclosed for filing in the above-captioned matter are an original and three (3) copies of the Answer and New Matter of PPL Electric Utilities Corporation and Preliminary Motions of PPL Electric Utilities Corporation.

Pursuant to 52 Pa. Code §1.11, the enclosed documents are to be deemed filed on March 8, 2006, which is the date they were 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.

Very truly yours,


JOHN F. GROSS

**DOCUMENT
FOLDER**

JFG/jeh

Enclosures

cc: MSK Properties, LLC (w/ enc.)

Diedre L. Bilger (w/ encs.)

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BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

MSK PROPERTIES, LLC,
Complainant,

vs.

PPL ELECTRIC UTILITIES CORPORATION,
Respondent.

COMPLAINT DOCKET
NO. C-20065882

NOTICE TO PLEAD

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MAR 8 2006

TO: MSK PROPERTIES, LLC
715 W. MARKET STREET
BETHLEHEM, PA 18018

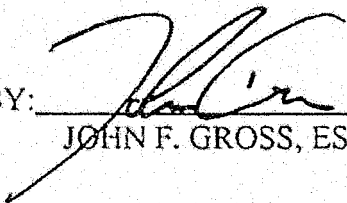
PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Pursuant to 52 Pa. Code Section 5101(d), you are hereby notified that you have ten (10) days from the date of service of the within New Matter in which to answer, and that if you fail to so answer within ten (10) days from the date of service, Respondent's New Matter may be granted without further notice.

Respectfully submitted,

PPL Electric Utilities Corporation

BY: _____


JOHN F. GROSS, ESQUIRE

Dated: March 8, 2006
at Allentown, Pennsylvania

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MAR 8 2006

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

MSK PROPERTIES, LLC,
Complainant,

vs.

PPL ELECTRIC UTILITIES CORPORATION,
Respondent.

COMPLAINT DOCKET
NO. C-20065882

ANSWER AND NEW MATTER OF PPL ELECTRIC UTILITIES CORPORATION

PPL Electric Utilities Corporation (PPL), by its attorney, hereby Answers the Complaint in the above-captioned proceeding as follows:

1. Admitted.
2. Admitted.
3. Admitted.

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MAR 21 2006

**DOCUMENT
FOLDER**

3. Admitted in part, denied in part. PPL admits that in November of 2005, Complainant contacted PPL regarding concerns about a tree on its property. PPL does not have sufficient information or knowledge to form a belief as to the truth or falsity of the allegations regarding what the Complainant was told by tree trimming companies, therefore those allegations are denied.

PPL admits that a PPL representative spoke to the Complainant on November 29, 2005 and explained PPL's responsibilities related to trimming of trees. Specifically, PPL is not responsible for trimming trees and branches that might surround electric service wires that supply electricity to the Complainant's property.

By way of further answer, on November 30, 2005, a PPL forester performed a field investigation and determined that the trees in question related to the service wires for the Complainant's property and that they are, therefore, Complainant's responsibility.

Complainant was unsatisfied with PPL's response, therefore on December 6, 2005, PPL's forester once again visited the property and again determined that PPL is not responsible for trimming any trees on Complainant's property. By way of further answer, it appears that TV and telecommunication service lines to Complainant's property are in close proximity to trees, but is it not PPL's responsibility to trim those trees.

All other allegations in the Complaint are denied and strict proof of the same is demanded at the time of trial of this matter.

PPL denies it has been unreasonable in providing service or in any other matter and denies that it has violated any provision of its Tariff of the Public Utility Code.

5. Denied. Paragraph 5 is a conclusion of law to which no response is required. To the extent a further response may be required, PPL incorporates herein by reference, as if set forth fully at length herein, its aforementioned response to paragraph 4 of the Complaint and its Preliminary Motions.

6. Admitted.

7. Admitted.

NEW MATTER

8. PPL, by its attorney, hereby raises this New Matter, pursuant to Section 5 62, Title 52 of the Pennsylvania Code, 52 Pa. Code §5.62, the following:

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MAR 8 2006

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

9. PPL incorporates herein by reference its Preliminary Motion filed contemporaneously with this Answer and New Matter.

WHEREFORE, in view of the foregoing, PPL respectfully requests that the Pennsylvania Public Utility Commission deny the above-captioned Complaint.

Respectfully submitted,

PPL Electric Utilities Corporation

BY:



JOHN F. GROSS, ESQUIRE

Dated: March 8, 2006
In Allentown, Pennsylvania

VERIFICATION

RECEIVED

COMMONWEALTH OF PENNSYLVANIA)
: SS
COUNTY OF LEHIGH)

MAR 8 2006

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

I, Robert M. Geneczko, hereby state that the facts above set forth are true and correct (or are true and correct to the best of my knowledge, information and belief) and that I expect to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. § 4904 (relating to unsworn falsification to authorities).

Robert M. Geneczko

Date: 3/8/06

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

MSK PROPERTIES, LLC,
Complainant,

vs.

PPL ELECTRIC UTILITIES CORPORATION,
Respondent.

COMPLAINT DOCKET
NO. C-20065882

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MAR 8 2006

CERTIFICATE OF SERVICE

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

I hereby certify that I have this day served a true copy of the foregoing document upon the participant(s), listed below, in accordance with the requirements of §1.54 (relating to service by a participant):

MSK Properties, LLC
715 W. Market Street
Bethlehem, PA 18018

Dated this 8th day of March, 2006.

GROSS, MCGINLEY, LABARRE & EATON, LLP

By: 

JOHN F. GROSS, ESQUIRE
Attorney for PPL Electric Utilities Corp
33 South 7th Street, P.O. Box 4060
Allentown, PA 18105-4060
(610) 820-5450
I.D. #82079

GROSS, MCGINLEY, LABARRE & EATON, LLP

MALCOLM J. GROSS
PAULA A. MCGINLEY
DONALD LABARRE, JR.
J. JACKSON EATON, III
MICHAEL A. HENRY
PATRICK J. REILLY
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JOHN P. SERVIS
ALLEN I. TULLAR
RICHARD T. CURLEY
RAYMOND J. DEAYMOND

ATTORNEYS AT LAW
33 SOUTH SEVENTH STREET
P.O. BOX 4060
ALLENTOWN, PENNSYLVANIA 18105-4060

(610) 820-5450
TELEFAX (610) 820-6006
E-MAIL jgross@gmle.com
Direct number: (610) 871-1324

JOHN F. GROSS
KIMBERLY G. KRUPKA
K. A. SPOTTS-KIMMEL
ERROL C. DEANS, JR. *
ANDREW H. RALSTON, JR.
LOREN A. WALMER

OF COUNSEL
DAVID C. KEEHN

*Also admitted in NY

EASTON OFFICE
717 WASHINGTON ST
EASTON PA 18042
(610) 258-1506

March 8, 2006

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MAR 8 2006

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

VIA FEDERAL EXPRESS

James J. McNulty, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

RE: MSK Properties, LLC v. PPL Electric Utilities Corporation
Docket No. C-20065882

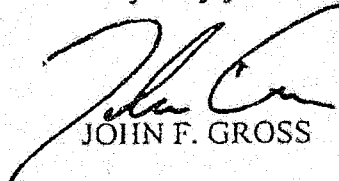
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Pursuant to 52 Pa. Code §1.11, the enclosed documents are to be deemed filed on March 8, 2006, which is the date they were deposited with an overnight express delivery service as shown on the delivery receipt attached to the mailing envelope.

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

Very truly yours,


JOHN F. GROSS

JFG/jeh

Enclosures

cc: MSK Properties, LLC (w/ enc.)

Diedre L. Bilger (w/ encs.)

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BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

MSK PROPERTIES, LLC,
Complainant,

VS.

PPL ELECTRIC UTILITIES CORPORATION,
Respondent.

COMPLAINT DOCKET
NO. C-20065882

NOTICE TO PLEAD

RECEIVED

TO: MSK PROPERTIES, LLC
715 W. MARKET STREET
BETHLEHEM, PA 18018

MAR 8 2006

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Pursuant to 52 Pa. Code Section 5.101(d), you are hereby notified that you have ten (10) days from the date of service of the within Preliminary Motion within which to file a written answer with the Secretary of the Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17120, and that if you fail to so file a written answer within ten (10) days from the date of service, Respondent's Preliminary Motion may be granted without further notice.

Respectfully submitted,

PPL Electric Utilities Corporation

BY.


JOHN F. GROSS, ESQUIRE

Dated: March 8, 2006
at Allentown, Pennsylvania

RECEIVED

MAR 8 2006

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

MSK PROPERTIES, LLC,
Complainant,

VS.

PPL ELECTRIC UTILITIES CORPORATION,
Respondent.

COMPLAINT DOCKET
NO. C-20065882

DOCUMENT
FOLDER

PRELIMINARY MOTIONS OF PPL ELECTRIC UTILITIES CORPORATION

PPL Electric Utility Corporation ("PPL"), by and through its attorneys, hereby makes the following Preliminary Motions pursuant to Section 5.101(a)(2) and (3), Title 52 of the Pennsylvania Code, 52 Pa.Code Section 5.101(a)(2) and (3).

1. Complainant, MSK Properties, LLC ("Complainant") filed a Complaint against PPL Electric Utilities Corporation ("PPL") alleging that PPL failed to trim trees on Complainant's property.

2. PPL's records indicate that the account for Complainant is in the name MSK Properties, LLC.

3. Lehigh County property records indicate the owner of the real property in question is MSK Properties, LLC.

4. The Complaint, on its face, establishes that the Complainant is a limited liability company and a search of the Pennsylvania Department of State, Corporation Bureau, Records indicates that MSK Properties, LLC is a registered Pennsylvania limited liability company. Therefore, pursuant to the requirements of 52 Pa. Code Section 1.21-1.23, this Complainant must be represented in the within proceedings by a licensed attorney.

DOCKETED
MAR 21 2006

5. Complainant is not represented by an attorney in the within proceeding and, as such, the Complaint is insufficient as to form.

WHEREFORE, in view of the foregoing, PPL respectfully requests that the Pennsylvania Public Utilities Commission grant PPL's Preliminary Motions and dismiss the Complaint for insufficiency as to form.

Respectfully submitted,

PPL Electric Utilities Corporation

BY: 

JOHN F. GROSS, ESQUIRE

Dated: March 8, 2006
at Allentown, Pennsylvania

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

MSK PROPERTIES, LLC,
Complainant,

VS.

PPL ELECTRIC UTILITIES CORPORATION,
Respondent.

COMPLAINT DOCKET
NO. C-20065882

RECEIVED

MAR 8 2006

CERTIFICATE OF SERVICE PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

I hereby certify that I have this day served a true copy of the foregoing document upon the participant(s), listed below, in accordance with the requirements of §1.54 (relating to service by a participant):

MSK Properties, LLC
715 W. Market Street
Bethlehem, PA 18018

Dated this the 8th day of March, 2006.

GROSS, McGINLEY, LaBARRE & EATON, LLP

By: 

JOHN F. GROSS, ESQUIRE
Attorney for PPL Electric Utilities Corp.
33 South 7th Street, P O. Box 4060
Allentown, PA 18105-4060
(610) 820-5450
I.D. #82079



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
Administrative Law Judge
P.O. BOX 3265, HARRISBURG, PA 17105-3265
March 14, 2006

IN REPLY PLEASE
REFER TO OUR FILE

Re: C-20065882

(SEE ATTACHED LIST)

MSK Properties, LLC v. PPL Electric Utilities Corporation
Tree Removal Dispute

Motion Judge Assignment Notice

This is to inform you that a preliminary motion was filed on the above-captioned case. This motion is being assigned to Chief Administrative Law Judge Veronica A. Smith for ruling. The Commission rule of practice at 52 Pa. Code §5.101 specifies that the person who filed the complaint has ten (10) days from the date the motion was served on you to file an answer.

If you file any pleading or document relating to this motion with the Secretary of the Commission, please provide a duplicate copy to the judge.

Procedural questions or comments should be directed to the judge at:

717-783-5452

pc: SA Rumsey
Cherie Pyle, Scheduling Officer
Beth Plantz
Docket Section

DOCKETED
MAR 22 2006

**DOCUMENT
FOLDER**