

JUL 31 2006

COMMONWEALTH OF PENNSYLVANIA
PUBLIC UTILITY COMMISSION

Linda L. David
v.
PPL Electric Utilities

Pretrial Telephonic
Conference

Docket No.: C-20055501

Pages: 1 - 11

Public Utilities Commission
State Office Building
1400 Spring Garden Street
Philadelphia, PA 19130

Thursday, July 27, 2006
Commencing at 10:00 a.m.

BEFORE:

CHARLES E. RAINEY, JR., Administrative Law Judge

APPEARANCES:

LINDA L. DAVID, Pro Se
For the Complainant

ANTHONY D. KANAGY, Esquire
Post & Schell
17 North Second Street, 12th Floor
Harrisburg, PA 17101
For the Respondent, PPL Electric Utilities

MARTIN J. DANKS, Esquire
435 Hamilton Street, Suite 519
Allentown, PA 18101
For the City of Allentown

LORI J. MILLER, Esquire
Mayer, Mennies & Sherr, Esquire
3031 Walton Road, Building A, Suite 330
Blue Bell, PA 19422
For South Whitehall Township

REPORTER: KENNETH D. O'HEARN

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INDEX TO WITNESSES

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
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WITNESS

DIRECT CROSS REDIRECT RECROSS
NONE OFFERED

P R O C E E D I N G S

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3 JUDGE CHARLES E. RAINEY, JR.:

4 Good morning, my name is Charles Rainey
5 and I am the Administrative Law Judge who has been
6 assigned to this matter. And this is the matter of
7 Linda L. David versus PPL Electric Utilities
8 Corporation, South Whitehall Township joined as an
9 indispensable party, City of Allentown joined as an
10 indispensable party and South Whitehall Township
11 Authority joined as an indispensable party at Docket
12 Number C-20055501. I'll give the parties an
13 opportunity at this time to identify themselves for
14 the record and actually also provide who you're
15 representing and your address. We'll start with you,
16 Ms. David.

17 MS. DAVID:

18 Okay. I'm Linda David, and I live at
19 2922 West Fairview Street, Allentown, PA 18103.

20 JUDGE:

21 And you're representing yourself; is that
22 correct?

23 MS. DAVID:

24 Yes.

25 JUDGE:

1 Okay. Mr. Kanagy.

2 ATTORNEY KANAGY:

3 Yes, Your Honor. Anthony Kanagy,
4 K-A-N-A-G-Y, representing PPL Electric Utilities
5 Corporation. My address is 17 North Second Street,
6 12th Floor, Harrisburg, Pennsylvania 17101.

7 JUDGE:

8 Thank you. Mr. Danks.

9 ATTORNEY DANKS:

10 Yes. Martin Danks, D-A-N-K-S, Assistant
11 City Solicitor, for the City of Allentown. Address
12 here is 435 Hamilton Street, Room 519, Allentown, PA
13 18101, representing the City of Allentown.

14 JUDGE:

15 Thank you. And Ms. Miller.

16 ATTORNEY MILLER:

17 Yes. Lori Miller on behalf of South
18 Whitehall Township and the Township --- or and the
19 Authority. Our address is 3031 Walton Road, Building
20 A, Suite 330, P.O. Box 1547, Blue Bell, PA 19422.

21 JUDGE:

22 Thank you. This is the second telephonic
23 prehearing conference. The first prehearing
24 conference having been held on May the 15th, 2006.
25 The primary --- let me just state that I had received

1 in response to my order dated June 6th, 2006, updated
2 prehearing memoranda from the Township as well as PPL.
3 I also received prehearing memoranda from the Township
4 Authority as well. Other parties had in regard to the
5 initial prehearing conference that was held on the
6 15th of May had previously submitted prehearing
7 conference memoranda. Now, in regard to the updated
8 prehearing conference memoranda there were some
9 proposed dates for hearing and the submission of
10 pretrial written testimony. There was a brief
11 discussion that took place off the record today in
12 order to iron out some dates and get some agreement on
13 some dates with regard to pre-filed testimony and also
14 the evidentiary hearing.

15 And the following was agreed upon. That
16 on September 28, 2006 the pre-filed written Direct
17 testimony of Ms. Linda David would be due. On
18 November 15th, 2006 the pre-filed rebuttal testimony
19 of the other parties will be due. On November 30th,
20 2006 an evidentiary hearing will be held in person in
21 an available hearing room on the 13th floor of the
22 Philadelphia State Office Building. And that hearing
23 will begin at 10:00.

24 Let me just state with regard to the pre-
25 filed written testimonies. The attorneys in this case

1 are to follow the Commission's rules regarding written
2 testimony found at 52 Pa.C. 5.412. Ms. David, in
3 regard to your written testimony, the pages of your
4 testimony are to be numbered and any exhibits must
5 accompany the written testimony. Now, with regard to
6 the attorneys, they'll see in the rules, a little more
7 will be required with regard to line numbering for
8 their testimony. But since, Ms. David, you're
9 appearing pro se or in your own behalf as a layperson,
10 we will not require the line numbering for you. But
11 we will require that your written testimony have
12 numbered pages to it and that --- and all parties will
13 have to have their exhibits that are referred to in
14 the testimony accompanying the testimony as well.
15 Also all parties are required to have the copies of
16 the written testimony sent to me as well as to the
17 other parties. And you must also bring two copies of
18 your written testimony with you to the hearing to be
19 given to the court reporter.

20 Before the conclusion of the evidentiary
21 hearing on November 30th, we will establish a briefing
22 schedule. So we won't do that here today. Are there
23 any questions with regard to the schedule for pre-
24 filed written testimony and the evidentiary hearing?
25 Okay. Hearing none, we will go --- we will move

1 forward then. Is there any other matter which any of
2 the parties would like to raise at this time? Ms.
3 David?

4 MS. DAVID:

5 No, I just am not sure, the pre-filed
6 testimony, is it to be like a summary of my complaint?

7 JUDGE:

8 It's everything that you would want on
9 the record with regard to your complaint and all of
10 the exhibits that you think that should be in the
11 record in regard to your complaint. So it should be a
12 comprehensive document.

13 Okay, Ms. David?

14 MS. DAVID:

15 Yes.

16 JUDGE:

17 Okay. Mr. Kanagy, did you have anything?

18 ATTORNEY KANAGY:

19 No, Your Honor. I just would like to
20 check, if I could, that my witness is available on the
21 30th, but I think that she is.

22 JUDGE:

23 Okay.

24 ATTORNEY KANAGY:

25 And I will let you know, you know, as

1 soon as I find out if she's not available.

2 JUDGE:

3 Okay. If you should find out that she is
4 not, if you could then talk to the other parties about
5 an alternative date ---

6 ATTORNEY KANAGY:

7 I will do that.

8 JUDGE:

9 --- that would be agreeable.

10 ATTORNEY KANAGY:

11 But I'll call her as soon as we get off
12 the phone.

13 JUDGE:

14 Okay. Very good. Mr. Danks, did you
15 have anything?

16 ATTORNEY DANKS:

17 No, nothing, Your Honor.

18 JUDGE:

19 Okay. And Ms. Miller?

20 ATTORNEY MILLER:

21 Nothing, Your Honor.

22 JUDGE:

23 Okay. We would like to then thank the
24 parties for appearing by telephone at this second pre-
25 hearing conference, and if there is nothing further,

1 then this second pre-hearing conference is adjourned.

2 Thank you all very much.

3 MS. DAVID:

4 Thank you.

5 ATTORNEY KANAGY:

6 Thank you.

7 ATTORNEY DANKS:

8 Thank you.

9 ATTORNEY MILLER:

10 Thank you.

11 * * * * *

12 HEARING CONCLUDED AT 10:10 A.M.

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