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File #: 166395

March 15, 2017

VIA ELECTRONIC FILING

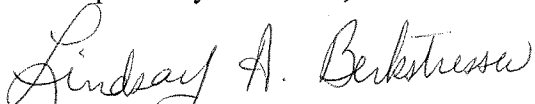
Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor North
P.O. Box 3265
Harrisburg, PA 17105-3265

Re: 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 Right-of-Way And Easement Over 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 - Docket No. A-2016-2571918

Dear Secretary Chiavetta:

Enclosed for filing is the Motion of PPL Electric Utilities Corporation to Dismiss Objections and Compel Responses to Discovery Propounded on Dalton Equity, Inc. – Set I, in the above-referenced proceeding. Copies will be provided as indicated on the Certificate of Service.

Respectfully submitted,


Lindsay A. Berkstresser

LAB/jl
Enclosure

cc: Certificate of Service
Honorable Elizabeth Barnes

CERTIFICATE OF SERVICE

(Docket No. A-2016-2571918)

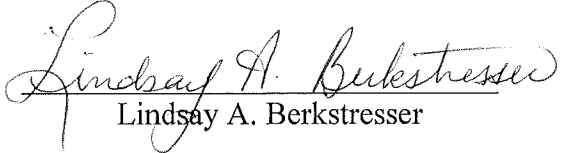
(Docket No. A-2016-2571923)

I hereby certify that a true and correct copy of the foregoing has been served upon the following persons, in the manner indicated, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

VIA E-MAIL & FIRST CLASS MAIL

Michael R. Mey, Esquire
Mey & Sulla, LLP
1144 East Drinker Street
Dunmore, PA 18512
*Counsel for Dalton Equity, Inc.
& Heirs of Davis Dean*

Date: March 15, 2017


Lindsay A. Berkstresser

**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 : Docket No. A-2016-2571918
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 :
is Necessary or Proper for the Service, :
Accommodation, Convenience, or Safety of :
the Public :

NOTICE TO PLEAD

YOU ARE HEREBY ADVISED THAT, PURSUANT TO 52 PA. CODE § 5.342(g)(1), YOU MAY FILE A REPLY TO THE ENCLOSED MOTION WITHIN FIVE (5) DAYS AFTER THE DATE OF SERVICE. YOUR REPLY SHOULD BE FILED WITH THE SECRETARY OF THE PENNSYLVANIA PUBLIC UTILITY COMMISSION, P.O. BOX 3265, HARRISBURG, PA 17105-3265. A COPY OF YOUR REPLY SHOULD ALSO BE SERVED ON THE UNDERSIGNED COUNSEL.

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Of Counsel:
Post & Schell, P.C.

Dated: March 15, 2017

Attorneys for PPL Electric Utilities Corporation

**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 : Docket No. A-2016-2571918
Its Proposed Exercise Of The Power Of :
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And Easement Over 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 :

**MOTION OF PPL ELECTRIC UTILITIES CORPORATION
TO DISMISS OBJECTIONS AND COMPEL RESPONSES TO DISCOVERY
PROPOUNDED ON DALTON EQUITY, INC. – SET I**

TO ADMINISTRATIVE LAW JUDGE ELIZABETH H. BARNES:

PPL Electric Utilities Corporation (“PPL Electric” or the “Company”) hereby files this Motion to Dismiss Objections and Compel Responses to Discovery Propounded on Dalton Equity, Inc. (“Dalton Equity”) Set I, pursuant to 52 Pa. Code § 5.342(g). For the reasons explained below, PPL Electric respectfully requests that the Honorable Administrative Law Judge Elizabeth H. Barnes (the “ALJ”) grant this Motion and order Dalton Equity to answer fully PPL Electric to Dalton Equity Set I, Nos. 3 through 18, 20 and 21 within three (3) days from the date of the order. In support of this Motion, PPL Electric states as follows:

I. INTRODUCTION

1. On October 14, 2016, PPL Electric filed the above-captioned Application requesting that the Pennsylvania Public Utility Commission (“Commission”) make a finding and determination that the service to be furnished by PPL Electric through the proposed exercise of

its eminent domain authority to acquire right-of-way and easement over a certain portion of the lands of Dalton Equity is reasonably necessary or proper for the service, accommodation, convenience, or safety of the public.

2. Dalton Equity filed a Petition to Intervene on November 20, 2016.

3. A prehearing conference was held before the ALJ on December 13, 2016.

4. On December 14, 2016, the ALJ issued a Prehearing Order granting Dalton Equity's Petition to Intervene and establishing a Procedural Schedule.

5. On February 27, 2017, PPL Electric served its Interrogatories and Requests for Production of Documents on Dalton Equity – Set I (“PPL Electric to Dalton Equity Set I”). A true and correct copy of PPL Electric to Dalton Equity Set I is attached hereto and marked as **Appendix A**.

6. Dalton Equity served its objections to PPL Electric to Dalton Equity Set I Nos. 3 through 18, 20 and 21 on March 6, 2017. A true and correct copy of Dalton Equity's objections to PPL Electric to Dalton Equity Set I are attached hereto and marked as **Appendix B**.

7. Counsel for PPL Electric and Dalton Equity attempted to informally resolve the objections. However, the parties have been unable to resolve the discovery dispute.

8. Under 52 Pa. Code § 5.321(c), a party is entitled to obtain discovery of any matter not privileged that is relevant to the pending proceeding, or any matter that is reasonably calculated to lead to the discovery of admissible evidence. Discovery is permitted regardless of whether the information sought “relates to the claim or defense of the party seeking discovery or to the claim or defense of another party.” *Id.*

9. The Commission generally provides wide latitude in discovery matters. *See Pa. P.U.C. v. The Peoples Natural Gas Co.*, 62 Pa. P.U.C. 56 (Order Entered Aug. 26, 1986); *Pa.*

P.U.C. v. Equitable Gas Co., 61 Pa. P.U.C. 468 (Order Entered May 16, 1986). “Relevancy depends upon the nature and facts of the individual case, and any doubts are to be resolved in favor of relevancy.” *Koken v. One Beacon Insurance Company*, 911 A.2d 1021, 1025 (Cmwlth Ct. 2006).

10. For the reasons stated below, PPL Electric respectfully requests that the ALJ grant this Motion and order Dalton Equity to answer fully PPL to Dalton Equity Set I, Nos. 3 through 18, 20 and 21 as described below.

II. ARGUMENT

A. DALTON EQUITY’S OBJECTIONS TO PPL TO DALTON EQUITY SET I, NOS. 3, 4 AND 14 THROUGH 17 ARE WITHOUT MERIT

11. PPL Electric to Dalton Equity Set I, No. 3 provides:

Please provide copies of any appraisals of any portion of the subject property performed for or on behalf of Dalton Equity.

PPL Electric to Dalton Equity Set I, No. 4 provides:

See response to PPL to Dalton-I-3. Please provide the following:

(a) The name, address, and phone number of the appraiser that prepared any appraisal identified in PPL to Dalton-I-3;

(b) A copy of all documents, notes, photographs, and other materials used or relied upon by the appraiser, and its employees or agents, that prepared any appraisal identified in PPL to Dalton-I-3; and

(c) A copy of all analyses, recommendations, memoranda, studies, proposals, and other documents used or otherwise prepared by the appraiser, and its employees or agents, that prepared any appraisal identified in PPL to Dalton-I-3.

PPL Electric to Dalton Equity Set I, No. 14 provides:

Please explain Dalton Equity's estimate of the current market value of the subject property. Explain in detail

PPL Electric to Dalton Equity Set I, No. 15 provides:

See response to PPL to Dalton-I-14. Please provide the following:

(a) The name, address, and phone number of the individual(s)/entity that prepared the estimate identified in PPL to Dalton-I-14;

(b) A copy of all documents, notes, photographs, and other materials used or relied upon by the individual(s)/entity that prepared the estimate identified in PPL to Dalton-I-14;

(c) A copy of all analyses, recommendations, memoranda, studies, proposals, and other documents used or otherwise prepared by the individual(s)/entity that prepared the estimate identified in PPL to Dalton-I-14; and

(d) Explain in detail the method used, or to be used, to determine the estimate identified in PPL to Dalton-I-14.

PPL Electric to Dalton Equity Set I, No. 16 provides:

Please explain Dalton Equity's current estimate of the market value of the right-of-way sought by PPL Electric across the subject property in the above-captioned applications.

PPL Electric to Dalton Equity Set I, No. 17 provides:

See response to PPL to Dalton-I-16. Please provide the following:

(a) The name, address, and phone number of the individual(s)/entity that prepared the estimate identified in PPL to Dalton-I-16;

(b) A copy of all documents, notes, photographs, and other materials used or relied upon by the individual(s)/entity that prepared the estimate identified in PPL to Dalton-I-16;

(c) A copy of all analyses, recommendations, memoranda, studies, proposals, and other documents used or otherwise prepared by the individual(s)/entity that prepared the estimate identified in PPL to Dalton-I-16; and

(d) Explain in detail the method used, or to be used, to determine the estimate identified in PPL to Dalton-I-16.

12. Dalton Equity objected to PPL Electric to Dalton Equity, Set I, Nos. 3, 4 and 14 through 17 on the basis that they are (1) irrelevant and not likely to lead to the discovery of admissible evidence and (2) overly broad. Dalton Equity's objections to PPL to Dalton Equity, Set I, Nos. 3, 4 and 14 through 17 are without merit and should be dismissed.

13. Dalton Equity contends that the interrogatories are "not relevant to the issues to be addressed in this application proceeding" which, according to Dalton Equity, is limited to "whether the service to be furnished through PPL Electric's proposed exercise of eminent domain to acquire right-of-way and easement over certain portions of the Dalton Equity property for the construction of the proposed line is necessary or proper for the service, accommodation, convenience, or safety of the public." Dalton Equity's objections fail to recognize that a party may obtain discovery regarding any relevant, non-privileged matter "whether it relates to the claim or defense of the party seeking discovery or to the claim or defense of another party . . ." 52 Pa. Code § 5.321(c) (emphasis added). Therefore, PPL Electric may seek discovery on issues that Dalton Equity has raised in response to PPL Electric's Application.

14. Dalton Equity has indicated that it opposes PPL Electric's request for a finding and determination that PPL Electric's proposed exercise of eminent domain is reasonably necessary or proper for the service, accommodation, convenience, or safety of the public. (Dalton Equity Petition to Intervene ¶¶ 6, 10.) Dalton equity has also indicated that it plans to develop the subject property for residential use. (Dalton Equity Petition to Intervene ¶¶ 7.) By

stating its future development plans in conjunction with its opposition to PPL Electric's Application, Dalton Equity is implicitly using the potential future value of the property if it were to be developed in support of its opposition to PPL Electric's Application and as a basis for Dalton Equity's request that the Commission deny PPL Electric's Application. Therefore, the information requested in these interrogatories is directly relevant to an issue raised by Dalton Equity in this proceeding, and PPL Electric should be entitled to discovery examining the basis for Dalton Equity's claims.

15. Dalton Equity, Set I, Nos. 3, 4 and 14 through 17 seek information related to the market value and appraisal of the subject property. PPL Electric acknowledges that the Commission does not determine the fair market value of the property over which PPL Electric requests approval to exercise its eminent domain authority. However, the information requested in PPL Electric to Dalton Equity Set I Nos. 3, 4 and 14 through 17 clearly could facilitate settlement negotiations between the parties and, potentially, result in a full resolution of the issues in this proceeding.

16. Dalton Equity's claim that PPL Electric to Dalton Equity Set I Nos. 3, 4 and 14 through 17 are unduly burdensome is without merit. The Commission's regulations limit discovery that would require a party to undertake an unreasonable investigation. *See* 52 Pa. Code § 5.361 (emphasis added). "The prohibition on discovery is not whether answering the discovery would be burdensome but, rather, whether it would be unduly burdensome." *Commonwealth of Pennsylvania, et al. v. Blue Pilot Energy, LLC*, Docket No. C-2014-2427655, 2015 Pa. PUC LEXIS 403, *9 (September 11, 2015) (finding that request for billing cycle information for all customers was not unreasonably burdensome and ordering party to answer interrogatories). PPL Electric to Dalton Equity Set No. I Nos. 3, 4 and 14 through 17 would not

require Dalton Equity to undertake an unreasonable investigation. The information requested in these interrogatories is limited to the market value and appraisals of the subject property. Presumably, Dalton Equity is aware of whether it undertook such appraisals and/ or market value analyses and any such appraisal and/or market value documents are within Dalton Equity's control. Therefore, the interrogatories do not require Dalton Equity to make any investigation whatsoever.

17. Based on the foregoing, PPL Electric respectfully submits that it is entitled to obtain discovery of the information and materials requested in PPL to Dalton Equity Set I, Nos. 3, 4 and 14 through 17, which are reasonably calculated to lead to the discovery of evidence relevant to Dalton Equity's claims and defenses in this proceeding.

B. DALTON EQUITY'S OBJECTIONS TO PPL TO DALTON EQUITY SET I, NOS. 5 THROUGH 13, 18, 20 AND 21 ARE WITHOUT MERIT

18. PPL Electric to Dalton Equity Set I, No. 5 provides:

See Paragraph 7 of the Dalton Equity Petition to Intervene. Please describe in detail Dalton Equity's plans to develop the subject property.

PPL Electric to Dalton Equity Set I, No. 6 provides:

See Paragraph 7 of the Dalton Equity Petition to Intervene. Please provide copies of any development plans prepared for the subject property.

PPL Electric to Dalton Equity Set I, No. 7 provides:

See Paragraph 7 of the Dalton Equity Petition to Intervene. Please provide copies of any subdivision plans prepared for the subject property.

PPL Electric to Dalton Equity Set I, No. 8 provides:

See Paragraph 7 of the Dalton Equity Petition to Intervene. Please provide copies of any federal, state, county, or municipal approvals obtained or granted for the subject property.

PPL Electric to Dalton Equity Set I, No. 9 provides:

See Paragraph 7 of the Dalton Equity Petition to Intervene. Please provide copies of any applications for any federal, state, county, or municipal approvals related to the subject property.

PPL Electric to Dalton Equity Set I, No. 10 provides:

See Paragraph 7 of the Dalton Equity Petition to Intervene. Please provide copies of any Please provide copies of any applications for any federal, state, county, or municipal permits obtained or granted for the subject property.

PPL Electric to Dalton Equity Set I, No. 11 provides:

See Paragraph 7 of the Dalton Equity Petition to Intervene. Please provide copies of any applications for any federal, state, county, or municipal permits related to the subject property.

PPL Electric to Dalton Equity Set I, No. 12 provides:

See Paragraph 7 of the Dalton Equity Petition to Intervene. Please provide copies of any surveys prepared for the subject property.

PPL Electric to Dalton Equity Set I, No. 13 provides:

See Paragraph 7 of the Dalton Equity Petition to Intervene. Please provide copies of any land planning prepared for the subject property.

PPL Electric to Dalton Equity Set I, No. 18 provides:

See Paragraph 7 of the Dalton Equity Petition to Intervene. Please explain in detail how the proposed transmission line will impact or interfere with the planned development of the subject property.

PPL Electric to Dalton Equity Set I, No. 20 provides:

See Paragraph 7 of the Dalton Equity Petition to Intervene. Please explain whether the planned development of the subject property will, if completed, require electric service.

PPL Electric to Dalton Equity Set I, No. 21 provides:

See response to PPL to Dalton-I-20. Please explain how the planned development will receive electric service if completed.

19. Dalton Equity objected to PPL to Dalton Equity, Set I, Nos. 5 through 13, 18, 20 and 21 on the basis that they are (1) irrelevant and not likely to lead to the discovery of admissible evidence and (2) overly broad. Dalton Equity's objections to PPL to Dalton Equity, Set I, Nos. 5 through 13, 18, 20 and 21 are without merit and should be dismissed.

20. PPL to Dalton Equity Set I Nos. 5 through 13, 18, 20 and 21 all relate to Dalton Equity's alleged plans to develop the subject property, which Dalton Equity contends are not at issue in this proceeding. Again, Dalton Equity's objections fail to recognize that PPL Electric may inquire into matters raised by other parties. *See* 52 Pa. Code § 5.321(c).

21. Discovery regarding Dalton Equity's plans to develop the subject property is proper because Dalton Equity has raised this exact issue in opposition to PPL Electric's Applications. Indeed, in its Petition to Intervene, Dalton Equity stated that "Dalton Equity's property is currently undeveloped, however, since soon after its purchase Dalton's intention was always to develop the property for residential use and has performed extensive survey and land planning in pursuit of its plan." (Dalton Equity Petition to Intervene ¶ 7.) However, it is entirely unknown if Dalton Equity truly intends to develop the property or what the scope of that development may be and its potential impacts to the proposed transmission line, if any.

22. Dalton Equity has also asserted in its "Direct Evidence" that it plans to develop the subject property for residential use and that the property will be directly affected by the proposed 69 kV transmission line. (Dalton Equity "Direct Evidence" ¶¶ 2, 4.) The information requested in PPL Electric to Dalton Equity Set I Nos. 5 through 13, 18, 20 and 21 is directly

relevant and necessary to determine what, if any, affect the proposed 69 kV transmission line may or may not have on the subject property as alleged in Dalton Equity's "Direct Evidence." Without this information, PPL Electric is without sufficient information to adequately address and respond to the claim set forth in Dalton Equity's "Direct Evidence. PPL Electric clearly is entitled to seek discovery regarding statements and claims asserted by a party in its direct evidence. Therefore, PPL Electric should be permitted to seek discovery of the requested information needed to adequately address an issue raised in Dalton Equity's "Direct Evidence."

23. Dalton Equity should not be permitted on the one hand to use its plan to develop the subject property in support of its position and, on the other hand, claim that this information is not relevant.¹ Dalton Equity has raised the issue in this proceeding in opposition to PPL Electric's Applications and, therefore, PPL Electric should be permitted to evaluate Dalton Equity's claims through the discovery process.

24. Information regarding Dalton Equity's development plans and steps taken in furtherance of those plans is directly relevant to Dalton Equity's claim that the Commission should deny PPL Electric's Application based on Dalton Equity's plans to develop the property and is reasonably calculated to lead to the discovery of admissible evidence. Dalton Equity's purported plans to develop the property in question are highly relevant to whether the proposed transmission line will impact or interfere with the alleged development as implied by Dalton Equity. Dalton Equity's purported plans to develop the property in question, which currently does not have an electric supply, could also impact the character and need of the service provided through the proposed transmission line, including, but not limited to, whether the

¹ The courts have long held that the integrity of adjudications must be protected by preventing litigants from "playing fast and loose" with the judicial system by switching positions to suit their own ends. *Sunbeam Corporation v. Liberty Mutual Insurance Company*, 566 Pa. 494, 781 A.2d 1189, 1192 (Pa. 2001), *reargument denied*, 2001 Pa. LEXIS 2597 (Pa. Dec. 5, 2001); *Ligon v. Middletown Area Sch. Dist.*, 584 A.2d 376, 380 (Pa.Cmwth. 1990).

proposed transmission line will be needed to provide electric service to the unspecified, forthcoming development alleged by Dalton Equity. Clearly, such information is relevant to this proceeding seeking Commission approval to exercise the power of eminent domain to acquire a proposed transmission line.

25. Dalton Equity's claim that PPL Electric to Dalton Equity Set No. I Nos. 5 through 13, 18, 20 and 21 are unduly burdensome is without merit. Specifically, Dalton Equity claims that the requests are unduly burdensome because they relate to the entire property, not just area of proposed right-of-way and easement. However, the information requested is limited to the subject property and does not inquire as to other properties. Dalton Equity claims that it has undertaken plans to develop the property; therefore, the requested information is presumably already within Dalton Equity's possession. Dalton Equity has raised the issue of its plans to develop the entire subject property, and PPL Electric should not be limited to information regarding the development plans of only the portion of the property over which PPL Electric proposes to exercise its eminent domain power.

26. Based on the foregoing, PPL Electric respectfully submits that it is entitled to obtain discovery of the information and materials requested in PPL to Dalton Equity Set I, Nos. 5 through 13, 18, 20 and 21, which are reasonably calculated to lead to the discovery of evidence relevant to Dalton Equity's claims and defenses in this proceeding.

III. CONCLUSION

For the reasons set forth above, PPL Electric Utilities Corporation respectfully requests that Administrative Law Judge Elizabeth H. Barnes grant this Motion to Dismiss Objections and Compel Responses to Discovery and direct Dalton Equity to answer fully PPL to Dalton Equity Set I, Nos. 3 through 18, 20 and 21, as described above within three (3) days from the date of the order.

Respectfully submitted,

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Of Counsel:
Post & Schell, P.C.

Dated: March 15, 2017

Attorneys for PPL Electric Utilities Corporation

Appendix A

**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 : Docket No. A-2016-2571918
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 is Necessary :
or Proper for the Service, Accommodation, :
Convenience, or Safety of the Public :

Application Of PPL Electric Utilities :
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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 :

**INTERROGATORIES AND REQUESTS FOR
PRODUCTION OF DOCUMENTS PROPOUNDED
BY PPL ELECTRIC UTILITIES CORPORATION
ON DALTON EQUITY, INC. – SET I**

Pursuant to 66 Pa.C.S. § 333 and 52 Pa. Code §§ 5.341 *et seq.*, PPL Electric Utilities Corporation (“PPL Electric”) propounds the following Interrogatories and Requests for Production of Documents (hereinafter, “discovery requests”) on Dalton Equity, Inc. (“Dalton Equity”) – Set I.

INSTRUCTIONS AND DEFINITIONS

1. The "Responding Party," "you," or "your" means the party to which these discovery requests are propounded and/or all attorneys, agents, affiliates, subsidiaries, employees, consultants, members, constituents, and representatives acting on behalf of the Responding Party.

2. "Commission" means the Pennsylvania Public Utility Commission.

3. To "identify" a natural person means to state that person's full name, title or position, employer, last known address, and last known telephone number.

4. To "identify" a business entity means to state the full name of such business, the form of the business, and its location or address.

5. To "identify" a "document" means to provide all of the following information irrespective of whether the document is deemed privileged or subject to any claim of privilege:

- a. The title or other means of identification of each such document;
- b. The date of each such document;
- c. The author, preparer or signer of each such document; and
- d. A description of the subject matter of such document sufficient to permit an understanding of its contents and importance to the testimony or position being examined and the present or last known location of the document. The specific nature of the document should also be stated (*e.g.*, letter, business record, memorandum, computer print-out, etc.).

In lieu of "identifying" any document, it shall be deemed a sufficient compliance with these discovery requests to attach a copy of each such document to the answers hereto and reference said document in the particular interrogatory to which the document is responsive.

6. "Document" means the original and all drafts of all written and graphic matter, however produced or reproduced, of any kind or description, whether or not sent or received, and all copies thereof which are different in any way from the original (whether by

interlineation, date-stamp, notarization, indication of copies sent or received, or otherwise), including without limitation, any paper, book, account, photograph, blueprint, drawing, sketch, schematic, agreement, contract, memorandum, press release, circular, advertising material, correspondence, letter, telegram, telex, object, report, opinion, investigation, record, transcript, hearing, meeting, study, notation, working paper, summary, intra-office communication, diary, chart, minutes, index sheet, computer software, computer-generated records or files, however stored, check, check stub, delivery ticket, bill of lading, invoice, record or recording or summary of any telephone or other conversation, or of any interview or of any conference, or any other written, recorded, transcribed, punched, taped, filmed, or graphic matter of which the Responding Party has or has had possession, custody or control, or of which the Responding Party has knowledge.

7. "Communication" means any manner or form of information or message transmission, however produced or reproduced, whether as a document as herein defined, or orally or otherwise, which is made, distributed, or circulated between or among persons, or data storage or processing units.

8. "Date" means the exact day, month, and year, if ascertainable, or if not, the best approximation thereof.

9. Items referred to in the singular include those in the plural, and items referred to in the plural include those in the singular.

10. Items referred to in the masculine include those in the feminine, and items referred to in the feminine include those in the masculine.

11. The answers provided to these discovery requests should first restate the question asked and identify the person(s) supplying the information.

12. In answering these discovery requests, the Responding Party is requested to furnish all information that is available to the Responding Party, including information in the possession of the Responding Party's attorneys, agents, consultants, or investigators, and not merely such information of the Responding Party's own knowledge. If any of the discovery requests cannot be answered in full after exercising due diligence to secure the requested information, please so state and answer to the extent possible, specifying the Responding Party's inability to answer the remainder, and stating whatever information the Responding Party has concerning the unanswered portions. If the Responding Party's answer is qualified in any particular, please set forth the details of such qualification.

13. If the Responding Party objects to providing any document requested on any ground, identify such document by describing it as set forth in Instruction 5 and state the basis of the objection.

14. If the Responding Party objects to part of a discovery request and refuses to answer that part, state the Responding Party's objection and answer the remaining portion of that discovery request. If the Responding Party objects to the scope or time period of a discovery request and refuses to answer for that scope or time period, state the Responding Party's objection and answer the discovery request for the scope or time period that the Responding Party believes is appropriate.

15. If, in connection with a discovery request, the Responding Party contends that any information, otherwise subject to discovery, is covered by either the attorney-client privilege, the so-called "attorneys' work product doctrine," or any other privilege or doctrine, then specify the general subject matter of the information and the basis to support each such objection.

16. If any information is withheld on grounds of privilege or other protection from disclosure, provide the following information: (a) every person to whom such information has been communicated and from whom such information was learned; (b) the nature and subject matter of the information; and (c) the basis on which the privilege or other protection from disclosure is claimed.

17. As set forth in 52 Pa. Code § 5.342(g), these discovery requests are continuing and the Responding Party is obliged to change, supplement, and correct all answers given to conform to new or changing information.

18. The “Dalton Equity Petition to Intervene” means the Petition to Intervene filed by Dalton Equity in the above-captioned matter.

19. The “subject property” means the property described in Exhibits 1 and 2 attached to the Dalton Equity Petition to Intervene.

**INTERROGATORIES, REQUESTS FOR PRODUCTION OF
DOCUMENTS AND REQUESTS FOR ADMISSION
ON DALTON EQUITY— SET I**

PPL to Dalton-I-1

Please identify the year(s) that Dalton Equity acquired the subject property.

PPL to Dalton-I-2

Please identify the purchase price(s) paid by Dalton Equity for the subject property.

PPL to Dalton-I-3

Please provide copies of any appraisals of any portion of the subject property performed for or on behalf of Dalton Equity.

PPL to Dalton-I-4

See response to PPL to Dalton-I-3. Please provide the following:

- (a) The name, address, and phone number of the appraiser that prepared any appraisal identified in PPL to Dalton-I-3;
- (b) A copy of all documents, notes, photographs, and other materials used or relied upon by the appraiser, and its employees or agents, that prepared any appraisal identified in PPL to Dalton-I-3; and
- (c) A copy of all analyses, recommendations, memoranda, studies, proposals, and other documents used or otherwise prepared by the appraiser, and its employees or agents, that prepared any appraisal identified in PPL to Dalton-I-3.

PPL to Dalton-I-5

See Paragraph 7 of the Dalton Equity Petition to Intervene. Please describe in detail Dalton Equity's plans to develop the subject property.

PPL to Dalton-I-6

See Paragraph 7 of the Dalton Equity Petition to Intervene. Please provide copies of any development plans prepared for the subject property.

PPL to Dalton-I-7

See Paragraph 7 of the Dalton Equity Petition to Intervene. Please provide copies of any subdivision plans prepared for the subject property.

PPL to Dalton-I-8

See Paragraph 7 of the Dalton Equity Petition to Intervene. Please provide copies of any federal, state, county, or municipal approvals obtained or granted for the subject property.

PPL to Dalton-I-9

See Paragraph 7 of the Dalton Equity Petition to Intervene. Please provide copies of any applications for any federal, state, county, or municipal approvals related to the subject property.

PPL to Dalton-I-10

See Paragraph 7 of the Dalton Equity Petition to Intervene. Please provide copies of any Please provide copies of any applications for any federal, state, county, or municipal permits obtained or granted for the subject property.

PPL to Dalton-I-11

See Paragraph 7 of the Dalton Equity Petition to Intervene. Please provide copies of any applications for any federal, state, county, or municipal permits related to the subject property.

PPL to Dalton-I-12

See Paragraph 7 of the Dalton Equity Petition to Intervene. Please provide copies of any surveys prepared for the subject property.

PPL to Dalton-I-13

See Paragraph 7 of the Dalton Equity Petition to Intervene. Please provide copies of any land planning prepared for the subject property.

PPL to Dalton-I-14

Please explain Dalton Equity's estimate of the current market value of the subject property. Explain in detail

PPL to Dalton-I-15

See response to PPL to Dalton-I-14. Please provide the following:

- (a) The name, address, and phone number of the individual(s)/entity that prepared the estimate identified in PPL to Dalton-I-14;
- (b) A copy of all documents, notes, photographs, and other materials used or relied upon by the individual(s)/entity that prepared the estimate identified in PPL to Dalton-I-14;
- (c) A copy of all analyses, recommendations, memoranda, studies, proposals, and other documents used or otherwise prepared by the individual(s)/entity that prepared the estimate identified in PPL to Dalton-I-14; and
- (d) Explain in detail the method used, or to be used, to determine the estimate identified in PPL to Dalton-I-14.

PPL to Dalton-I-16

Please explain Dalton Equity's current estimate of the market value of the right-of-way sought by PPL Electric across the subject property in the above-captioned applications.

PPL to Dalton-I-17

See response to PPL to Dalton-I-16. Please provide the following:

- (a) The name, address, and phone number of the individual(s)/entity that prepared the estimate identified in PPL to Dalton-I-16;
- (b) A copy of all documents, notes, photographs, and other materials used or relied upon by the individual(s)/entity that prepared the estimate identified in PPL to Dalton-I-16;
- (c) A copy of all analyses, recommendations, memoranda, studies, proposals, and other documents used or otherwise prepared by the individual(s)/entity that prepared the estimate identified in PPL to Dalton-I-16; and
- (d) Explain in detail the method used, or to be used, to determine the estimate identified in PPL to Dalton-I-16.

PPL to Dalton-I-18

See Paragraph 7 of the Dalton Equity Petition to Intervene. Please explain in detail how the proposed transmission line will impact or interfere with the planned development of the subject property.

PPL to Dalton-I-19

Please explain whether the subject property currently receives electric service. If so, please identify the electric utility that provides said service.

PPL to Dalton-I-20

See Paragraph 7 of the Dalton Equity Petition to Intervene. Please explain whether the planned development of the subject property will, if completed, require electric service.

PPL to Dalton-I-21

See response to PPL to Dalton-I-20. Please explain how the planned development will receive electric service if completed.

Appendix B

Mey & Sulla, LLP
ID #41441
1144 East Drinker Street
Dunmore, PA 18512
(570) 961-1929

Application Of PPL Electric Utilities :
Corporation Under 15 Pa.C.S. §1511© :
For A Finding and Determination That :
The Service To Be Furnished By The :
Applicant Through Its Proposed : Docket No.: A-2016-2571923
Exercise Of The Power Of Eminent : Consolidated with
Domain To Acquire Right-of-Way : Docket No.: A-2016-2571918
And Easement Over 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 :

OBJECTIONS OF DALTON EQUITY TO CERTAIN INTERROGATORIES PROPOUNDED BY PPL ELECTRIC

Dalton Equity, Inc. ("Dalton") hereby files these Objections to PPL Electric's Interrogatories, Request for Production of Documents and Requests for Admissions, Set I, pursuant to 52 Pa. Code § 5.342(c). As explained below, Dalton objects to PPL Electric's Set I Nos. 3 through 18, 20 and 21 because they:

(1) are not relevant to the issues raised in the above-captioned matter and are not likely to lead to the discovery of relevant or admissible evidence; and,

(2) are overly broad and unduly burdensome. In support thereof, Dalton states as follows:

I. INTRODUCTION

On October 14, 2016, PPL Electric filed the above-captioned Applications. The Applications request a finding and determination that service to be furnished through PPL Electric's proposed exercise of eminent domain to acquire right-of-way and easement over certain portions of property owned by Dalton Equity for the construction of a proposed 69 Kv transmission line is reasonably necessary or proper for the service, accommodation,

convenience or safety of the public.

Dalton filed its Petition to Intervene on November 23, 2016 which was granted without objection at a pre-hearing conference that was held December 13, 2016 before Administrative Law Judge, Elizabeth H. Barnes.

On February 27, 2017 PPL Electric served its Set I Interrogatories, Request for Production of Documents and Requests for Admissions ("PPL Set I"). Under 52 Pa. Code § 5.341(c), a party may propound interrogatories that relate to matters that can be inquired into under Section 5.321. Section 5.321(c), in turn, provides that a party is entitled to obtain discovery of any matter not privileged that is relevant to a pending proceeding and reasonably calculated to lead to the discovery of admissible evidence.

PPL Electric's Set I, Nos. 3-18, 20 and 21 request information that is irrelevant, overly broad, and is not likely to lead to the discovery of admissible evidence. For these reasons, as further explained below, Dalton objects to PPL Electric's Set I, Nos. 3-18, 21 and 22.

Counsel for Dalton contacted counsel for PPL Electric in attempt to resolve the objections. As of the date of these objections, no resolution has been reached.

II. OBJECTIONS

A. Objection to PPL Electric's Set I, No. 3. PPL Electric's Set I, No. 3 requests the following:

"Please provide copies of any appraisals of any portion of the subject property performed for or on behalf of Dalton Equity."

Dalton objects to PPL Electric's Set I, No. 3 for the following reasons:

1. It seeks information that is irrelevant and immaterial;
2. The request is overly broad and unduly burdensome;
3. The Interrogatories seeks information which is not reasonably calculated to lead to the discovery of admissible evidence.

The information sought in PPL Electric's Set I, No. 3 is not relevant to the issues to be addressed in this application proceeding and is not likely to lead to the discovery of admissible evidence. The issue in this application proceeding is whether the service to be furnished through PPL Electric's proposed exercise of eminent domain to acquire right-of-way and easement over certain portions of the Dalton Equity property for the construction of the proposed line is necessary or proper for the service, accommodation, convenience, or safety of the public. The information requested in PPL Electric's Set I, No. 3 is completely irrelevant to the proposed 69 kV transmission line and whether the service to be provided through is necessary or proper for the service, accommodation, convenience, or safety of the public. Rather, the request seeks documents related to the location of PPL Electric's existing transmission lines that are unrelated to the scope and purpose of the pending Applications. This information is entirely unrelated to and would have no impact on the issues to be decided in this application proceeding.

Rather, the request seeks documents related to the value of Dalton's property which is unrelated to the scope and purpose of the pending Application. This information is entirely unrelated to and will have no impact on the issues to be decided in this Application proceeding.

The request is overly broad and unduly burdensome because it is not limited to the proposed right-of-way. Indeed, the request includes the entirety of Dalton's property, not just that which will be subject to the proposed line 69kV right-of-way.

Based on the foregoing, Dalton objects to PPL Electric's Set I, No. 3 which seeks information that is irrelevant, immaterial, overly broad and unduly burdensome.

B. Objection to PPL Electric's Set I, No. 4. PPL Electric's Set I, No. 4 requests the following:

“(a) the name, address and phone number of the appraiser that prepared any appraisal identified in PPL to Dalton-I-3;

(b) A copy of all documents, notes, photographs, and other materials used or relied upon by the appraiser, and its employees or agents, taht

prepared any appraisal identified in PPL to Dalton-I-3; and

(c) A copy of all analysis, recommendations, memoranda, studies, proposals, and other documents used or otherwise prepared by the appraiser, and its employees or agents, that prepared any appraisal identified in PPL to Dalton-I-3.”

Dalton objects to PPL Electric’s Set I, No. 4 for the following reasons:

1. It seeks information that is irrelevant and immaterial;
2. The request is overly broad and unduly burdensome;
3. The Interrogatories seeks information which is not reasonably calculated to lead to the discovery of admissible evidence.

The information sought in PPL Electric’s Set I, No. 4 is not relevant to the issues to be addressed in this application proceeding and is not likely to lead to the discovery of admissible evidence. The issue in this application proceeding is whether the service to be furnished through PPL Electric’s proposed exercise of eminent domain to acquire right-of-way and easement over certain portions of the Dalton Equity property for the construction of the proposed line is necessary or proper for the service, accommodation, convenience, or safety of the public. The information requested in PPL Electric’s Set I, No. 4 is completely irrelevant to the proposed 69 kV transmission line and whether the service to be provided through is necessary or proper for the service, accommodation, convenience, or safety of the public. Rather, the request seeks documents related to the location of PPL Electric’s existing transmission lines that are unrelated to the scope and purpose of the pending Applications. This information is entirely unrelated to and would have no impact on the issues to be decided in this application proceeding.

Rather, the request seeks documents related to the value of Dalton’s property which is unrelated to the scope and purpose of the pending Application. This information is entirely unrelated to and will have no impact on the issues to be decided in this Application proceeding.

The request is overly broad and unduly burdensome because it is not limited to the proposed right-of-way. Indeed, the request includes the entirety of Dalton’s property, not just that which will be subject to the proposed line 69kV right-of-way.

Based on the foregoing, Dalton objects to PPL Electric's Set I, No. 4 which seeks information that is irrelevant, immaterial, overly broad and unduly burdensome.

C. Objection to PPL Electric's Set I, No.5. PPL Electric's Set I, No. 5 requests the following:

"See paragraph 7 of the Dalton Equity Petition to Intervene. Please describe in detail Dalton Equity's plans to develop the subject property."

Dalton objects to PPL Electric's Set I, No. 5 for the following reasons:

1. It seeks information that is irrelevant and immaterial;
2. The request is overly broad and unduly burdensome;
3. The Interrogatories seeks information which is not reasonably calculated to lead to the discovery of admissible evidence.

The information sought in PPL Electric's Set I, No. 5 is not relevant to the issues to be addressed in this application proceeding and is not likely to lead to the discovery of admissible evidence. The issue in this application proceeding is whether the service to be furnished through PPL Electric's proposed exercise of eminent domain to acquire right-of-way and easement over certain portions of the Dalton Equity property for the construction of the proposed line is necessary or proper for the service, accommodation, convenience, or safety of the public. The information requested in PPL Electric's Set I, No. 5 is completely irrelevant to the proposed 69 kV transmission line and whether the service to be provided through is necessary or proper for the service, accommodation, convenience, or safety of the public. Rather, the request seeks documents related to the location of PPL Electric's existing transmission lines that are unrelated to the scope and purpose of the pending Applications. This information is entirely unrelated to and would have no impact on the issues to be decided in this application proceeding.

Rather, the request seeks documents related to the value of Dalton's property which is unrelated to the scope and purpose of the pending Application. This information is entirely unrelated to and will have no impact on the issues to be decided in this Application proceeding.

The request is overly broad and unduly burdensome because it is not limited to the proposed right-of-way. Indeed, the request includes the entirety of Dalton's property, not just that which will be subject to the proposed line 69kV right-of-way.

Based on the foregoing, Dalton objects to PPL Electric's Set I, No. 5 which seeks information that is irrelevant, immaterial, overly broad and unduly burdensome.

D. Objection to PPL Electric's Set I, No. 6. PPL Electric's Set I, No. 6 requests the following:

"See Paragraph 7 of the Dalton Equity Petition to Intervene. Please provide copies of any development plans prepared for the subject property."

Dalton objects to PPL Electric's Set I, No. 6 for the following reasons:

1. It seeks information that is irrelevant and immaterial;
2. The request is overly broad and unduly burdensome;
3. The Interrogatories seeks information which is not reasonably calculated to lead to the discovery of admissible evidence.

The information sought in PPL Electric's Set I, No. 6 is not relevant to the issues to be addressed in this application proceeding and is not likely to lead to the discovery of admissible evidence. The issue in this application proceeding is whether the service to be furnished through PPL Electric's proposed exercise of eminent domain to acquire right-of-way and easement over certain portions of the Dalton Equity property for the construction of the proposed line is necessary or proper for the service, accommodation, convenience, or safety of the public. The information requested in PPL Electric's Set I, No. 6 is completely irrelevant to the proposed 69 kV transmission line and whether the service to be provided through is necessary or proper for the service, accommodation, convenience, or safety of the public. Rather, the request seeks documents related to the location of PPL Electric's existing transmission lines that are unrelated to the scope and purpose of the pending Applications. This information is entirely unrelated to and would have no impact on the issues to be decided in this application proceeding.

Rather, the request seeks documents related to the value of Dalton's

property which is unrelated to the scope and purpose of the pending Application. This information is entirely unrelated to and will have no impact on the issues to be decided in this Application proceeding.

The request is overly broad and unduly burdensome because it is not limited to the proposed right-of-way. Indeed, the request includes the entirety of Dalton's property, not just that which will be subject to the proposed line 69kV right-of-way.

Based on the foregoing, Dalton objects to PPL Electric's Set I, No. 6 which seeks information that is irrelevant, immaterial, overly broad and unduly burdensome.

E. Objection to PPL Electric's Set I, No. 7. PPL Electric's Set I, No.7 requests the following:

"See Paragraph 7 of the Dalton Equity Petition to Intervene. Please provide copies of any subdivision plans prepared for the subject property."

Dalton objects to PPL Electric's Set I, No. 7 for the following reasons:

1. It seeks information that is irrelevant and immaterial;
2. The request is overly broad and unduly burdensome;
3. The Interrogatories seeks information which is not reasonably calculated to lead to the discovery of admissible evidence.

The information sought in PPL Electric's Set I, No. 7 is not relevant to the issues to be addressed in this application proceeding and is not likely to lead to the discovery of admissible evidence. The issue in this application proceeding is whether the service to be furnished through PPL Electric's proposed exercise of eminent domain to acquire right-of-way and easement over certain portions of the Dalton Equity property for the construction of the proposed line is necessary or proper for the service, accommodation, convenience, or safety of the public. The information requested in PPL Electric's Set I, No. 7 is completely irrelevant to the proposed 69 kV transmission line and whether the service to be provided through is necessary or proper for the service, accommodation, convenience, or safety of the public. Rather, the request seeks documents related to the location of PPL Electric's existing transmission lines that are unrelated to the scope and

purpose of the pending Applications. This information is entirely unrelated to and would have no impact on the issues to be decided in this application proceeding.

Rather, the request seeks documents related to the value of Dalton's property which is unrelated to the scope and purpose of the pending Application. This information is entirely unrelated to and will have no impact on the issues to be decided in this Application proceeding.

The request is overly broad and unduly burdensome because it is not limited to the proposed right-of-way. Indeed, the request includes the entirety of Dalton's property, not just that which will be subject to the proposed line 69kV right-of-way.

Based on the foregoing, Dalton objects to PPL Electric's Set I, No. 7 which seeks information that is irrelevant, immaterial, overly broad and unduly burdensome.

F. Objection to PPL Electric's Set I, No. 8. PPL Electric's Set I, No. 8 requests the following:

"See Paragraph 7 of the Dalton Equity Petition to Intervene. Please provide copies of any federal, state, county or municipal approvals obtained or granted for the subject property."

Dalton objects to PPL Electric's Set I, No. 8 for the following reasons:

1. It seeks information that is irrelevant and immaterial;
2. The request is overly broad and unduly burdensome;
3. The Interrogatories seeks information which is not reasonably calculated to lead to the discovery of admissible evidence.

The information sought in PPL Electric's Set I, No. 8 is not relevant to the issues to be addressed in this application proceeding and is not likely to lead to the discovery of admissible evidence. The issue in this application proceeding is whether the service to be furnished through PPL Electric's proposed exercise of eminent domain to acquire right-of-way and easement

over certain portions of the Dalton Equity property for the construction of the proposed line is necessary or proper for the service, accommodation, convenience, or safety of the public. The information requested in PPL Electric's Set I, No. 8 is completely irrelevant to the proposed 69 kV transmission line and whether the service to be provided through is necessary or proper for the service, accommodation, convenience, or safety of the public. Rather, the request seeks documents related to the location of PPL Electric's existing transmission lines that are unrelated to the scope and purpose of the pending Applications. This information is entirely unrelated to and would have no impact on the issues to be decided in this application proceeding.

Rather, the request seeks documents related to the value of Dalton's property which is unrelated to the scope and purpose of the pending Application. This information is entirely unrelated to and will have no impact on the issues to be decided in this Application proceeding.

The request is overly broad and unduly burdensome because it is not limited to the proposed right-of-way. Indeed, the request includes the entirety of Dalton's property, not just that which will be subject to the proposed line 69kV right-of-way.

Based on the foregoing, Dalton objects to PPL Electric's Set I, No. 8 which seeks information that is irrelevant, immaterial, overly broad and unduly burdensome.

G. A. Objection to PPL Electric's Set I, No. 9. PPL Electric's Set I, No. 9 requests the following:

"See paragraph 7 of the Dalton Equity Petition to Intervene. Please provide copies of any applications for any federal, state, county or municipal approvals related to the subject property."

Dalton objects to PPL Electric's Set I, No. 9 for the following reasons:

1. It seeks information that is irrelevant and immaterial;
2. The request is overly broad and unduly burdensome;
3. The Interrogatories seeks information which is not reasonably calculated to lead to the discovery of admissible evidence.

The information sought in PPL Electric's Set I, No. 9 is not relevant to the issues to be addressed in this application proceeding and is not likely to lead to the discovery of admissible evidence. The issue in this application proceeding is whether the service to be furnished through PPL Electric's proposed exercise of eminent domain to acquire right-of-way and easement over certain portions of the Dalton Equity property for the construction of the proposed line is necessary or proper for the service, accommodation, convenience, or safety of the public. The information requested in PPL Electric's Set I, No. 9 is completely irrelevant to the proposed 69 kV transmission line and whether the service to be provided through is necessary or proper for the service, accommodation, convenience, or safety of the public. Rather, the request seeks documents related to the location of PPL Electric's existing transmission lines that are unrelated to the scope and purpose of the pending Applications. This information is entirely unrelated to and would have no impact on the issues to be decided in this application proceeding.

Rather, the request seeks documents related to the value of Dalton's property which is unrelated to the scope and purpose of the pending Application. This information is entirely unrelated to and will have no impact on the issues to be decided in this Application proceeding.

The request is overly broad and unduly burdensome because it is not limited to the proposed right-of-way. Indeed, the request includes the entirety of Dalton's property, not just that which will be subject to the proposed line 69kV right-of-way.

Based on the foregoing, Dalton objects to PPL Electric's Set I, No. 9 which seeks information that is irrelevant, immaterial, overly broad and unduly burdensome.

H. Objection to PPL Electric's Set I, No. 10. PPL Electric's Set I, No. 10 requests the following:

"See Paragraph 7 of the Dalton Equity Petition to Intervene. Please provide copies of any applications for any federal, state, county or municipal permits obtained or granted for the subject property."

Dalton objects to PPL Electric's Set I, No. 10 for the following reasons:

1. It seeks information that is irrelevant and immaterial;
2. The request is overly broad and unduly burdensome;
3. The Interrogatories seeks information which is not reasonably calculated to lead to the discovery of admissible evidence.

The information sought in PPL Electric's Set I, No. 10 is not relevant to the issues to be addressed in this application proceeding and is not likely to lead to the discovery of admissible evidence. The issue in this application proceeding is whether the service to be furnished through PPL Electric's proposed exercise of eminent domain to acquire right-of-way and easement over certain portions of the Dalton Equity property for the construction of the proposed line is necessary or proper for the service, accommodation, convenience, or safety of the public. The information requested in PPL Electric's Set I, No. 10 is completely irrelevant to the proposed 69 kV transmission line and whether the service to be provided through is necessary or proper for the service, accommodation, convenience, or safety of the public. Rather, the request seeks documents related to the location of PPL Electric's existing transmission lines that are unrelated to the scope and purpose of the pending Applications. This information is entirely unrelated to and would have no impact on the issues to be decided in this application proceeding.

Rather, the request seeks documents related to the value of Dalton's property which is unrelated to the scope and purpose of the pending Application. This information is entirely unrelated to and will have no impact on the issues to be decided in this Application proceeding.

The request is overly broad and unduly burdensome because it is not limited to the proposed right-of-way. Indeed, the request includes the entirety of Dalton's property, not just that which will be subject to the proposed line 69kV right-of-way.

Based on the foregoing, Dalton objects to PPL Electric's Set I, No. 10 which seeks information that is irrelevant, immaterial, overly broad and unduly burdensome.

I. Objection to PPL Electric's Set I, No. 11. PPL Electric's Set I, No. 11 requests the following:

“See Paragraph 7 of the Dalton Equity Petition to Intervene. Please provide copies of any applications for any federal, state, county or municipal permits related to the subject property.”

Dalton objects to PPL Electric’s Set I, No. 11 for the following reasons:

1. It seeks information that is irrelevant and immaterial;
2. The request is overly broad and unduly burdensome;
3. The Interrogatories seeks information which is not reasonably calculated to lead to the discovery of admissible evidence.

The information sought in PPL Electric’s Set I, No. 11 is not relevant to the issues to be addressed in this application proceeding and is not likely to lead to the discovery of admissible evidence. The issue in this application proceeding is whether the service to be furnished through PPL Electric’s proposed exercise of eminent domain to acquire right-of-way and easement over certain portions of the Dalton Equity property for the construction of the proposed line is necessary or proper for the service, accommodation, convenience, or safety of the public. The information requested in PPL Electric’s Set I, No. 11 is completely irrelevant to the proposed 69 kV transmission line and whether the service to be provided through is necessary or proper for the service, accommodation, convenience, or safety of the public. Rather, the request seeks documents related to the location of PPL Electric’s existing transmission lines that are unrelated to the scope and purpose of the pending Applications. This information is entirely unrelated to and would have no impact on the issues to be decided in this application proceeding.

Rather, the request seeks documents related to the value of Dalton’s property which is unrelated to the scope and purpose of the pending Application. This information is entirely unrelated to and will have no impact on the issues to be decided in this Application proceeding.

The request is overly broad and unduly burdensome because it is not limited to the proposed right-of-way. Indeed, the request includes the entirety of Dalton’s property, not just that which will be subject to the proposed line 69kV right-of-way.

Based on the foregoing, Dalton objects to PPL Electric’s Set I, No. 11 which seeks information that is irrelevant, immaterial, overly broad and unduly

burdensome.

J. Objection to PPL Electric's Set I, No. 12. PPL Electric's Set I, No. 12 requests the following:

"See Paragraph 7 of the Dalton Equity Petition to Intervene. Please provide copies of any surveys prepared for the subject property."

Dalton objects to PPL Electric's Set I, No. 12 for the following reasons:

1. It seeks information that is irrelevant and immaterial;
2. The request is overly broad and unduly burdensome;
3. The Interrogatories seeks information which is not reasonably calculated to lead to the discovery of admissible evidence.

The information sought in PPL Electric's Set I, No. 12 is not relevant to the issues to be addressed in this application proceeding and is not likely to lead to the discovery of admissible evidence. The issue in this application proceeding is whether the service to be furnished through PPL Electric's proposed exercise of eminent domain to acquire right-of-way and easement over certain portions of the Dalton Equity property for the construction of the proposed line is necessary or proper for the service, accommodation, convenience, or safety of the public. The information requested in PPL Electric's Set I, No. 12 is completely irrelevant to the proposed 69 kV transmission line and whether the service to be provided through is necessary or proper for the service, accommodation, convenience, or safety of the public. Rather, the request seeks documents related to the location of PPL Electric's existing transmission lines that are unrelated to the scope and purpose of the pending Applications. This information is entirely unrelated to and would have no impact on the issues to be decided in this application proceeding.

Rather, the request seeks documents related to the value of Dalton's property which is unrelated to the scope and purpose of the pending Application. This information is entirely unrelated to and will have no impact on the issues to be decided in this Application proceeding.

The request is overly broad and unduly burdensome because it is not limited to the proposed right-of-way. Indeed, the request includes the entirety

of Dalton's property, not just that which will be subject to the proposed line 69kV right-of-way.

Based on the foregoing, Dalton objects to PPL Electric's Set I, No. 12 which seeks information that is irrelevant, immaterial, overly broad and unduly burdensome.

K. Objection to PPL Electric's Set I, No. 13. PPL Electric's Set I, No. 13 requests the following:

"See Paragraph 7 of the Dalton Equity Petition to Intervene. Please provide copies of any land planning prepared for the subject property."

Dalton objects to PPL Electric's Set I, No. 13 for the following reasons:

1. It seeks information that is irrelevant and immaterial;
2. The request is overly broad and unduly burdensome;
3. The Interrogatories seeks information which is not reasonably calculated to lead to the discovery of admissible evidence.

The information sought in PPL Electric's Set I, No. 13 is not relevant to the issues to be addressed in this application proceeding and is not likely to lead to the discovery of admissible evidence. The issue in this application proceeding is whether the service to be furnished through PPL Electric's proposed exercise of eminent domain to acquire right-of-way and easement over certain portions of the Dalton Equity property for the construction of the proposed line is necessary or proper for the service, accommodation, convenience, or safety of the public. The information requested in PPL Electric's Set I, No. 13 is completely irrelevant to the proposed 69 kV transmission line and whether the service to be provided through is necessary or proper for the service, accommodation, convenience, or safety of the public. Rather, the request seeks documents related to the location of PPL Electric's existing transmission lines that are unrelated to the scope and purpose of the pending Applications. This information is entirely unrelated to and would have no impact on the issues to be decided in this application proceeding.

Rather, the request seeks documents related to the value of Dalton's property which is unrelated to the scope and purpose of the pending

Application. This information is entirely unrelated to and will have no impact on the issues to be decided in this Application proceeding.

The request is overly broad and unduly burdensome because it is not limited to the proposed right-of-way. Indeed, the request includes the entirety of Dalton's property, not just that which will be subject to the proposed line 69kV right-of-way.

Based on the foregoing, Dalton objects to PPL Electric's Set I, No. 13 which seeks information that is irrelevant, immaterial, overly broad and unduly burdensome.

L. Objection to PPL Electric's Set I, No. 14. PPL Electric's Set I, No. 14 requests the following:

"Please explain Dalton Equity's estimate of the current market value of the subject property. Explain in detail."

Dalton objects to PPL Electric's Set I, No. 14 for the following reasons:

1. It seeks information that is irrelevant and immaterial;
2. The request is overly broad and unduly burdensome;
3. The Interrogatories seeks information which is not reasonably calculated to lead to the discovery of admissible evidence.

The information sought in PPL Electric's Set I, No. 14 is not relevant to the issues to be addressed in this application proceeding and is not likely to lead to the discovery of admissible evidence. The issue in this application proceeding is whether the service to be furnished through PPL Electric's proposed exercise of eminent domain to acquire right-of-way and easement over certain portions of the Dalton Equity property for the construction of the proposed line is necessary or proper for the service, accommodation, convenience, or safety of the public. The information requested in PPL Electric's Set I, No. 14 is completely irrelevant to the proposed 69 kV transmission line and whether the service to be provided through is necessary or proper for the service, accommodation, convenience, or safety of the public. Rather, the request seeks documents related to the location of PPL Electric's existing transmission lines that are unrelated to the scope and purpose of the pending Applications. This information is entirely unrelated to and would have no impact on the issues to be decided in this application

proceeding.

Rather, the request seeks documents related to the value of Dalton's property which is unrelated to the scope and purpose of the pending Application. This information is entirely unrelated to and will have no impact on the issues to be decided in this Application proceeding.

The request is overly broad and unduly burdensome because it is not limited to the proposed right-of-way. Indeed, the request includes the entirety of Dalton's property, not just that which will be subject to the proposed line 69kV right-of-way.

Based on the foregoing, Dalton objects to PPL Electric's Set I, No. 14 which seeks information that is irrelevant, immaterial, overly broad and unduly burdensome.

M. Objection to PPL Electric's Set I, No. 15. PPL Electric's Set I, No. 15 requests the following:

"See response to PPL to Dalton-I-14. Please provide the following:

(a) The name, address and phone number of the individual(s) / entity that prepared the estimate identified in PPL to Dalton-I-14;

(b) A copy of all documents, notes, photographs and other materials used or relied upon by the individual(s) /entity that prepared the estimate identified in PPL to Dalton-I-14;

(c) A copy of all analyses, recommendations, memoranda, studies, proposals, and other documents used or otherwise prepared by the individual(s) /entity that prepared the estimate identified in PPL to Dalton-I-14; and,

(d) Explain in detail the method used, or to be used, or to be used, to determine the estimate identified in PPL to Dalton-I-14.

Dalton objects to PPL Electric's Set I, No. 15 for the following reasons:

1. It seeks information that is irrelevant and immaterial;
2. The request is overly broad and unduly burdensome;

3. The Interrogatories seeks information which is not reasonably calculated to lead to the discovery of admissible evidence.

The information sought in PPL Electric's Set I, No. 15 is not relevant to the issues to be addressed in this application proceeding and is not likely to lead to the discovery of admissible evidence. The issue in this application proceeding is whether the service to be furnished through PPL Electric's proposed exercise of eminent domain to acquire right-of-way and easement over certain portions of the Dalton Equity property for the construction of the proposed line is necessary or proper for the service, accommodation, convenience, or safety of the public. The information requested in PPL Electric's Set I, No. 15 is completely irrelevant to the proposed 69 kV transmission line and whether the service to be provided through is necessary or proper for the service, accommodation, convenience, or safety of the public. Rather, the request seeks documents related to the location of PPL Electric's existing transmission lines that are unrelated to the scope and purpose of the pending Applications. This information is entirely unrelated to and would have no impact on the issues to be decided in this application proceeding.

Rather, the request seeks documents related to the value of Dalton's property which is unrelated to the scope and purpose of the pending Application. This information is entirely unrelated to and will have no impact on the issues to be decided in this Application proceeding.

The request is overly broad and unduly burdensome because it is not limited to the proposed right-of-way. Indeed, the request includes the entirety of Dalton's property, not just that which will be subject to the proposed line 69kV right-of-way.

Based on the foregoing, Dalton objects to PPL Electric's Set I, No. 15 which seeks information that is irrelevant, immaterial, overly broad and unduly burdensome.

N. Objection to PPL Electric's Set I, No. 16. PPL Electric's Set I, No. 16 requests the following:

"Please explain Dalton Equity's current estimate of the market value of the right-of-way sought by PPL Electric across the subject property in the above-captioned applications."

Dalton objects to PPL Electric's Set I, No. 16 for the following reasons:

1. It seeks information that is irrelevant and immaterial;
2. The request is overly broad and unduly burdensome;
3. The Interrogatories seeks information which is not reasonably calculated to lead to the discovery of admissible evidence.

The information sought in PPL Electric's Set I, No. 16 is not relevant to the issues to be addressed in this application proceeding and is not likely to lead to the discovery of admissible evidence. The issue in this application proceeding is whether the service to be furnished through PPL Electric's proposed exercise of eminent domain to acquire right-of-way and easement over certain portions of the Dalton Equity property for the construction of the proposed line is necessary or proper for the service, accommodation, convenience, or safety of the public. The information requested in PPL Electric's Set I, No. 16 is completely irrelevant to the proposed 69 kV transmission line and whether the service to be provided through is necessary or proper for the service, accommodation, convenience, or safety of the public. Rather, the request seeks documents related to the location of PPL Electric's existing transmission lines that are unrelated to the scope and purpose of the pending Applications. This information is entirely unrelated to and would have no impact on the issues to be decided in this application proceeding.

Rather, the request seeks documents related to the value of Dalton's property which is unrelated to the scope and purpose of the pending Application. This information is entirely unrelated to and will have no impact on the issues to be decided in this Application proceeding.

The request is overly broad and unduly burdensome because it is not limited to the proposed right-of-way. Indeed, the request includes the entirety of Dalton's property, not just that which will be subject to the proposed line 69kV right-of-way.

Based on the foregoing, Dalton objects to PPL Electric's Set I, No. 16 which seeks information that is irrelevant, immaterial, overly broad and unduly burdensome.

O. Objection to PPL Electric's Set I, No. 17. PPL Electric's Set I, No. 17 requests the following:

"See response to PPL to Dalton-I-16. Please provide the following:

(a) The name, address and phone number of the individual(s) / entity that prepared the estimate identified in PPL to Dalton-I-16;

(b) A copy of all documents, notes, photographs and other materials used or relied upon by the individual(s) / entity that prepared the estimate identified in PPL to Dalton-I-16;

(c) A copy of all analyses, recommendations, memoranda, studies, proposals, and other documents used or otherwise prepared by the individual(s) / entity that prepared the estimate identified in PPL to Dalton-I-16; and,

(D) Explain in detail the method used, or to be used, to determine the estimate identified in PPL to Dalton-I-16.

Dalton objects to PPL Electric's Set I, No. 17 for the following reasons:

1. It seeks information that is irrelevant and immaterial;
2. The request is overly broad and unduly burdensome;
3. The Interrogatories seeks information which is not reasonably calculated to lead to the discovery of admissible evidence.

The information sought in PPL Electric's Set I, No. 17 is not relevant to the issues to be addressed in this application proceeding and is not likely to lead to the discovery of admissible evidence. The issue in this application proceeding is whether the service to be furnished through PPL Electric's proposed exercise of eminent domain to acquire right-of-way and easement over certain portions of the Dalton Equity property for the construction of the proposed line is necessary or proper for the service, accommodation, convenience, or safety of the public. The information requested in PPL Electric's Set I, No. 17 is completely irrelevant to the proposed 69 kV transmission line and whether the service to be provided through is necessary or proper for the service, accommodation, convenience, or safety of the public. Rather, the request seeks documents related to the location of PPL Electric's existing transmission lines that are unrelated to the scope and

purpose of the pending Applications. This information is entirely unrelated to and would have no impact on the issues to be decided in this application proceeding.

Rather, the request seeks documents related to the value of Dalton's property which is unrelated to the scope and purpose of the pending Application. This information is entirely unrelated to and will have no impact on the issues to be decided in this Application proceeding.

The request is overly broad and unduly burdensome because it is not limited to the proposed right-of-way. Indeed, the request includes the entirety of Dalton's property, not just that which will be subject to the proposed line 69kV right-of-way.

Based on the foregoing, Dalton objects to PPL Electric's Set I, No. 17 which seeks information that is irrelevant, immaterial, overly broad and unduly burdensome.

P. Objection to PPL Electric's Set I, No. 18. PPL Electric's Set I, No. 18 requests the following:

"See Paragraph 7 of the Dalton Equity Petition to Intervene. Please explain in detail how the proposed transmission line will impact or interfere with the planned development of the subject property."

Dalton objects to PPL Electric's Set I, No. 18 for the following reasons:

1. It seeks information that is irrelevant and immaterial;
2. The request is overly broad and unduly burdensome;
3. The Interrogatories seeks information which is not reasonably calculated to lead to the discovery of admissible evidence.

The information sought in PPL Electric's Set I, No. 18 is not relevant to the issues to be addressed in this application proceeding and is not likely to lead to the discovery of admissible evidence. The issue in this application proceeding is whether the service to be furnished through PPL Electric's proposed exercise of eminent domain to acquire right-of-way and easement over certain portions of the Dalton Equity property for the construction of the proposed line is necessary or proper for the service, accommodation, convenience, or safety of the public. The information requested in PPL

Electric's Set I, No. 16 is completely irrelevant to the proposed 69 kV transmission line and whether the service to be provided through is necessary or proper for the service, accommodation, convenience, or safety of the public. Rather, the request seeks documents related to the location of PPL Electric's existing transmission lines that are unrelated to the scope and purpose of the pending Applications. This information is entirely unrelated to and would have no impact on the issues to be decided in this application proceeding.

Rather, the request seeks documents related to the value of Dalton's property which is unrelated to the scope and purpose of the pending Application. This information is entirely unrelated to and will have no impact on the issues to be decided in this Application proceeding.

The request is overly broad and unduly burdensome because it is not limited to the proposed right-of-way. Indeed, the request includes the entirety of Dalton's property, not just that which will be subject to the proposed line 69kV right-of-way.

Based on the foregoing, Dalton objects to PPL Electric's Set I, No. 18 which seeks information that is irrelevant, immaterial, overly broad and unduly burdensome.

Q. Objection to PPL Electric's Set I, No. 20. PPL Electric's Set I, No. 20 requests the following:

"See Paragraph 7 of the Dalton Equity Petition to Intervene. Please explain whether the planned development of the subject property will, if completed, need electric service."

Dalton objects to PPL Electric's Set I, No. 20 for the following reasons:

1. It seeks information that is irrelevant and immaterial;
2. The request is overly broad and unduly burdensome;
3. The Interrogatories seeks information which is not reasonably calculated to lead to the discovery of admissible evidence.

The information sought in PPL Electric's Set I, No. 20 is not relevant to the issues to be addressed in this application proceeding and is not likely to lead to the discovery of admissible evidence. The issue in this application proceeding is whether the service to be furnished through PPL Electric's proposed exercise of eminent domain to acquire right-of-way and easement over certain portions of the Dalton Equity property for the construction of the proposed line is necessary or proper for the service, accommodation, convenience, or safety of the public. The information requested in PPL Electric's Set I, No. 20 is completely irrelevant to the proposed 69 kV transmission line and whether the service to be provided through is necessary or proper for the service, accommodation, convenience, or safety of the public. Rather, the request seeks documents related to the location of PPL Electric's existing transmission lines that are unrelated to the scope and purpose of the pending Applications. This information is entirely unrelated to and would have no impact on the issues to be decided in this application proceeding.

Rather, the request seeks documents related to the value of Dalton's property which is unrelated to the scope and purpose of the pending Application. This information is entirely unrelated to and will have no impact on the issues to be decided in this Application proceeding.

The request is overly broad and unduly burdensome because it is not limited to the proposed right-of-way. Indeed, the request includes the entirety of Dalton's property, not just that which will be subject to the proposed line 69kV right-of-way.

Based on the foregoing, Dalton objects to PPL Electric's Set I, No. 20 which seeks information that is irrelevant, immaterial, overly broad and unduly burdensome.

R. Objection to PPL Electric's Set I, No. 21. PPL Electric's Set I, No. 21 requests the following:

"See response to PPL to Dalton-I-20. Please explain how the planned development will receive electric service if completed."

Dalton objects to PPL Electric's Set I, No. 21 for the following reasons:

1. It seeks information that is irrelevant and immaterial;
2. The request is overly broad and unduly burdensome;
3. The Interrogatories seeks information which is not reasonably calculated to lead to the discovery of admissible evidence.

The information sought in PPL Electric's Set I, No. 21 is not relevant to the issues to be addressed in this application proceeding and is not likely to lead to the discovery of admissible evidence. The issue in this application proceeding is whether the service to be furnished through PPL Electric's proposed exercise of eminent domain to acquire right-of-way and easement over certain portions of the Dalton Equity property for the construction of the proposed line is necessary or proper for the service, accommodation, convenience, or safety of the public. The information requested in PPL Electric's Set I, No. 21 is completely irrelevant to the proposed 69 kY transmission line and whether the service to be provided through is necessary or proper for the service, accommodation, convenience, or safety of the public. Rather, the request seeks documents related to the location of PPL Electric's existing transmission lines that are unrelated to the scope and purpose of the pending Applications. This information is entirely unrelated to and would have no impact on the issues to be decided in this application proceeding.

Rather, the request seeks documents related to the value of Dalton's property which is unrelated to the scope and purpose of the pending Application. This information is entirely unrelated to and will have no impact on the issues to be decided in this Application proceeding.

The request is overly broad and unduly burdensome because it is not limited to the proposed right-of-way. Indeed, the request includes the entirety of Dalton's property, not just that which will be subject to the proposed line 69kV right-of-way.

Based on the foregoing, Dalton objects to PPL Electric's Set I, No. 21 which seeks information that is irrelevant, immaterial, overly broad and unduly burdensome.

III. CONCLUSION

WHEREFORE, PPL Electric Utilities Corporation objects to Dalton Equity Set I, Numbers 3 through 18, 20 and 21 which seek information that is irrelevant, immaterial, unduly burdensome, and confidential. Dalton Equity, Inc. reserves the right to object to future interrogatories, requests for admissions, and requests for production of documents including any instructions and definitions contained therein.

RESPECTFULLY SUBMITTED:

MEY & SULLA, LLP

A handwritten signature in cursive script, appearing to read "Michael R. Mey".

MICHAEL R. MEY, ESQ.