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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 :
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-2016-2571923
Consolidated with
Docket No.: A-2016-2571918

COVER PAGE
ANSWER TO MOTION TO OVERRULE OBJECTIONS

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March 20, 2017

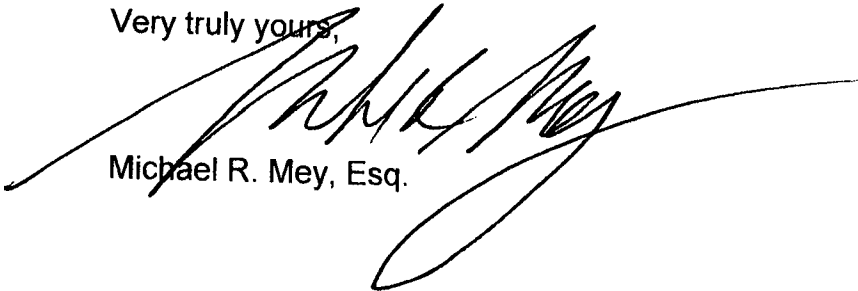
Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor North
P.O. Box 3265
Harrisburg, PA 17105-3265

RE: APPLICATION OF PPL / DALTON EQUITY
DOCKET NO: A-2016-2571918

Dear Secretary Chiavetta:

Enclosed please find Dalton Equity's Answer to PPL's Motion to Dismiss Objections and Compel Responses to Discovery Propounded on Dalton, Set I.

Very truly yours,


Michael R. Mey, Esq.

MRM/ms
Enc.

cc: Honorable Elizabeth Barnes

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ANSWER OF DALTON EQUITY, INC.,
TO MOTION OF PPL ELECTRIC UTILITIES CORPORATION
TO DISMISS OBJECTIONS

TO: ADMINISTRATIVE LAW JUDGE ELIZABETH H. BARNES:

Dalton Equity, Inc., (Dalton) hereby files this Answer to PPL's Motion to Dismiss Objections and Compel Responses. Dalton respectfully requests this Honorable Court to dismiss PPL's Motion and to find that the subject discovery requests are irrelevant, immaterial, overly broad and unduly burdensome and which seek information which is not reasonably calculated to lead to the discovery of admissible evidence.

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

4. Admitted.

5. Admitted.

6. Admitted.

7. Admitted. For further answer it is admitted that counsel for Dalton specifically requested counsel for PPL to inform him and his client how information concerning appraisals, municipal approvals, subdivision plans and "Dalton Equity's estimate of the current market value of the subject property" (PPL to Dalton I-14) could in any way shape or form be relevant, material or lead to discoverable information since the only matter pending before the Pennsylvania Public Utility Commission is an Application by PPL Utilities to approve their use of eminent domain to obtain an easement over Dalton's land for the installation of a 69kv line whose sole customer is Williams/Transco.

8. Admitted and denied. It is admitted that a party is entitled to obtain discovery of any matter not privileged that is relevant to the pending proceeding or any matter which is reasonably calculated to lead to the discovery of admissible evidence. It is specifically denied that any of the evidence sought by PPL could reasonably be calculated to lead to the discovery of admissible evidence.

9. Admitted and denied. It is admitted that wide latitude in discovery is granted by the Commission. It is specifically denied that the concept of relevancy is enunciated by PPL is accurate.

10. Denied. Dalton respectfully requests that this Honorable Court deny and dismiss PPL's Motion.

II. ARGUMENT

11. Admitted.

12. Admitted and denied. It is admitted that Dalton has objected to numbers, 3, 4, 14 through 17 on the basis that they are irrelevant and not likely to lead to the discovery of admissible evidence, overly broad and that in fact they are not reasonably calculated to lead to the discovery of admissible evidence.

13. Admitted and denied. It is admitted that Dalton has provided specific objections to PPL's discovery requests which speak for themselves. PPL's insistence upon obtaining information concerning value, appraisals, subdivision approvals and municipal reviews fail to address how in anyway these matters would have any relevancy, impact or lead to the discovery of discoverable information with regard to their pending application for the installation of 69kv line via an easement through Dalton's property.

14. Admitted and denied. It is admitted that Dalton Equity opposes PPL Electric's request to utilize its powers of eminent domain for the installation of a 69kV line over its land. It is further admitted that Dalton has stated, not as a claim or a defense in these proceedings, that its intention was to develop its property. It is specifically denied, either explicitly or implicitly, that the value of Dalton's property has any bearing on the issue PPL has brought before the Commission. It is not, and could not be, and most importantly, PPL cites absolutely no authority in support of its argument. Accordingly, PPL's Motion to Overrule Dalton's Objections should be denied.

15. Admitted and denied. It is admitted that PP&L has acknowledged that the Commission does not determine fair value of the property and in fact, implicitly, PPL has admitted that it cannot and will not be an issue before the Commission. It is specifically

denied that the information sought by PPL could facilitate settlement negotiations between the parties. On the contrary, PPL has asked for a settlement demand which was provided on January 26, 2017 after which, despite three (3) phone calls and a letter, PPL has made absolutely no response. It is patently disingenuous for PPL to suggest it has any interest in settlement under these circumstances.

16. Denied. The averments of paragraph 16 are conclusions of law to which no response is required. PPL's request is nothing but a "fishing expedition" seeking information to which it knows it is not entitled and could never have any evidentiary value, directly or indirectly in the matter it has brought before the Commission.

17. Based upon the foregoing, Dalton respectfully requests this Honorable Court to deny PPL's Motion to Overrule Dalton's Objections to the discovery which it has, implicitly, admitted cannot reasonably be calculated to lead to the discovery of evidence and are in no way related to Dalton's claims and defenses in these proceedings.

B. Dalton has set forth meritorious objections to PPL's discovery requests.

18. Admitted. The requests are written documents which speak for themselves.

19. Admitted.

20. Admitted and denied. It is admitted that Dalton contends the information sought by PPL has no bearing on the Application brought before the Commission. It is specifically denied that PPL has made a proper inquiry into a matter which could have any relevance or lead to the discovery of relevant, admissible or discoverable information.

21. Denied. Dalton has in no way raised as a defense its intention to develop the property. Dalton has merely made a factual statement. It is further denied that PPL has cited any authority for this "fishing expedition" and Dalton's intent for future development of its property has absolutely no bearing on the issue PPL has brought before the Commission.

22. Admitted and denied. It is admitted that Dalton has explained in its "direct evidence" that it intends to develop the property for residential use. It is specifically denied that any information concerning those plans as relevant or necessary to determine what if any effect the proposed 69kV transmission line would have on the subject property. Indeed, Dalton has not raised the same as a defense, and PPL has not explained to this Honorable Court how this information would relate to the Application brought by PPL before the Commission.

23. Denied. PPL has attempted to create an inconsistency where none exists. PPL knows that the future development plans by Dalton has no relevancy to the Application it has brought before the Commission; indeed, PPL has put forth no argument in support of this claim.

24. Denied. These allegations are nothing more than a perpetuation of a false premise brought by PPL that Dalton's future development plans serve as a claim or a defense. Simply put they do not and could not and PPL knows this. PPL also offers an additional false premise that the property currently has no electric supply.

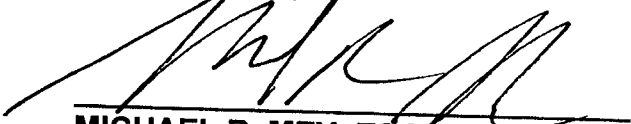
Finally, PPL has implicitly suggested that some how, some way the 69kV line could be utilized "... to provide electric service ..." to Dalton's property. PPL is aware that this is untrue, and indeed cannot be true based upon the Application it has made to the Commission.

25. Denied. It is patently disingenuous for PPL to suggest that appraisals, development plans or municipal approvals could some how, someday be segregated only to the proposed easement sought by PPL and not any other portion of Dalton's property. This is simply not true.

26. Based upon the foregoing, Dalton respectfully requests this Honorable Court to deny PPL's Motion to Overrule Dalton's Objections to the discovery which it has, implicitly, admitted cannot reasonably be calculated to lead to the discovery of evidence and are in no way related to Dalton's claims and defenses in these proceedings.

Respectfully submitted:

MEY & SULLA, LLP



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CERTIFICATE OF SERVICE

I, Michael R. Mey, Esq., counsel for Dalton Equity, Inc., hereby certify that on
March 20th, 2017, I have served the within Answer of Dalton Equity, Inc. To PPL's
Motion to Dismiss Objections via U.S. Mail on the parties listed below:

Christopher T. Wright, Esq.
Post & Schell
17 N Second St., 12th Floor
Harrisburg, PA 17101-1601

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Allentown, PA 18101


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