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April 10, 2017

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

RE: Ross E. Schell v. PPL Electric Utilities Corporation
Docket No: C-2016-2566320

Dear Mr. Watson:

Enclosed for eFiling in the above-captioned matter is the Replies to Exceptions of PPL Electric Utilities Corporation.

Please note that this filing was eFiled with the Commission on the date indicated above.

Very truly yours,



KIMBERLY G. KRUPKA

KGK/jm
Enclosure

cc: Administrative Law Judge Jeffrey A Watson (w/ enc.); via email only
Ross E. Schell (w/ enc.)
Patricia L. Moore (w/ enc.); via email only
Kimberly R. Hanson (w/ enc.); via email only
Holly M. Groth (w/ enc.); via email only
Shelbie Frederick Bayda (w/ enc.); via email only

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

ROSS E. SCHELL,

COMPLAINANT,

VS.

PPL ELECTRIC UTILITIES CORPORATION,

RESPONDENT.

COMPLAINT DOCKET

NO. C-2016-2566320

**PPL ELECTRIC UTILITIES CORPORATION'S REPLIES
TO EXCEPTIONS OF COMPLAINANT, ROSS SCHELL**

AND NOW, comes the Respondent, PPL Electric Utilities Corporation ("PPL Electric") by and through its attorney of record, Gross McGinley, LLP, and files the within Replies to Exceptions, alleging in support thereof as follows:

1. On April 4, 2017, Administrative Law Judge Watson issued an initial decision which denied the formal complaint file by Complainant, Ross E. Schell against PPL Electric Utilities Corporation. Complainant filed Exceptions on April 5, 2017. Complainant's "Petition for Exceptions" is numbered one (1) through thirteen (13), followed by seventeen (17). It appears that such numbers relate to the Findings of Fact set forth in Administrative Law Judge Watson's Opinion. To this extent, Complainant states his agreement with Finding of Fact ("FOF") number one (1). No response of Answering Respondent therefor is required.

2. Complainant states his agreement with Finding of Fact ("FOF") number two (2). No response of Answering Respondent is required.

3. ALJ Watson correctly found, in Finding of Fact number 3, that Complainant incurred momentary interruptions of service at the location with a duration of two seconds on September 4 and 7, October 29 and November 19, 2016. (FOF 3, Opinion at pg. 3).

Complainant's Complaint was filed on September 13, 2016. Complainant failed to follow procedural and service rules for his Amended Complaint, and accordingly it was not considered. However, the broad allegations concerning momentary interruptions of service were considered, and properly found not to amount to unreasonable or unreliable service.

4. ALJ Watson correctly found, in Finding of Fact number 4, that Complainant did not report to PPL Electric any of the outages subject to his Complaint, and in fact had not reported any outages to PPL Electric since 2014. (N.T. at 19, Opinion at 3). It is absolutely appropriate to expect a Customer experiencing issues with momentary outages to report such outages to PPL Electric either via telephone or website. Complainant failed to avail himself of either option and therefore, cannot say what the response of PPL Electric would have been if such notification had been provided.

5. ALJ Watson correctly found, in Finding of Fact number 5, that as a result of the service issues raised by Complainant, Respondent PPL Electric offered to install a volt recording meter on Complainant's meter at no cost to Complainant. (N.T. 34, Opinion at 3). The ALJ properly found that Complainant refused this offer even though it would be provided free of charge to Complainant. If Complainant was continuing to have momentary interruptions of service that was not otherwise detected by PPL Electric, such recording volt meter could provide diagnostic information. Complainant refused this option. Where Complainant complains of unreliable service which is not detected within any PPL Electric service line, PPL Electric responds with an offer to install diagnostic equipment free of charge to the Complainant, and Complainant then refuses such offer, Complainant cannot then prove unreasonable or unreliable service.

6. ALJ Watson properly found, in Finding of Fact number 6, that a recording volt meter records all voltage and aids in diagnosing the cause of outages, including momentary outages and internal problems within the residence. (N.T. 34-35, Opinion at 3). Complainant provided no contrary evidence, but rather simply refused PPL Electric's offer to install the same free of charge, an action which could have assisted Complainant in determining the cause of any momentary outages he may have been experiencing.

7. Complainant admits that he has declined PPL Electric's offer to install the recording volt meter, which would have been installed free of charge to Complainant. Accordingly, Complainant himself agrees with Finding of Fact number 7.

8. The ALJ correctly found, in Finding of Fact number 8, that Respondent had been performing tree trimming and vegetation management operations on the circuit that services the Complainant's address, which were recently completed. The transcript contains ample testimony that PPL Electric engaged in significant tree trimming and vegetation management. Although such management occurs at least every four years, PPL Electric responded early upon receipt of complaints from Complainant to ensure adequate service. Such services were provided upon Complainant making his service complaints known to PPL Electric. To the extent Complainant alleges ongoing service issues but never once called PPL Electric to inform the company of such issues, any delay in response cannot be actionable against PPL Electric.

9. Complainant admits to a substantial decline in any unknown momentary outages in the area of the service address over the months preceding his hearing. It is clear that the additional tree trimming and vegetation management services performed once Complaint made his concerns known were effective. Complainant alleges a long history of momentary outages, but nonetheless admits he did not contact PPL Electric for more than 3 years. Upon learning of

the issue, PPL Electric took additional measures, such as animal guarding, which appear to have resolved the issues experienced by Complainant. Accordingly, Complainant in fact agrees with Finding of Fact number 9.

10. Complainant does not appear to disagree with the Finding of Fact No. 10 which finds that Respondent would not be aware of internal problems within the customer's home. Rather, Complainant states that PPL Electric did not submit evidence of problems within Complainant's home. However, this is not the burden of PPL Electric. Moreover, Complainant has declined the offer of PPL Electric to install a recording volt meter.

11. Complainant agrees with Finding of Fact 11 and accordingly no Answer of Respondent is required.

12. Complainant agrees with Finding of Fact 12 and accordingly no Answer of Respondent is required.

13. Complainant agrees with Finding of Fact 13 and accordingly no Answer of Respondent is required.

17. (sic) It appears from Complainant's numbering that he excepts to ALJ Watson's Finding of Fact number 17. Such Finding of Fact provides "Internal problems with customer-owned equipment such as circuit breakers could cause a power outage but is not the responsibility of Respondent." (N.T. 35, 42). Complainant merely states that no evidence of actual problems with his circuit breakers. However, Complainant does not except to the actual finding that any issue with a customer's circuit problem is the obligation and responsibility of the customer. Accordingly, Complainant appears to agree with Finding of Fact number 17.

It was Complainant's contention that Respondent, PPL Electric, violated the provisions of 66 Pa. C. S. § 1501 by failing to provide adequate and reasonable electrical service. However,

as ALJ Watson correctly found, adequate, efficient, safe and reasonable service does not require perfect service. Biason v. Metropolitan Edison Co., PUC Docket No. C-00004450 (December 19, 2001). Rather, the service provided need only be reasonably continuous and without unreasonable interruptions or delay. Complainant Shell did not meet this burden, of showing inadequate, inefficient, unsafe or unreasonable service due to limited momentary outages. Moreover, as found by ALJ Watson, PPL Electric has been engaged in active tree trimming and installation of animal guarding to best protect against environmental events which could lead to outages. (Findings of Fact 8-9, N.T. 35). Accordingly, ALJ Watson correctly found that Complainant Schell failed to meet his burden of proving that Respondent, PPL Electric, violated the Public Utility Code, a Commission regulation or a Commission order. (Conclusion of Law 3). Moreover, the ALJ properly found that Complainant performed substantial electrical work within his home. Complainant personally performed rewiring and addition of circuit breakers. Further, Complainant personally replaced circuit breakers in 2012. Accordingly, when Complainant declined the offer of PPL Electric installing a recording volt meter, Complainant himself eliminated an option to diagnose any problem.

For the foregoing reasons, PPL Electric requests that Complainant's Exceptions be dismissed.

GROSS MCGINLEY, LLP



BY: _____

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Date: April 10, 2017

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

ROSS E. SCHELL,

COMPLAINANT,

VS.

PPL ELECTRIC UTILITIES CORPORATION,

RESPONDENT.

COMPLAINT DOCKET

NO. C-2016-2566320

CERTIFICATE OF SERVICE

This is to certify that the Reply to Claimant's Exceptions on behalf of PPL ELECTRIC UTILITIES CORPORATION was mailed to counsel/complainant of record on behalf of Respondents by first class United States mail, postage on this the 10th day of April, 2017.

Administrative Law Judge Jeffrey A. Watson
PA Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105
VIA EMAIL ONLY

Ross E. Schell
203 Knollwood Drive
Harrisburg, PA 17109

GROSS MCGINLEY, LLP



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