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May 18, 2017

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

RE: Jenny Fidanza v. PPL Electric Utilities Corporation
Docket No: C-2017-2601251

Dear Ms. Chiavetta:

Enclosed for eFiling in the above-captioned matter is the Preliminary Objections on behalf 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

Enclosures

cc: Jenny Fidanza (w/enc.)
Patricia Moore (w/enc.) *via email only*
Kimberly R. Hanson (w/enc.) *via email only*
Holly Groth
Shelbie Frederick Bayda

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

JENNY FIDANZA,

COMPLAINANT,

VS.

PPL ELECTRIC UTILITIES CORPORATION,

RESPONDENT.

COMPLAINT DOCKET

NO. C-2017-2601251

NOTICE TO PLEAD

TO: JENNY FIDANZA
4 W. NEWPORT ST.
ASHLEY, PA 18706

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

Respectfully submitted,

PPL Electric Utilities Corporation



BY: _____
KIMBERLY G. KRUPKA, ESQUIRE

Dated: May 18, 2017
at Allentown, Pennsylvania

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

JENNY FIDANZA,

COMPLAINANT,

VS.

PPL ELECTRIC UTILITIES CORPORATION,

RESPONDENT.

COMPLAINT DOCKET

NO. C-2017-2601251

PRELIMINARY OBJECTIONS OF PPL ELECTRIC UTILITIES CORPORATION

PPL Electric Utilities Corporation, by and through its attorneys of record, hereby make the following Preliminary Objections to Complainant’s Complaint pursuant to Sections 5.101(a)(1) and (5), Title 52 of the Pennsylvania Code, 52 Pa. Code §§5.101(a)(1) and (5), alleging in support thereof as follows:

1. Complainant, Jenny Fianza (“Complainant”) filed a Complaint against PPL Electric Utilities Corporation (“PPL Electric”) alleging PPL violated a Statute or Regulation in maintaining its utility pole with a bolt extending from the end of it. See Complaint at ¶¶ 4 and 5.

2. PPL incorporates the factual averments set forth in its Answer and New Matter to Complainant’s Complaint herein, as if more fully set forth at length.

PRELIMINARY OBJECTION 1 – LACK OF JURISDICTION

3. PPL hereby incorporates its allegations contained in Paragraphs 1-2 as if more fully set forth at length herein.

4. Complainant seeks damages based upon PPL Electric maintaining a utility pole with a bolt extending out of the wooden area of the pole. (See Complaint at ¶¶ 4 and 5).

5. Complainant's sole request for relief is monetary damages related to the alleged repair of her motor vehicle.

6. The Complaint does not assert any claims regarding the reliability, safety or quality of utility service

7. The location of the bolt on the utility pole does not, and did not; affect the service provided to Complainant. *See* 66 Pa.C.S. § 102.

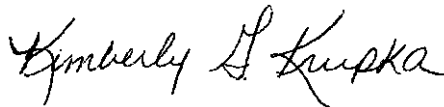
8. The Commission has no authority to award damages to the Complainant. *DeFrancesco v. Western PA. Water Co.*, 453 A.2d 595 (Pa. 1982); *Elkin v. Bell of Pa.*, 420 a.2d 371 (Pa. 1980).

9. Where the Complaint does not assert any claims regarding the reliability, safety or quality of utility service, and where the only remedy sought is monetary damages, the Commission lacks jurisdiction over the instant Complaint.

WHEREFORE, in view of the foregoing, PPL respectfully requests that the Pennsylvania Public Utility Commission grant PPL's Preliminary Objections to Complainant's Complaint and dismiss the Complaint in its entirety, with prejudice.

Respectfully submitted,

GROSS, MCGINLEY, LLP



BY:

KIMBERLY G. KRUPKA, ESQUIRE
Attorney for Respondent, PPL Electric Utilities Corporation

Dated: May 18, 2017
In Allentown, Pennsylvania

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

JENNY FIDANZA,

Complainant,

vs.

PPL ELECTRIC UTILITIES CORPORATION,

Respondent.

COMPLAINT DOCKET

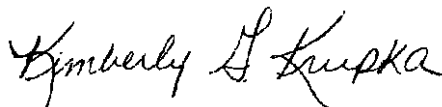
NO. C-2017-2601251

CERTIFICATE OF SERVICE

This is to certify that the PRAECIPE FOR APPEARANCE 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 18th day of May, 2017.

JENNY FIDANZA
4 WEST NEWPORT STREET
ASHLEY, PA 18706

GROSS MCGINLEY, LLP



BY: _____

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