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March 6, 2018

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

RE: Robert Strydio v PPL Electric Utilities Corporation
Docket No: C-2017-2633043

Dear Ms. Chiavetta:

Enclosed for eFiling in the above-captioned matter are the Replies on behalf of PPL Electric Utilities Corporation, to Complainant's Exceptions to the Initial Decision Issued by The Honorable David A. Salapa on February 2, 2018.

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

Very truly yours,

GRAIG M. SCHULTZ

GMS/ejm
Enclosure

cc: Robert Strydio (w/ enc.)
Administrative Law Judge David A. Salapa (w/enc.); via email only
Donna Kingkaid (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*

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**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

ROBERT STRYDIO,
Complainant,

No. C-2017-2633043

v.

PPL ELECTRIC UTILITIES
CORPORATION,
Respondent.

**RESPONDENT PPL ELECTRIC UTILITIES CORPORATION'S REPLIES TO
COMPLAINANT'S EXCEPTIONS TO THE INITIAL DECISION ISSUED BY
THE HONORABLE DAVID A. SALAPA ON FEBRUARY 2, 2018**

AND NOW, comes Respondent PPL Electric Utilities Corporation ("Respondent"), by and through its counsel, Gross McGinley, LLP, and replies to Complainant's Exceptions as follows:

Introduction

On February 2, 2018, the Honorable David A. Salapa ("Judge Salapa") issued an Initial Decision, which dismissed Complainant Robert Strydio's ("Mr. Strydio" and/or "Complainant") Complaint due to his failure to appear at the time of the initial telephonic Hearing on January 25, 2018, at 1:00 p.m. On February 14, 2018, Judge Salapa's Initial Decision was served upon the parties. On February 26, 2018, counsel for Respondent was served with Mr. Strydio's "Petition for Appeal from Final Decision." Respondent will treat Mr. Strydio's "Petition for Appeal from Final Decision" as Exceptions to the Initial Decision.

Replies to Complainant's Exceptions

The Pennsylvania Administrative Code (the "Code") provides that the proper way to except to an initial decision is by filing exceptions. *See* 52 Pa. Code. § 5.533. More

specifically, exceptions may be filed by a party and served within twenty (20) days after the initial, tentative or recommended decision is issued. 52 Pa. Code § 5.533(a). Exceptions must be “concise.” 52 Pa. Code § 5.533(c). Additionally, the Code provides that each exception must be numbered and identify the finding of fact or conclusion of law to which exception is taken and cite relevant pages of the decision. 52 Pa. Code § 5.533(b). Further, supporting reasons for the exceptions shall follow each specific exception. *Id.*

As an initial matter, the Exceptions filed Mr. Strydio must be dismissed because they do not comply with the Code provisions cited above. The two-page letter submitted by Mr. Strydio fails to identify the finding of fact or conclusion of law to which each exception is taken. Additionally, Mr. Strydio’s Exceptions fail to cite to the relevant pages of Judge Salapa’s decision to which each exception is taken. Further, Mr. Strydio’s Exceptions fail to provide supporting reasons for each exception. In light of Mr. Strydio’s failure to conform to the various Code provisions cited above, Respondent respectfully requests that his Exceptions be dismissed due to his lack of compliance with the Code. *See, e.g., Forward Township Municipal Authority v. Western Pennsylvania Water Co.*, No. C-882171, 74 Pa. P.U.C. 421, 1991 WL 476309 (Feb. 15, 1991) (“We note that the Complainant’s Exception [] constitutes a bald assertion. Consonant with [Section 5.533(b)], we shall deny this Exception of the Complainant.”); *Fulton v. PECO Energy Company*, No. C-2004-2502, 2005 WL 1838683, at *3 (Pa.P.U.C. June 29, 2005) (“We will deny the Complainant's Exceptions...Nor does the Complainant cite to any error of the ALJ based upon the record evidence before her.”).

The Exceptions filed by Mr. Strydio must also be dismissed, notwithstanding the aforementioned request for dismissal based upon nonconformity. Namely, Mr. Strydio fails to explain the reasons for his disagreement with the Initial Decision. At no point does Mr. Strydio

state that he disagrees with any of Judge Salapa's findings of fact or conclusions of law, or that Judge Salapa committed an error of law and/or otherwise abused his discretion in reaching any one of his findings of fact and/or conclusions of law.

Conclusion

Based upon the foregoing reasons, Respondent respectfully requests that Mr. Strydio's Exceptions be denied in their entirety.

Dated: March 6, 2018

Respectfully submitted,



By: _____

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Attorneys for Respondent:
PPL Electric Utilities Corporation

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

ROBERT STRYDIO,
Complainant,

No. C-2017-2633043

v.

PPL ELECTRIC UTILITIES
CORPORATION,
Respondent.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of Respondent PPL Electric Utilities Corporation's Replies to Complainant's Exceptions to the Initial Decision Issued by the Honorable David A. Salapa on February 2, 2018 was forwarded on the 6th day of March, 2018, to the following:

VIA EMAIL

Honorable David A. Salapa
400 North Street
Harrisburg, PA 17120

VIA FIRST CLASS MAIL

Robert Strydio
130 Georgellen Avenue
East Stroudsburg, PA 18301


By: _____
Graig M. Schultz