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April 23, 2019

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: John and Janet Holder v. PPL Electric Utilities Corporation
June Maculesky v. PPL Electric Utilities Corporation
Docket Nos. F-2019-3008809 and F-2019-3008832**

Dear Secretary Chiavetta:

Enclosed for filing is the Motion to Consolidate of PPL Electric Utilities Corporation in the above-referenced proceedings. Copies will be provided as indicated on the Certificate of Service.

Respectfully submitted,

A handwritten signature in blue ink, appearing to be 'DR', with a long horizontal flourish extending to the right.

Devin Ryan

DTR/jpf
Enclosures

cc: Honorable Elizabeth Barnes
Certificate of Service

CERTIFICATE OF SERVICE

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 FIRST CLASS MAIL

June Maculesky
1823 Butztown Road
Bethlehem, PA 18017

Janet Holder
(POA for June Maculesky)
2424 Lafayette Avenue
Bethlehem, PA 18017

John & Janet Holder
2424 Lafayette Avenue
Bethlehem, PA 18017

Date: April 23, 2019



Devin Ryan

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

John and Janet Holder,	:	
	:	
Complainants,	:	
	:	
v.	:	Docket No. F-2019-3008809
	:	
PPL Electric Utilities Corporation,	:	
	:	
Respondent.	:	
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June Maculesky,	:	
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Complainant,	:	
	:	
v.	:	Docket No. F-2019-3008832
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PPL Electric Utilities Corporation,	:	
	:	
Respondent.	:	

NOTICE TO PLEAD

YOU ARE HEREBY ADVISED THAT, PURSUANT TO 52 PA. CODE § 5.103(c), ANSWERS TO MOTIONS ARE DUE WITHIN TWENTY (20) DAYS AFTER THE DATE OF SERVICE, UNLESS THE PERIOD OF TIME IS OTHERWISE FIXED BY THE COMMISSION OR THE PRESIDING OFFICER. YOUR ANSWER SHOULD BE FILED WITH THE SECRETARY OF THE PENNSYLVANIA PUBLIC UTILITY COMMISSION, P.O. BOX 3265, HARRISBURG, PA 17105-3265. A COPY SHOULD ALSO BE SERVED ON THE UNDERSIGNED COUNSEL.

Respectfully submitted,



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Michael J. Shafer (ID # 205681)
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Allentown, PA 18101

Devin T. Ryan (ID # 316602)
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Date: April 23, 2019

Attorneys for PPL Electric Utilities Corporation

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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PPL Electric Utilities Corporation,	:	
	:	
Respondent.	:	

**MOTION TO CONSOLIDATE OF
PPL ELECTRIC UTILITIES CORPORATION**

TO PENNSYLVANIA PUBLIC UTILITY COMMISSION:

PPL Electric Utilities Corporation (“PPL Electric” or the “Company”) hereby moves to consolidate the above-captioned matters pursuant to 52 Pa. Code § 5.81. The Company is requesting that the proceedings be consolidated for purposes of discovery, hearings, and adjudication because they raise common issues of fact and law.

As explained herein, these proceedings involve challenges by John and Janet Holder and June Maculesky (collectively, “Complainants”) to PPL Electric’s planned installation of new automated metering infrastructure (“AMI”) meters the Holders’ and Ms. Maculesky’s service addresses. Upon information and belief, Ms. Holder is the daughter of Ms. Maculesky and has

power of attorney for her mother. In that capacity, Ms. Holder filed the Formal Complaint at Docket No. F-2019-3008832 on her mother's behalf.

The Formal Complaints filed at Docket Nos. F-2019-3008809 and F-2019-3008832 are nearly identical. Indeed, attached to both of the Formal Complainants was the same lengthy document entitled "Complaint" that set forth the Complainants' averments and requests for relief. Moreover, because Ms. Holder is litigating the case on behalf of her mother, both of the cases essentially involve the same litigants. Therefore, in the interests of administrative efficiency and judicial economy, PPL Electric believes that these matters should be consolidated.

In support of this Motion, PPL Electric states as follows:

I. BACKGROUND

1. PPL Electric furnishes electric distribution, transmission, and default supply services to approximately 1.4 million customers throughout its certificated service territory, which includes all or portions of 29 counties and encompasses approximately 10,000 square miles in eastern and central Pennsylvania. PPL Electric is a "public utility," an "electric distribution company," and a "default service provider" as defined in Sections 102 and 2803 of the Pennsylvania Public Utility Code, 66 Pa. C.S. §§ 102, 2803.

2. By way of background, the Company deployed automated metering infrastructure ("AMI") meters and metering system between 2002 and 2004. These AMI meters were a part of a power line carrier ("PLC") metering system. On November 14, 2008, Act 129 of 2008 became effective and required electric distribution companies ("EDCs") to file smart meter technology procurement and installation plans with the Commission within nine months. On June 24, 2009, the Commission issued its *Smart Meter Implementation Order*, which set forth requirements for the smart meter plans and procedures for the submission, review, and approval of the smart

meter plans. See *Smart Meter Procurement and Installation*, Docket No. M-2009-2092655 (Order entered June 24, 2009) (“*Smart Meter Implementation Order*”).

3. On August 14, 2009, PPL Electric filed its initial Smart Meter Plan in compliance with Act 129 and the Commission’s *Smart Meter Implementation Order*. The Company contended that its existing PLC system met the requirements under Act 129 and the *Smart Meter Implementation Order*. However, the Commission held that PPL Electric’s existing PLC meters did not fully meet these requirements. See *Petition of PPL Electric Utilities Corporation for Approval of Smart Meter Technology Procurement and Installation Plan*, Docket No. M-2009-2123945, p. 24 (Order entered June 24, 2010) (“*2010 Smart Meter Order*”). Accordingly, the Commission directed PPL Electric to develop a new Smart Meter Plan that would deploy new AMI technology that fully met these requirements. See *id.*

4. On June 30, 2014, PPL Electric filed its new Smart Meter Plan intended to comply with all the requirements of Act 129 and the Commission’s *Smart Meter Implementation Order*. To meet these requirements, the Company proposed Radio Frequency (“RF”) Mesh meters and metering system. These RF Mesh meters were to be deployed between 2017 and 2019. On September 3, 2015, the Commission entered its Opinion and Order approving the new Smart Meter Plan, as modified, finding that unlike the Company’s existing PLC meters, the new RF Mesh meters met the requirements of Act 129 and the Commission’s *Smart Meter Implementation Order*. *Petition of PPL Electric Utilities Corp. for Approval of Its Smart Meter Technology Procurement and Installation Plan*, Docket No. M-2014-2430781 (Order Entered Sept. 3, 2015) (“*2015 Smart Meter Order*”).

5. By Secretarial Letters dated March 27, 2019, PPL Electric was served with the above-captioned Formal Complaints filed by the Complainants. The issues raised in the Formal

Complaints concern the planned installation of new AMI meters pursuant to the Public Utility Code and the *2015 Smart Meter Order* at the Holders' and Ms. Maculesky's service addresses.

II. MOTION TO CONSOLIDATE

6. PPL Electric herein respectfully requests that the Formal Complaint proceedings at Docket Nos. F-2019-3008809 and F-2019-3008832 be consolidated for purposes of discovery, litigation, and disposition because they are interrelated and raise common issues of law and fact.

7. Upon information and belief, Ms. Holder is the daughter of Ms. Maculesky and has power of attorney for her mother. In that capacity, Ms. Holder filed the Formal Complaint at Docket No. F-2019-3008832 on her mother's behalf.

8. Because Ms. Holder is litigating the case on behalf of her mother, both of the cases involve overlapping litigants.

9. In addition, the Formal Complaints filed at Docket Nos. F-2019-3008809 and F-2019-3008832 are nearly identical. Indeed, attached to both of the Formal Complainants was the exact same 74-page document entitled "Complaint" that set forth the Complainants' averments and requests for relief.

10. If these cases were to proceed and not be consolidated, Ms. Holder would be litigating two separate cases that both challenge the installation of new AMI meters.

11. Furthermore, upon information and belief, the two service addresses at issue are less than a mile away from each other.

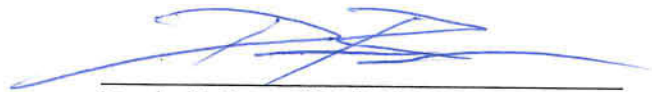
12. For these reasons, PPL Electric respectfully requests that these proceedings be consolidated. It would be a waste of administrative and judicial resources to litigate these matters separately when they raise overlapping issues of fact and law and involve essentially the same litigants. Thus, the consolidation of these proceedings will promote the efficient use of the time and resources of the parties and the Commission.

III. CONCLUSION

WHEREFORE, PPL Electric Utilities Corporation respectfully requests that the Pennsylvania Public Utility Commission enter an order consolidating the Formal Complaint proceedings at Docket Nos. F-2019-3008809 and F-2019-3008832 for purposes of discovery, litigation, and disposition.

Respectfully submitted,

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Michael J. Shafer (ID # 205681)
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E-mail: crenner@w-r.com

Date: April 23, 2019

Attorneys for PPL Electric Utilities Corporation

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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Complainants,	:	
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v.	:	Docket No. F-2019-3008809
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June Maculesky,	:	
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Complainant,	:	
	:	
v.	:	Docket No. F-2019-3008832
	:	
PPL Electric Utilities Corporation,	:	
	:	
Respondent.	:	

PROPOSED ORDER

AND NOW, in consideration of the Motion to Consolidate filed on April 23, 2019, by PPL Electric Utilities Corporation in the above-captioned matters,

IT IS ORDERED:

1. That the Motion to Consolidate filed by PPL Electric Utilities Corporation is granted, consistent with this Order.
2. That the proceedings John and Janet Holder v. PPL Electric Utilities Corporation, at Docket No. F-2019-3008809, and June Maculesky v. PPL Electric Utilities Corporation, at Docket No. F-2019-3008832, shall be consolidated for purposes of discovery, litigation, and disposition.

3. The Parties are directed to use the following caption and docket number for every document filed in these consolidated cases:

John and Janet Holder
June Maculesky

Docket Nos. F-2019-3008809
F-2019-3008832

v.

PPL Electric Utilities Corporation

4. A copy of any document filed with the Commission's Secretary or submitted shall be sent directly to the undersigned. Service on the undersigned shall be by hard copy to the following address: Office of Administrative Law Judge, Pennsylvania Public Utility Commission, Commonwealth Keystone Building, 400 North Street, 2nd Floor West, P.O. Box 3265, Harrisburg PA 17105-3265.

Date

Administrative Law Judge

