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June 6, 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: Evangeline Hoffman-Lorah v. PPL Electric Utilities Corporation
Docket No. C-2018-2644957

Dear Secretary Chiavetta:

Enclosed for filing is the Answer of PPL Electric Utilities Corporation to Evangeline Hoffman-Lorah's Petition for Supersedeas in the above-referenced proceeding. Copies will be provided as indicated on the Certificate of Service.

Respectfully submitted,

Devin Ryan

DTR/jl
Enclosures

cc: Honorable Elizabeth Barnes
Certificate of Service

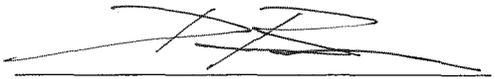
CERTIFICATE OF SERVICE

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

Evangelīne Hoffman-Lorah
1635 4th Street
Bethlehem, PA 18020

Date: June 6, 2019



Devin T. Ryan

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Evangeline Hoffman-Lorah,	:	
	:	
Complainant,	:	
	:	
v.	:	Docket No. C-2018-2644957
	:	
PPL Electric Utilities Corporation,	:	
	:	
Respondent.	:	

**ANSWER OF PPL ELECTRIC UTILITIES CORPORATION
TO EVANGELINE HOFFMAN-LORAH'S PETITION FOR SUPERSEDEAS**

TO PENNSYLVANIA PUBLIC UTILITY COMMISSION:

Pursuant to 52 Pa. Code § 5.61, PPL Electric Utilities Corporation (“PPL Electric” or the “Company”) hereby files this Answer to Evangeline Hoffman-Lorah’s (“Complainant”) Petition for Supersedeas (“Petition”), which seeks a stay of the Pennsylvania Public Utility Commission’s (“Commission”) Opinion and Order entered on May 23, 2019 (“*Final Order*”). The *Final Order* dismissed the Complainant’s Formal Complaint challenging the Company’s planned installation of a new automated metering infrastructure (“AMI”) meter at the Complainant’s service address. The Complainant’s Petition requests a stay that would prevent PPL Electric from installing its new AMI meter and terminating the Complainant’s electric service if she continues to refuse the AMI meter’s installation while she pursues her appeal of the *Final Order*.

For the reasons explained herein, the Complainant’s Petition fails to meet the high standard required for a stay pending appeal and, therefore, should be denied.

In support of its Answer, PPL Electric states as follows:

I. INTRODUCTION

1. On January 29, 2018, PPL Electric was served with the above-captioned Formal Complaint filed by the Complainant with the Commission. In her Complaint, the Complainant contests PPL Electric's planned installation of a new AMI meter at her property, 1635 4th Street, Bethlehem, Pennsylvania.

2. On November 15, 2018, Administrative Law Judge Elizabeth H. Barnes ("ALJ") issued the Initial Decision ("ID"). The ID dismissed the Complainant's Formal Complaint challenging the Company's installation of a new AMI meter at her premises, because the Complainant failed to prove by a preponderance of evidence that the installation of the AMI meter constitutes unsafe or unreasonable service under 66 Pa. C.S. § 1501.

3. The Complainant filed Exceptions to the ID on December 4, 2018, and PPL Electric filed Replies to those Exceptions on December 17, 2018.

4. On May 23, 2019, the Commission issued its *Final Order* denying the Complainant's Exceptions, adopting the ID, and dismissing the Complaint.

5. On May 30, 2019, the Complainant filed a Petition for Supersedeas pending her appeal of the *Final Order*. Specifically, the Complainant requests a stay of the *Final Order*, which, according to her, should prevent PPL Electric from installing its new AMI meters at her service address (1635 4th Street, Bethlehem, Pennsylvania) and another property (4 North Street, Port Clinton, PA 19549)¹ and terminating electric service to those properties for refusal to permit the installation of the AMI meters while the Complainant pursues her appeal of the *Final Order*.

6. For the reasons stated below, PPL Electric respectfully requests that the Commission deny the Complainant's Petition for Supersedeas.

¹ As explained in Section II.D., *infra*, the Complainant erroneously claims in her Petition that her Complaint encompasses this other property and that her stay, if granted, can apply to this other address.

II. ANSWER TO PETITION FOR SUPERSEDEAS

7. The Commission should deny the Petition for Supersedeas because the Complainant has failed to meet the high standard required for a stay pending appeal.

8. The Pennsylvania Supreme Court has stated that a stay is warranted if: (1) the petitioner makes a strong showing that she is likely to prevail on the merits; (2) the petitioner has shown that without the requested relief, she will suffer irreparable injury; (3) the issuance of a stay will not substantially harm other interested parties in the proceedings; and (4) the issuance of a stay will not adversely affect the public interest. *Pa. PUC v. Process Gas Consumers Grp.*, 467 A.2d 805, 808-09 (Pa. 1983). For a stay pending appeal, the Court found that the petitioner must make a “strong showing” under these criteria to justify the issuance of a stay. *Id.* at 809.

9. As explained below, the Petition should be denied because the Complainant has failed to establish these four criteria.

A. THE COMPLAINANT HAS FAILED TO DEMONSTRATE A STRONG LIKELIHOOD OF SUCCESS ON APPEAL

10. The Complainant has failed to demonstrate a strong likelihood that she will prevail on the merits.

11. In her Petition, the Complainant reiterates many of the same arguments that she raised before the ALJ and the Commission about PPL Electric’s AMI meter, none of which are grounds for appeal. (Petition, pp. 1-19.)

12. The Commonwealth Court will not substitute its judgment for that of the Commission, nor will it reweigh the evidence or resolve conflicting testimony. *See Philadelphia Elec. Co. v. Pa. PUC*, 433 A.2d 620, 624 (Pa. Cmwlth. 1981) (quotation omitted); *Popowsky v. Pa. PUC*, 706 A.2d 1197, 1201 (Pa. 1997) (quotation omitted). Rather, the Commonwealth Court’s standard of review in an appeal from a state agency is limited to a determination of

whether constitutional rights were violated, whether an error of law was committed, or whether necessary findings of fact are supported by substantial competent evidence. 2 Pa.C.S. § 704; *see Leung v. Pa. PUC*, 582 A.2d 719, 721 (Pa. Cmwlth. 1990); *Teltron, Inc. v. Pa. PUC*, 477 A.2d 599, 600 (Pa. Cmwlth. 1984) (citation omitted).

13. Here, the Complainant fails to make a strong showing that the Commission violated her constitutional rights, committed an error of law, or made necessary findings of fact that are unsupported by substantial competent evidence.

14. As the Commission properly found, “it would be improper to give any weight to the Complainant’s testimony, which is entirely predicated on hearsay.” *Final Order* at 36. Further, almost all of the Complainant’s Exhibits were “given no weight” because PPL Electric properly objected to them as hearsay. *Id.* at 36. Moreover, the Commission found that “a preponderance of evidence shows that the Complainant experiences symptoms merely when she believes she is in the presence of PPL’s new AMI meters.” *Id.* at 37. Therefore, the Complainant’s evidence was completely insufficient to establish a *prima facie* case that “the RF exposure levels from a PPL smart meter will cause adverse health effects for the Complainant.” *Id.*

15. In addition, even if the Complainant established a *prima facie* case, which she did not, the Commission found that PPL Electric’s substantial evidence, including the testimony of its two expert witnesses, fully rebutted the Complainant’s claims. *See id.* at 41-43.

16. Nevertheless, the Complainant avers that the Commission should have determined that the AMI meters will cause, contribute to, or exacerbate adverse health effects. (Petition at 1.) It appears the Complainant believes that the Commonwealth Court can substitute its judgment for the Commission and reweigh the evidence to find in her favor. However, even

though the Complainant may not like that the Commission rejected her evidence and found PPL Electric's evidence to be much more persuasive, the Commonwealth Court cannot reweigh the evidence. *See Philadelphia Elec. Co. v. Pa. PUC*, 433 A.2d 620, 624 (Pa. Cmwlth. 1981) (quotation omitted).

17. Furthermore, nothing in the Complainant's Petition establishes that she will likely demonstrate that the Commission committed an error of law.

18. As alleged support for her position, the Complainant points to several bills that would amend Act 129 of 2008 ("Act 129") to allow customers to "opt-out" of AMI meter installations. (*See* Petition, pp. 3-5.)

19. However, the plain language of Section 2807(f)(2) of the Public Utility Code unambiguously states that electric distribution companies ("EDCs"), like PPL Electric, "shall" install the new AMI meters. 66 Pa. C.S. § 2807(f)(2). Importantly, the word "shall" has been held by Pennsylvania courts to mean "must"²; it is not a discretionary term. Therefore, the Company must install the new AMI meters.

20. Moreover, even if the statutory language were unclear, the Commonwealth Court is "required to defer to the agency's interpretation of the statute." *Buffalo Twp. v. Jones*, 778 A.2d 1269, 1276 n.8 (Pa. Cmwlth. 2001) (citations omitted).

21. Here, the Commission has consistently held that nothing in Act 129 permits a customer to "opt-out" of a smart meter installation, as requested by the Complainant. *See, e.g., Starr v. PECO Energy Co.*, Docket No. C-2015-2516061, p. 11 (Order Entered Sept. 1, 2016)

² *See Whiteford v. Dep't of Transp.*, 728 A.2d 1127, 1131 (Pa. Cmwlth. 2001) ("[T]he word 'shall' denotes a mandatory, not discretionary instruction.") (citations omitted); *C.B. v. J.B.*, 65 A.3d 946, 952 (Pa. Super. 2013) (finding that "[t]he use of 'shall' means . . . must" and that to hold otherwise "would be to flout the legislative will"); *In re Camvass of Absentee Ballots of Nov. 4, 2003 Gen. Election*, 843 A.2d 1223, 1233 (Pa. 2004) ("[W]e are not compelled to pretend that 'shall' means 'may' under Section 3146.6(a)."); *Griesmer v. Hill*, 36 Pa. Super. 69 (Pa. Super. 1908) ("This provision is mandatory, and not directory merely. It means what it says. The word 'shall' means 'shall' [The defendant] not only may but 'must.'").

(footnote omitted). Specifically, in *Starr*, the Commission observed that it has “rejected similar claims that the installation of smart meters is not mandatory or that an opt-out is permissible under Act 129.” *Id.*; see *Frompovich v. PECO Energy Co.*, Docket No. C-2015-2474602, pp. 8-10 (Order entered May 3, 2018); *Povacz v. PECO Energy Co.*, Docket No. C-2015-2475023, p. 93 (Order entered Mar. 28, 2019); *Sunstein Murphy v. PECO Energy Co.*, Docket No. C-2015-2475726, p. 93 (Order entered May 9, 2019); *Randall & Albrecht v. PECO Energy Co.*, Docket No. C-2016-2537666, p. 88 (Order entered May 9, 2019).

22. Additionally, as the Complainant appears to recognize, none of the bills she cites in the Petition have been passed by the General Assembly. (*See* Petition, pp. 3-5.)

23. Thus, under the currently-enacted law, PPL Electric must install the new AMI meters for all of its customers, including the Complainant.

24. For these reasons, the Complainant does not have a strong likelihood of prevailing on appeal.

B. THE COMPLAINANT HAS FAILED TO MAKE THE REQUISITE SHOWING OF HARM

25. The Complainant has failed to demonstrate that she will suffer irreparable injury absent a stay, that the issuance of a stay will not substantially harm other interested parties in the proceedings, and that the issuance of a stay will not adversely affect the public interest. *See Pa. PUC v. Process Gas Consumers Grp.*, 467 A.2d 805, 808-09 (Pa. 1983).

26. In trying to support her requested stay, the Complainant alleges that: (1) she, her family, and neighbors will suffer adverse health effects from the AMI meter being installed; (2) PPL Electric will not be harmed by the stay; and (3) the parties will benefit financially from the stay. (Petition, pp. 5-6.)

27. Here, as correctly found by the Commission in this proceeding, the Complainant failed to demonstrate that the installation of the new AMI meter will cause, contribute to, or exacerbate any adverse health effects. *See Final Order* at 36-43.

28. Nothing in the Complainant's Petition, including the extra-record evidence she attempts to rely upon,³ warrants disturbing that finding.

29. Further, PPL Electric has been delaying the installation of this AMI meter since the proceeding began on January 28, 2018.

30. Under PPL Electric's Commission-approved Smart Meter Plan, the Company is set to finish deploying its AMI meters in 2019. (PPL Electric Exhibit SL-1, p. 3.)

31. The Company needs to deploy the meters in 2019 so that it can focus on the "two-year system stabilization period from 2020-2021," which "will be used to optimize system performance and ensure all functionality is delivered." (PPL Electric Exhibit SL-1, pp. 3-4.)

32. However, it could take several months until the Commonwealth Court issues a ruling on the Complainant's appeal.

33. Therefore, if the AMI meter's installation is further delayed until the Complainant's appeal is resolved, PPL Electric likely will not be able to install the AMI meter in accordance with its AMI meter deployment schedule.

34. Lastly, the Complainant contends that a stay will have a financial benefit to both parties because: (1) she will not have to "go through costly mitigation which would be completely unnecessary when these bills [adding an opt-out] pass"; and (2) PPL Electric will not have to "absorb twice the cost to have the meter changed back after the initial installation." (Petition, pp. 5-6.)

³ As explained in Section II.D., *infra*, the Commission should completely disregard this extra-record evidence in the consideration of the Complainant's Petition.

35. The Complainant's argument should be rejected because she has presented no evidence about this alleged "costly mitigation," there is no indication or guarantee that the General Assembly will, in fact, pass any opt-out bill, and the cost to install and later replace the new AMI meter is miniscule, *i.e.*, approximately under \$150.

36. Based on the foregoing, the Complainant has failed to establish the requisite showing of harm to warrant the Commission granting a stay pending appeal.

C. THE COMPLAINANT ERRONEOUSLY ARGUES THAT HER ELECTRIC SERVICE CANNOT BE TERMINATED DURING THE PENDENCY OF THE APPEAL, EVEN WITHOUT HER REQUESTED STAY

37. The Complainant also incorrectly argues that PPL Electric is not authorized to terminate her electric service for refusing the AMI meter during the pendency of her forthcoming appeal, even if the Commission denies her Petition. (*See* Petition, pp. 6-16.)

38. In general, the Complainant asserts that the Commission's regulations, particularly 52 Pa. Code §§ 56.92 and 56.141(2),⁴ prohibit PPL Electric from terminating serving when a case is on appeal. (Petition, pp. 6-17.)

39. Section 56.92 provides that "[a] public utility may not mail or deliver a notice of termination if a notice of initial inquiry, dispute, informal or formal complaint has been filed and is unresolved and if the subject matter of the dispute forms the grounds for the proposed termination" and that "[a] notice mailed or delivered in contravention of this section is void." 52 Pa. Code § 56.92.

⁴ In her Petition, the Complainant actually cites Section 56.372(2), not Section 56.141(2). (*See* Petition, p. 13.) However, Section 56.372(2) is included in Subchapter Q of Chapter 56 and, therefore, applies to "wastewater utilities, steam heat utilities, small natural gas utilities and to all customers who have been granted protection from abuse orders from courts of competent jurisdiction." 52 Pa. Code § 56.1(b). Therefore, the relevant provision is Section 56.141(2), which applies to electric distribution utilities and is substantially the same as Section 56.372(2).

40. Moreover, Section 56.141(2) specifically states, in pertinent part, that “when a termination dispute or complaint has been properly filed in accordance with this subchapter, termination shall be prohibited until resolution of the dispute or complaint.” 52 Pa. Code § 56.141(2).

41. The basis for the Complainant’s argument is her belief that the Commission’s definition of the word “dispute”⁵ in Chapter 56 of the Commission’s regulations encompasses a formal complaint that is appealed. (Petition, p. 17.)

42. The Complainant’s argument is legally flawed because Chapter 56 of the Commission’s regulations, including Sections 56.92 and 56.141(2), is no longer applicable to this case.

43. Once an appeal has been filed with the Commonwealth Court, the Commission no longer has jurisdiction over the Formal Complaint. *See* Pa. R.A.P. 341(c)(3). Indeed, the Commonwealth Court has exclusive jurisdiction over appeals of the Commission’s final orders. *See* 42 Pa. C.S. § 763(a)(1).

44. Furthermore, the Commission previously addressed this argument in *Mazza v. PECO Energy Co.* and held that Section 56.141(2) does not apply to a formal complaint that has been appealed. *See Mazza v. PECO Energy Co.*, Docket No. C-2012-2318472, pp. 15-19 (Order entered Apr. 23, 2014).

45. Specifically, the Commission stated the following:

Additionally, we agree with the ALJ that PECO did not violate Section 56.141(2) by sending a ten-day termination notice to the

⁵ The word “dispute” is defined in Chapter 56 of the Commission’s regulations as “[a] grievance of an applicant, customer or occupant about a public utility’s application of a provision covered by this chapter, including, but not limited to, subjects such as credit determinations, deposit requirements, the accuracy of meter readings or bill amounts or the proper party to be charged. If, at the conclusion of an initial contact or, when applicable, a follow-up response, the applicant, customer or occupant indicates satisfaction with the resulting resolution or explanation of the subject of the grievance, the contact will not be considered a dispute.” 52 Pa. Code § 56.2.

Complainant on July 26, 2012. As stated above, our Regulation prohibits termination “until resolution of the dispute or complaint.” Our Regulations define a dispute, in pertinent part, as “a grievance of an applicant, customer or occupant about a public utility’s application of a provision covered by” Chapter 56 of our Regulations. 52 Pa. Code § 56.2. Complaints can be either informal or formal. An informal complaint is defined in our Regulations as “a complaint with the Commission submitted by a customer that does not involve a legal proceeding before a Commission administrative law judge or a mediation under the management of a Commission administrative law judge.” *Id.* A formal complaint is defined in our Regulations as “a complaint filed before the Commission requesting a legal proceeding before a Commission administrative law judge or a mediation under the management of a Commission administrative law judge.” *Id.*

These Regulations must be construed in the context of our Regulations establishing a process for resolving disputes, informal complaints and formal complaints. 52 Pa. Code §§ 56.140-56.181. *See also*, 52 Pa Code Chapter 5. We believe it is clear that, once the Commission renders a final order on a formal complaint, there is no longer any pending dispute or complaint within the meaning of Section 56.141(2); at that point, all disputes and complaints have been resolved within the meaning of 52 Pa. Code § 56.141(2).

At that point, the termination stay of Section 56.141(2) is lifted and the parties must comply with the Commission’s Order resolving the complaint, unless the Commission’s decision stayed.

Id. at 17-18 (emphasis added).

46. Therefore, unless the Complainant obtains a stay of the Commission’s *Final Order* pursuant to the appellate rules, as she has attempted to do through her Petition for Supersedeas, nothing prohibits PPL Electric from issuing a termination notice for the Complainant’s refusal of the AMI meter.

47. For these reasons, the Complainant’s argument that the Company cannot issue a notice of termination during the pending of the appeal, even without a stay of the *Final Order*, is without merit.

D. THE COMPLAINANT’S PETITION CONTAINS MISSTATEMENTS AND EXTRA-RECORD EVIDENCE THAT SHOULD BE REJECTED

48. The Complainant’s Petition for Supersedeas also contains several misstatements and improperly attempts to introduce and rely upon extra-record evidence. All of these misstatements and extra-record evidence should be rejected by the Commission.

49. First, the Complainant erroneously claims in her Petition that her Complaint encompasses another property, 4 North Street, Port Clinton, PA 19549, as well. (Cover Letter to Petition; Petition, p. 6.) This contravenes the Complainant’s own Exceptions, in which she stated that she has “a separate formal complaint filed for the address of 4 North Street, Port Clinton, PA 19549, a property which [she owns] and where [her] daughter resides.” (Complainant’s Exceptions at 2) (emphasis added). When she referenced this property during the evidentiary hearing, the Complainant averred that such reference “was only to illustrate [her] personal experiences with smart meters.” (Exceptions at 2)

50. Moreover, the Complainant’s Formal Complaint specifically identifies only one address as being in dispute: 1635 4th Street, Bethlehem, PA 18020. (Formal Complaint ¶ 1.) And, as PPL Electric stated in its Replies to Exceptions, there actually is no formal complaint on file with the Commission for this separate address. (PPL Replies to Exceptions at 13.) In fact, this other address’s service account is not in the Complainant’s name. Therefore, to the extent any stay of the *Final Order* is granted, it can only be limited to the Complainant’s service address in Bethlehem, Pennsylvania.

51. Second, contrary to the Complainant’s Petition, the ID did not: (1) state that PPL Electric and/or its agents are encouraged “to perform a statistically relevant sample audit on its past meter installations and going forward to perform certain customer meter base checks (if it is not already doing so) prior to setting any meters as an added precaution against fires caused by

micro-arcing”; (2) recommend that PPL Electric and its agents “consult with other peer EDCs to determine and adopt the best practices regarding customer meter base inspections”; and (3) recommend that PPL Electric “should perform what tests serve to minimize any potential fires due to micro-arcing.” (Petition, pp. 2-3.)

52. The Complainant confusingly appears to be reciting passages from the Initial Decision in *Kline v. PPL Electric Utilities Corporation*, Docket No. C-2017-2621072 (Aug. 16, 2018)⁶ and claiming that they were contained in her ID. (Petition, pp. 2-3.) However, that is certainly not the case, as these statements appear nowhere in the ID.⁷

53. Third, the Complainant erroneously contends that she “submitted motions which were never addressed by the ALJ or the Commission.” (Petition, p. 5.) There are no such motions. In fact, the Complainant never filed any motions in this case.

54. Fourth, the Complainant has attached a December 19, 2014 decision by the Maine Public Utilities Commission (“Maine PUC”) as apparent support for her requested stay. *See Request for Comm’n Investigation into Smart Meters and Smart Meter Opt-Out*, 2014 Me. PUC LEXIS 192 (Md. Pub. Utils. Comm’n Dec. 19, 2014) (“*Smart Meter Investigation*”), *affirmed*, *Friedman v. PUC*, 48 A.3d 794 (Me. 2016) (“*Friedman*”). However, the Maine PUC’s *Smart Meter Investigation* decision actually supports PPL Electric’s position. Before the Maine PUC, multiple customers of Central Maine Power Company (“CMP”) contested the planned installation of AMI meters. *See Smart Meter Investigation*, 2014 Me. PUC LEXIS 192, at *3-12. One of those customers even “requested that the Commission stay the installation of smart

⁶ For example, the Complainant goes on to claim that the ID states, “To the extent that Mr. Kline desires the ability to opt out of the smart meter installation, he should advocate for such ability before the General Assembly” (Petition, p. 3) (emphasis added).

⁷ Furthermore, PPL Electric notes that it has an Exception pending in the *Kline* case, which explains that these recommendations have already been adopted by the Company or are unnecessary. *See* Exception of PPL Electric Utilities Corp. Docket No. C-2017-2621072 (Sept. 5, 2018).

meters.” *Id.* at *9 (emphasis added). Ultimately, the Maine PUC rejected the customers’ arguments and found that installing AMI meters “does not present a credible threat to the health and safety of CMP’s customers and, based on the record of this proceeding is, therefore, safe.” *Id.* at *1. On appeal, the Supreme Judicial Court of Maine affirmed the Maine PUC’s decision. *See Friedman*, 48 A.3d 794.

55. Finally, the Complainant improperly attempts to introduce and rely upon extra-record evidence in her Petition, including: (1) alleged statements by the ALJ and Secretary Rosemary Chiavetta to other complainants⁸; and (2) other complainants’ interactions with PECO Energy Company that are not set forth in the Commission’s orders.⁹ Such evidence is not in the record and should not be relied upon in the Commission’s disposition of the Petition; otherwise, PPL Electric’s due process rights would be violated.¹⁰

56. Based on the foregoing, the Complainant has failed to meet the high standard required for the Commission to grant a stay pending appeal. Accordingly, her Petition for Supersedeas should be denied.

⁸ (See Petition, p. 8.)

⁹ (See Petition, pp. 17-19.)

¹⁰ *See Hess v. Pa. PUC*, 107 A.3d 246, 266 (Pa. Cmwlth. 2014) (citations omitted); *Pa. PUC v. Nat’l Fuel Gas Distrib. Corp.*, 1993 Pa. PUC LEXIS 95, at *10 (“[S]uch material was outside the record and could be detrimental to the rights of other parties to confront such evidence.”); 52 Pa. Code § 5.431 (stating that “[a]fter the record is closed, additional matter may not be relied upon or accepted into the record unless allowed for good cause shown by the presiding officer or the Commission upon motion”); 66 Pa. C.S. § 332(c) (stating that every party is entitled to, among other things, “submit rebuttal evidence” and “conduct such cross-examination as may be required for a full and true disclosure of the facts”).

III. CONCLUSION

For the reasons set forth above, PPL Electric Utilities Corporation respectfully requests that the Pennsylvania Public Utility Commission deny the Petition for Supersedeas filed by Evangeline Hoffman-Lorah.

Respectfully submitted,



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Date: June 6, 2019

Attorneys for PPL Electric Utilities Corporation

VERIFICATION

I, KEVIN DURKIN, being the Project Manager on the Meter Replacement Project at PPL Electric Utilities Corporation, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect PPL Electric Utilities Corporation to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date:

6/6/19



Kevin Durkin