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File #: 180259

May 27, 2020

VIA E-MAIL

Honorable Joel H. Cheskis
Administrative Law Judge
PA Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor West
P.O. Box 3265
Harrisburg, PA 17105-3265

**Re: Verizon Pennsylvania LLC and Verizon North LLC v. Metropolitan Edison Company, Pennsylvania Electric Company, and Pennsylvania Power Company
Docket No. C-2020-3019347**

Your Honor:

On May 22, 2020, Verizon Pennsylvania LLC and Verizon North LLC (collectively, “Verizon”) filed a Motion to Compel responses to Verizon’s second set of interrogatories and requests for production of documents.

Metropolitan Edison Company, Pennsylvania Electric Company, and Pennsylvania Power Company (collectively, “FirstEnergy” or the “Companies”) have been diligently working to provide the voluminous materials requested by Verizon in discovery. Although some of the Companies’ responses were not served by May 18, 2020, it was a product of: (1) FirstEnergy preparing its rebuttal testimony and exhibits that were served on May 21, 2020; and (2) the sheer volume of materials that were requested by Verizon and have been produced by FirstEnergy.¹

Verizon’s Motion to Compel will be rendered completely moot in the near future for the following reasons:

¹ To date, FirstEnergy has responded to all 35 of Verizon’s discovery requests set forth second set of interrogatories and requests for production of documents and has produced approximately 205 documents that, in total, consist of thousands of pages. FirstEnergy further notes that at the prehearing conference, Verizon indicated that it did not need to conduct discovery in this proceeding.

- As of May 26, 2020, FirstEnergy served responses to Interrogatories 4, 15-19, 29, and 34, which were the unanswered discovery requests identified in Section I of Verizon's Motion. Thus, there are no longer any overdue responses to Verizon's second set of interrogatories and requests for production of documents.
- By no later than May 28, 2020, FirstEnergy will provide copies of all spreadsheets in their native Excel format, to the extent they exist in that format, as requested in Section II of Verizon's Motion.
- By no later than May 28, 2020, for documents that contain attaching entities' names, FirstEnergy will provide "confidential" copies of "competitively sensitive confidential" documents and will provide "competitively sensitive confidential" copies of "confidential" documents, as requested in Section III of Verizon's Motion.
- By no later than May 28, 2020, FirstEnergy will be serving supplemental responses to Interrogatories 1, 3, 6, 11, 12, 13, 14, and 35, which will address the alleged deficiencies with FirstEnergy's original answers set forth in Section IV of Verizon's Motion.
- FirstEnergy will provide signed verifications from the persons sponsoring the Companies' responses prior to the evidentiary hearings. Typically, in proceedings of this size, FirstEnergy's practice is to send the verifications for all of the discovery responses after discovery has been completed, rather than serving them with every set of responses, so that the discovery responses can be provided quicker. This will resolve Verizon's concerns set forth in Section V of Verizon's Motion.

The Companies also note that on page 7 of the Motion, Verizon states the following: "FirstEnergy's responses are facially incomplete because they incorporate attachments without explaining what the attachment shows or even defining the columns in the attached pdf versions of the spreadsheet. *See, e.g.*, Request Nos. 1, 2, 3, 6, 7, 11, 14, 22." FirstEnergy notes that this request is beyond the scope of the questions that were asked by Verizon. However, FirstEnergy is willing to work with Verizon to address Verizon's further questions about the documents that were provided, including providing explanations about what is shown in the attachments.

For these reasons, Verizon's Motion to Compel will be rendered moot. To the extent that Verizon continues to dispute the sufficiency of FirstEnergy's responses as supplemented, the Companies reserve the right to file an Answer to any supplemental Motion to Compel filed by Verizon.

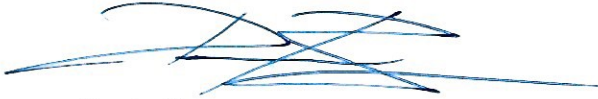
Copies of this letter are being provided electronically only, as indicated on the Certificate of Service.

Honorable Joel H. Cheskis

May 27, 2020

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Sincerely,



Devin Ryan

DTR/kl

Enclosure

cc: Rosemary Chiavetta, Secretary (*Letter & Certificate of Service Only*)

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 E-MAIL ONLY

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Date: May 27, 2020



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