

Michael and Sharon Hartman
1650 Primrose Lane
Dauphin, PA 17018

May 20, 2020

Public Utility Commission
Mr. Steve Haas, Presiding Officer
sthass@pa.gov

Re: Michael and Sharon Hartman v. PPL Electric Utilities Corporation Docket No: C-2019-3008272
Request for Mediation

Your Honor:

Your attention is invited to Respondent's May 11, 2020 Objections and Answers to Complainant's April 30, 2020 Request for the Production of Documents, attached. In sum and substance, the Respondent objected to each of Complainant's 22 Requests, and furnished no documents.

For nine (9) of the 22 Requests, Items 2, 3, 10, 11, 12, 13, 19, 21 and 22, the Respondent reported that the Respondent has not yet completed its investigation as a basis for lack of production. A remarkable answer when one considers that your Complainant filed a January 2019 Informal and March 2019 Formal Complaint with the PUC in this matter, and served a similar Request for the Production of Documents during May 2019.

For five (5) of the 22 Requests, Items 10, 11, 12, 14 and 15, the Respondent objected that the information requested related to property owned by an individual or entity other than the Complainant. Similarly, for Item 8, the Respondent denied that agreements between PPL Electric and the National Park Service (NPS) were relevant to the instant action. Your Complainant respectfully insists that information sought related to property owned by other individuals and the NPS are relevant to this matter for a number of reasons, to include, but not be limited to, the following:

- Each Primrose and Linden Lane neighboring property, to include the NPS, are assigned parties to the same 1950 Right of Way agreement among the Respondent PPL Electric Utilities and Edward and Thelma Fetterhoff.

- Restoration efforts, to include re-vegetation and storm water runoff mitigation, on each property, particularly the higher elevation NPS and Wech property, impact the remaining landowners as evidenced by the photographs, below, which depict storm water runoff/erosion from the NPS and Wech properties in the direction of your Complainant's property. The first photograph depicts gravel that washed 50 feet from the Wech property roadway in the direction of your Complainant's property. The second photograph depicts erosion on a logging road between the PPL Roadway constructed on the "Linden Line" and the PPL Roadway constructed on the "Primrose Line". Respondent PPL Electric Utilities constructed two roadways on the south side of the Peter's Mountain to re-construct a single powerline. Furthermore, the Respondent installed five water bars on NPS lands; each directs storm water southwest in the direction of your Complainant's property and residence.



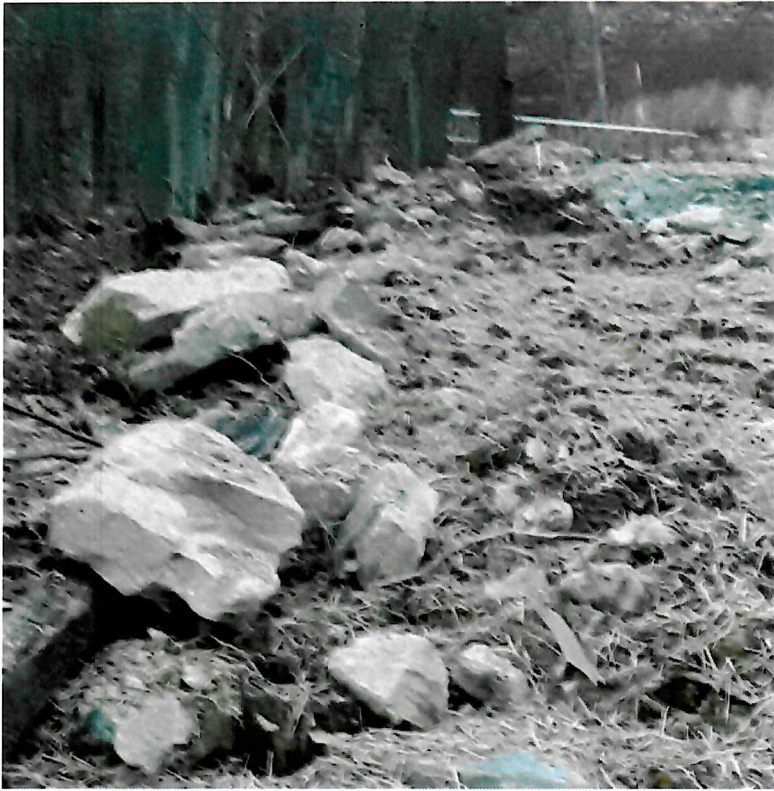
- Disparate restoration efforts to the roadway (access route) among parties to the same Right of Way agreement reflect unreasonable service as depicted below. The first photo reflects Respondent's restoration efforts on NPS lands, to include the removal of commercial stone from the roadway and re-vegetation. The second photo depicts the opposite on your Complainant's property.



- Disparate restoration efforts to the crane pads among parties to the same Right of Way agreement reflect unreasonable service as depicted below. The first photo reflects Respondent's restoration efforts to the crane pads on NPS lands, to include restoration to the original slope of the mountain, the removal of commercial stone, and re-vegetation. The second photo depicts the opposite on your Complainant's property.



For Item 9, the Respondent pontificated that the Respondent has not exceeded the scope of its Right of Way on Complainant's real property. A blatant falsehood. The Respondent has a 100' Right of Way that straddles the property line between your complainant and Mr. Wech; 50' on each property. The width of Respondent excavation and disturbance of our joint property measures 120' at Crane Pad 75, and 117' at Crane Pad 76. Evidence of that trespass and vegetation destruction are depicted below.



Your Complainant has requested a parallel investigation of this matter by PPL investigators. Your Complainants, Sharon Hartman and myself, are deeply troubled by Respondent's recent

further degradation of our property following the Commissioners' April 16, 2020 Order to Remand the matter. During the week of April 20, 2020, in direct contradiction of your Complainant's request to have a voice in further "restoration" efforts, the Respondent further degraded our property as depicted below. The first photograph depicts an exaggerated water bar that prohibits vehicular traffic on the purported access road. The second photo depicts the large and perilous stone that prohibits foot and vehicular traffic on the purported access road.



All photos reflect unreasonable damage to your Complainant's property. Damage that could easily be argued as punitive and retaliatory. Actions that reflect unreasonable and disparate service, promote erosion and storm water runoff, and reflect the worst in restoration and vegetation management.

Your honor, the Respondent has deprived of us of our right to access, use and enjoy our property for the past 18 months. Given Respondent's failure to honor our two (2) Requests for Document Production, one a year old, we respectfully request that this matter be assigned to immediate Mediation.

If the Respondent objects to our Mediation request, we respectfully request that the hearing be conducted in person, not via telephone, and at 1650 Primrose Lane, Dauphin, PA 17018; our home and site of the disputed PPL Right of Way activity. A hearing at the site will actually save the Commission and Court time because PPL's wanton and malicious abuse of our property and vegetation, not to mention the eminent threat to our residence, neighbors and Clarks Creek watershed, will become readily apparent during a quick tour of the property.

This letter and attachment was simultaneously emailed to Secretary Chiavetta, Kimberly Krupka and Graig Schultz, counsel for Respondent PPL on May 20, 2020.

Sincerely yours,

A handwritten signature in black ink that reads "Michael Hartman". The signature is written in a cursive style with a long horizontal stroke at the end.

Michael Hartman

Complainant