BEFORE THE PENNSYLVANIA
PUBLIC UTILITY COMMISSION

DOCKET No. C-2020-3019763

Lawrence Kingsley,
Complainant

v.

PPL Electric Utilities,
Respondent

COMPLAINANT'S MOTION TO COMPEL DISCOVERY AND NEW MOTION FOR SANCTIONS

Background

1. Also pending in this case is the Complainant's Renewed Motion to Strike and Motion for Sanctions, concerning potentially prejudicial records which PPL submitted to PUC on 11/16/20 and 4/21/21 without foundation, attestation, or any known purpose.

2. The complaint now moves for an order to compel discovery and for sanctions on new grounds: PPL's failure to answer the complainant's Interrogatories and for PPL's incomplete production of documents (available on request).

Facts

3. On 1/15/21 the complainant asked PPL to produce 13 categories of documents.

4. On 2/28/21, not having heard from PPL, the complainant then propounded 20 Interrogatories to PPL, largely overlapping with the overdue document

production. PPL has never made any attempt to answer these Interrogatories.

5. On 3/1/21 PPL responded to the Request for Production of Documents, but supplied boilerplate objections and an incomplete jumble of documents. PPL identified only 6 of the 13 categories of the requested documents, leaving the remaining documents unidentified.

6. Contrary to 231 Pa. Code § 4009.12(b)(2), PPL also failed to list **"**Documents or things not produced" and to identify them "with reasonable particularity together with the basis for non-production."

7. On 3/25/21 the complainant incorporated and extended the original Interrogatories in his Second Set of Interrogatories Pounded to PPL and left ample space after each Interrogatory for PPL's reply. **Exhibit 1**.

8. On the same date, in hope that PPL would present its document production in an admissible form, he resubmitted the Request for Production of Documents and again left ample space for PPL to identify each set of documents. **Exhibit 2**.

9. PPL has ignored both sets of the complainant's Interrogatories, as well as a series of email messages about this missing response.

10. PPL thus has violated the 30-day deadline for discovery compliance prescribed by 231 Pa. Code §§ 4006 and 4009.12.

Argument

Re: Document Production

11. PPL's Answer to the complainant's First Request for Production of Documents (Item 1) avows that the Administrative Law Judge "will establish the date by which all hearing exhibits must be exchanged." This answer is specious because there is no question about hearing exhibits. The issue instead concerns the deadline for full compliance with the deadline for production of documents pursuant to 231 Pa. Code § 4009.12, which is unambiguous: PPL should have answered within 30 days of the request made on 1/15/21. Similarly, PPL has never responded to either set of Interrogatories, and its nominal production of documents on 3/1/21was incomplete.

12. PPL also has violated 231 Pa. Code §§ 4009.2 and 4009.12 by failing to

—Provide an answer "in the form of a paragraph-by-paragraph response."

—Identify "all documents or things not produced or made available."

—Identify "with reasonable particularity together with the basis for non-production" documents or things not produced.

—Verify its response.

13. Even where PPL has made a partial response, PPL has failed to explain why it is withholding the rest of its response. As in Item 6, for example, PPL should state "the general nature of each report, its date, and reason why you believe

the report to be privileged."

14. In objecting to Items 3-5, PPL raises a false claim of confidentiality because the complainant is the Administrator of Linda Schoener's estate, duly appointed by the New York Surrogate's Court.[1] **Exhibit 3.** In fact, he paid relevant amounts of the estate's obligations himself.

15. The withheld documents should help to show Ms. Schoener's payment of a security deposit which PPL will owe at the conclusion of this case or may have stolen already. Contrary to PPL, Ms. Schoener's account remains active and is listed in each monthly bill. **Exhibit 4**.

16. PPL strains credulity by pretending in Items 6-7 that it has only public, non-controversial reports about the complainant's property. That position is equivalent to saying that PPL's chainsaw gangs descended on the complainant's property without PPL's authorization or directions and that the parties have litigated each other for over two years without any references to the complainant's property.[2]

17. PPL has failed to adhere to the requirement of 231 Pa. Code Rule4009.12(b)(2) that "Documents or things not produced shall be identified with reasonable particularity together with the basis for non-production ."

[1] For a small estate "Administrator" is the court's term for "Executor."

[2] The complainant's initial complaint against PPL was filed on 03/19/2019.

18. Many of PPL's answers are plainly disingenuous, as in Items 8-9, where we know from Better Business Bureau complaints and PUC's own published records that PPL received numerus complaints from other customers about its vegetation management practices. These complaints help to show PPL's propensity for misconduct, extent of mismanagement, and low ethical standard —all characteristics at issue in this case and ones which helps to place the rest of this case into perspective.
19. PPL should disclose the exact wording of these complaints, include complaints that have not been published, and state how complaints were resolved, when they were, or reasons why they were not resolved. Instead, PPL again hides behind a specious claim of confidentiality without trying to justify it or, if there actually were confidentiality, disclosing parts of these complaints which are not confidential.
20. Moreover, where complaints have resulted in legal action, confidentiality generally has been waived because of the strong judicial and public interest in open courtrooms. PPL has not claimed any exceptions to this preference, and none apply here.
21. Other government agencies like the State Treasurer, Department of Environmental Protection, or National Park Service operate in the open, but have taken PPL to task in their own names. There is nothing secret about

official government complaints against PPL.

22. In Items 10-11 PPL refers us only to three documents; whereas, this case spans nearly two years, and periodically PPL is required to submit routine filings to PUC which are likely to bear on this case.

23. In Item 12, concerning training of contractors, PPL pretends that its PUC filings also act as instruction to its blue collar workers, but these workers would be unlikely to read legal or scientific documents. PPL obviously is withholding the actual instructions given to workers or conceding that its chainsaw gangs, having only vague instructions, were allowed to improvise in a seat-of-pants manner.

Re: Interrogatories.

24. PPL has violated 231 Pa. Code § 4006 by not answering any of the Interrogatories well past the 30 days deadline.

25. Even though—because of PPL's lack of response—there is considerable overlap of the Interrogatories and document production, the complainant's Second Set of Interrogatories seeks new material. However, in the broad areas where PPL's document production is remiss, the Interrogatories also reinforce PPL's lack of compliance.

26. PPL's counsel is experienced and previously has appeared before PUC. PPL knows better than to violate rules of discovery, but by deliberately doing so,

hopes to conceal information which will help to show the shallowness of its position and its alleged thievery of money from the complainant, who made emergency payments to PPL on behalf of Linda Schoener's estate.

27. Even when PPL has provided limited information, its evidentiary use is diminished by PPL's presentation of it in the wrong form, whereby this information either will be inadmissible or else appear to be slipshod work of the complainant.

28. As at every step in this case, PPL has been caught cutting corners, breaking rules, and seeking undeserved advantage in one form or another.

29. As a monopolist, PPL enjoys certain prominence, but is hostile to Pennsylvanians in is billing practices, poor environmental record, and community relations.[3] For too long, PPL has assumed that Pennsylvanians should be kept in a state of colonial vassalage for PPL's Boston owners and that PPL is above the law.

Conclusion

30. For these reasons, PPL not only should be ordered to comply fully with the complainant's attached discovery requests, but should be sanctioned for its deliberate violation of rules and for causing both the court and the complainant unnecessary work.

[3] See complainant's Memorandum dated 10/5/20, Better Business Bureau records, and PUC's own 35 plus pages of complaints against PPL.

31. PPL's habitual rule-breaking shows why PPL cannot be trusted to keep its prior agreement with the complainant re: notification of intended vegetation management, which is really vegetation mismanagement. Something more than promises is needed to keep PPL true to its word.

Dated: Lancaster, PA
May 5, 2021

Respectfully submitted,

/S/

_____

Lawrence Kingsley
2161 West Ridge Drive
Lancaster, PA 17601
646-543-2226

Certificate of Service

I hereby certify that on May 5, 2021 I emailed a true copy of the within papers to PPL's counsel:

Kimberly G. Krupka, Esq.
Gross McGinley, LLP
33 S Seventh Street, PO Box 4060
Allentown, PA 18105-4060

Respectfully submitted,

/S/

_____

Lawrence Kingsley
2161 West Ridge Drive
Lancaster, PA 17601
646-543-2226

EXHIBITS

Exhibit 1:

Complainant's Second Set of Interrogatories.

BEFORE THE PENNSYLVANIA
PUBLIC UTILITY COMMISSION

DOCKET No. C-2020-3019763

Lawrence Kingsley,
Complainant

v.

PPL Electric Utilities,
Respondent

COMPLAINANT'S SECOND SET OF INTERROGATORIES PROPOUNDED TO PPL

Pursuant to 52 Pa. Code § 5.321(f)(2), the complainant requests that the respondent ("PPL") answer the following within 20 (twenty) days:

1. On what documents do you intend to rely during any hearing in this matter, and what is the substance of each document?

2. What documents, if any, purport to show a right of way granted to PPL on the complainant's property which is the subject of this dispute? If, after diligent search, you are unable to find any such documents, please state so.

3. What persons, if any, possess documents responsive to the previous interrogatory, and what is the complete business address of these persons?

4. Please state in complete detail each and every assertion which PPL made about the complainant or his property in your report to Judge Rainey.

5. During the last ten years what records has PPL submitted to the Pennsylvania Public Utility Commission about the methods and scope of intended vegetation management in Lancaster Country or Pennsylvania in general?

6. What instructions or guidelines did PPL issue to contractors who performed any work at the complainant's property during the last ten years?

7. In respect to instructions or guidelines cited in the previous interrogatory, what was the approximate number of pages provided to each contractor, and in what form was this material provided, such as printed books, photocopied pages, .PDF, or something else? Please list each document according to its name, form, and relevant number of pages.

8. Please state: the number of contractors who received all of the instructions or guidelines cited above; the number of contractors, if any, who received only limited portions of this material; and what was included in these limited portions.

9. Which individuals received the instructions or guidelines cited above in Interrogatory No. 6, and how can these individuals be contacted? If you believe that these individuals are exempt from disclosure, please state the specific reason for your decision.

10. Please state the professional qualifications and educational background of each individual cited above.

11. If any, what training in vegetation management did PPL contractors who worked at the complainant's property during the last ten years have?

12. What instructions or guidelines does PPL intend to issue to contractors for any foreseeable work at the complainant's property?

13. Who, if anyone, has possession, custody, or control of an application for PPL service at the complainant's address for any account paid by the complainant?

14. Does PPL retain a security deposit for any account paid by the complainant?

15. What are the original and current amounts of the security deposit referenced by the preceding interrogatory and from whom did PPL receive this security deposit?

16. If PPL intends to refund the security deposit referenced above, when should it be expected?

17. What were the amounts of all PPL bills paid by the complainant during February 1, 2015 to the present, whether addressed to him or, at the same address, to Linda Schoener?

18. If not included above and exclusive of meter readings or privileged communication in this case, what reports within PPL's possession, custody, or control reference the complainant's property at his billing address? If you assert privilege for any such report, what is the general nature of each report, its date, and reason why you believe the report to be privileged?

19. If not included above, but exclusive of routine notices mailed to all PPL customers and records already filed in this case, what records show correspondence, phone calls, and email messages notices which PPL sent to or received from the complainant during February 1, 2015 to the present?

20. What audio recordings or verbatim transcripts of phone calls with the complainant does PPL have, as opposed to purported summaries of these calls?

21. Exclusive of the instant case and cases filed in any Pennsylvania Court of Common Pleas, how many complaints has PPL received about its vegetation management in Pennsylvania during the last ten years?

22. What persons, government agencies, or other entities have made the complaints cited in the previous interrogatory, and how were each of these complaint resolved when resolution was possible? If you believe that any of this information is confidential, please list parts of each record which are not confidential and the reason(s) why you believe the rest of these records to be confidential.

23. Which of the complaints, if any, cited in the previous interrogatory were not resolved and which issues resulted in or contributed to the lack of resolution?

24. Please state the date and substance of any and all agreements into which the parties entered as the result of mediation or arbitration and include the name of the mediator or arbitrator.

25. Where documents referenced by Interrogatories1-24 exist, are you willing to provide copies of them to the complainant?

Dated: Lancaster, PA
March 25, 2021

Respectfully submitted,

/S/

_____

Lawrence Kingsley
2161 West Ridge Drive
Lancaster, PA 17601
646-543-2226

Certificate of Service

I hereby certify that on March 25, 2021 I emailed a true copy of my Second Set of Interrogatories Propounded to PPL to the PPL's counsel:
Kimberly G. Krupka, Esq.,
Gross McGinley, LLP
33 S. Seventh Street, PO Box 4060
Allentown, PA 18105-4060

Respectfully submitted,

/S/

_____

Lawrence Kingsley, *Pro Se*
2161 W. Ridge Dr.
Lancaster, PA 17603
646-453-2226

Exhibit 2:

Complainant’s Resubmitted Request for Production of Documents

BEFORE THE PENNSYLVANIA
PUBLIC UTILITY COMMISSION

DOCKET No. C-2020-3019763

Lawrence Kingsley,
Complainant

v.

PPL Electric Utilities,
Respondent

COMPLAINANT'S FIRST REQUEST FOR PRODUCTION OF DOCUMENTS

DOCUMENTSDEMANDED

The complainant requests that PPL produce:

1. Copies of all documents on which you intend to rely during any hearing in this matter.

2. All documents, if any, which purport to show a right of way granted to PPL on the complainant's property at his billing address.

3. Copies of all applications for service or other completed forms required for service at the complainant's address, including original applications for each account paid by the complainant.

4. Statements showing beginning and ending balances for any and all accounts in which PPL every held a security deposit for each account paid by the complainant.

5. Copies of all PPL bills paid by the complainant during February 1, 2015 to the present, whether addressed to him or to Linda Schoener.

6. If not included above and exclusive of meter readings or privileged communication in this case, copies of all reports within PPL's possession, custody, or control which reference the complainant's property at his billing address. If you assert privilege for any such report, please enumerate the general nature of each report, its date, and reason why you believe the report to be privileged.

7. If not included above and exclusive of routine notices mailed to all PPL customers and messages already filed in the instant case, records of all correspondence, phone calls, and email messages notices which PPL sent to or received from the complainant during February 1, 2015 to the present. For recorded phone calls, please provide copies of the actual recording and any purported transcripts or summaries of them.

8. Exclusive of the instant case and cases filed in any Pennsylvania Court of Common Pleas, copies of all complaints which PPL has received about its vegetation management in Pennsylvania during the last ten years.

9. Records showing the identity of the persons or government agencies making the complaints cited in the previous item, records showing how these complaints were resolved (when they were), and documentation showing the reasons why any of these complaints were not resolved. If you believe that any of this information is confidential, please list parts of each record which are not confidential and the reason(s) why you believe the rest of the record to be confidential.

10. Records during the last ten years which PPL has submitted to the Pennsylvania Public Utility Commission about the methods and scope of intended vegetation management.

11. If not included above, copies of all instructions or guidelines which PPL issued during the last ten years about the nature and extent of vegetation management in Pennsylvania.

12. If not included above, copies of all instructions or guidelines which PPL issued to contractors who conducted any work at the complainant's property during the last ten years or whom PPL expects to conduct any work at this property in the future.

13. Inasmuch PPL's duty is continuing, any documents responsive to the above requests found or produced after initial compliance with this notice.

Dated: Lancaster, PA
March 25, 2021

Respectfully submitted,

/S/

_____

Lawrence Kingsley
2161 West Ridge Drive
Lancaster, PA 17601
646-543-2226

Certificate of Service

I hereby certify that on March 25, 2021 I emailed a true copy of my First Request for Production of Documents to PPL's counsel:
Kimberly G. Krupka, Esq.,
Gross McGinley, LLP
33 S. Seventh Street, PO Box 4060
Allentown, PA 18105-4060

Respectfully submitted,

/S/

_____

Lawrence Kingsley, *Pro Se*
2161 W. Ridge Dr.
Lancaster, PA 17603
646-453-2226

Exhibit 3:

Certificate Issued by New York's Surrogate Court

C20 (Rev. 1/07)

Certificate# 24702

SURROGATE'S COURT OF THE STATE OF NEW YORK
NEW YORK COUNTY

File#: 2015-3522

CERTIFICATE OF VOLUNTARY ADMINISTRATION

IT IS HEREBY CERTIFIED that an affidavit for Voluntary Administration of the estate of the decedent named below was filed with the court and the Voluntary Administrator named below has been found qualified and is authorized to act as follows:

Name of Decedent:	**Linda Schoener**
Date of Death:	**March 20, 2015**
Domicile of Decedent:	**County of New York**
Voluntary Administrator:	**Lawrence Kingsley**
Mailing Address:	**300 West 106th Street** **Suite 78** **New York NY 10025**

The Voluntary Administrator is only authorized to collect and receive the following personal property of the decedent:

ESTATE ACCOUNT NOT TO EXCEED $30,000.00

Date Original Affidavit Filed: September 18, 2015
Date Certificate Issued: September 25, 2015

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of the New York County Surrogate's Court at New York, New York.

WITNESS, Hon. Nora S. Anderson, Judge of the New York County Surrogate's Court.

Diana Sanabria, Chief Clerk
New York County Surrogate's Court

This certificate is Not Valid Without the Raised Seal of the New York County Surrogate's Court

Exhibit 4:

Email Correspondence with PPL

Lawrence Kingsley

From: Lawrence Kingsley <mail@research-1.com>
Sent: Wednesday, October 7, 2020 4:13 PM
To: 'Kimberly Krupka'
Subject: RE: PUC C-2020-3019763

Inasmuch as you have not served a copy of your report to Judge Rainey on me, you have yet to comply with 52 Pa. Code §§ 1.54(a).
By refusing to acknowledge receipt of my Oct. 5 Memorandum, you are only adding new evidence of PPL's bad faith or games about service, which I will have to report to PUC.
Since efiling is standard at PUC, forcing me to serve you by other means—I need to confirm the service—may also be construed as petty harassment by PPL.
Lawrence Kingsley

Lawrence Kingsley

From: Lawrence Kingsley <mail@research-1.com>
Sent: Thursday, October 29, 2020 2:00 AM
To: 'Kimberly Krupka'
Subject: RE: PUC C-2020-3019763

If you complied with PUC's June 10, 2020 order, you still have not served a copy of your response on me.
Lawrence Kingsley

Lawrence Kingsley

From: Lawrence Kingsley <mail@research-1.com>
Sent: Thursday, October 29, 2020 8:16 AM
To: 'Kimberly Krupka'
Subject: RE: PUC C-2020-3019763

Please note that if you complied with PUC's June 10, 2020 order, you still have not sent me a copy of your response to this order.
Lawrence Kingsley

Lawrence Kingsley

From: Lawrence Kingsley <mail@research-1.com>
Sent: Sunday, November 8, 2020 4:00 AM
To: 'Kimberly Krupka'
Subject: RE: PUC C-2020-3019763

This item has not reached me. Would you check with your assistant and, if necessary, mail another copy to me?
You should not assume that the mailing is complete unless I acknowledge receipt, as I am happy to do for either regular mail or a .pdf.
Lawrence Kingsley

From: Kimberly Krupka [mailto:KKrupka@grossmcginley.com]
Sent: Thursday, October 29, 2020 7:57 PM
To: Lawrence Kingsley
Subject: RE: PUC C-2020-3019763

I will ask that my assistant review the file and send. I am currently out of the office and in trial.

Kimberly G. Krupka
Attorney at Law
GROSS MCGINLEY, LLP
DIRECT (610) 871-1325

From: Lawrence Kingsley <mail@research-1.com>
Sent: Thursday, October 29, 2020 8:16 AM
To: Kimberly Krupka <KKrupka@grossmcginley.com>
Subject: RE: PUC C-2020-3019763

Please note that if you complied with PUC's June 10, 2020 order, you still have not sent me a copy of your response to this order.
Lawrence Kingsley

Lawrence Kingsley

From: Lawrence Kingsley <mail@research-1.com>
Sent: Tuesday, November 17, 2020 11:29 PM
To: 'Kimberly Krupka'
Subject: RE: PUC C-2020-3019763

I still have not received a copy of your report to Judge Rainey: please send a paper or electronic copy at once.
You should not assume that the mailing is complete unless I acknowledge receipt, as I am happy to do for either regular mail or a .pdf.
Lawrence Kingsley

Lawrence Kingsley

From: Lawrence Kingsley <mail@research-1.com>
Sent: Wednesday, November 18, 2020 1:55 PM
To: 'Kimberly Krupka'
Subject: RE: PUC C-2020-3019763

Please see below:
Lawrence Kingsley
646-714-5668

From: Kimberly Krupka [mailto:KKrupka@grossmcginley.com]
Sent: Wednesday, November 18, 2020 12:05 PM
To: Lawrence Kingsley
Subject: RE: PUC C-2020-3019763

Mr. Kingsley – is there a good number to contact you on via telephone?

Kimberly G. Krupka
Attorney at Law
GROSS MCGINLEY, LLP
DIRECT (610) 871-1325

From: Lawrence Kingsley <mail@research-1.com>
Sent: Tuesday, November 17, 2020 11:29 PM
To: Kimberly Krupka <KKrupka@grossmcginley.com>
Subject: RE: PUC C-2020-3019763

I still have not received a copy of your report to Judge Rainey: please send a paper or electronic copy at once.
You should not assume that the mailing is complete unless I acknowledge receipt, as I am happy to do for either regular mail or a .pdf.
Lawrence Kingsley

Lawrence Kingsley

From: Lawrence Kingsley <mail@research-1.com>
Sent: Thursday, November 19, 2020 2:27 AM
To: 'Kimberly Krupka'
Subject: RE: PUC C-2020-3019763

Thank you for the phone call yesterday. However, this phone call, which was only general, is not a substitute for the document which you still have not served on me, your report ordered by Judge Rainey. Nor is the one sentence from this report that you sent me. I need the full report, please.
An electronic copy will be fine, but only if I acknowledge its receipt, as I am glad to do.
Lawrence Kingsley
646-714-5668

Lawrence Kingsley

From: Lawrence Kingsley <file@research-1.com>
Sent: Monday, February 8, 2021 11:08 AM
To: kkrupka@grossmcginley.com
Subject: DOCKET No. C-2020-3019763
Attachments: Reply to PPL's Answer to Amended Complaint--FILED.pdf

Attached, please find my Reply to your Answer to the Amended Complaint.
Please note that I have not received your response to my discovery demand.
Lawrence Kingsley

Lawrence Kingsley

From: Lawrence Kingsley <file@research-1.com>
Sent: Monday, March 1, 2021 12:16 PM
To: 'Kimberly Krupka'
Subject: RE: PPL- Kingsley

To repeat, yes, I received the 70+ pages. Thank you. While I need to study this material in detail, a problem is already evident that PPL should address: there is no apparent relationship between my property and some of this material. For example, pp. 23 and following discuss pruning, but there is no indication that these pages represent instructions or guidelines given to PPL contractors, if that was the intention.
Similarly, an issue will be how permission allegedly granted for use of Bell Telephone poles translates into a right of way on property acquired by succeeding owners of the property, including myself. I am unaware of any renewal or inheritance of this agreement if it even applies.
If PPL wishes to address these issues, I would be glad to hear from you.
Lawrence Kingsley.

From: Kimberly Krupka [mailto:KKrupka@grossmcginley.com]
Sent: Monday, March 1, 2021 9:40 AM
To: Lawrence Kingsley
Subject: RE: PPL- Kingsley

Mr. Kingsley –

I sent an original message with an attachment and then this one as a follow up that I would send hard copy as well. Did you receive an e-mail with written responses and 70 additional pages of documents?

Kimberly G. Krupka
Attorney at Law
GROSS MCGINLEY, LLP
DIRECT (610) 871-1325

From: Lawrence Kingsley <file@research-1.com>
Sent: Monday, March 01, 2021 9:38 AM
To: Kimberly Krupka <KKrupka@grossmcginley.com>
Subject: RE: PPL- Kingsley

Thank you. Besides sending the paper copy, if you also meant to attach an electronic copy, I did not receive it.
Lawrence Kingsley

Lawrence Kingsley

From: Lawrence Kingsley <file@research-1.com>
Sent: Friday, March 5, 2021 4:05 AM
To: 'Kimberly Krupka'
Subject: RE: PPL- Kingsley

Your discovery response, with unidentified items jumbled together, is not in the proper form. If you do not wish to comply with your obligations, I will have to seek relief from the court.
Lawrence Kingsley

Lawrence Kingsley

From: Lawrence Kingsley <file@research-1.com>
Sent: Monday, March 15, 2021 6:52 AM
To: 'Kimberly Krupka'
Subject: RE: PPL- Kingsley

Please note that my Interrogatories for PPL go beyond my demand for document production. Moreover, especially since your document production was not in the proper form, with unidentified items jumbled together, I expect timely, complete answers to my Interrogatories. I am prepared to work with you if you wish to correct and supplement your document production, and I hope that we can avoid compelled discovery.
Lawrence Kingsley

Lawrence Kingsley

From: Lawrence Kingsley <file@research-1.com>
Sent: Friday, March 19, 2021 2:42 PM
To: 'Kimberly Krupka'
Subject: RE: PPL- Kingsley

Your answers to my Interrogatories are overdue, and I have not received an amended version of your document production.
Lawrence Kingsley

Lawrence Kingsley

From: Lawrence Kingsley <file@research-1.com>
Sent: Thursday, March 25, 2021 5:22 AM
To: kkrupka@grossmcginley.com
Subject: Discovery issues
Attachments: RPD Demanded of PPL, Resubmitted.pdf; Second Set of Interrogatories Propounded to PPL.pdf

Your answers to my Interrogatories are seriously overdue. I am willing to work with you in terms of simplifying your response to my Interrogatories and Request for Production of Documents. However, I have not received a response to my March 5 message to you, in which I pointed out that your document production is in the wrong form. For example, you jumbled these documents together without identifying or verifying them, and you failed to identify with reasonable particularity the "Documents or things not produced . . . together with the basis for non-production."

If you wish to correct your errors, I am providing for your convenience another copy of my Request for Production of Documents, in which I leave space for you to respond.

Since you ignored my First Set of Interrogatories, I am including and extending them in the attached Second Set of Interrogatories Propounded to PPL, which similarly leaves space for you to answer each interrogatory.

I would like to avoid a Motion to Compel Discovery, but can do only with your timely cooperation.

PUC will receive a copy of the two certificates of service.

Lawrence Kingsley
646-653-2226

Lawrence Kingsley

From: Lawrence Kingsley <file@research-1.com>
Sent: Thursday, March 25, 2021 11:33 AM
To: 'Kimberly Krupka'
Subject: RE: Discovery issues

Thank you. I will be glad to hear from you. Below I corrected a small typo in my prior message to you.
Lawrence Kingsley

From: Kimberly Krupka [mailto:KKrupka@grossmcginley.com]
Sent: Thursday, March 25, 2021 9:12 AM
To: Lawrence Kingsley
Subject: RE: Discovery issues

Mr. Kingsley, I am out of the office until about 1:30 today and then will work to provide additional reponses.

Kimberly G. Krupka
Attorney at Law
GROSS MCGINLEY, LLP
DIRECT (610) 871-1325

From: Lawrence Kingsley <file@research-1.com>
Sent: Thursday, March 25, 2021 5:22 AM
To: Kimberly Krupka <KKrupka@grossmcginley.com>
Subject: Discovery issues

Your answers to my Interrogatories are seriously overdue. I am willing to work with you in terms of simplifying your response to my Interrogatories and Request for Production of Documents. However, I have not received a response to my March 5 message to you, in which I pointed out that your document production is in the wrong form. For example, you jumbled these documents together without identifying or verifying them, and you failed to identify with reasonable particularity the "Documents or things not produced . . . together with the basis for non-production."
If you wish to correct your errors, I am providing for your convenience another copy of my Request for Production of Documents, in which I leave space for you to respond.
Since you ignored my First Set of Interrogatories, I am including and extending them in the attached Second Set of Interrogatories Propounded to PPL, which similarly leaves space for you to answer each interrogatory.
I would like to avoid a Motion to Compel Discovery, but can do so only with your timely cooperation.
PUC will receive a copy of the two certificates of service.
Lawrence Kingsley

646-653-2226

Lawrence Kingsley

From: Lawrence Kingsley <file@research-1.com>
Sent: Tuesday, March 30, 2021 11:30 AM
To: 'Kimberly Krupka'
Subject: Your discovery response
Attachments: Second Set of Interrogatories Propounded to PPL.pdf; RPD Demanded of PPL, Resubmitted.pdf

After speaking to you yesterday, I confirmed that your discovery response is not in the correct form. I was not overlooking anything after all.
In conformity with the rules, I would ask you, please, to identify each item in the spaces that I have provided in the attachments. As an experienced attorney, you also would know to verify your submission and, where you object, to "identify with reasonable particularity the documents not produced together with the basis for non-production." For evidentiary purposes it is important to present your response in the form which the court is expecting, as opposed to some amorphous concoction which the court might blame on me.
Please note that when I did not hear from you, I included, but extended my original Interrogatories in my Second Set of Interrogatories Propounded to PPL. That is, this Second Set propounds new Interrogatories as well as the unanswered original Interrogatories.
To repeat, where discoverable information is common to both interrogatories and document production, it should suffice if you respond only once as long as the information sought is fully disclosed, identified, signed, and verified in one place or the other.
If I can be of assistance, please do not hesitate to call on me.
Lawrence Kingsley
646-543-2226

Lawrence Kingsley

From: Lawrence Kingsley <file@research-1.com>
Sent: Thursday, April 1, 2021 3:06 PM
To: 'Kimberly Krupka'
Subject: RE: Kingsley - PPL

Would you please state your intentions about correcting and amplifying your discovery response?
Lawrence Kingsley

Lawrence Kingsley

From: Lawrence Kingsley <file@research-1.com>
Sent: Wednesday, April 7, 2021 1:15 PM
To: kkrupka@grossmcginley.com
Subject: Copy of e-filing
Attachments: Second Set of Interrogatories Propounded to PPL--cert. refiled.pdf; RPD Resubmitted--cert. refiled.pdf

You have already received the attached certificates of service, but I am serving another copy of what I e-filed.
I already have pointed out that my Second Set of Interrogatories includes new interrogatories which you have not answered, and I explained why your document production is incomplete. I urge you to supplement your response at once.
Lawrence Kingsley
646-543-2226