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May 13, 2021

**VIA ELECTRONIC FILING**

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street, 2<sup>nd</sup> Floor  
Harrisburg, PA 17120

Re: Petition of PECO Energy Company for a Finding of Necessity Pursuant to 53 P.S. § 10619 that the Situation of Two Buildings Associated with a Gas Reliability Station in Marple Township, Delaware County Is Reasonably Necessary for the Convenience and Welfare of the Public

Docket No. P-2021-3024328

Dear Secretary Chiavetta:

Enclosed please find PECO Energy Company's Answer to Ted Uhlman's Motion Requesting the Presiding Officer to Dismiss an Objection and Compel That the Interrogatory Be Answered. Copies have been served in accordance with the attached Certificate of Service.

Thank you for your attention to this matter.

Respectfully,

*/s/ Christopher A. Lewis*

Christopher A. Lewis

*Enclosures*

cc: Certificate of Service List (w/ encl.)

**COMMONWEALTH OF PENNSYLVANIA  
BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Petition of PECO Energy Company for a :  
Finding of Necessity Pursuant to 53 P.S. :  
§ 10619 that the Situation of Two : Docket No. P-2021-3024328  
Buildings Associated with a Gas Reliability :  
Station in Marple Township, Delaware :  
County Is Reasonably Necessary for the :  
Convenience and Welfare of the Public :

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**PECO ENERGY COMPANY’S ANSWER TO TED UHLMAN’S MOTION  
REQUESTING THE PRESIDING OFFICER TO DISMISS AN OBJECTION AND  
COMPEL THAT THE INTERROGATORY (sic) BE ANSWERED**

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Pursuant to the provisions of 52 Pa. Code § 5.342(g), Petitioner PECO Energy Company (“PECO”), by its attorneys, hereby Answers Intervenor Ted Uhlman’s Motion Requesting the Presiding Officer to Dismiss an Objection and Compel That the Interrogatory (sic) Be Answered (“Motion”).

**I. BACKGROUND**

1. On April 28, 2021, Intervenor Theodore (Ted) Uhlman served Interrogatories and Document Requests on PECO (“Discovery Requests”).

2. In Discovery Request No. 4, Mr. Uhlman requested Information about PECO’s LNG facility in West Conshohocken, a facility not directly at issue in this proceeding, including information related to that facility’s size, space, and LNG storage tanks.

3. On May 5, 2021, PECO served a timely and proper objection to this Discovery Request on the grounds that it sought information pertaining to the facility in West Conshohocken, which is not relevant to the proper scope of inquiry in this proceeding.

4. In Discovery Request No. 5, Mr. Uhlman requested information regarding gas pressures entering and leaving the Gas Reliability Station. Among other things, Mr. Uhlman expected that PECO would address the Joule-Thomson Cooling Equation and the industry practice of “packing and venting” a pipeline.

5. Here again, PECO objected to this request on the grounds that the information is not relevant to the proper scope of this proceeding. Nevertheless, PECO directed Mr. Uhlman to PECO’s Response to Interrogatory 6 in Marple Township and Delaware County’s Joint First Set of Interrogatories, which contained a description of how the Natural Gas Reliability Station works and included a description about pipeline pressure, which was responsive to Mr. Uhlman’s Request.

6. Finally, in Discovery Request No. 6, Mr. Uhlman requested information related to how the project will reduce or eliminate the need to access the spot market.

7. On May 5, 2021, PECO served a timely response, directing Mr. Uhlman to PECO’s Response to Interrogatory 1 in Marple Township and Delaware County’s Joint First Set of Interrogatories, which contained information responsive to this Discovery Request.

8. The instant Motion, which is dated May 5, 2021 but which was not filed and served until May 7, 2021, requests generally that ALJ DeVoe compel complete answers to the Discovery Requests, contending that the information sought is directly relevant to this proceeding. The Motion does not offer specific arguments as to how PECO’s objections or responses are deficient or how the information sought is relevant, but instead offers to provide “point-by-point

repudiation” of PECO’s objections and responses upon request from the ALJ. To PECO’s knowledge, Mr. Uhlman has not provided further support for his Motion.

## **II. ARGUMENT**

9. PECO will be serving Direct Testimony in this matter on May 14, 2021, which will provide further information responsive to Mr. Uhlman’s Discovery Requests.

10. Additionally, PECO intends to serve supplemental discovery responses to Marple Township and Delaware County’s Joint First Set of Interrogatories, no later than May 17, 2021, which supplemental responses may contain further information responsive to Mr. Uhlman’s request.

11. PECO believes its Direct Testimony and supplemental responses may answer or moot Mr. Uhlman’s discovery requests. Nevertheless, PECO stands on its general and specific objections raised in May 5, 2021 responses to Mr. Uhlman’s discovery request. PECO further stands on its responses, which refer Mr. Uhlman to information that is responsive to his requests.

12. If, following the service of Direct Testimony and all discovery responses, Mr. Uhlman continues to feel that PECO’s responses and/or objections are deficient, Mr. Uhlman may re-file a motion to compel at that time that, which motion should state with particularity how PECO’s objections or responses are deficient.

WHEREFORE, PECO respectfully requests that Your Honor deny Mr. Uhlman's Motion.

/s/ Christopher A. Lewis

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*Counsel for PECO Energy Company*

Dated: May 13, 2021

**CERTIFICATE OF SERVICE**

I hereby certify that on this day I served a true copy of the foregoing Answer to Ted Uhlman's Motion Requesting the Presiding Officer to Dismiss an Objection and Compel that the Interrogatory (sic) be Answered was served upon the parties listed below, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a party) via electronic mail.

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Dated: May 13, 2021