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July 12, 2021

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

RE: 600 Scranton, LLC v. PPL Electric Utilities Corporation
Docket No: C-2019-3014952

600 Scranton, LLC v. PA American Water
Docket No. C-2019-3024207

Dear Ms. Chiavetta:

Enclosed for eFiling in the above-captioned matter is the Answer of PPL Electric Utilities Corporation to Complainant's Motion to Consolidate.

Please note that this filing was eFiled with the Commission on the date indicated above.

Very truly yours,



KIMBERLY G. KRUPKA

KGK/tb
Enclosure

cc: Administrative Law Judge Dennis J. Buckley (w/enc.) *via email only*
Thomas J. Jones, Jr., Esquire (w/enc.) *via email and First Class mail*
Michael Gruin, Esquire/Timothy K. McHugh, Esquire (w/enc.) *via email only*
Michelle L. Bartolomei (w/enc.) *via email only*
Shelbie Frederick Bayda (w/enc.) *via email only*

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BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

600 SCRANTON, LLC,

Complainant,

vs.

PPL ELECTRIC UTILITIES CORPORATION,

Respondent.

600 SCRANTON, LLC,

V.

PA AMERICAN WATER COMPANY

COMPLAINT DOCKET

NO. C-2019-3014952

NO. C-2021-3024207

**ANSWER OF RESPONDENT PPL ELECTRIC UTILITIES CORPORATION TO
COMPLAINANT'S MOTION TO CONSOLIDATE**

TO: ROSEMARY CHIAVETTA:

AND NOW COMES the Respondent, PPL Electric Utilities Corporation (“PPL Electric”), by and through its counsel, Gross McGinley, LLP, files the following Answer to Complainant’s Motion to Consolidate, and in support thereof avers as follows:

Denied.¹ Respondent, PPL Electric, denies the existence of a common issue of fact or law. While Complainant couches the “common question” as whether Respondents have provided adequate, safe, economical and efficient service to Complainant, such analysis is based on completely different facts, tariff provisions, and legal duties. Moreover, Complainant appears to allege that it is improper for PPL Electric to provide electric service to certain other

¹ Complainant’s Motion does not contain separately numbered paragraphs for Respondent, PPL Electric, to admit or deny. Nonetheless, Respondent PPL Electric will attempt to respond to each allegation in the order presented by Complainant.

commercial customers, for which Complainant neither pays the bills, receives the service, or has its service impacted as a result thereof. As this issue was not raised in Complainant's Complaint against PPL Electric and inasmuch as Complainant has no standing to object to the provision of electric service to another ratepayer, such issue should not even be considered.

Complainant's Claims of factual evidence to be presented in support of Common Issue:

A. The allegations of this paragraph relate to a Respondent other than Answering Respondent and accordingly no response is required. Without waiving said response, Complainant appears to contend that Respondent PA Water failed to timely notify Complainant of a water leak. As PPL Electric does not provide water service to Complainant, this factual allegation is completely inapplicable to Respondent, PPL Electric.

1. The allegations of this paragraph relate to the construction of water pipes below the surface of Complainant's property. As Respondent, PPL Electric, did not install the water pipes and does not provide water service to Complainant, these factual allegations are completely inapplicable to Respondent, PPL Electric.

B. Denied. By way of further response, the PUC has already determined that PPL Electric was not required to perform an energy audit, and therefore the failure to perform cannot form the basis of any case or decision. With regard to the commencement of electric service in the name of Complainant, on July 11, 2017, Benjamin Lorenzetti contacted PPL Electric and spoke with Customer Service Representative, Dana Brunner, to request that two accounts, account numbers 98347-48014 and 86019-31013, be transferred into the name of 600 Scranton LLC. On the same date, correspondence, as referenced, was mailed to 600 Scranton LLC. On July 14, 2017, Brian Stafford noted that the July 11, 2017 telephone request was for only two of three accounts and placed a call to Benjamin Lorenzetti to determine whether account number

18291-13047 should likewise be transferred to 600 Scranton LCC. On August 1, 2017, Benjamin Lorenzetti confirmed that Account Number 18291-13047 should be placed in the name of 600 Scranton, LLC. Such request was honored. At all times, the representatives of PPL Electric believed Benjamin Lorenzetti had authority to act on behalf of 600 Scranton, LLC and had no reason to suspect otherwise. Moreover, there are no allegations that Complainant is not the entity that owns the property receiving service and seeks to have service in its name.

By way of still further response, on or about November 15, 2017 Brian Safford of PPL Electric met with Volvey Polatcheck at the Customer's location. Mr. Polatcheck requested summary billing in order to facility a combined bill. The Summary Bill enables persons/entities with multiple accounts to receive one bill, which includes charges for all accounts, rather than a separately issued bill for each account.

Moreover, LP4 is the only available rate for large generation service customers who elect to shop with an alternative supplier for generation. LP4-RTP is the only available rate for large generation service customers who elect not to shop with an alternative supplier for generation and receive real time pricing. Respondent, PPL Electric, repeatedly recommended that Complainant "shop" in order to secure a lower rate, but Complainant elected not to do so. As a result, Complainant was charged the only rate applicable.

Consolidation in the instant case is inappropriate where the two cases do not involve a common question of law or fact and consolidation will not reduce costs or delays. For the following reasons, the Motion should be denied:

- a) The two cases involve distinct sets of facts. The action against PPL Electric relates to whether the correct rate tariff was applied and the timing of the issuance of bills. The action against PA Water, appears based on the Motion, to involve

issues surrounding notification of a water leak and bills related to the same. These issues are distinct and involve no overlap.

- b) The two cases involve distinct application of law. While Complaint alleges both Complaints are based on unreasonable service, the analysis related to commencement of service and billing (by PPL Electric) and notification of water leaks (PA Water) are distinct.
- c) PPL Electric is ready to proceed to an initial hearing and consolidation would create unreasonable delay. Moreover, while Complainant requests mediation, Complainant and PPL Electric have already discussed the issues of the case and potential resolutions, and have been unable to reach a settlement. Should Complaint seek to continue discussions, both parties are represented by counsel and such communications can continue.

GROSS MCGINLEY, LLP



BY: _____
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Date: July 12, 2021

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

600 SCRANTON, LLC,

Complainant,

vs.

PPL ELECTRIC UTILITIES CORPORATION,

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600 SCRANTON, LLC,

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PA AMERICAN WATER COMPANY

COMPLAINT DOCKET

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CERTIFICATE OF SERVICE

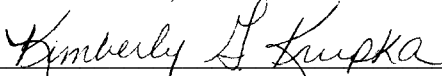
This is to certify that the Answer of Respondent, PPL Electric Utilities Corporation, to Complainant's Motion to Consolidate was mailed to counsel/complainant of record on behalf of Respondent by email and/or first class United States mail, postage on this the 12th day of July, 2021.

Administrative Law Judge Dennis J. Buckley
Commonwealth Of Pennsylvania
Public Utility Commission
400 North Street, 2nd Floor West
Harrisburg, PA 17120

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