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Devin Ryan  
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File #: 140074

January 4, 2022

***VIA EMAIL***

Honorable Christopher P. Pell  
Administrative Law Judge  
PA Public Utility Commission  
801 Market Street  
Suite 4063  
Philadelphia, PA 19107

**Re: William Jacobs v. PPL Electric Utilities Corporation**  
**Docket No. C-2021-3027892**

Your Honor:

PPL Electric Utilities Corporation (“PPL Electric” or the “Company”) respectfully requests that January 25, 2022, be set as a date for the mutual exchange of written direct testimony in this proceeding.

The instant litigation involves the use and application of herbicides, which are complex and fact-intensive issues. In other herbicide proceedings, parties have needed to present expert testimony about the reasonableness and safety of the utility’s propose use and application of herbicides. *See, e.g., Mattu v. West Penn Power Co.*, Docket No. C-2016-2547322 (Order entered Oct. 25, 2018), *rev’d on other grounds, West Penn Power Co. v. Pa. PUC*, 2019 Pa. Commw. Unpub. LEXIS 532 (Pa. Cmwlth. 2019). Oral presentation of expert testimony is time-intensive and does not afford the other parties the opportunity to review such testimony in advance of the hearing.

Under Section 5.412(a) of the Pennsylvania Public Utility Commission’s (“Commission”) regulations, the “[u]se of written testimony in Commission proceedings is encouraged, especially in connection with the testimony of expert witnesses.” 52 Pa. Code § 5.412(a). Further, “The presiding officer may direct that expert testimony to be given upon direct examination be submitted as prepared written testimony,” and “[a] reasonable period of time will be allowed to prepare written testimony.” *Id.* § 5.412(b). Therefore, the use of written testimony, particularly in cases like the instant proceeding, is encouraged by the Commission.

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In addition, PPL Electric observes that William Jacobs (“Complainant”) is appearing *pro se*. With the exchange of written direct testimony in advance of the evidentiary hearing, PPL Electric believes that the Complainant will have a better opportunity to prepare for the hearing. Indeed, the Complainant will be able to review the direct testimony of the Company’s witnesses in advance and develop potential questions to ask the witnesses on cross-examination.

Moreover, the use of written direct testimony will expedite the hearing, as much of the time devoted to the direct examination of the parties’ witnesses will be substantially shortened. Also, the parties may be able to reach factual stipulations on certain issues in the case.

For these reasons, PPL Electric respectfully requests that Your Honor establish a date for the mutual exchange of written direct testimony in this proceeding. As a proposed date, PPL Electric believes that Tuesday, January 25, 2022, would be appropriate, as it is two weeks before the evidentiary hearing scheduled for Tuesday, February 8, 2022.

Copies of this letter and Certificate of Service are being filed with the Commission.

Respectfully submitted,



Devin Ryan

DR/dmc  
Enclosures

cc: Rosemary Chiavetta (*Letter and Certificate of Service Only*)  
Athena DelVillar  
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**

William Jacobs  
2201 Hendricks Rd  
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Date: January 4, 2022



Devin T. Ryan