
Garrett P. Lent

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File #: 190531

July 22, 2022

VIA ELECTRONIC FILING

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor North
P.O. Box 3265
Harrisburg, Pa 17105-3265

**RE: Application Of PPL Electric Utilities Corporation, Filed Pursuant To 52 Pa. Code Chapter 57 Subchapter G, For Approval To Rebuild The Existing Summit-Lackawanna #1 And #2 230 kV Transmission Lines Connecting The Summit 230-69 kV Substation And The Lackawanna 500-230-69 kV Substation In Lackawanna County, Pennsylvania
Docket No. A-2022-3030969**

**Application Of PPL Electric Utilities Corporation Under 15 Pa.C.S. § 1511(C) For A Finding And Determination That The Service To Be Furnished By The Applicant Through Its Proposed Exercise Of The Power Of Eminent Domain To Acquire A Certain Portion Of The Lands Of August And Diana Baker In Dickson City Borough And Scott Township, Lackawanna County, Pennsylvania For The Proposed Rebuilding Of The Summit-Lackawanna #1 And #2 230 kV Associated With The Proposed Summit-Lackawanna Project Is Necessary Or Proper For The Service, Accommodation, Convenience, Or Safety Of The Public
Docket No. A-2022-3031013**

Dear Secretary Chiavetta:

Attached for filing are the Joint Motions for the Admission of Evidence and To Amend the Briefing Schedule for the above referenced proceedings.

Copies have been provided per the Certificate of Service.

Rosemary Chiavetta, Secretary
July 22, 2022
Page 2

Respectfully,

A handwritten signature in cursive script, appearing to read "Garrett P. Lent". The signature is written in black ink and is positioned above the printed name.

Garrett P. Lent

GPL/dmc
Attachments

cc: The Honorable Mary D. Long (*with attachments*)
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).

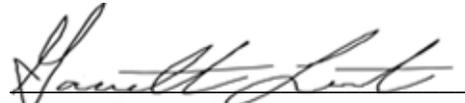
VIA E-MAIL AND FIRST-CLASS MAIL

August W. And Diana M. Baker
178 East Pine Street
Dunmore, Pa 18512

Richard M. Williams, Esquire
Hourigan, Kluger & Quinn
600 Third Avenue
Kingston, PA 18704-5815
Email: rwilliams@hkqlaw.com

Richard L. Huffsmith, Esquire
26 East Tioga Street
Tunkhannock, PA 18657
Richard.Huffsmith@Gmail.Com

Date: July 22, 2022


Garrett P. Lent

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application Of PPL Electric Utilities :
Corporation, Filed Pursuant To 52 Pa. Code :
Chapter 57 Subchapter G, For Approval To : Docket No. A-2022-3030969
Rebuild The Existing Summit-Lackawanna :
#1 And #2 230 kV Transmission Lines :
Connecting The Summit 230-69 kV :
Substation And The Lackawanna 500-230- :
69 kV Substation In Lackawanna County, :
Pennsylvania :

Application of PPL Electric Utilities :
Corporation Under 15 Pa.C.S. § 1511(c) For :
A Finding And Determination That The : Docket No. A-2022-3031013
Service To Be Furnished By The Applicant :
Through Its Proposed Exercise Of The :
Power Of Eminent Domain To Acquire A :
Certain Portion Of The Lands of **August** :
and Diana Baker In Dickson City Borough :
and Scott Township, Lackawanna County, :
Pennsylvania For The Proposed Rebuilding :
Of The Summit-Lackawanna #1 And #2 230 :
kV Associated With The Proposed Summit- :
Lackawanna Project Is Necessary Or Proper :
For The Service, Accommodation, :
Convenience, Or Safety Of The Public :

**JOINT MOTIONS FOR THE ADMISSION OF EVIDENCE AND TO AMEND THE
BRIEFING SCHEDULE**

TO ADMINISTRATIVE LAW JUDGE MARY D. LONG:

PPL Electric Utilities Corporation (“PPL Electric” or the “Company”) and August and Diana Baker (“Protestants”) (together the “Parties”), hereby submit these Joint Motions for the Admission of Evidence and to Amend the Briefing Schedule (the “Joint Motions”), pursuant to 52 Pa. Code §§ 5.103 and 5.234. Through the Joint Motions, the Parties move for: (1) the admission of all previously served exhibits and testimony by stipulation and verification; and (2) the amendment of the deadlines for the submission of Main Briefs and Reply Briefs set forth in the

litigation established by the April 29, 2022 Prehearing Order of Administrative Law Judge Mary D. Long (the “ALJ”),

In support of the Joint Motions, the Parties represent as follows:

I. BACKGROUND

1. This proceeding was initiated on February 14, 2022, when PPL Electric filed the above-captioned “Application Of PPL Electric Utilities Corporation, Filed Pursuant To 52 Pa. Code Chapter 57 Subchapter G, For Approval To Rebuild The Existing Summit-Lackawanna #1 And #2 230 kV Transmission Lines Connecting The Summit 230-69 kV Substation And The Lackawanna 500-230-69 kV Substation In Lackawanna County, Pennsylvania” (hereinafter, the “Joint Application and Petition for Waiver”) with the Pennsylvania Public Utility Commission (“Commission”).

2. In the Joint Application and Petition for Waiver, PPL Electric requested Commission approval to rebuild the existing double-circuit Summit-Lackawanna #1 and #2 230 kV Transmission Lines connecting the Summit 230-69 kV Substation (“Summit Substation”) and the Lackawanna 500-230-69 kV Substation (“Lackawanna Substation”) in Lackawanna County, Pennsylvania (the “Summit-Lackawanna Project” or “Project”) and for waiver of certain of the Commission’s regulations governing review and approval of the siting and construction of high voltage electric transmission lines set forth at 52 Pa. Code §§ 57.71 *et seq.*

3. Also on February 14, 2022, PPL Electric filed the interrelated “Application of PPL Electric Utilities Corporation Under 15 Pa.C.S. § 1511(c) For A Finding And Determination That The Service To Be Furnished By The Applicant Through Its Proposed Exercise Of The Power Of Eminent Domain To Acquire A Certain Portion Of The Lands of **August and Diana Baker** In Dickson City Borough and Scott Township, Lackawanna County, Pennsylvania For The Proposed Rebuilding Of The Summit-Lackawanna #1 And #2 230 kV Associated With The Proposed

Summit-Lackawanna Project Is Necessary Or Proper For The Service, Accommodation, Convenience, Or Safety Of The Public” (hereinafter, the “Baker Condemnation Application”) with the Commission.

4. In the Baker Condemnation Application, PPL Electric seeks a finding and determination by the Commission that the service to be furnished through its proposed exercise of the power of eminent domain, to the extent such exercise is required, to acquire a right-of-way (“ROW”) and easement over a certain portion of the lands claimed by August and Diana Baker in Dickson City Borough and Scott Township, Lackawanna County, Pennsylvania for the proposed rebuild of the Summit-Lackawanna #1 and #2 230 kV Transmission Lines associated with the Summit-Lackawanna Project, is necessary or proper for the service, accommodation, convenience, or safety of the public.

5. The Commission issued an Initial Call-In Telephonic Prehearing Conference Notice for the above-captioned dockets on February 23, 2022.

6. On March 1, 2022, the Commission issued a Secretarial Letter acknowledging receipt of the Joint Application and Petition for Waiver and the Baker Condemnation Application. The Secretarial Letter also indicated that notice of these filings would be published in the March 12, 2022 edition of the *Pennsylvania Bulletin*.

7. On March 3, 2022, the ALJ issued a Prehearing Conference Order.

8. Also on March 3, 2022, PPL Electric received service of the Protest of August Baker and Diana Baker (“Baker Protest”), which was filed at the above-captioned dockets.

9. On March 15, 2022, the Pennsylvania Department of Transportation (“PennDOT”) filed a Notice of Appearance.

10. On March 17, 2022, PPL Electric filed a proof of publication and affidavit showing that notice of the Joint Application and Petition for Waiver and the Baker Condemnation Application was published in The Scranton Times-Tribune on March 12, 2022.

11. The Prehearing Conference was held as scheduled on April 26, 2022.

12. On April 29, 2022, PennDOT filed a Withdrawal of Appearance.

13. Also on April 29, 2022, the ALJ issued a Prehearing Order. Among other things, the Prehearing Order established a litigation schedule for this proceeding.

14. On June 15, 2022, PPL Electric served its written direct testimony associated with the Joint Application and Petition for Waiver. PPL Electric had previously served its written direct testimony associated with the Baker Condemnation Application.

15. Also on June 15, 2022, the Protestants served their written direct testimony.

16. Based upon the facts and issues raised by the Parties in their pleadings and pre-served written direct testimony, the Parties submitted a Joint Stipulation of Facts on July 15, 2022.

17. Also on July 15, 2022, PPL Electric served its written rebuttal testimony associated with the Baker Condemnation Application.

18. As a result of the submission of the Joint Stipulation of Facts, the ALJ sent e-mail correspondence to counsel for PPL Electric and the Protestants on July 18, 2022. The ALJ asked whether the Parties believed an evidentiary hearing was necessary in light of the submission of the Joint Stipulation of Facts and also asked the parties whether a further prehearing conference was necessary.

19. The Parties responded to the ALJ, and indicated that an evidentiary hearing was not necessary. In addition, the Parties represented that they would prepare and submit a joint motion for the admission of all pre-served testimony and exhibits via stipulation and verification.

20. On July 18, 2022, the ALJ issued a Hearing Cancellation Notice, which cancelled the evidentiary hearings scheduled in this matter.

II. MOTION FOR THE ADMISSION OF EVIDENCE BY STIPULATION AND VERIFICATION

21. The Parties request that the ALJ admit the testimony and exhibits listed below into the record in the above-captioned proceeding.

A. Testimony and Exhibits of PPL Electric

22. PPL Electric Exhibit 1 – Joint Application and Petition for Waiver, including Attachments 1-6 thereto.

23. PPL Electric Statement No. 1 – Direct Testimony of Joseph B. Lookup.

24. PPL Electric Statement No. 2 – Direct Testimony of Barry A. Baker.

25. PPL Electric Exhibit 2 – Baker Condemnation Application.

26. PPL Electric Statement No. 1 (Baker) – Direct Testimony of Mark S. Safi.

27. PPL Electric Statement No. 2 (Baker) – Direct Testimony of Austin K. Weseloh, including PPL Electric Exhibits AKW-1 through AKW-7 attached thereto.

28. PPL Electric Statement No. 2-R (Baker) – Rebuttal Testimony of Austin K. Weseloh.

B. Testimony and Exhibits of August and Diana Baker

29. Baker Statement No. 1 – Direct Testimony of August Baker, including Exhibits 1-5 attached thereto.

30. The Parties respectfully request that the above identified testimony and exhibits be admitted into the record without a hearing. The Parties have agreed to waive cross-examination, have stipulated to the admission of evidence by verification, and the evidentiary hearings scheduled in this matter have been cancelled. Attached hereto is a proposed “Order Granting Joint

Motions for Admission of Evidence And to Amend the Briefing Schedule” for consideration by the ALJ.

31. Copies of the testimony and exhibits will be filed electronically with the Commission pursuant to Section 5.412a of the Commission’s regulations. *See* 52 Pa. Code § 5.412a. Verifications for the testimony and exhibits of the Stipulating Parties are attached hereto as **Appendices A and B**, corresponding to the above identified materials.

WHEREFORE, the Parties respectfully request that Administrative Law Judge Mary D. Long admit the foregoing testimony and exhibits into the record in this proceeding.

III. MOTION FOR AMENDMENT OF THE BRIEFING SCHEDULE

32. As noted above, the ALJ issued a Prehearing Order on April 29, 2022. Among other things, the Prehearing Order set forth a litigation schedule for this proceeding.

33. Under the litigation schedule established by the Prehearing Order, Main Briefs are to be submitted on or before September 16, 2022, and Reply Briefs are to be submitted on or before September 30, 2022.

34. On July 18, 2022, the ALJ issued a Hearing Cancellation Notice, which cancelled the evidentiary hearings scheduled in this matter.

35. Moreover, the Parties have jointly moved for the admission of all evidence by stipulation and verification.

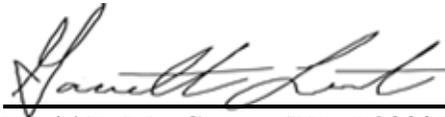
36. In light of these changes to the procedural schedule, the Parties respectfully request that the ALJ amend the deadline for the submission of Main Briefs and Reply Briefs.

WHEREFORE, the Parties respectfully request that Administrative Law Judge Mary D. Long amend the deadline for the submission of Main Briefs to August 19, 2022, and the deadline for the submission of Reply Briefs to September 1, 2022.

IV. CONCLUSION

WHEREFORE, PPL Electric Utilities Corporation and August and Diana Baker respectfully request that the Administrative Law Judge Mary D. Long (1) admit the foregoing testimony and exhibits into the record in this proceeding and (2) amend the deadlines established by the April 29, 2022 Prehearing Order for the submission of Main Briefs and Reply Briefs to August 19, 2022 and September 1, 2022, respectively.

Respectfully submitted,



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David B. MacGregor (I.D. # 28804)
Garrett P. Lent (I.D. # 321566)
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Date: July 22, 2022

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Email: rwilliams@hkqlaw.com

Date: July 22, 2022

Attorneys for August and Diana Baker

IV. CONCLUSION

WHEREFORE, PPL Electric Utilities Corporation and August and Diana Baker respectfully request that the Administrative Law Judge Mary D. Long (1) admit the foregoing testimony and exhibits into the record in this proceeding and (2) amend the deadlines established by the April 29, 2022 Prehearing Order for the submission of Main Briefs and Reply Briefs to August 19, 2022 and September 1, 2022, respectively.

Respectfully submitted,

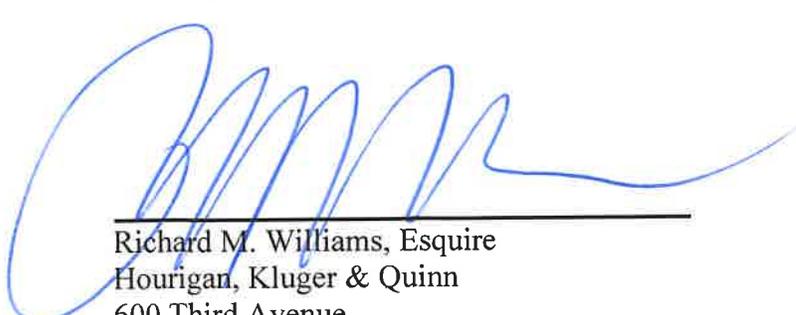
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Date: July 22, 2022

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Date: July 22, 2022

Attorneys for August and Diana Baker

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application Of PPL Electric Utilities :
Corporation, Filed Pursuant To 52 Pa. Code :
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Certain Portion Of The Lands of **August** :
and Diana Baker In Dickson City Borough :
and Scott Township, Lackawanna County, :
Pennsylvania For The Proposed Rebuilding :
Of The Summit-Lackawanna #1 And #2 230 :
kV Associated With The Proposed Summit- :
Lackawanna Project Is Necessary Or Proper :
For The Service, Accommodation, :
Convenience, Or Safety Of The Public :

**ORDER GRANTING JOINT MOTIONS FOR ADMISSION OF EVIDENCE AND TO
AMEND THE BRIEFING SCHEDULE**

On July 22, 2022, the Joint Motions for the Admission of Evidence by Stipulation and Verification and to Amend the Briefing Schedule (the “Joint Motions”) was filed by PPL Electric Utilities Corporation (“PPL Electric” or the “Company”) and August and Diana Baker (“Protestants”) (together the “Parties”). Each of the Parties stipulated to the authenticity of the filings, statements, and exhibits listed in the Joint Motions and requested that they be admitted into the record of this proceeding. In addition, the Parties moved to amend the deadlines established

by the April 29, 2022 Prehearing Order for the submission of Main Briefs and Reply Briefs be to August 19, 2022 and September 1, 2022. The Joint Motions are attached to this Order.

As these requests are reasonable, they will be granted.

THEREFORE, IT IS ORDERED THAT:

1. The following testimony and exhibits are admitted into the record:
 - a) PPL Electric Exhibit 1 – Joint Application and Petition for Waiver, including Attachments 1-6 thereto.
 - b) PPL Electric Statement No. 1 – Direct Testimony of Joseph B. Lookup.
 - c) PPL Electric Statement No. 2 – Direct Testimony of Barry A. Baker.
 - d) PPL Electric Exhibit 2 – Baker Condemnation Application.
 - e) PPL Electric Statement No. 1 (Baker) – Direct Testimony of Mark S. Safi.
 - f) PPL Electric Statement No. 2 (Baker) – Direct Testimony of Austin K. Weseloh, including PPL Electric Exhibits AKW-1 through AKW-7 attached thereto.
 - g) PPL Electric Statement No. 2-R (Baker) – Rebuttal Testimony of Austin K. Weseloh.
 - h) Baker Statement No. 1 – Direct Testimony of August Baker, including Exhibits 1-5 attached thereto.
2. The deadline for the submission of Main Briefs be amended to August 19, 2022.
3. The deadline for the submission of Reply Briefs be amended to September 1, 2022.

Dated: _____

The Hon. Administrative Law Judge
Mary D. Long

Appendix A

Verifications of PPL Electric
Utilities Corporation to February
14, 2022 Filings

VERIFICATION

I, JOSEPH B. LOOKUP, being the Director of Asset Management at PPL Services Corporation, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect PPL Electric Utilities Corporation to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 02/14/2022


Joseph B. Lookup (Feb 14, 2022 13:02 EST)
Joseph B. Lookup

VERIFICATION

I, MARK S. SAFI, being the Supervisor – Asset Planning, at PPL Services Corporation, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect PPL Electric Utilities Corporation to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 02/14/2022

Mark Safi
Mark Safi (Feb 14, 2022 09:58 EST)

Mark S. Safi

VERIFICATION

I, AUSTIN K. WESELOH, being the Transmission ROW & Real Estate Supervisor, at PPL Services Corporation, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect PPL Electric Utilities Corporation to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 02/14/2022

Austin Weseloh
Austin Weseloh (Feb 14, 2022 09:42 EST)

Austin K. Weseloh

Verifications of PPL Electric
Utilities Corporation to Further
Direct and Rebuttal Testimony

VERIFICATION

I, Joseph B. Lookup, being the Director of Asset Management at PPL Services Corporation, hereby state that the testimony set forth in PPL Electric Statement No. 1 – Direct Testimony of Joseph B. Lookup is true and correct to the best of my knowledge, information, and belief and that if asked orally at a hearing in this matter my answers would be as set forth therein. I am also sponsoring PPL Electric Exhibit 1 and PPL Electric Exhibit 2. I hereby state that the aforementioned exhibits are true and correct to the best of my knowledge, information, and belief. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 07/22/2022

J. B. Lookup
Joseph B. Lookup

VERIFICATION

I, Barry A. Baker, being the Vice President and Eastern United States Regional Practice Lead for the Impact Assessment & Permitting Practice, and Senior Project Manager and Technical Lead at AECOM Technical Services Corporation, hereby state that the testimony set forth in PPL Electric Statement No. 2 – Direct Testimony of Barry A. Baker is true and correct to the best of my knowledge, information, and belief and that if asked orally at a hearing in this matter my answers would be as set forth therein. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 07/22/2022

Barry A. Baker

Barry A. Baker

VERIFICATION

I, Austin K. Weseloh, being the Transmission ROW & Real Estate Supervisor at PPL Services Corporation, hereby state that the testimony set forth in PPL Electric Statement No. 2 (Baker) – Direct Testimony of Austin K. Weseloh and PPL Electric Statement No. 2-R (Baker) – Rebuttal Testimony of Austin K. Weseloh is true and correct to the best of my knowledge, information, and belief and that if asked orally at a hearing in this matter my answers would be as set forth therein. I am also sponsoring PPL Electric Exhibits AKW-1 through AKW-7. I hereby state that the aforementioned exhibits are true and correct to the best of my knowledge, information, and belief. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 07/22/2022

Austin Weseloh
Austin Weseloh (06/22/2022 11:37:00)

Austin K. Weseloh

VERIFICATION

I, Mark S. Safi, being the Supervisor – Asset Planning at PPL Services Corporation, hereby state that the testimony set forth in PPL Electric Statement No. 1 (Baker) – Direct Testimony of Mark S. Safi is true and correct to the best of my knowledge, information, and belief and that if asked orally at a hearing in this matter my answers would be as set forth therein. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 07/22/2022

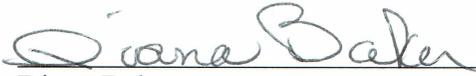

Mark Safi (Jul 22, 2022 14:09 EDT)

Mark S. Safi

Appendix B

VERIFICATION

I, Diana Baker, hereby state and swear that the facts above set forth in the Protest and Baker Statement No. 1 – Direct Testimony of August Baker, including Exhibits 1-5 attached thereto, filed in this matter are true and correct to the best of my knowledge, information and belief. I understand that the statements I am making in this Verification are made subject to the penalties of 18 Pa. C.S. Section 4904 (relating to unsworn falsification to authorities).



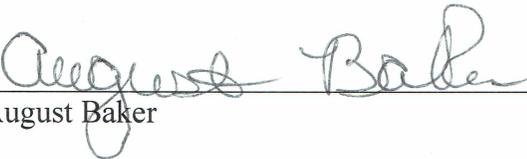
Diana Baker



Date

VERIFICATION

I, August Baker, hereby state and swear that the facts above set forth in the Protest and Baker Statement No. 1 – Direct Testimony of August Baker, including Exhibits 1-5 attached thereto, filed in this matter are true and correct to the best of my knowledge, information and belief. I understand that the statements I am making in this Verification are made subject to the penalties of 18 Pa. C.S. Section 4904 (relating to unsworn falsification to authorities).


August Baker


Date