
Devin Ryan

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File #: 203930

March 7, 2024

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: Pennsylvania Public Utility Commission Bureau of Investigation and Enforcement
v. PPL Electric Utilities Corporation
Docket No. C-2023-3044727**

Dear Secretary Chiavetta:

Attached for filing is the Prehearing Conference Memorandum of PPL Electric Utilities Corporation in the above-referenced proceeding.

Copies will be provided as indicated on the Certificate of Service.

Respectfully submitted,



Devin Ryan

DR/dmc
Attachments

cc: The Honorable Dennis J. Buckley (*via email; w/attachments*)
Certificate of Service

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of this filing 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

Grant Rosul, Esquire
Michael L. Swindler, Esquire
Bureau of Investigation and Enforcement
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120
grosul@pa.gov
mwindler@pa.gov

Date: March 7, 2024



Devin T. Ryan

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission	:	
Bureau of Investigation and Enforcement,	:	
	:	
Complainant,	:	
	:	Docket No. C-2023-3044727
v.	:	
	:	
PPL Electric Utilities Corporation,	:	
	:	
Respondent.	:	

**PREHEARING CONFERENCE MEMORANDUM OF
PPL ELECTRIC UTILITIES CORPORATION**

TO ADMINISTRATIVE LAW JUDGE DENNIS J. BUCKLEY:

Pursuant to 52 Pa. Code § 5.222(d) and the Prehearing Order dated February 29, 2024, PPL Electric Utilities Corporation (“PPL Electric” or “Company”) hereby submits this Prehearing Conference Memorandum.

I. BACKGROUND

On December 7, 2023, PPL Electric was served with the Formal Complaint filed by the Pennsylvania Public Utility Commission’s (“Commission”) Bureau of Investigation and Enforcement (“I&E”) at Docket No. C-2023-3044727.

On December 27, 2023, PPL Electric timely filed an Answer to the Formal Complaint.

On January 12, 2024, a Telephonic Hearing Notice was issued, scheduling a telephonic evidentiary hearing for March 8, 2024.

On February 2, 2024, the ALJ issued a Prehearing Order.

On February 29, 2024, a Hearing Type Change Notice was issued, converting the telephonic evidentiary hearing scheduled for March 8, 2024, into a telephonic prehearing conference.

Also on February 29, 2024, a Prehearing Order was issued, which, among other things, directed the parties to file Prehearing Conference Memoranda on or before March 7, 2024.

II. SERVICE OF DOCUMENTS

PPL Electric's attorneys in this proceeding are Michael J. Shafer, Esquire, Kimberly A. Klock, Esquire, David B. MacGregor, Esquire, and Devin T. Ryan, Esquire. PPL Electric requests that Devin T. Ryan be listed as the recipient for service. Mr. Ryan's contact information is provided below:

Devin T. Ryan (ID # 316602)
Post & Schell, P.C.
One Oxford Centre
301 Grant Street, Suite 3010
Pittsburgh, PA 15219
Phone: 717-612-6052
E-mail: dryan@postschell.com

PPL Electric also requests that Mr. Shafer, Ms. Klock, and Mr. MacGregor be added to any informal e-mail distribution lists in this proceeding. Mr. Shafer's e-mail address is mjshafer@pplweb.com, Ms. Klock's e-mail address is kklock@pplweb.com, and Mr. MacGregor's e-mail address is dmacgregor@postschell.com. In addition, PPL Electric agrees to receive service of documents electronically in this proceeding.

III. DISCOVERY

PPL Electric does not propose any modifications to the Commission's discovery rules. The Company also is not aware of any outstanding discovery disputes. The Company is willing to work with the parties, through informal discovery, to expedite discovery.

IV. PROCEDURAL SCHEDULE

As noted in I&E's Prehearing Conference Memorandum, the parties are actively trying to negotiate a settlement of the Formal Complaint. Therefore, PPL Electric does not believe it is necessary to establish a procedural schedule at this time. To the extent that such a schedule needs to be established, PPL Electric will work with I&E on developing a mutually agreeable litigation schedule.

V. WITNESSES, ISSUES, AND EVIDENCE

As noted in I&E's Prehearing Conference Memorandum, the parties are actively trying to negotiate a settlement of the Formal Complaint. Because the Company is focused on those efforts, PPL Electric has not finished identifying its witnesses, issues, or evidence yet. However, when the Company does identify such witness(es), PPL Electric will provide reasonable notice to the other parties. PPL Electric reserves the right to call additional witnesses, as necessary, to address issues that may arise during the course of this proceeding. The Company's witness(es) will address, at a minimum, PPL Electric's PA One Call Law compliance, the marking of underground facilities performed by the Company's contractor, USIC, LLC ("USIC"), and the digging performed by Precision Pipeline Solutions.

VI. PROTECTION OF CONFIDENTIAL INFORMATION

If necessary, PPL Electric will timely submit an appropriate Motion for Protective Order.

VII. SETTLEMENT

As noted in I&E's Prehearing Conference Memorandum, the parties are actively trying to negotiate a settlement of the Formal Complaint. PPL Electric remains committed to engaging in those negotiations and trying to achieve a complete settlement of the Formal Complaint.

Respectfully submitted,



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Dated: March 7, 2024

Attorneys for PPL Electric Utilities Corp.