

Nieves Abad  
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631-575-2348

June 14, 2024

DATE OF DEPOSIT

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

JUN 14 2024

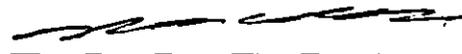
PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

**RE: Nieves Avad V, PPL Electric Utilities Corporation**  
**Docket No. C-2024-3047163**

Dear Secretary Of Commission:

Attached for filing is the Motion To Compel Interrogatories and Request For Production Of Documents Upon Respondent by Nieves Abad in the Above-referenced proceeding. Copies will be provided as indicated on the Certificate of Service.

CC:  
Alphonso Arnold III  
Administrative Law Judge  
Office of Administrative Law Judge  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street  
Harrisburg PA 17120  
Phone 717.787.3868  
Email- alphonarno@pa.gov



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Dated- 06/14/24

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BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

Nieves Abad  
(Pro-Se)

Complainant

NOTICE OF MOTION

VS

PPL Electric Utilities Corporation

C-2024-3047163

Respondent

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**NOTICE OF MOTION**

PLEASE TAKE NOTICE that the Motion To Compel Discovery Interrogatories and Request For Production Of Documents will be presented to the Administrative Law Judge Alphonso Arnold III on a date to be identified by the court pursuant to the Commissions motions practice.

Certificate Of Service

I certify that the within Motion was served upon Respondent ,indicated above on this 14th Day Of June 2024 by certified mail.

Cc:  
Alphonso Arnold III  
Administrative Law Judge  
Office of Administrative Law Judge  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
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Harrisburg PA 17120  
Phone 717.787.3868  
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Rosemary Chiavetta  
Secretary of The Commission

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Dated - 06/14/2024

**DATE OF DEPOSIT**

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BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

Nieves Abad  
(Pro-Se)

Complainant

VS

PPL Electric Utilities Corporation

C-2024-3047163

Respondent

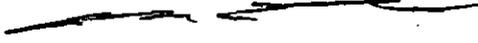
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**Notice To Plead**

YOU ARE HEREBY ADVISED THAT, PURSUANT TO 52 Pa. CODE 5.101, YOU MAY FILE AN ANSWER TO THE ENCLOSED MOTION TO COMPEL DISCOVERY INTERROGATORIES AND REQUEST FOR PRODUCTION OF DOCUMENTS WITHIN FIVE (5) DAYS OF THE DATE OF SERVICE HEREOF. YOUR ANSWER TO THE MOTION TO COMPEL DISCOVERY INTERROGATORIES AND REQUEST FOR PRODUCTION OF DOCUMENTS MUST BE FILED WITH THE SECRETARY ON PENNSYLVANIA PUBLIC UTILITY COMMISSION, P.O. BOX 3265, HARRISBURG, PA 17105-3265. A COPY SHOULD ALSO BE SERVED ON THE UNDERSIGNED NIEVES ABAD (PRO-SE).

Respectfully Submitted,

Alphonso Arnold III  
Administrative Law Judge  
Office of Administrative Law Judge  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
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Harrisburg PA 17120  
Phone 717.787.3868  
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**JUN 14 2024**

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SECRETARY'S BUREAU**

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BEFORE THE PENNSYLVANIA PUBLIC  
UTILITY COMMISSION

Nieves Abad  
(Pro-Se)

MOTION TO COMPEL DISCOVERY

DATE OF DEPOSIT

Complainant

JUN 14 2024

VS

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

PPL Electric Utilities Corporation

C-2024-3047163

Respondent

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MOTION TO COMPEL DISCOVERY (INTERROGATORIES AND REQUEST  
FOR PRODUCTION OF DOCUMENTS

Complainant is entitled to written Interrogatories to a party ( title 52 5.341) where Defendant may inquire related matters under 5.5321,5.323 and 5.324. Complainants Interrogatories ( See Exhibit 1) and Request For Production Of Documents( See Exhibit 2) is in compliance with Pennsylvania Code title 231 chapter 4000. Title 52 Section 5 Subcategory D. Interrogatories and Requests For Production Of Documents are necessary for his complaint. PPL Utilities

Electric Corporation is withholding these necessary documents and answers to further make the Complainant's case. Names of witnesses and their information is necessary to call for depositions and/or witnesses in upcoming evidentiary hearing. Complainant is asking Respondent for material that only pertains to this matter not for records of they're entire database. PPL Electric is required to keep records and they should have a system in place to pull up data about this incident.

### **ARGUMENT**

#### **Objection of PPL Electric Utilities Corporation to the Interrogatories of Nieves Abad Set I, Numbers 6 through 10, RFPDS Number 1 A Through G, RFPDS Documents and Things 1,2,3,7,8,9,11,12, and 13**

**PPL Electric Utilities Corporation states objections to Interrogatories and RFPDS as follows :**

1. **Vague -** These are a list of Interrogatories and RFPDS with questions asking for people's names and information that solely has to do with information regarding this matter that a hearing is scheduled to take place before an administrative law judge. Each person who has knowledge or documentation who may be called on as a witness or complainant may request a deposition for this person to further prove this complaint.
2. **Overly Broad:** Each Interrogatories and RFPDS are numbered with sub categories and not overly broad but direct questions asking for facts involved directly to this matter.
3. **Unduly Burdensome:** Respondent's claim of unduly burdensome is moot, as a utility supplier they are responsible and have a system to keep records of all events. PPL on a

day to day basis has a legal liability to provide records as a part of this complaint, which will lead to discoverable evidence.

4. **Incomprehensive:** Respondent has claimed that sections of the discovery is impossible to comprehend. That is without merit. Interrogatories and Request For Production Of Documents are in category and sub category form and are numbered. All questions are about subject matter directly to this complaint, directed at PPL Electric. PPL Electric Interpretation of the question is incorrect.
5. **Duplicative:** Interrogatories 6-10 , RFPDS 1 A through G, and RFPDS Documents and Things 1,2,3,7,8,9,11,12 and 13 are clearly numbered. Each numbered interrogatories is of different subject matter pertaining to this matter with sub categories with specific questions.
6. **Improper Use Of Discovery:** All Interrogatories and RFPDS of Nieves Abad are in compliance with PA Title 52 5.341, PA Title 231 4005, PA Title 52 chapter 5 Sub Category D. All Interrogatories and RFPDS are about direct subject matter pertaining to this Complaint, questions directly pertaining to witnesses relating to this complaint. Interrogatories and RFPDS shall be used to state the basis of a particular claim. If used, shall state the basis of particular claim or defense. If used should be able to target claims, defense or contentions, or contention that the propondering party reasonably suspects may be the proper subjects of early dismissal or resolution, or alternatively, to identify and to narrow the scope of claims, defenses and contentions made where the scope is under ( PA Title 231 4003.1 (A) (B) (C) , 4003.4 (1) (2) , 4003.5 1 (A) ( B ), 4005 (A) (C) ). A Party may obtain discovery regarding any matter, not privileged, which is relevant to the subject matter involved in the pending action, whether it related to the claim or defense of the party seeking discovery or to the claim of defense of another party, including the existence, description, nature, content, custody, condition, and location of any books, documents or other tangible things and the identity and location of

persons having knowledge of a discoverable matter. It is not grounds for objection that the information sought will be inadmissible at the hearing if the information sought appears reasonably calculated to lead to the discovery of admissible evidence. ( PA Title 52 5.321 (C ) ).

**7. Request Information and Materials Protected by the attorney- client privilege and**

**the attorney work product doctrine:** Complainant Requests that all discoverable material be made available from responding attorneys excluding his conclusions, opinions, memoranda, notes, summaries, legal research or theories. PA Title 52 5.323 (A). Complainant seeks all other documents not protected by attorney-client privilege and items not protected under attorney work product doctrine, that relates to this case. Complainant is seeking all other admissible evidence, that relates to this case. Complainant moves for an order from the Administrative Law Judge to order PPL Electric to provide information sought in Interrogatories and RFPDS ( Pa Title 52. 5.323) B (1) (2) (3)).

**8. Sections 5.361 (A) (2) (4) Discovery which would "Cause unreasonable annoyance, embarrassment, oppression, burden or expense to the deponent, a person or party or would require the making of an unreasonable investigation by deponent, a party or witness.**

Discovery is not limited under sub section (A) solely because the discovery request is the compilation of data or information which the answering party does not maintain in the format requested, in the normal course of business, or because the discovery request requires that the answering party make a special analysis " ( PA Title 52 5.361 (B) ) PPL Electric is a part of this Complaint which is scheduled for an evidentiary hearing, on claims found to have merit to survive PPL Electric preliminary objections by Administrative Law Judge Alphonso Arnold III. It is PPL Electric Utility Corporation's continuance obligation to provide all facts, documentation and witnesses to this matter to the Complainant. ( PA Title 231 4003.1 , 4003.4 (1) (2), 4003.5 (1) (A)

(B) , 4005 (A) (C ),PA Title 231 Chapter 4000, PA Title 52 Chapter 5 Subcategory D, PA Title 52 5.321 ( C ) , 5.341 (A) (C) .

**Objection Of PPL Electric Utilities Corporation To Interrogatories Of Nieves Abad**

**Set I. Number 6 through 10**

9. **Abad Interrogatories Set I Number 6 is Overly Broad** : It is PPL Electric Contention that information that PPL has from all witnesses the company has knowledge of is too "overly broad" . Complainant asks that all PPL Employees that have made notes, statement's, work orders, met with Complainant, had phone conversations with Complainant, made police reports, or any other means which the company can trace through its internal records, be disclosed to the Complainant with what discoverable material they have. It is PPL Electric Utility Corporation's continuous obligation as a Respondent in this matter to provide pertinent material for this matter to the Complainant. ( Pa Title 52 5.361 (B) ) Complainant disagrees with Respondent number 14 of Objection of PPL Electric to the Interrogatories answers of Nieves Abad (Set I) where Respondent seeks to only send information to its own witnesses it intends to have at hearing. Respondents should disclose all witnesses that have knowledge of this matter with pertinent information to Complainants complaint. Complainant should have the discretion on what information to use or what witness to dispose of or call as a witness to further his complaint. Respondent contests that it is an " unreasonable burden" for PPL Electric to answer No. 6 because it is a duplicate question to No. 5 of the interrogatories. Respondents erred in the interpretation of the questions. Question 5 clearly states " Please state the name, home address, business and job classification of each person you intend to call as a non- expert witness." Question 6 states " Please state the name, address, business address and capacity of all witnesses having knowledge of discoverable matter". Two different questions requiring two different responses. Responses that could be found using the extensive resources the company

has to recover data needed to answer each question in order for the Complainant to present as evidence during the hearing.

10. **Abad Interrogatories Set I number 7 and 8 are Overly Broad** ; Respondent states that Number 7 and 8 were objected to " Because the request asks for information from witnesses " concerning the allegations in the complaint" with specifying as to what allegation the request refers to. An allegation is a claim or assertion that someone has done something wrong . An allegation found in the complaint, is any complaint being made by the Complainant, in the original complaint it was found by Administrative Law Judge Alphonso Arnold III, to have merit over PPL Electric preliminary objections, to continue to a evidentiary hearing scheduled before the commission. Any witness or persons who has the requested information in these Interrogatories and RFPDS are not " overly broad", but a specific and key part of this complaint. Respondent number 15 of these objections states, " Abad RFPD's set I No. 2-6 is duplicative " in that it seeks documents to be attached to the answer. Each question that documents requested are for a separate question to which documentation is different for each question. Set I No. 2-6 do not duplicate No. 7 or 8.

11. **Abad Interrogatories Set I No. 9 Attorney - Client privilege and the attorney work product doctrine**: Respondent does have a right to an attorney work product and privilege. ( PA Title 231 4003. (3) (4)) . This question clearly states to exclude " mental impression, conclusions or opinions respecting the value or merit of a claim or defense or respecting strategy or tactics". (See Interrogatories ( 9 ) (B)). It does not state in question 9 to send anything that would violate attorney client privilege or attorney work product doctrine but to send all other information relative to this complaint. ( See Interrogatories (9) (A) (B)). Furthermore this question is not only directed to an attorney but it states, " Whether you or anyone acting on your behalf have undertaken any investigation or had any contact with your attorney, or representative, relative to any

aspect of this case, and as to each such person indicated. (Interrogatories (9) ).

Objection to the entire question and not answering the rest is not permitted. ( Pa. Title 52 5.3421 (C ) (6)).

12. **Abad Interrogatories Set I No. 10 not relevant to this proceeding and it not reasonably calculated to lead discovery of admissible evidence:** Respondent PPL Electric has issued Complainant two bills which its claim was for damage done to PPL Electric Utility equipment during tree removal. Question 10 is completely relevant to this proceeding as it is inquiring into what neglect did the Complainant have in these matters to be liable for PPL Electric to bill Complainant . ( See Interrogatories question 10 (A) (B) (C )) . Respondent has incorrectly interpreted this question and has objected incorrectly to the entire question without an answer.

**Objections Of PPL Electric Utilities Corporation to the Request For Production Of Documents Of Nieves Abad ( Set I) 1(A) through (G):**

13. **Abad- RFPD's Set I No. 1(A) through (G):** Respondent states objections on the grounds the requests are vague. Respondent is uncertain, indefinite, or has an unclear character or meaning Of this set of Questions. The question asked is RFPD's Number 1 is clear " Dates of alleged damage to PPL Electric Utilities poles". After the initial question there are 7 sub categories A through G each asking a specific question about the incident. Respondent objected that these questions and sub questions are too broad. Complainant refutes this as each section of this question asks for specific information from different records the Respondent should have on file. Sections 1(E) (F) Specifically names of employees the Complainant needs information so he can seek a deposition and/or call as witnesses. It is moot that respondent claims this request to be unduly burdensome as it is part of Respondents continuous duty to provide answers and

documents sought by Complainant as part of this Complaint. The Complainant was found to have merit by Administrative Law Judge Alphonso Arnold III and is scheduled for a hearing. Respondent is under the continuous duty to answer any other part of the questions that are in any category or sub categories ( See Pa Title 52 5.342 C (6) ). Respondent claims that questions No. 1 A through G is incomprehensible. Complainant disputes this objection. The sentences are in the English language and in proper context. Each question and sub question are directed to a specific piece of evidence needed by the Complainant. Respondent exerts that this question to numbers 1A through G are duplicative. Complaint RFPD's are numbered and sub categorized. Each question is directed to a different group of witnesses or information needed to complete and further the complainant's case. Respondent's objection for RFPD's Number 1 A through G improper use of discovery is moot. Respondents objected to RFPD's Numbers 1A- through G for not reasonably calculated to lead to the discovery of admissible evidence.

1(A) Asks to identify witnesses involved directly in this matter.

1(B) Asks for documents relating to the case .

1(C) Phone records or recordings .

1(D) police reports that may be introduced into evidence.

1(E) Information of a PPL Electric employee who worked with the Complainant on this matter.

1(F) Information of a different employee who worked on the matter.

1(G) any other employees of PPL Electric with having knowledge of this matter to the complaint.

Each one of these specific questions having direct subject matter to the complaint. Each item entered into evidence would have value to the complaint or defense in this matter. Each item has relevance to this case. RFPD's Numbers 1A through G are all clearly numbered and in order. Respondents' objections should be overruled and respondent

ordered to answer RFPD's Numbers 1 A through G All questions fall under complainant's right to discovery ( PA. Title 52 Chapter 5 Sub category D ) . PPL Electric has a continuous duty to provide documentation and answer in this RFPD's numbers 1 A through G. Sections clearly state what employee Complainant would like to know, and what information is needed from PPL Electric.. No unreasonable request was made of PPL Electric. PPL Electric holds all answers in its records and with a little investigation would be able to provide evidence needed to further This complaint. Complainant provided work order numbers, names, and incident dates. With just a few clicks of a button would reveal answers. Instead Respondent have objected to the question in whole. No reasonable research was done to answer complainants questions. This information is vital to his complaint. This is a legal proceeding where documentation, records and facts were asked produced by Complainant. Facts that can easily be obtained by PPL Electric. Where every piece of information will lead to the discovery of admissible evidence. PPL Electric is not able to object solely because of the proportionate amount of evidence available but has a continued obligation to provide any evidence that is admissible under the rules of discovery. PPL Electric has objected to RFPD's Set 1 (G) PPL Electric stated in their objection to the RFPD's 9,"it does not specify from whom or a subject matter". Complainant RFPD's section 1(G) states, " by this employee or PPL Electric ". Meaning any employee of the " Corporation". The subject matter is asked throughout the question. Furthermore in Complainants RFPD's there is an instruction section with 1 through 6 on how to respond to each section of RFPDS requested.

**Objections To Abad RFPD's Set I. Documents and Things Requested No.S**

**1,2,3,7,8,9,11,12, and 13:**

**14. RFPDS Documents and Things Number 1:**

In this question there is documentary material, the complainant is looking for, with anything to do with the subject matter of this complaint, that is in the possession of PPL Electric, or any person known to be acting on their behalf. Complaint is not asking for duplicate documents but rather any other documents not already provided. All material Complainant seeks is the documentation in reference to this complaint that would lead to evidence reasonably calculated to lead to discovery of admissible evidence. Complainant has a right to this evidence, as it will play a crucial part in this complaint, (Title 52 Chapter 5 Sub Category D). These are records that Respondent keeps on a daily basis and has access to. Complainant is not asking the company to make an organized file of all its records but to simply look through the information to find any other information they have as required by discovery.

**15. RFPD's Documents and Things Number 2 :**

In this question there is documentary material, complainant is looking for, with anything to do with subject matter of this complaint, that is in the possession subject matter of this Complaint, that is in the possession of PPL, or any person known to be acting on their behalf. Complaint is not asking for duplicate documents but rather any other documents not already provided. All material Complainant seeks is the documentation in reference to this complaint that would lead to evidence reasonably calculated to lead to discovery of admissible evidence. Complainant has a right to this evidence, as it will play a crucial part in this complaint, (Title 52 Chapter 5 Subcategory D). These are records that Respondent keeps on a daily basis and has access to. Complainant is not asking the company to make an organized file of all its records but to simply look through the information to find any other information they have as required by discovery.

**16. RFPD's Documents and Things Number 3:**

In this question there is documentary material, complainant is looking for, with anything to do with subject matter of this complaint, that is in the possession subject matter of this Complaint, that is in the possession of PPL, or any person known to be acting on their behalf. Complaint is not asking for duplicate documents but rather any other documents not already provided. All material Complainant seeks is the documentation in reference to this complaint that would lead to evidence reasonably calculated to lead to discovery of admissible evidence. Complainant has a right to this evidence, as it will play a crucial part in this complaint, (Title 52 Pa Codes Chapter 5 Sub Category D). These are records that Respondent keeps on a daily basis and has access to. Complainant is not asking the company to make an organized file of all its records but to simply look through the information to find any other information they have as required by discovery.

**17. RFPDS Documents and Things Number 7:**

In this question there is documentary material, complainant is looking for, with anything to do with subject matter of this complaint, that is in the possession subject matter of this Complaint, that is in the possession of PPL, or any person known to be acting on their behalf. Complaint is not asking for duplicate documents but rather any other documents not already provided. All material Complainant seeks is the documentation in reference to this complaint that would lead to evidence reasonably calculated to lead to discovery of admissible evidence. Complainant has a right to this evidence, as it will play a crucial part in this complaint, (Title 52 Chapter 5 Sub Category D). These are records that Respondent keeps on a daily basis and has access to. Complainant is not asking the company to make an organized file of all its records but to simply look through the information to find any other information they have as required by discovery.

**18. RFPDS Documents and Things Number 8:**

In this question there is documentary material, complainant is looking for, with anything to do with subject matter of this complaint, that is in the possession subject matter of this Complaint, that is in the possession of PPL, or any person known to be acting on their behalf. Complaint is not asking for duplicate documents but rather any other documents not already provided. All material Complainant seeks is the documentation in reference to this complaint that would lead to evidence reasonably calculated to lead to discovery of admissible evidence. Complainant has a right to this evidence, as it will play a crucial part in this complaint, (Title 52 Chapter 5 Sub Category D). These are records that Respondent keeps on a daily basis and has access to. Complainant is not asking the company to make an organized file of all its records but to simply look through the information to find any other information they have as required by discovery.

**19. RFPDS Documents and Things Number 9:**

In this question there is documentary material, Complainant is looking for, with anything to do with the subject matter of this complaint, that is in the possession subject matter of this Complaint, that is in the possession of PPL, or any person known to be acting on their behalf. Complaint is not asking for duplicate documents but rather any other documents not already provided. All material Complainant seeks is the documentation in reference to this complaint that would lead to evidence reasonably calculated to lead to discovery of admissible evidence. Complainant has a right to this evidence, as it will play a crucial part in this complaint, (Title 52 Chapter 5 Subcategory D). These are records that Respondent keeps on a daily basis and has access to. Complainant is not asking the company to make an organized file of all its records but to simply look through the information to find any other information they have as required by discovery.

**20. RFPDS Documents and Things Number 11:**

In this question there is documentary material, complainant is looking for, with anything to do with subject matter of this complaint, that is in the possession subject matter of this Complaint, that is in the possession of PPL, or any person known to be acting on their behalf. Complaint is not asking for duplicate documents but rather any other documents not already provided. All material Complainant seeks is the documentation in reference to this complaint that would lead to evidence reasonably calculated to lead to discovery of admissible evidence. Complainant has a right to this evidence, as it will play a crucial part in this complaint, (Title 52 Chapter 5 Subcategory D). These are records that Respondent keeps on a daily basis and has access to. Complainant is not asking the company to make an organized file of all its records but to simply look through the information to find any other information they have as required by discovery.

**21. RFPDS Documents and Things Number 12:**

In this question there is documentary material, the complainant is looking for, with anything to do with the subject matter of this complaint, that is in the possession subject matter of this Complaint, that is in the possession of PPL, or any person known to be acting on their behalf. Complaint is not asking for duplicate documents but rather any other documents not already provided. All material Complainant seeks is the documentation in reference to this complaint that would lead to evidence reasonably calculated to lead to discovery of admissible evidence. Complainant has a right to this evidence, as it will play a crucial part in this complaint, (Title 52 Chapter 5 Sub Category D). These are records that Respondent keeps on a daily basis and has access to. Complainant is not asking the company to make an organized file of all its records but to simply look through the information to find any other information they have as required by discovery.

**22. RFPDS Documents and Things Number 13:**

In this question there is documentary material, complainant is looking for, with anything to do with the subject matter of this complaint, that is in the possession subject matter of this Complaint, that is in the possession of PPL, or any person known to be acting on their behalf. Complaint is not asking for duplicate documents but rather any other documents not already provided. All material Complainant seeks is the documentation in reference to this complaint that would lead to evidence reasonably calculated to lead to discovery of admissible evidence. Complainant has a right to this evidence, as it will play a crucial part in this complaint, (Title 52 Chapter 5 Sub Category D). These are records that Respondent keeps on a daily basis and has access to. Complainant is not asking the company to make an organized file of all its records but to simply look through the information to find any other information they have as required by discovery.

**Conclusion**

By objecting to questions 6-10, RFPDS 1A through G, RFPDS Documents and Things 1,2,3,7,8,9,11,12,and 13, PPL Electric is continuing to use its power as a multi state utility company to block answering basic questions and documents the complainant needs to further this complaint. Each question here is clearly unique and has everything to do with the subject matter of this complaint. This complaint is scheduled to take place in front of the Administrative Law Judge. It was founded over preliminary objections of the Respondent to have merit to go forward with an evidentiary hearing for the following complaints:

1. Bill Invoice # 91130032-3 Claim Number - 2023-00453
2. Bill Invoice # 91130033-3 Claim Number - 2023-00661
3. Relocation of poles numbers- 57334 N42685, 57339 N46273, 57327 N46297,  
57320 N46302, 571316 N46296
4. Future upgrades to utility system to get power to 837 Rear Capouse Ave,  
Scranton Pa 18509

An Evidentiary Hearing has been scheduled. Without this information requested within these Interrogatories and RFPDS, this complaint will not succeed. These complaints made by Complainant are real and true and will be brought to light by Respondent answer to these Interrogatories and RFPDS. Respondents unwilling to answer any part of questions 6-10 of said Interrogatories, RFPDS 1A through G, and RFPDS number 1,2,3,7,8,9,11,12 and 13 are in violation of Complainant's due process right under Pennsylvania Rules and Regulations. (PA Title 231 Chapter 4000, 231 4003.1 , 4003.4 (1) (2), 4003.5 (1) (A) (B) , 4005 (A) (C) , PA Title 52 5.321 ( C ) , 5.341 (A) (C ) ) and Title 52 Chapter 5 Subcategory D).

Wherefor Complainant asks the court to overrule Respondent's objections, and direct Respondent to answer all of Complainant's Interrogatories and Request For Production Of Documents, and any other relief the Administrative Law Judge may deem just and reasonable under these circumstances.

Cc:  
Alphonso Arnold III

---

Nieves Abad  
747 Delaware St  
Forest City PA 18421

Administrative Law Judge  
Office of Administrative Law Judge  
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Nieves Abad

(Pro-Se)

: BEFORE THE PENNSYLVANIA PUBLIC UTILITY  
: COMMISSION

Complainant

: INTERROGATORIES

: C-2024-3047163

VS

DATE OF DEPOSIT

PPL Electric Utilities Corporation

JUN 14 2024

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

Respondent

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**INTERROGATORIES PROPOUNDED UPON RESPONDENT**

Demand is hereby made by Complainant, Nieves Abad , to the Respondent, PPL Utilities Corporation for full and complete answers, under oath or certification to the following Interrogatories within the time and in the manner prescribed by the rules of this Commission. You are required to file Answers to the following Interrogatories within thirty (30) days after service upon you pursuant to Pennsylvania Title 52 Chapter 5 Code 5.341, service hereof is made upon you and you are notified that your answers, duly executed and sworn, must be entered after the

Exhibit 1

corresponding numbered Interrogatory or part thereof, attaching such additional pages as may be required for complete answers. Complainant further requests Respondent to produce certain documents as set forth herein for purposes of inspection or copying pursuant to Pa.R.C.P. 4009, and upon consent of Respondent.

These Interrogatories are continuing in nature. If the responses to the questions change or the Respondent becomes aware of new information, there is an obligation to supplement the responses. Failure to do so may result in the imposition of sanctions.

1. Please state your full name(s), address(es).

**RESPONSE:**

2. If you claim that because of the alleged damage to poles you suffered monetary damages, state:

- a. The total amount of damages you are seeking to recover for loss;
- b. Copies of any and all documents which reference and/or estimate the loss due to the alleged damage to poles.

**RESPONSE:**

3. As a result of the alleged occurrence as pled in the Complaint, did you incur any other expenses. If so, please itemize all such additional expenses and attach a copy of all estimates, bills or receipts for such expenses to your answer hereto.

**RESPONSE:**

4. Please identify in the following detail each person whom you expect to call as an expert witness at the trial of this case, stating as to each person:

- a. Full name, home address, business address;
- b. The subject matter on which the expert is expected to testify;

- c. A summary of the grounds for each opinion;
- d. Whether the facts and opinions listed in subparagraph (c) above are contained in any written document, report, memorandum, statement or other transcript, or oral, and if so, attach a copy of each of the same and/or digest of each oral report;
- e. Set forth the factual information or materials supplied to each such expert upon which the opinion or report is based.

**RESPONSE:**

5. Please state the name, home address, business address (if any) and job classification of each person you intend to call as a non-expert witness on your behalf to testify at the trial of this case. As to each non-expert witness state:

- a. The subject matter on which he/she is expected to testify;
- b. The facts and opinions to which he/she is expected to testify;
- c. Whether any of the above subject matters, facts and opinions are contained in any written or oral report, statement or other transcript, and if so, attach a copy of the same and/or digest of each oral or written statement.

**RESPONSE:**

6. Please state the name, address, business address and capacity of all witnesses having knowledge or discoverable matter.

**RESPONSE:**

7. Have you and/or anyone acting on your behalf obtained from any witness or person, including the parties to this action, any reports, statements, recordings, etc.,

concerning the allegations found in the Complaint? If so, attach to your answers hereto a copy of each written statement and/or a digest of each oral statement.

**RESPONSE:**

8. State whether you or any persons acting on your behalf have prepared any charts, diagrams, photographs or videos pertaining in any manner to the incident complained of in your Complaint or for the damages allegedly sustained, and if so, indicate as to each:

- a. The name and address of the person making or preparing the same;
- b. The date and place made or prepared;
- c. The objects or scenes depicted;
- d. The name and address of the person having possession, custody or control thereof;
- e. Kindly attach a copy of the same to your answers hereto.

**RESPONSE:**

9. Please state whether you or anyone acting on your behalf have undertaken any investigation or had any contact with you for any claim of any party to this action, or with your attorney, or representative, relative to any aspect of this case, and, as to each such person indicate:

- a. Name, occupation, present or last known address;
- b. Kindly attach a copy of the complete investigative file to your answers hereto, excluding the mental impressions, conclusions, opinions, memoranda, conclusions or opinions respecting the value or merit of a claim or defense or respecting strategy or tactics.

**RESPONSE:**

10. Please state as fully and as carefully as you can, each and every act or omission on the part of the inquiring Complainant(s), which you allege caused or contributed to cause your damages, including in your answer:

a. All facts on which you rely as showing any negligent conduct on the part of the inquiring Complainant as alleged;

b. The name and address of the person or persons you intend to call at the trial of this matter to testify as to said facts and/or opinions;

c. Whether or not you obtained an oral or written statement from said witness whom you intend to call, and if so, attach a digest of each oral statement and a copy of each written statement.

**RESPONSE:**

Cc:

Alphonso Arnold III  
Administrative Law Judge  
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Pennsylvania Public Utility Commission  
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400 North Street  
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Phone 717.787.3868  
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By \_\_\_\_\_

Nieves Abad  
747 Delaware St  
Forest City, PA 18421  
Martjua3@aol.com  
631-575-2348  
Dated- 05/24/2024

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Nieves Abad

BEFORE THE PENNSYLVANIA UTILITY

COMMISSION

(Pro-Se)

Complainant

REQUEST FOR PRODUCTION

OF DOCUMENTS

VS

DATE OF DEPOSIT

C-2024-3047163

JUN 14 2024

PPL Electric Utilities Corporation

Respondent

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

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REQUEST FOR PRODUCTION OF DOCUMENTS AND THINGS DIRECTED TO THE  
RESPONDENT

AND NOW comes The Complainant, Nieves Abad, and hereby makes request upon the Respondent, PPL Electric Utilities Corporation, to provide or make available for copying the following documents and/or things pursuant to the Pennsylvania Title 52 Chapter 5 Code 5.349 within thirty (30) days from the date hereof the following:

1. Dates Of Alleged Damage to PPL Electric Utilities Poles:

Exhibit 2

- A. All PPL Electric Utilities Corporation employees dispatched to the Incident (s) , names, phone numbers, email address, employment information ( including but not limited to history, disciplinary records, complaints, criminal history, and any other records).
- B. Any notes, reports, work orders, records, video, photos from employees, of any other persons involved in the said incident.
- C. Any records of phone calls or recordings made to PPL Electric Utilities Corporation from PPL Electric Utilities Corporation call center made about these incidents.
- D. Police reports or any other reports from any outside party.
- E. Danny Joseph Walker, phone number 610-417-6076. Call logs from February 1, 2023 to present date, text messages, voice messages. Any other notes,work order correspondence regarding Right Of Way, Easement, Complainant or 837 Rear Capouse Ave, Scranton PA 18509, by this employee or PPL Electric Utilities Corporation. Work records, disciplinary actions records, complaints, criminal history, address, email, phone number, or any other information that relates to this Complainant.
- F. Tom Kernoshak phone number 610-477-9092. Call logs from February 1, 2023 to present date, text messages, voice messages. Any other notes,work order correspondence regarding right of way, easement, Complainant or 837 Rear Capouse Ave, Scranton PA 18509, by this employee or PPL Electric Utilities Corporation. Work records, disciplinary actions records, complaints, criminal history, address, email, phone number, or any other information that relates to this Complainant.
- G. Any other PPL Electric Utilities Corporation supervisor call center, field employees, technician or employee PPL Utilities Corporation. Call logs from

February 1, 2023 to present date, text messages, voice messages. Any other notes, work order correspondence regarding right of way, easement, Complainant or 837 Rear Capouse Ave, Scranton PA 18509, by this employee or PPL Electric Utilities Corporation. Work records, disciplinary actions records, complaints, criminal history, address, email, phone number, or any other information that relates to this Complainant.

2. Work order numbers

58719381, 58720380, 327197674, 58716668, 58716671, 58719830, 58730565, 58719831, and contractor number 580218, any and all information relating to these work orders and contractor number including, notes, phone calls, voicemails, text messages, computer notes, reports, documents, photos, employee information of each phone call, dates, times and any and all information relating to these work orders and several other unknown work order numbers made by complainant from 02/01/2023 to present time about 837 Rear Capouse Ave Scranton PA 18509.

3. PPL Electric Utilities Company correspondence about any incidents in this complaint at 837 Rear Capouse Ave Scranton PA 18509 from 02/01/2023 to the present date including but not limited to emails phone records, mail, reports, text messages, voicemail, recording or any other evidence to this matter.

4. Right of Way agreement with Real Estate Corp for pole number 57317N46297;

- A. Any Right Of Way agreement that was said transferable for this pole.
- B. Any Right Of Way agreement with Nieves Abad for this pole.
- C. Any Right Of Way agreement with the City Of Scranton .
- D. Any permits or papers filed with the City of Scranton or State Of Pennsylvania to erect poles.
- E. Any notes, plans, dates poles were installed, any information relating to the poles in question since the duration the poles have been in place.

F. Any documents sharing location of poles including but not limited to a survey, correspondence, map location, expert records, notes, opinions, and any other information about poles.

5. Pole numbers 5731N46297 , 5733N42685, and 5733N46273,

A. Any Right Of Way agreement that was said transferable for this pole.

B. Any Right Of Way agreement with Nieves Abad for this pole.

C. Any Right Of Way agreement with the City Of Scranton .

D. Any permits or papers filed with the City of Scranton or State Of Pennsylvania to erect poles.

E. Any notes, plans, dates poles were installed, any information relating to the poles in question since the duration the poles have been in place.

F. Any documents sharing location of poles including but not limited to a survey, correspondence, map location, expert records, notes, opinions, and any other information about poles.

6. Public Right Of Way for pole number 57320N46302;

A. Any Right Of Way agreement that was said transferable for this pole.

B. Any Right Of Way agreement with Nieves Abad for this pole.

C. Any Right Of Way agreement with the City Of Scranton .

D. Any permits or papers filed with the City of Scranton or State Of Pennsylvania to erect poles.

E. Any notes, plans, dates poles were installed, any information relating to the poles in question since the duration the poles have been in place.

F. Any documents sharing location of poles including but not limited to a survey, correspondence, map location, expert records, notes, opinions, and any other information about poles.

## ADDITIONAL EVIDENCE

A. Any items herein, the term "document(s)" means all writings of any kind, including the originals and all non-identical copies, whether different from the originals by reason of any notation made on such copies or otherwise, and whether printed, recorded, created or reproduced by any mechanical means or process, or written or produced by hand, including, but not limited to: agreements; contracts; written material referencing oral agreements or contracts; letters of intent; orders; purchase orders; communications; messages; correspondence; personal calendars (whether written, electronic, or computerized); letters; telegrams; teletypes; telefax; mailgrams; tape recordings; memoranda; diaries; summaries; notes or other recordings of telephone conversations, personal conversations, meetings, actions or statements; corporate charters, by-laws, minutes, amendments, proposals, directives, prospectuses, or documents of any description evidencing action taken by a corporate or business entity; deeds, leases, mortgages, security agreements; legal documents of any kind and description; agenda of meetings; notices; records; intraoffice and interoffice memoranda and communications; personal memoranda; photographs; negatives; photographic slides; pictures; motion picture films; photographic film; microfilm; microfiche; newspapers; magazines; charts; graphs; diagrams; drawings; bookkeeping entries;

account summaries or statements; bills; invoices; orders; receipts; bank records of all types; returns; canceled checks; vouchers; ledger sheets; accounting information; computer print-outs; computer memories; software; reports; studies; notes of interviews; statements of witnesses; findings of investigations; audits; files; records of negotiation; reports of experts, whether to be called to Trial or not; materials furnished to experts, whether to be called to Trial or not; reports of consultants; all materials furnished to, or notes of, conversations with any witness or person interviewed in connection with this case; papers; books; notebooks; notecards, indices; physical objects; summaries; statistics; stenographic materials; tapes; cassettes, phonographic records; microcassettes; discs; compact discs; digital audio tapes; digital optical recording; videotapes; maps; posters; transparencies; pamphlets; bulletins; posters; fliers; plans; blueprints; printed matter; reports; and any and every other written, graphic, mechanical or tangible means by which human intelligence is in any way transmitted, reported, recorded or preserved, as well as worksheets, drafts, alterations, modifications, editing, changes and amendments to any of the foregoing.

#### INSTRUCTIONS

1. Each request for production is to be responded to independently by Respondent(s).
2. In the event that any answer requested or document called for by any request, or sub-part thereof, is withheld on the basis of privilege or any similar claim, a list is to be furnished identifying each answer or document so withheld, together with the following Information:
  - (a) The reason for withholding;
  - (b) A statement of facts constituting the basis for any claim or privilege, work

product or other ground of nondisclosure;

(c) A brief description of the document, including:

1. The date of the document;
2. The number of pages, attachments and appendices;
3. The identity of its author, authors or preparers;
4. The identity of each person to whom the document or a copy thereof was sent, shown or made accessible, or to whom it was explained;
5. The identity of the present custodian;
6. The subject matter of the document, and, in the case of any document relating in any way to a meeting or oral communication, the identification of such meetings or oral communication.

3. If you encounter any ambiguity in construing the requests, definitions, or instructions, set forth the matter deemed "ambiguous" and answer the question by indicating the construction chosen and used in responding.

4. If any information or documents requested by these requests previously existed, but have been destroyed, erased, lost, or made unavailable in any manner, identify the nature of the information, the date it became unavailable, and the reason it became unavailable.

5. Identify the source of each document you produce.

6. Please identify any of the documents which you have produced which were not kept by the record custodian and made in the regular course of business, at or near the time of the act, condition or event referenced therein, and/or not prepared by an individual with first-hand knowledge of said act, condition or event. If you do not so identify any documents, we will assume that each and every document provided is a

business record.

DOCUMENTS AND THINGS REQUESTED

1. The entire contents of any investigative file or files and any other documentary material in your possession, or in the possession of anyone acting on your behalf, who is in any way connected with this action, which support or relate to the allegations set forth in the Complaint, (excluding references to mental impressions, conclusions or opinions representing the value or merit of the claim or respecting strategy or tactics and privileged communications to and from counsel).
2. Any and all statements concerning the contract from all witnesses, including any statements from the parties herein or their respective agents, servants or employees.
3. Any and all correspondence, including but not limited to letters, e-mails, and text messages between Respondent or their respective agents, servants or employees and Respondents or their respective agents servants and employees related to the allegations set forth in the Complaint.
4. Reports of any and all experts who will testify at Hearing on your behalf.
5. All reports, statements or other documents prepared by any non-experts who will testify at Hearing.
6. All writings in any manner relating to and/or reflecting Respondents monetary damages incurred as a result of the alleged occurrence.
7. All writings and/or notes made in any manner relating to the alleged Complaint including any diaries maintained by you or your agents, servants, or employees.
8. All documents or other demonstrative evidence which will be introduced or used at Hearing.

9. Copies of any and all internal documentation related to the incident complained in Complainants Complaint.

10. Copies of any and all insurance policies which provided any coverage whatsoever relevant to this matter.

11. Copies of any and all documents used in answering these written Discovery requests.

12. The contract, Right Of Way or Easement.

13. Any and all documentation relevant to this Complaint.

Cc:

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Dated- 05/24/24

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**RECEIVED**

JUN 18 2024

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU