

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

DATE OF DEPOSIT

JAN 30 2025

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

RE: Nieves Abad (Pro-Se) VS PPL Electric Utilities Corporation
Docket No. C-2024-3047163

Dear Secretary Of The Commission,

I am enclosing herein one copy of Certificate Of Service evidencing the service Complainant's Motion For Sanctions.

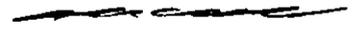
By copy of this correspondence directed to Respondent, I am serving him with a copy of the same

Thank you for your cooperation.

CC:

Alphonso Arnold III
Administrative Law Judge
Office of Administrative Law Judge
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
Email- alphonarno@pa.gov

Peter J Kramer Esquire
Post & Schell
Three Logan Square
1717 Arch Street
24th Floor
Philadelphia, PA 19103


Nieves Abad
747 Delaware St
Forest City , PA 18421
Email- Martjua3@aol.com
Phone - 631-575-2348
Dated- January 30,2025

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

Nieves Abad
(Pro-Se)

Complainant

vs.

PPL Electric Utilities Corporation
Respondent

AFFIDAVIT

Docket No. C-2024-3047163

AFFIDAVIT

I, Nieves Abad, verify that I am the Complainant in the Complaint, and that the facts contained in the foregoing Motion For Sanctions are true and correct to the best of my knowledge, information and belief, and that this verification is subject to the penalties of 18 Pa. C.S.A 4904 relative to unsworn falsification to authorities.

CC:

Alphonso Arnold III
Administrative Law Judge
Office of Administrative Law Judge
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
Email- alphonarno@pa.gov

Rosemary Chiavetta
Secretary of The Commission
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JAN 30 2025

**PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU**

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

Nieves Abad
(Pro-Se)

Complainant

VS

PPL Electric Utilities Corporation

C-2024-3047163

Respondent

Notice To Plead

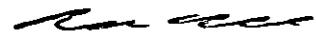
YOU ARE HEREBY ADVISED THAT, PURSUANT TO 52 Pa. CODE 5.101, YOU MAY FILE AN ANSWER TO THE ENCLOSED MOTION FOR SANCTIONS WITHIN FIVE (5) DAYS OF THE DATE OF SERVICE HEREOF. MUST BE FILED WITH THE SECRETARY ON PENNSYLVANIA PUBLIC UTILITY COMMISSION, P.O BOX 3265, HARRISBURG, PA 17120-3265. A COPY SHOULD ALSO BE SERVED ON THE UNDERSIGNED NIEVES ABAD (PRO-SE).

CC:

Alphonso Arnold III
Administrative Law Judge
Office of Administrative Law Judge
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
Email- alphonarno@pa.gov

Rosemary Chiavetta
Secretary of The Commission
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JAN 30 2025

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

Nieves Abad

(Pro-Se)

Complainant

Motion For Sanctions

VS

PPL Electric Utilities Corporation

C-2024-3047163

DATE OF DEPOSIT

Respondent

JAN 30 2025

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

MOTION FOR SANCTIONS

Unanswered and Unobjected To Deposition Questions

1. On 08/23/24 Plaintiff served written depositions upon John Rosato through PPL attorneys Post & Schell. PPL submitted objections on 09/23/24. (See Exhibit 4 Certificate of Service) PPL did not object to questions 1-5 of the depositions. Questions 1-5 were not objected to and not answered by PPL until 1/16/24. Complainant sent several emails and phone calls to PPL's attorney Post & Schell. (See Exhibit 1 Post & Schell Emails) Complainant was told several times that they would secure his testimony. This did not happen. On 12/19/24, Complainant put in a Motion To Compel, on 12/23/24, PPL asked for an extension to submit an

answer to this Motion To Compel and was granted on 12/24/24. On 01/08/25, PPL was ordered to answer unanswered and unobjectionable answers of John Rosato, Tim Roberts, and Bill Farber by 01/16/25. PPL answered these questions on 01/16/25. Claimant was not allowed to respond with more questions, until these questions were answered by John Rosato. This caused a delay of almost 4 months of questioning. John Rosato did not answer questions 1-5. PPL Human Resources Departments answered these questions on behalf of John Rosato. (See Exhibit 23 Answers). This is because John Rosato retired from PPL on 01/01/25. This was a scheduled retirement for John Rosato and this date was known by PPL. PPL failed to secure his testimony. John Rosato's original testimony for depositions was due by 09/22/24. The actions of PPL have caused Complainant resources, it has extended discovery times, and has put Complainant at an unfair disadvantage. PPL and Post & Schell have discriminated against the Complainant by violating his due process right to discovery. PPL and Post & Schell have potentially blocked the Complainant from questioning John Rosato by their actions. This is because the Complainant can no longer ask key questions to John Rosato because of his retirement. John Rosato has submitted important information into discovery for this complaint and is no longer available to testify.

2. On 08/23/24, Plaintiff served Written Depositions upon Tim Roberts through PPL attorneys Post & Schell. (See Exhibit 3 Certificate Of Service) PPL submitted objections on 09/23/24. PPL did not object to questions 1-5 of the depositions. Questions 1-5 were not objected to and not answered by PPL until 1/16/24. Complainant sent several emails and phone calls to PPL's attorney Post & Schell.(See Exhibit 1 Post & Schell Emails) Complainant was told several times that they would look into this to secure his testimony. This did not happen. On 12/19/24, Complainant put in a Motion To Compel. On 12/23/24, PPL asked for an extension to submit an answer to this Motion To Compel and was granted on 12/24/24. On 01/08/25, PPL

was ordered to answer the not objected to questions of John Rosato, Tim Roberts and Bill Farber by 01/16/25. PPL answered these questions on 01/16/25. (See Exhibit 24 Answers) Claimant was not allowed to respond with more questions, until these questions were answered by Tim Roberts. This caused a delay of almost 4 months of questioning. The actions of PPL and Post & Schell have caused Complainant resources, it has extended discovery times, and has put Complainant at an unfair disadvantage. PPL and Post & Schell have discriminated against the Complainant by violating his due process right to discovery.

3. On 09/15/24 Plaintiff served Written Depositions upon Bill Farber through PPL attorneys Post & Schell.(See Exhibit 5 Certificate of Service) PPL submitted objections on 09/26/24. PPL did not object to questions 1-5 of the depositions. Questions 1-6, 8-10 ,22-29, & 34-38, were not objected to and not answered by PPL until 1/16/24. Complainant sent several emails and phone calls to PPL's attorney Post & Schell.(See Exhibit 1 Post & Schell Emails) Complainant was told several times that they would look into this to secure his testimony. This did not happen. On 12/19/24, Complainant put in a Motion To Compel. On 12/23/24, PPL asked for an extension to submit an answer to this Motion To Compel and was granted on 12/24/24. On 01/08/25, PPL was ordered to answer unanswered and unobjectionable answers of John Rosato, Tim Roberts, and Bill Farber by 01/16/25. PPL answered these questions on 01/16/25. (See Exhibit 28 Answers) Claimant was not allowed to respond with more questions, until these questions were answered by Bill Farber. This caused a delay of almost 4 months of questioning. The actions of PPL and Post & Schell have caused Complainant resources, it has extended discovery times, and has put Complainant at an unfair disadvantage. PPL and Post & Schell have discriminated against the Complainant by violating his due process right to discovery.

Late Briefs

4. On 11/26/24, Complainant served Interrogatories Set V upon PPL Attorneys Post & Schell via email and certified mail. (See Exhibit 8 Service) PPL has not objected to any questions for this set of Interrogatories. PPL has not answered these Interrogatories. (Title 52 Chapter 5 Section 5.342) Requires objections within 10 days. If there are no objections, answers are required within 20 days. (Title 52 Chapter 5 Section 5.34 (D)). The actions of PPL and Post & Schell have caused Complainant resources, it has extended discovery times, and has put Complainant at an unfair disadvantage. PPL and Post & Schell have discriminated against the Complainant by violating his due process right to discovery.

5. On 12/3/24, Complainant served deposition set IV for Daniel Walker upon PPL Attorneys, Post & Schell via email and certified mail.(See Exhibit 9 Service) PPL did not object to questions for this set of depositions. PPL did not respond to this set of depositions until 01/16/25. (See Exhibit 22 Answers) PPL was required to answer these questions within 30 days. (Title 52 Chapter 5 Section 5.345(A)). The actions of PPL and Post & Schell have caused Complainant resources, it has extended discovery times, and has put Complainant at an unfair disadvantage. PPL and Post & Schell have discriminated against the Complainant by violating his due process right to discovery.

6. On 12/3/24, Complainant served deposition set IV for Tom Kernoschak upon Attorneys, Post & Schell via email and certified mail. (See Exhibit 10 Service) PPL did not object to questions for this set of depositions. PPL did not respond to this set of depositions until 01/16/25. (See Exhibit 17 Answers) PPL was required to answer these questions within 30 days. (Title 52 Chapter 5 Section 5.345(A)). PPL Attorney Peter Kramer, did contact the Complainant requesting an extension. This was because Tom Kernoschak was not available

during the holidays. Complainant agreed for an extension until 01/10/25. On 01/16/25, after contacting PPL Attorneys, Complainant received answers to this deposition. The actions of PPL and Post & Schell have caused Complainant resources, it has extended discovery times, and has put Complainant at an unfair disadvantage. PPL and Post & Schell have discriminated against the Complainant by violating his due process right to discovery.

Legal Inaccuracies

7. On 09/12/2024, Complainant received answers from questions of Deposition of Tom Kernoschek set I. These depositions were not notarized, taken under oath or verified. (See Exhibit 13 Deposition) This is in violation of PA Title 52 Chapter 5 Section 5.346(C).

Complaintant made PPL aware by email that the deposition was not notarized, taken under oath or verified. (See Exhibit 1 Emails) PPL did not correct this problem. The actions of PPL and Post & Schell have caused Complainant resources, it has extended discovery times, and has put Complainant at an unfair disadvantage. PPL and Post & Schell have discriminated against the Complainant by violating his due process right to discovery.

8. On 09/12/2024, Complainant received answers from questions of Deposition of Daniel Walker set I.. These depositions were not notarized, taken under oath or verified. (See Exhibit 18 Deposition) This is in violation of PA Title 52 Chapter 5 Section 5.346(C). Complaintant made PPL aware by email that the deposition was not notarized, taken under oath or verified.

(See Exhibit 1 Emails) PPL did not correct this problem. The actions of PPL and Post & Schell have caused Complainant resources, it has extended discovery times, and has put Complainant at an unfair disadvantage. PPL and Post & Schell have discriminated against the Complainant by violating his due process right to discovery.

9. On 09/12/2024, Complainant received answers from questions of Deposition of PPL Electric Utilities Corporation set I. These depositions were not notarized, taken under oath or verified. (See Exhibit 25 Deposition) This is in violation of PA Title 52 Chapter 5 Section 5.346(C). Complainant made PPL aware by email that the deposition was not notarized, taken under oath or verified. (See Exhibit 1 Emails) PPL did not correct this problem. The actions of PPL and Post & Schell have caused Complainant resources, it has extended discovery times, and has put Complainant at an unfair disadvantage. PPL and Post & Schell have discriminated against the Complainant by violating his due process right to discovery.

10. On 09/12/2024, Complainant received answers from questions of Deposition of Kim Hansen set I. These depositions were not notarized, taken under oath or verified. (See Exhibit 26 Deposition) This is in violation of PA Title 52 Chapter 5 Section 5.346(C). Complainant made PPL aware by email that the deposition was not notarized, taken under oath or verified. (See Exhibit 1 Emails) PPL did not correct this problem. The actions of PPL and Post & Schell have caused Complainant resources, it has extended discovery times, and has put Complainant at an unfair disadvantage. PPL and Post & Schell have discriminated against the Complainant by violating his due process right to discovery.

11. On 01/16/2025, Complainant received answers from questions of Deposition of Tim Roberts set I. These depositions were not notarized, taken under oath or verified. (See Exhibit 24 Deposition) This is in violation of PA Title 52 Chapter 5 Section 5.346(C). Complainant made PPL aware by email that the deposition was not notarized, taken under oath or verified. (See Exhibit 1 Emails) PPL did correct this problem after the Complainant emailed attorney Nicholas Strobbe on 01/27/25.(See Exhibit 11 Verification) On 01/27/25, Complainant received

verification of Tim Roberts, dated 01/22/25 several days after the depositions were sent to the Complainant on 01/16/25. The actions of PPL and Post & Schell have caused Complainant resources, it has extended discovery times, and has put Complainant at an unfair disadvantage. PPL and Post & Schell have discriminated against the Complainant by violating his due process right to discovery.

12. On 10/7/2024, Complainant received answers from questions of Deposition of Tom Kernoschek set II. These depositions were not notarized, taken under oath or verified. (See Exhibit 14 Deposition) This is in violation of PA Title 52 Chapter 5 Section 5.346(C). Complainant made PPL aware by email that the deposition was not notarized, taken under oath or verified. (See Exhibit 1 Emails) PPL did not correct this problem. The actions of PPL and Post & Schell have caused Complainant resources, it has extended discovery times, and has put Complainant at an unfair disadvantage. PPL and Post & Schell have discriminated against the Complainant by violating his due process right to discovery.

13. On 10/07/2024, Complainant received answers from questions of Deposition of Daniel Walker set II Written Deposition.(See Exhibit This is in violation of PA Title 52 Chapter 5 Section 5.346(C). Complainant made PPL aware by email that the deposition was not notarized, taken under oath or verified. (See Exhibit 1 Emails) PPL did not correct this problem. The actions of PPL and Post & Schell have caused Complainant resources, it has extended discovery times, and has put Complainant at an unfair disadvantage. PPL and Post & Schell have discriminated against the Complainant by violating his due process right to discovery.

14. On 11/12/2024, Complainant received answers from questions of Deposition of Tom Kernoschek set III. These depositions were not notarized, taken under oath or verified.

(See Exhibits 15 & 16 Deposition) This is in violation of PA Title 52 Chapter 5 Section 5.346(C). Complainant made PPL aware by email that the deposition was not notarized, taken under oath or verified. (See Exhibit 1 Emails) PPL did not correct this problem. The actions of PPL and Post & Schell have caused Complainant resources, it has extended discovery times, and has put Complainant at an unfair disadvantage. PPL and Post & Schell have discriminated against the Complainant by violating his due process right to discovery.

15. On 11/12/2024, Complainant received answers from questions of Deposition of Daniel Walker set III. These depositions were not notarized, taken under oath or verified. (See Exhibits 20 & 21 Deposition) This is in violation of PA Title 52 Chapter 5 Section 5.346(C). Complainant made PPL aware by email that the deposition was not notarized, taken under oath or verified. (See Exhibit 1 Emails) PPL did not correct this problem. The actions of PPL and Post & Schell have caused Complainant resources, it has extended discovery times, and has put Complainant at an unfair disadvantage. PPL and Post & Schell have discriminated against the Complainant by violating his due process right to discovery.

16. Pa Title 52 Chapter 5 Section 5.346(B) " No Deposition may be taken before a person who is a ... attorney of the parties... who is financially interested in the action." Post & Schell has taken written depositions from all witnesses including PPL Electric Utilities Corp.(See Exhibits 13-28) This has created a conflict of interest between Post & Schell who represents PPL and each of the PPL employees taking depositions. This practice by Post & Schell does not conform to the rules of discovery for a person who may take a written deposition. " Depositions by Written Questions need only be answered under oath and notarized." (Pa Title 52 Chapter 5 Section 5.346(c) Persons before whom depositions may be taken.) The actions of PPL have caused Complainant resources to have extended discovery times, and has put Complainant at an unfair disadvantage. The actions of PPL and Post & Schell have caused Complainant

resources, it has extended discovery times, and has put Complainant at an unfair disadvantage. PPL and Post & Schell have discriminated against the Complainant by violating his due process right to discovery.

17. The Answers To The Deposition of Tom Kernoschak and Daniel Walker Set I,II,III,and IV have similar or identical responses. (See Exhibit's 16 & 21) Some examples of this can be compared in Answers To Deposition Set 3 of Tom Kernoschak and Daniel Walker. More examples of this can be compared in exhibits 13 & 18, 14 & 19, 15 & 20, and 17 & 22. Tom Kernoschak is in PPL's engineering department. Daniel Walker is in PPL's right of way department. These questions seem to be prepared for both employees or both employees collaborated with each other to answer these questions. A deposition question is supposed to be answered by the person being asked the question in their own capacity to the best of his/her knowledge. The answers should not be similar or identical. The actions of PPL and Post & Schell have caused Complainant resources, it has extended discovery times, and has put Complainant at an unfair disadvantage. PPL and Post & Schell have discriminated against the Complainant by violating his due process right to discovery.

Missing, Incomplete or Inaccurate Information

18. Pole # 57317N46297 does **not** exist on the property of Nieves Abad. This utility pole is not in the complaint of Nieves Abad. Throughout the answers of depositions and interrogatories when complainant references pole # 57316N46296 PPL answers with pole #57317N46297. PPL has not provided any legal explanation for this inaccuracy, nor has this problem been corrected by PPL. Pole # 57316N46296 does exist on the property of Nieves Abad. PPL and Post & Schell claim to have a right of way, between the prior land owner and PPL for utility pole# 57317N46297 this utility pole does not exist on the property of Nieves Abad. This utility pole is

not in the Complaint of Nieves Abad. Mentioning an incorrect pole number and claiming to have a right of way for this pole has prejudiced the Complaint. PPL has been asked on several occasions to correct their discovery through email and by phone for these errors. (See Exhibit 1 Emails) PPL has referred to this utility pole and a right of way for this utility pole that is not in this complaint throughout discovery, in their answers to the complaint, and in their preliminary objections. The actions of PPL and Post & Schell have caused Complainant resources, it has extended discovery times, and has put Complainant at an unfair disadvantage. PPL and Post & Schell have discriminated against the Complainant by violating his due process right to discovery.

19. On 11/04/2024, Answers to the Deposition of Tom Kernoschak Set III were served to the Complainant.(See Exhibit 16 Depositions and Exhibit 1 Emails). The answers were incomplete, inaccurate, or not answered at all. The brief submitted contained the following errors;

A. Questions 8, 9, & 11 answers refer to an exhibit 1 work order document. I didn't receive this by mail or email

B. There is no answer to question 29 or 45 at all and no objections to them.

C. Question 32 the answer says "the measurements are on the drawing provided." I do not have this drawing and he doesn't state an answer to the question. Just refer to this document.

D. Question 38 The answer " the NEC code is readily available online" does not answer the question I would like the correct answer for the record.

E. Questions 45 - 79 answers all say " please see prior responses" instead of answering the question or stating that he doesn't know.

F. Questions 80 & 81 answers says he deferred the questions to the right of way department. I would like him to answer what he knows or if he doesn't know anything about the subject please state he doesn't know.

On 11/13/2024 PPL and Post & Schell reserved a new brief that was revised.(See Exhibit 15 Deposition) Answers to the questions that were missing were answered. Answers to the questions that were insufficient, were now answered in an acceptable form. This caused a delay in discovery. The answers were due within 30 days. This set of depositions were served to PPL and Post & Schell on 10/18/2024. (See Exhibit 7 Service) The completed answers were not served to the Complainant until 09/22/24. The actions of PPL and Post & Schell have caused Complainant resources, it has extended discovery times, and has put Complainant at an unfair disadvantage. PPL and Post & Schell have discriminated against the Complainant by violating his due process right to discovery.

20. On 11/06/24, Answers to the Deposition of Daniel Walker Set III were served to the Complainant. (See Exhibit 21 and Exhibit 1 Emails) The answers were incomplete, inaccurate, or not answered at all. The brief submitted contained the following errors;

A. I have no answer at all and no objections to questions 12, 13, 14, 15, 17, 18, 19, 20, 54, 55, 59, 60, & 61

B. Questions 24 - 53 AI state " Please see prior responses to questions of pole maintenance" instead of answering the question in full or in part what he knows and if he doesn't know.

C. Question 58 asked about methods used to determine whether a pole is in public right away. The answer does not answer the question. No method was provided

D. All 5 exhibits are printed out on 3 pages instead of 1 page parts are cut off and it makes these documents difficult to understand or copy.

On 11/13/24, PPL and Post & Schell served a new brief that was revised. (See exhibit 20 Depositions) Answers to the questions that were missing were answered. Answers to the questions that were insufficient, were now answered in an acceptable form. This caused a delay in discovery. The answers were due within 30 days. This set of depositions were served to PPL and Post & Schell on 10/18/24. (See Exhibit 6 Service) The completed answers were not served to the Complainant until 09/22/24. The actions of PPL and Post & Schell have caused Complainant resources, it has extended discovery times, and has put Complainant at an unfair disadvantage. PPL and Post & Schell have discriminated against the Complainant by violating his due process right to discovery.

21. Throughout discovery, PPL has not answered all questions in a form that conforms to the rules of discovery. (See exhibit's 12-28). Questions were answered for example with, "Please see attached work order documentation folder" referring to attached folders. (See exhibit 12 Interrogatories Set I Questions 2-5) It does not answer the questions or the evidence presented. This problem is repeated through Interrogatories Set I, and has been a common practice throughout Interrogatories and Depositions. This practice is still ongoing. Post & Schell has been contacted about this problem by email and phone. (See exhibit 1 Emails) Peter Kramer has corrected Depositions set III of Tom Kernoschak and Daniel Walker. No other corrections to discovery have been made. The actions of PPL and Post & Schell have caused Complainant resources, it has extended discovery times, and has put Complainant at an unfair disadvantage. PPL and Post & Schell have discriminated against the Complainant by violating his due process right to discovery.

PPL Withheld Evidence

22. PPL has not disclosed information on NorthEast Forestry, Environmental Contractors Inc. (hereon in ECI) PPL Forestry Department, or PPL Vegetation Management Dept that oversees the property of the Complainant. On 04/26/23, Complainant met with a sub contractor from ECI on the Complainants property. Complainant has asked for this information through email and phone calls with PPL Attorneys Post & Schell. PPL has submitted Answers to Interrogatories Set I answered on 06/17/2024. (See Exhibit 12) All subcontractor's, PPL employees, and all documents relating to this matter have not been disclosed. The actions of PPL and Post & Schell have caused Complainant resources, it has extended discovery times, and has put Complainant at an unfair disadvantage. PPL and Post & Schell have discriminated against the Complainant by violating his due process right to discovery.

23. PPL has withheld evidence from subcontractor OSMOSE. This company was involved with doing utility pole inspection, repair and maintenance for the utility poles in this complaint. OSMOSE has done at least two inspections on each of the utility poles on the complainants property. This information is important to the Complaint, because it directly involves matters of safety. This information involves the safety conditions of utility poles and PPL's right of way during the time numerous safety infractions have occurred on the property of Nieves Abad. Complainant has asked for this information through email and phone calls with PPL Attorneys Post & Schell. PPL has submitted Answers to Interrogatories Set I answered on 06/17/2024. (See Exhibit 12) All subcontractor's, PPL employees, and all documents relating to this matter have not been disclosed. The actions of PPL and Post & Schell have caused Complainant resources, it has extended discovery times, and has put Complainant at an unfair disadvantage. PPL and Post & Schell have discriminated against the Complainant by violating his due process right to discovery.

24. On 06/06/2023 a third incident involving damage to PPL utilities in the alleged right of way on the complainants property caused power outages and live electrical wires to fall on the complainants property. No information regarding this matter has been submitted to the Complainant. Complainant has submitted Interrogatories Set I answered by PPL on 06/17/2024.(See Exhibit 12 Answers) The actions of PPL and Post & Schell have caused Complainant resources, it has extended discovery times, and has put Complainant at an unfair disadvantage. PPL and Post & Schell have discriminated against the Complainant by violating his due process right to discovery.

25. On 4/13/23, 05/25/23, and 06/06/23, PPL owned utilities poles and wires were damaged on the Complainants property. Several PPL employees responded to each incident. All

employees who responded to this incident were not disclosed by PPL. No documentation or information from these employees were disclosed. PPL only disclosed two employees, John Rosato and Tim Roberts from two different incidents. The actions of PPL and Post & Schell have caused Complainant resources, it has extended discovery times, and has put Complainant at an unfair disadvantage. PPL and Post & Schell have discriminated against the Complainant by violating his due process right to discovery.

26. W/O # 327197674 made on or about 03/29/23. W/O # 58719381 made on or about 04/03/23, W/O # 58720380 made on or about 04/26/23, and W/O # 58730565 made on or about 07/18/23 have not been disclosed by PPL. PPL has submitted answers to Interrogatories and Requests for production of documents set 1. (See Exhibit 12). PPL has repeated its claims that all work orders have been disclosed. The above work orders have not been submitted during discovery and are still outstanding. Complainant has reached out to PPL Attorneys at Post & Schell through email and phone. (See Exhibit 1 Emails). These work orders have still not been provided. On 02/06/24 Complainant spoke to PPL employee Lindsay Smigel, this call was documented by PPL's call center. (See Exhibit 2 call history) Both employee and complainant went over work orders, PPL employee documented the work orders during this conversation. On 01/08/2024, an informal hearing was started, this call was made after this hearing began. Preservation of documents under PA State Law requires these work orders to be preserved because of ongoing litigation. PPL has failed to provide these work orders. The actions of PPL and Post & Schell have caused Complainant resources, it has extended discovery times, and has put Complainant at an unfair disadvantage. PPL and Post & Schell have discriminated against the Complainant by violating his due process right to discovery..

CONCLUSION

PPL and Post & Schell have done their best efforts to delay & deny discovery. Evidence has been withheld from the Complainant. Answers have been incomplete, inaccurate or missing. These acts are in violation of Title 52 Chapter 5 Subcategory D. Even after confronting Post & Schell with this evidence, Post & Schell have still failed to produce the documents requested or make the proper corrections. PPL and Post & Schell have cost the complainant a lot of resources and time to have to track down this information on his own. Complainant was forced to ask question after question throughout discovery in order to obtain the correct information sought. Evidence that has direct subject matter to this complaint. Evidence that should have been submitted to the Complainant from PPL after answering Interrogatories Set 1. Complainant is a Pro-Se applicant that has been put at a disadvantage by the actions of PPL a Billion Dollar Company and Post & Schell a large law firm, with two decades of experience representing PPL in front of the Public Utility Commission. PPL and Post & Schell have enough experience to know exactly what is required of them. PPL & Post & Schell have discriminated against the Complainants due process right to fair discovery under title 52 Chapter 5 Sub Category D. PPL & Post & Schell have discriminated against a Pro-Se applicant.

WHEREFORE, The Complainant, Nieves Abad, requests PPL and Post & Schell be sanctioned for each day of non compliance for each offense, order PPL to disclose documents, order PPL to correct the incorrect interrogatories and/or depositions, and/or grant to the Complainant such other relief as is just and reasonable under the circumstances.

Alphonso Arnold III
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Pennsylvania Public Utility Commission
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747 Delaware St
Forest City , PA 18421
Email- Marjua3@aol.com
Phone - 631-575-2348
Dated- January 30, 2025

Subject Re: written depositions of PPL, John Rosato, & Tim Robert's

From martjua3 <martjua3@aol.com>

To: Kramer, Peter <PKramer@PostSchell.com>

Cc: Ryan, Devin <DRyan@PostSchell.com>, Stobbe, Nicholas <NStobbe@PostSchell.com>

Date Sep 26, 2024 at 3:42 PM

Hi how are you? I received the objections for the above witnesses but I never received the answers to the questions that were not objected to in the written deposition set I. Please let me know the status of these questions. I have received either objections to or answered questions for all other written depositions set I. Thanks for your time.

Hide trimmed content

DATE OF DEPOSIT

JAN 30 2025

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Exhibit 1

1A

Subject Re: written depositions of PPL, John Rosato, &
Tim Robert's

From Kramer, Peter <PKramer@PostSchell.com>

To: martjua3 <martjua3@aol.com>

Date Sep 26, 2024 at 4:40 PM

I will check on this.

Peter J. Kramer
Associate
Post & Schell, P.C.
Three Logan Square
1717 Arch Street
24th Floor
Philadelphia, PA 19103

215-587-1075 (Phone)
484-512-0890 (Cell)
Pkramer@PostSchell.com
www.postschell.com

Show trimmed content

Subject Deposition o Tom Kernoschak set 3 problems
From martjua3 <martjua3@aol.com>
To: Peter Kramer <pkramer@postschell.com>
Date Nov 11, 2024 at 3:19 PM

Hi how are you? I have went through and listing the problems with most of the not objected to answers of Tom kernoschak. I have the following problems:

1. I didn't receive a of the answers by mail. I was able to print out a copy from email but sometimes the paper one sent more detailed.
2. questions 8,9,& 11 answer refer to an exhibit 1 work order document. I didn't recieve this by mail or email
- 3 there is no answer to question 29 or 45 at all and no objections to them.
4. Question 32 the answer says "the measurements are on the drawing provided." I do not have this drawing and he doesn't state an answer to the question. Just refers to this document.
5. Question 38 the answer " the NEC code is readily available online" does not answer the question I would like the correct answer for the record.
6. Questions 45 - 79 answers all say " please see prior responses" instead of answering the question or stating that he doesn't know.
7. Questions 80 & 81 answers says he deferred the questions to the right of way department. I would like him to answer what he knows or if he doesn't know anything about the subject please state he doesn't know.

That's all I have for Tom Kernoschak right now I'm also working on Danny Walker and should have the problems written out by tomorrow. I know me or you may know some of the answers but I need them stated for the record as I will be submitting all this into evidence for the future hearing. Thanks again for all your time.

Sent from the all new AOL app for iOS

Subject Deposition of Danny walker set 3 problems
From martjua3 <martjua3@aol.com>
To: Peter Kramer <pkramer@postschell.com>
Date Nov 11, 2024 at 3:54 PM

Hi how are you? This is the problems I'm running into with the answers of Danny Walker set depositions:

1. I have no answer at all and no objections to questions 12, 13,14,15,17,18,19,20,54,55,59,60 & 61
2. Questions 24 - 53 AI state " Please see prior responses to questions of pole maintenance" instead of answering the question in full or in part what he knows and if he doesn't know.
3. Question 58 asked about methods used to determine whether a pole is in a public right away. The answer does not answer the question. No method was provided
4. All 5 exhibits are printed out on 3 pages instead of 1 page parts are cut off and it makes these documents difficult to understand or copy.

These are the problems with Danny Walker if you can make corrections as soon as possible I would appreciate it. Thanks

Sent from the all new AOL app for iOS

1D

Subject Deposition of Tom kernoschak and Dan walker
set 3

From martjua3 <martjua3@aol.com>

To: Peter Kramer <pkramer@postschell.com>

Date Nov 25, 2024 at 8:39 AM

Hi how are you? I have recieved on Nov 22, 2024 a revised copies of Deposition of Tom kernoschak and Dan walker set 3. I appreciate the corrections and it help make sense of everything more. I will issue my reply for each deposition shortly. There is one more correction that wasn't made and that was an and to the questions I wrote for pole # 57316N46296 for question 5, 10, 15, 20, and other questions involving this pole throughout answers to deposition of Dan walker's set 3 the answers to deposition of Tom Kernoschak set 3. All the prior depositions and interrogatories are also incorrect. When asked for information for pole # 57316N46296 you respond with information for pole 57317N46297. *This pole is not on my property and is not part of my complaint.* Also when you answered my complaint you did the same thing. It is your duty to fix these mistakes after being made aware of them. Please send over the corrections for all these documents so I can properly present my case. If you have any questions please feel free to call me. I would like to move forward from this part of the case but there are so many delays still out there. Such as the unanswered questions from bill farber John Rosato and Tim Roberts.

1E

Subject Depositions
From martjua3 <martjua3@aol.com>
To: Peter Kramer <pkramer@postschell.com>
Date Dec 7, 2024 at 11:13 AM

Hi how are you? I am about to submit more evidence to the judge for the hearing for this case. There is still a lot of depositions I did not receive from ppl employees. Please submit them as soon as possible so that I may also submit them into evidence. When going through the depositions I didn't see where any of them was administered under oath and notarized. Title 52 chapter 5 code 5.345 (c) requires these depositions to be under oath and notarized. Please let me know if these documents are under oath and notarized because I do not see any of this information on the answers that have been submitted to me

IF

Subject Pole inspection and maintenance
From martjua3 <martjua3@aol.com>
To: Peter Kramer <pkramer@postschell.com>
Date Dec 15, 2024 at 12:07 PM

Hi how are you? After findings in discovery and investigation, I believe there is a company called osmose that does pole inspection and possibly repair in my area. I see the symbols on the poles with there emblems and inspected year on them. I want to find out the report from each inspection, maintenance, repair, or recommendation from this company as asked for in discovery.

13

DATE OF DEPOSIT

JAN 30 2025

Account Contact History
Account: 6941302009 Customer Name: NIEVES ABAD
From 10/9/2020 to 10/9/2024

PA PUBLIC UTILITY COMMISSION
 SECRETARY'S BUREAU

Contact Date	Contact Type	Remarks	User
2024-10-07	IVR Customer Initiated Payment	Scheduled date 10 7 2024 Amount 256.07 User IVR Owner YES Confirmation Number 24100751	IVR
2024-06-24	IVR Customer Initiated Payment	Scheduled date 6 24 2024 Amount 104.84 User IVR Owner YES Confirmation Number 24062406	IVR
2024-03-07	SC - PUC Formal Complaint	The customer filed Formal Complaint Docket No. C-2024-3047163- WATT ID 4183358	E02623
2024-03-04	Special Situation	PAYMENTUS IVR paid 1000.00	SELF SERVICE USER
2024-03-04	Special Situation	PAYMENTUS IVR paid 1000.00	SELF SERVICE USER
2024-03-04	Billing	Caller Back Office Ratepayer. dead air onset of call. read dead air script	MICHAEL CRAWFORD
2024-03-01	Correspondence - Deposits	Deposit Warning Letter - Commercial	
2024-02-06	WAM	Caller NIEVES ABAD Ratepayer. reviewed work orders 58730565 58720380 58716668 58716671 58719830 58719831 and provided OGC number for two claim invoices.	LINDSY SMIGEL
2024-02-06	PUC/Informal	Caller Back Office Ratepayer. BCS 3960946 DEC CLOSED02 05 2024-THE CUSTOMER STATED THAT REMOVING THE POLES FROM HIS PROPERTY HAS BEEN AN ONGOING ISSUE.THE CUSTOMER SAID HE CONTACTED PPL NUMEROUS TIMES TO ADDRESS THE TREES INTERFERING WITH THE POLES LINES.CUSTOMER WAS NOT SATISFIED AND WILL FILE A FORMAL COMPLAINT.	ASHLEY KIERNAN-JOHNSON
2024-01-02	Special Situation	PAYMENTUS IVR paid 436.74	SELF SERVICE USER
2023-11-20	Miscellaneous	WATT Billing - MultiPrimary - Needs Rebilling Work Item 4080083 Completed	KATHLEEN A KRAYER
2023-11-20	Miscellaneous	WATT ID 4090083 entered 11 10 reading	KATHLEEN A KRAYER
2023-11-17	Miscellaneous	WATT No Bill - No Bill Commercial Work Item 4096520 Created	CSS
2023-11-17	Cancel/Only Service	canc multi primary to rebill monthly	KATHLEEN A KRAYER
2023-11-17	Pull Bill	Rejected	DBL VBIL
2023-11-15	Miscellaneous	WATT No Bill - Never Billed Non Residential Work Item 4081824 Completed	E063929
2023-11-13	Miscellaneous	WATT Billing - MultiPrimary - Release Pull Bill Work Item 4080083 Created	JO-ANN GOEPPERT
2023-11-11	Data Repair	Temporary Pull Bill due to Multi Primary	CSDR044
2023-11-08	Miscellaneous	WATT No Bill - Never Billed Non Residential Work Item 4081824 Created	CSS
2023-10-20	Choice Inquiry	New Connect Privacy Release Default - Ok to Release All	SYSTEM SYSTEM
2023-10-20	Connect Completed	ACCT-6941302009 WAM CSS INTERFACE - WAM JOB 00012952782	CUBSO020
2023-10-20	Connect Questions	TYPE OF CONNECT REQUEST RATEPAYER OWNS THE PROPERTY RATEPAYER WILL OCCUPY THE PROPERTY NON-RESIDENTIAL USE ASSOCIATED WITH THE PROPERTY TYPE OF PROPERTY RESIDENTIAL ELECTRIC HEAT RESIDENTIAL USE ASSOCIATED WITH THE PROPERTY RESIDENTIAL USE WILL BE FOR THE RATEPAYERS SOLE BENEFIT	CUBSO020
2023-10-20	Connect Issued	Electric WAM CSS INTERFACE - WAM JOB 00012952782	CUBSO020

Business Use

Exhibit 2

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

Nieves Abad
(Pro-Se)

Complainant

CERTIFICATE OF SERVICE

VS

PPL Electric Utilities Corporation

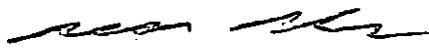
C-2024-3047163

Respondent

CERTIFICATE OF SERVICE

I, Nieves Abad, hereby certify that I served Written Deposition of Tim R Roberts to Respondent via certified mail this 19 Day of August, 2024, addressed as follows;

By:


Nieves Abad
747 Delaware St
Forest City, PA 18421
Martjua3@aol.com
DATED- August 19, 2024

Cc:

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

DATE OF DEPOSIT

JAN 30 2025

Peter J Kramer Esquire
Post & Schell
Three Logan Square
1717 Arch Street
24th Floor

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Exhibit 3

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

Nieves Abad
(Pro-Se)

Complainant

CERTIFICATE OF SERVICE

VS

PPL Electric Utilities Corporation

C-2024-3047163

Respondent

CERTIFICATE OF SERVICE

I, Nieves Abad, hereby certify that I served Written Deposition of John Rosato to Respondent via certified mail this 19 Day of August, 2024, addressed as follows;

By: 

Nieves Abad
747 Delaware St
Forest City, PA 18421
Marlisa3@aol.com
631.575.2348
DATED- August 19, 2024

Cc:
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

Peter J Kramer Esquire
Post & Schell

DATE OF DEPOSIT

JAN 30 2025

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Exhibit 4

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

Nieves Abad
(Pro-Se)

Complainant

CERTIFICATE OF SERVICE

VS

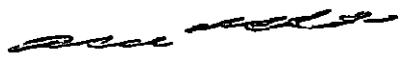
PPL Electric Utilities Corporation

C-2024-3047163

Respondent

CERTIFICATE OF SERVICE

I, Nieves Abad, hereby certify that I served Written Deposition of Bill Farber to Respondent via certified mail this 15th Day of September, 2024, addressed as follows;

By: 

Nieves Abad
747 Delaware St
Forest City, PA 18421
Martjua3@aol.com
DATED- September 15, 2024

Cc:
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

Peter J Kramer Esquire
Post & Schell
Three Logan Square
1717 Arch Street
24th Floor
Philadelphia, PA 19103

DATE OF DEPOSIT

JAN 30 2025

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Exhibit 5

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

Nieves Abad
(Pro-Se)

Complainant

CERTIFICATE OF SERVICE

VS

PPL Electric Utilities Corporation

C-2024-3047163

Respondent

CERTIFICATE OF SERVICE

I, Nieves Abad, hereby certify that I served Written Deposition Set III of Daniel Walker to to Respondent via certified mail this 18th Day of October, 2024, addressed as follows:

Cc:

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



Nieves Abad
747 Delaware St
Forest City, PA 18421
631.575.2348
Martjua3@aol.com
Dated-October 18,2024

Peter J Kramer Esquire
Post & Schell
Three Logan Square
1717 Arch Street
24th Floor
Philadelphia, PA 19103
215-587-1075
215-587-1444 Main Fax
pkramer@postschell.com

DATE OF DEPOSIT

JAN 30 2025

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Exhibit Q

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

Nieves Abad
(Pro-Se)

Complainant

CERTIFICATE OF SERVICE

VS

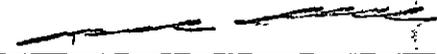
PPL Electric Utilities Corporation

C-2024-3047163

Respondent

CERTIFICATE OF SERVICE

I, Nieves Abad, hereby certify that I served Written Deposition Set III of Tom Kernoschak to Respondent via certified mail this 18th Day of October, 2024, addressed as follows;

By: 

Nieves Abad
747 Delaware St
Forest City, PA 18421
Martjua3@aol.com
DATED- October 18, 2024

Cc:
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

Peter J Kramer Esquire
Post & Schell
Three Logan Square
1717 Arch Street
24th Floor
Philadelphia, PA 19103

DATE OF DEPOSIT

JAN 30 2025

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Exhibit 7

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

Nieves Abad
(Pro-Se)

Complainant

CERTIFICATE OF SERVICE

VS

PPL Electric Utilities Corporation

C-2024-3047163

Respondent

CERTIFICATE OF SERVICE

I, Nieves Abad, hereby certify that I served Interrogatories Set V to Respondent via certified mail this 26th Day of November, 2024 addressed as follows;

Cc:

DATE OF DEPOSIT

Peter Kramer
Post & Schell
Three Logan Square
1717 Arch Street
24th Floor
Philadelphia, PA 19103
215-587-1075
215-587-1444 Main Fax
pkramer@postschell.com

JAN 30 2025

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Nieves Abad
747 Delaware St
Forest City PA 18421
631.575.2348
Martjua3@aol.com
Dated- November 26, 2024

Exhibit 8

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

Nieves Abad
(Pro-Se)

Complainant

CERTIFICATE OF SERVICE

VS

PPL Electric Utilities Corporation

C-2024-3047163

Respondent

CERTIFICATE OF SERVICE

I, Nieves Abad, hereby certify that I served Written Deposition of Daniel Walker Set IV to Respondent via certified mail this 2nd Day of December, 2024, addressed as follows;

By: _____

Nieves Abad
747 Delaware St
Forest City, PA 18421
Marjua3@aol.com
DATED-December 2,2024

Cc:
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 17120

Peter J Kramer Esquire
Post & Schell
Three Logan Square
1717 Arch Street
24th Floor
Philadelphia, PA 19103
215-587-1075

DATE OF DEPOSIT

JAN 30 2025

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Exhibit 9

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

Nieves Abad
(Pro-Se)

Complainant

CERTIFICATE OF SERVICE

VS

PPL Electric Utilities Corporation

C-2024-3047163

Respondent

CERTIFICATE OF SERVICE

I, Nieves Abad, hereby certify that I served Written Deposition of Tom Kernoshcak Set IV To Respondent via certified mail this 2nd Day of December 2024, addressed as follows;

By: _____

Nieves Abad
747 Delaware St
Forest City, PA 18421
Marjua3@aol.com
631.575.2348
DATED- December 2,2024

Cc:

Peter J Kramer Esquire
Post & Schell
Three Logan Square
1717 Arch Street
24th Floor
Philadelphia, PA 19103
215-587-1075
215-587-1444 Main Fax
pkramer@postschell.com

DATE OF DEPOSIT

JAN 3 0 2025

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Exhibit 10

VERIFICATION

I, TIM R. ROBERTS being a Journeyman Lineman-FS at PPL Electric Utilities 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: January 22, 2025



Tim R. Roberts

DATE OF DEPOSIT

JAN 30 2025

**PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU**

Exhibit 11

PPL Electric Utilities Corporation
Responses to Request for the Production of Documents
Nieves Abad - Set I
Dated June 17, 2024
Docket No. C-2024-3047163

Abad-I-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.

PPL Electric's Please see attached *Work Order Documentation* folder.
Response:

Witness: Kim Hanson
Dated: June 17, 2024

DATE OF DEPOSIT

JAN 30 2025

**PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU**

27540994v1

Exhibit 12

PPL Electric Utilities Corporation
Responses to Request for the Production of Documents
Nieves Abad – Set I
Dated June 17, 2024
Docket No. C-2024-3047163

Abad-I-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.

PPL Electric's Response: Please see attached *Invoices* and *Work Documentation* Folders.

Witness: Kim Hanson
Dated: June 17, 2024

PPL Electric Utilities Corporation
Responses to Request for the Production of Documents
Nieves Abad – Set I
Dated June 17, 2024
Docket No. C-2024-3047163

Abad-I-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.

PPL Electric's Response: Please see attached *Prior ROW document* in the attached *Right of Way Documentation Folder*.

Witness: Kim Hanson
Dated: June 17, 2024

PPL Electric Utilities Corporation
Responses to Request for the Production of Documents
Nieves Abad – Set I
Dated June 17, 2024
Docket No. C-2024-3047163

Abad-I-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.

**PPL Electric's
Response:**

Please see attached *Right of Way Documentation* Folder. No Right of Way agreement exists for Pole 57327N46297, Pole 57334N42685, and Pole 57339N46273.

**Witness:
Dated:**

**Kim Hanson
June 17, 2024**

PPL Electric Utilities Corporation
Responses to Interrogatories and Request for Production of Documents of
Nieves Abad – Set I
Dated August 28, 2024
Docket No. C-2024-3047163

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

PPL Electric's Response: Kim Hanson, Claims Specialist, 645 Hamilton Street, Suite 700, Allentown, PA 18101
John Rosato, Lineman Leader, 600 Larch Street, Scranton, PA 18509
Tim Roberts, Journeyman Lineman, 600 Larch Street, Scranton, PA 18509
Daniel Walker, Right of Way Agent, 600 Larch Street, Scranton, PA 18509
Tom Kernoschak, Distribution Tech, 600 Larch Street, Scranton, PA 18509
Shani Hujisa, Senior Clerk, 827 Hausman Road, Allentown, PA 18104

Witness: Kim Hanson
Dated: August 28, 2024

PPL Electric Utilities Corporation
Responses to Interrogatories and Request for Production of Documents of
Nieves Abad – Set I
Dated August 28, 2024
Docket No. C-2024-3047163

Abad-I-
Documents and
Things
Requested 11: Copies of any and all documents used in answering these written Discovery requests.

PPL Electric's
Response: A shared folder containing documentation used in answering these written Discovery requests has been provided. Documents were also sent by mail.

Witness: Kim Hanson
Dated: August 28, 2024

PPL Electric Utilities Corporation
Responses to Interrogatories and Request for Production of Documents of
Nieves Abad – Set I
Dated August 28, 2024
Docket No. C-2024-3047163

Abad-I-
Documents and Things
Requested 12: The contract, Right Of Way or Easement.

PPL Electric's
Response: Please see the Right of Way documentation folder.

Witness: Kim Hanson
Dated: August 28, 2024

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Nieves Abad v.
PPL Electric Utilities Corporation

Docket No. C-2024-3047163

Answers to Written Deposition of Tom Kernoschak

September 12, 2024

DATE OF DEPOSIT

JAN 30 2025

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

27956666v1

Confidential

Exhibit 13

Q. Please state your name and office address?

A. My name is Thomas M Kernoschak Jr

Q. Please state your educational background including the schools you have attended, the academic and professional degrees you have received and the dates you received these degrees?

A. Carbondale Area High School 1985. Associate degree from Penn State Scranton 1987

Q. What company do you work for? Please submit your current employee work history at this company?

A. PPL Electric Utilities Inc. ass a Distribution Technician

Q. What is your current position at PPL Electric Utilities Corporation?

A. Distribution Technician

Q. How long have you practiced your profession and how long have you held your current position?

A. 37 years, 35 at PPL

Q. State the names of the professional licensing agencies that have issued licenses to you? Include the date of such licenses and whether they are still current. In conjunction with this question, please attach a copy of your licenses.

A. None

Q. What dates and times did you speak to Nieves Abad about the property at 837 Rear Capouse Ave, Scranton Pa 18509?

A. I don't recall the exact date. The job was created on 4/3/2023.

Q. What did you discuss about 837 Rear Capouse Ave, Scranton Pa 18509? Please explain in your own words what you recall of the conversations that took place.

A. We discussed installing a temporary service and relocating the poles and overhead wire for him to construct a building.

Q. What forms of communication were used to communicate with Nieves Abad for issues regarding 837 Capouse Ave, Scranton Pa 1859? Please submit any communication you have.

A. Phone call, email, text. I don't have communications.

Q. What information do you have about any right of way issued with pole # 57334 N42685, 57339 N 46273, 57327 N46297, 57320 N46302, 571316 N46296? No information already submitted into discovery.

A. All information was provided in answers to previous discovery requests.

Q. What dates and times did you discuss a right of way or any other issue regarding pole number 57334 N42685, 57339 N 46273, 57327 N46297, 57320 N46302, 571316 N46296 with Nieves Abad, PPL Electric or any other person. In your own words, what were these discussions about? What did you recall of the conversation?

A. I don't handle right of way. The only discussion we had was if it could be brought in from Capouse Ave. I presented that option to our right of way agent.

Q. What dates and times did You and Nieves Abad discuss relocation of pole #'s 57334 N42685, 57339 N 46273, 57327 N46297, 57320 N46302, 571316 N46296. Please list what you recall in each conversation.

A. I don't know the exact dates. We discussed installing the poles on the property line to make room for the building.

Q. Did you have any conversation with any other PPL Employees, about any issues regarding a right of way agreement or pole relocation? (Please list dates and times, names, the information received or given, or anything else you recall about this complaint.)

A. I discussed right of way with Dan Walker PPL right of way agent. I gave him a drawing. Right of way was refused by property owner on Capouse Ave.

Q. What was the outcome of any decision made about pole relocation? Who made these decision(s)? List all people who played a role in making this decision?

A. I decided to bill him for the relocation since the poles in question were there for 40+ years.

Q. Did you agree or disagree with any part of this decision? If so please explain what parts of the decision and why you agreed or disagreed with it.

A. I agreed to follow our Company's Commission approved Tariff and policies on customer's paying to relocate facilities.

Q. Was it part of your job to make the decision of pole relocation at 837 Rear Capouse Scranton Pa 19509?

A. Yes

Q. If not, who is responsible for this decision in the local branch? List employee(s) and they're position.

A. Bill Farber, my supervisor would have to approve.

Q. What is the policy regarding PPL Electric's right of way agreements and/or pole relocation?

A. The Company's commission approved Tariff states that customers are responsible for paying to relocate Company facilities.

Q. What is the protocol you follow when a pole is located on a customer's property without a right of way or no legal right to have a pole on the property and where the property owner wants the pole relocated off that property?

A. I defer to right of way department.

Q. As an employee of PPL Electric, what is the policy of PPL Electric regarding right away and pole relocation on private property?

A. Customer must pay fully allocated cost to relocate facilities on their property.

Q. What is the protocol you follow when a pole is located on a private property without a right of way?

A. I defer to right of way.

Q. What protocol do you follow when a property owner wants a pole relocated on the property that does not have a legal right of way?

A. I defer to right of way.

Q. Were these protocols followed for the situation with not right of way at 837 Rear Capouse Ave, Scranton Pa 18509?

A. Yes

Q. Work order number 12952883 states that you were the designer for OH Pole and Secondary Reloc Abad. Is this correct?

A. Yes

Q. What day was this installation for the New Design created, submitted, and/or approve. Please include dates and times, where submitted, who approved the designs?

A. The date on the final drawing is 6/27/23. The original drawing was probably done in April of 2023.

Q. After the design was accepted, what was the original start date for this plan? List any dates work was postponed and the reason for that date. Please list who requested this project to be postponed.

A. I don't believe it was ever scheduled because customer refused to sign right of way or agree to the payment.

Q. Does PPL Electric have an agreement to place pole #5732ON46302 Where it is located with anyone? Please answer and list dates and times, any paperwork or any type of documentation to do with this pole and the placement to do with this pole and the placement of this pole.

A. You'd have to check with right of way department

Signed: /s/ Tom Kernoschak

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Nieves Abad v.
PPL Electric Utilities Corporation

Docket No. C-2024-3047163

Answers to Written Deposition of Tom Kernoschak

DATE OF DEPOSIT

October 7, 2024

JAN 30 2025

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

28074951v1

1 Q. Is pole # 57320N46302 a safe distance from the residence at 20 Amity Court, Scranton, PA 18509. Please explain why or why not?

A. Yes, it meets all National Electrical Code ("NEC") clearances.

2 Q. What is the distance for pole # 57320N46302 from the closest point of 20 Amity Court Scranton PA 18509?

A. Approximately 10FT from the upper porch.

3 Q. Is pole number 57320N46302 in the driveway of 837 Rear Capouse Ave Scranton PA 18509.

Confidential A. Not to my knowledge. There was no driveway at the time.

4 Q. Is pole number 57327N46297 obstructing the egress of the rear door of 20 Amity Court Scranton PA 18509? Please explain why or why not?

A. No. It's between the door and garage.

Exhibit 14

- 5 Q. Is pole number 57327N46297 obstructing the egress of the garage entrance to 20 Amity Court Scranton PA 18509? Please explain why or why not?
- A. No. The garage is not on a foundation and was added after the pole was installed.
- 6 Q. Is pole number 57327N46297 a safe distance from the residence at 20 Amity Court Scranton PA 18509? Please explain why or why not?
- A. Yes It meets all NEC clearances
- 7 Q. What is the distance for pole # 57327N46297 from 20 Amity Court Scranton PA 18509?
- A. Approximately 12FT
- 8 Q. What distance is the wires between pole #57320N46302 and 57327N46297 from the second story windows of 20 Amity Court Scranton Pa 18509?
- A. Approximately 8FT
- 9 Q. What is the voltage for the wires between pole numbers 57320N46302 and 57327N46297 at 20 Amity Court Scranton PA 18509?
- A. 240V
- 10 Q. Do the wires between pole numbers 57320N46302 and 57327N46297 block the ways of egress to the second story windows of 20 Amity Court Scranton Pa 18509?
- A. No
- 11 Q. Are these pole numbers 57320N46302 and 57327N46297 or wires in any violation of any local state or federal codes? Please state why or why not?
- A. No. It meets all NEC clearances
- 12 Q. In W/O design/drawing # 12952883/309256 dated 6/27/2023 can you tell me why pole number 57320N46302 is located on 837 Rear Capouse Ave Scranton PA 18509 side of the property line after amity court ends on the drawing?
- A. As stated in the title, the drawing is not to scale. N.T.S.
- 13 Q. In W/O design/drawing # 12952883/309256 dated 6/6/2023 can you tell me why pole number 57320N46302 is located on 837 Rear Capouse Ave Scranton PA 18509 side of the property line after amity court ends on the drawing?

A. As stated in the title, the drawing is not to scale. N.T.S.

14 Q. In W/O design/drawing # 12951338/30748 dated 4/17/2023 can you tell me why pole number 57320N46302 is located on 837 Rear Capouse Ave Scranton PA 18509 side of the property line after amity court ends on the drawing?

A. As stated in the title, the drawing is not to scale. N.T.S.

15 Q. On W/O design/drawing # 12952883/309256 dated 6/27/2023, 12952883/309256 dated 6/6/2023, and 12951338/30748 dated 4/17/2023 it states the drawing was designed by "ENGR Kernoschak, Thomas, M." What does the "ENR" stand for?

A. It means person representing engineering department.

16 Q. On W/O design 1251338/307480 Please identify each pole on this design by its pole number and location.

A. Yes

17 Q. In question number 2 and 6 from deposition Set I, it asks for educational background and licensing. I do not see an engineering degree or license. Why are you considered an engineer? Please provide any licensing information, educational background in the engineering field.

A. I have an associate degree in electrical engineering.

18 Q. Does design/drawing # 12952883/309256 dated 6/27/2023, 12952883/309256 dated 6/6/2023, and 12951338/30748 dated 4/17/2023, require a certified engineer for approval?

A. No

19 Q. For design/drawing # 12952883/309256 dated 6/27/2023, 12952883/309256 dated 6/6/2023, and 12951338/30748 dated 4/17/2023, what engineer approved these plans?

A. My Supervisor William Farber III

20 Q. For design/drawing # 12952883/309256 dated 6/27/2023, 12952883/309256 dated 6/6/2023, and 12951338/30748 dated 4/17/2023, were these plans approved by the city of Scranton?

A. Not required.

Q. For design/drawing # 12952883/309256 dated 6/27/2023, 12952883/309256 dated 6/6/2023, and 12951338/30748 dated 4/17/2023, did Bill Farber approve all these designs?

A. Yes

22 Q. For design/drawing # 12952883/309256 dated 6/27/2023, 12952883/309256 dated 6/6/2023, and 12951338/30748 dated 4/17/2023, what was the involvement of your supervisor Bill Farber?

A. Minimal, he approves and signs.

23 Q. What other discussion did you have about the property 837 Rear Capouse Ave Scranton PA 18509 with your supervisor Bill Farber?

A. I don't recall.

24 Q. Did you base your decision to charge Nieves Abad about the relocation of these poles from the discussion you had with Daniel Walker?

A. No, the tariff requires payment for the relocation of facilities.

Q.

/s/ Tom Kernoschak

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Nieves Abad v.
PPL Electric Utilities Corporation

Docket No. C-2024-3047163

DATE OF DEPOSIT

JAN 30 2025

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Answers to Written Deposition of Tom Kernoschak

November 12, 2024

□

28159777v1

Q. Can you charge a Tariff to remove/relocate facilities when PPL has no right of way documentation?

A. Per PPL Electric's Commission approved Tariff Rule 4(I) Relocation of Facilities, the relocation of Company facilities, when done at the request of others, is at the applicant's expense and payment of the Company's estimated cost of the relocation is required in advance of construction. A copy of PPL Electric's Tariff is available online.

Q. Can you charge a Tariff to remove/relocate facilities if these facilities are on private property without proper documentation??

Confidential

A. Each individual circumstance is different. However, per the Tariff, it is PPL Electric's policy to charge the customer, yes.

Q. Can you charge a Tariff to remove/relocate facilities on private property if you cannot prove a legal reason for a pole to be on said property? Explain why or why

Exhibit 15

not.

A. Per the Tariff, it is PPL Electric's policy to charge the customer to relocate facilities at the customer's request.

Q. What reason did you have to charge a Tariff to Nieves Abad to relocate facilities on said property.

A. Please see prior responses.

Q. Are there any exceptions to charge a Tariff to relocate facilities on private property?

A. Please see PPL Electric's Tariff.

Q. Is the Tariff you charged related to pole relocation, the charges in quote # 81036584-3 for the sum of \$4128.00?

A. Yes, that is the total sum for the relocation project.

Q. Are you using billing # 91130032-3 and billing #9113003-33 as a tariff??

A. No. Those invoices were for property damage separate from the relocation request. The amount to relocate facilities was \$4,128.00.

Q. How did you come to the total price of \$4128.00 for quote 81036584-3? Please provide an explanation of charges.

A. The attached Exhibit 1 Work Order document contains work order information already provided in discovery.

Q. Please provide an explanation of charges for quote # 81036584-3 and itemized list for each item being charged to the Complainant including direct cost for labor, poles, and wires and any other cost charged that added up to the sum of \$4128.00

A. The attached Exhibit 1 Work Order document contains work order information already provided in discovery.

Q. What is the PUC Tariff regulation to charge for PPL facility removal relocation in the case of Nieves Abad?

A. PPL Electric's Commission approved Tariff Rule 4(I) Relocation of Facilities.

Q. What is the exact formula you used to calculate the tariff you charged Nieves Abad to relocate Utility poles on his property? Please provide an explanation for each step of this formula and why it was used.

A. The attached Exhibit 1 Work Order document contains work order information already provided in discovery.

Q. Does this mean that the location of utility pole #57320N46302 could be in the wrong place or on the wrong side of the property line in the drawings?

A. Yes, the drawing is not to scale.

Q. Is there a scale drawing for pole design numbers 307480 dated 04/17/23, 309256 dated 06/06/23, and 309256 dated 06/27/23?

A. No.

Q. Why did you use the N.T.S to design drawing?

A. This is standard practice.

Q. When would you use a scaled drawing for a pole design?

A. PPL Electric never uses a drawing to scale with distribution design.

Q. Is it your practice as a PPL employee while making these drawings to use a N.T.S design?

A. Yes

Q. When designing engineer design numbers 307480, 309256, and 309256, did you make the design set and the utility wires between these poles to be a safe distance from the residence at 20 Amity court and in compliance with NEC code?

A. Yes.

Q. When designing engineer design numbers 307480, 309256, and 309256, did you factor in the distance between the utility pole #s 57327N46297 and 57320N46302 and the utility wires located from 20 Amity court?

A. Yes

Q. Is there a final plan for design numbers 307480, 309256, and 309256?

A. The final plan and any start on construction await customer payment.

Q. Is there a stamped engineer drawing for design 307480, 309256, and 309256?

A. No.

Q. Are design numbers 307480, 309256, and 309256 the final design for this project?

A. They await customer approval.

Q. As an engineer who is the designer of these drawings for fellow technicians to follow, is it your responsibility to ensure that utility pole # 57320N46302 is on the correct side of the property line?

A. Yes. However, it is the customer's responsibility to mark property corners.

Q. On drawing numbers 307480, 309256 and 309256 did you place utility pole # 57320N46302 on the property of Nieves Abad because it is on his property? Please provide all records, documents, and sources used to determine where this pole is located.

A. It is the customer's responsibility to mark the property lines and PPL Electric then places its facilities accordingly.

Q. When designing drawing numbers design numbers 307480, 309256, and 309256 do you use property maps, surveys, deeds and what other methods do you use to gauge where a utility pole #57320N46302 should be? Please provide all items used and how you used them to determine where this pole should be located.

A. Please see the prior two responses.

Q. Why did you choose to place utility pole 57320N46302 on the property of Nieves Abad on drawing numbers 307480, 309256, and 309256?

A. Please see the prior responses. The pole itself has been in place since before I started working for PPL Electric.

Q. Why did you not draw utility pole 57320N46302 on other side of the property line?

A. The pole exists on the map from its original placement.

Q. Why did you not draw utility pole 57320N46302 in the public right of way?

A. The pole is placed there because that is its location as originally placed.

Q. On drawing numbers 307480, 309256, and 309256, if you placed a utility pole on the wrong side of the

property line, was it installed there after damage was done to the poles?

A. I do not understand the question. The Poles were replaced in their original positions prior to any damage done to them.

Q. When making an engineered drawing design, do you often place the utility pole on the wrong side of the property line when designing a "N.T.S" drawing? Please explain why or why not.

A. No. It depends on each individual circumstance. The drawing is not to scale. Therefore, the locations of the poles are not exact in the drawing.

Q. When making a pole design drawing is it the responsibility of the engineer designing the drawing to ensure that the utility pole is located on the correct property?

A. Yes, but it is up to the customer to have the property lines clearly defined.

Q. How did you base where a utility pole is located when you designed drawing numbers 307480, 309256, and 309256?

A. Based on conversations had with Mr. Abad about the needs of the relocation project. It was my understanding he did not want them to interfere with his proposed buildings being constructed.

Q. What measurements did you use while placing each utility pole on drawing numbers 307480, 309256, and 309256?

A. The measurements are on each of the drawings referenced in the question. Final locations and property liens were never verified by the customer. The drawings are not final.

Q. On drawing numbers 307480, 309256, and 309256, you labeled next to 3 of these poles numbers 3485, 3973, and 1797. What are the full pole numbers that these numbers represent? Why are they different from utility pole numbers. Please list each of the correct PPL Utility pole numbers you were referencing in those drawings.

A. That's the last four digits of the pole number, i.e.
57334N46285 = 34/85.

Q. In the answers to the written deposition of Tom Kernoschak Set II, Question 2, you gave an “approximate distance of 10 feet from the upper porch”. How did you determine this distance? Please provide all plans, drawings, measurements, notes, records, documents, or other sources used to determine this distance.

A. This was an estimated distance.

Q. In the answers to the written deposition of Tom Kernoschak Set II, Question 7, you gave “an approximate distance of 12 feet.” How did you determine this distance? Please provide all plans, drawings, measurements, notes, records, documents, or other sources used to determine this distance.

A. This was an estimated distance.

Q. In the answers to the written deposition of Tom Kernoschak Set II, Question 8, you gave “an approximate distance of 8 feet.” How did you determine this distance? Please provide all plans, drawings, measurements, notes, records, documents, or other sources used to determine this distance.

A. This was an estimated distance.

Q. In the answers to the written deposition of Tom Kernoschak Set II, Question 6, you answered “the utility pole # 57327N46297 meets all NEC clearances”. What is the NEC clearance for a utility pole distance from a residential structure? Please list the exact code this falls under.

A. The NEC code is readily available online. Please also see PPL Electric Rules for Electric Meter and Service Installations (REMSI) Rule 4A – Secondary Service – Clearance Information. For roofs and projections not accessible to pedestrians, the clearance can be 3.5 feet, 3 feet, 18 inches, or 36 inches depending on the service type. <https://www.pplelectric.com/utility/about-us/electric-rates-and-rules/remsi/list-of-rules/rule-4a#:~:text=Residential%20driveways%20and%20commercial%20areas,11%20feet%2C%208%20feet%203>.

Q. In the answers to the written deposition of Tom Kernoschak Set II, Questions 2, 7, and 8 you answered with an approximate distance. What documentary evidence do you have of these distances? Who recorded

these distances? On what date? Is there a scaled or unscaled map showing these distances?

A. There is no evidence. They were estimated distances until the customer could verify the property lines and the propose locations of the buildings.

Q. What is PPL's policy for maintenance and maintaining maintenance recors for a utility pole after it has been erected? Please provide PPL's policy on maintaining utility poles and maintenance record requirements for utility poles.

A. This is outside my area of expertise and job description. I understand that wood poles are checked for rot and pest infestation, but I cannot confirm the whole policy.

Q. What is a schedule for maintenance to take place on utility poles and wires after it has been erected? Please provide a year-by-year maintenance schedule for a utility pole's life.

A. This is outside my area of expertise and job description. I understand that wood poles are checked for rot and pest infestation, but I cannot confirm the whole policy.

Q. What does scheduled maintenance include for a utility pole?

A. This is outside my area of expertise and job description. I understand that wood poles are checked for rot and pest infestation, but I cannot confirm the whole policy.

Q. Is there a form that is required to be filled out by PPL for a scheduled maintenance performed on a utility pole? Please provide a copy of that form.

A. I don't know.

Q. Since the 1970's, when pole # 57334N42685 was erected, how many times was this pole maintenanced? Please provide records, documentation and sources.

A. This is outside my area of expertise and job description. I do not know.

Q. Since the 1970's, when pole # 57339N46273 was erected, how many times was this pole maintenanced? Please provide records, documentation and sources.

A. This is outside my area of expertise and job description. I

do not know.

Q. Since the 1970's, when pole # 57327N46297 was erected, how many times was this pole maintained? Please provide records, documentation and sources.

A. This is outside my area of expertise and job description. I do not know.

Q. Since the 1970's, when pole # 57320N46302 was erected, how many times was this pole maintained? Please provide records, documentation and sources.

A. This is outside my area of expertise and job description. I do not know.

Q. Since the 1970's, when pole # 57316N46296 was erected, how many times was this pole maintained? Please provide records, documentation, and sources.

A. This is outside my area of expertise and job description. I do not know..

Q. Has maintenance ever been done to utility pole # 57334N42685? Please provide records, documentation, and sources.

A. This is outside my area of expertise and job description. I do not know.

Q. Has maintenance ever been done to utility pole # 57339N46273? Please provide records, documentation, and sources.

A. This is outside my area of expertise and job description. I do not know.

Q. Has maintenance ever been done to utility pole # 57327N4629? Please provide records, documentation, and sources.

A. This is outside my area of expertise and job description. I do not know.

Q. Has maintenance ever been done to utility pole # 57320N46302? Please provide records, documentation, and sources.

A. This is outside my area of expertise and job description. I do not know.

Q. Has maintenance ever been done to utility pole # 57316N46296? Please provide records, documentation, and sources.

A. This is outside my area of expertise and job description. I do not know.

Q. Does an annual inspection or any other inspection need to be performed to a utility pole or wires as part of PPL Policy after the poles and wires are erected? Please provide documentation, and sources.

A. This is outside my area of expertise and job description. I do not know.

Q. After a storm or severe inclement weather was any inspection made by PPL of pole # 57334N42685 since it has been erected? Please provide dates, times, work orders or documentation of the events or any other inspections and the results.

A. This is outside my area of expertise and job description. I do not know.

Q. After a storm or severe inclement weather was any inspection made by PPL of pole # 57339N46273 since it has been erected? Please provide dates, times, work orders or documentation of the events or any other inspections and the results.

A. This is outside my area of expertise and job description. I do not know.

Q. After a storm or severe inclement weather was any inspection made by PPL of pole # 57327N46297 since it has been erected? Please provide dates, times, work orders or documentation of the events or any other inspections and the results.

A. This is outside my area of expertise and job description. I do not know.

Q. After a storm or severe inclement weather was any inspection made by PPL of pole # 57320N46302 since it has been erected? Please provide dates, times, work orders or documentation of the events or any other inspections and the results.

A. This is outside my area of expertise and job description. I do not know.

Q. After a storm or severe inclement weather was any inspection made by PPL of pole # 57316N46296 since it has been erected? Please provide dates, times, work orders or documentation of the events or any other inspections and the results.

A. This is outside my area of expertise and job description. I do not know.

Q. After a storm or severe inclement weather is it PPL policy to do an inspection on utility poles and wires? Please provide documentation and sources.

A. This is outside my area of expertise and job description. I do not know.

Q. Please list all inspection reports for pole #57334N42685 since it was erected. Please list all records, documentation and sources.

A. This is outside my area of expertise and job description. I do not have the requested information.

Q. Please list all inspection reports for pole #57339N46273 since it was erected. Please list all records, documentation and sources.

A. This is outside my area of expertise and job description. I do not have the requested information.

Q. Please list all inspection reports for pole #57327N46297 since it was erected. Please list all records, documentation and sources.

A. This is outside my area of expertise and job description. I do not have the requested information.

Q. Please list all inspection reports for pole #57320N46302 since it was erected. Please list all records, documentation and sources.

A. This is outside my area of expertise and job description. I do not have the requested information.

Q. Please list all inspection reports for pole #57316N46296 since it was erected. Please list all records, documentation and sources.

A. This is outside my area of expertise and job description. I do not have the requested information.

Q. Has an inspection for pole #57334N42685 ever been

done? Please list all records, documentation and sources.

A. This is outside my area of expertise and job description. I do not have the requested information.

Q. Has an inspection for pole #57339N46273 ever been done? Please list all records, documentation and sources.

A. This is outside my area of expertise and job description. I do not have the requested information.

Q. Has an inspection for pole #57327N46297 ever been done? Please list all records, documentation and sources.

A. This is outside my area of expertise and job description. I do not have the requested information.

Q. Has an inspection for pole #57320N46302 ever been done? Please list all records, documentation and sources.

A. This is outside my area of expertise and job description. I do not have the requested information.

Q. Has an inspection for pole #57316N46296 ever been done? Please list all records, documentation and sources.

A. This is outside my area of expertise and job description. I do not have the requested information.

Q. Is there a form required to be filled out by PPL when a safety inspection is performed on utility poles or wires. Please provide the form, documentation and sources.

A. This is outside my area of expertise and job description. I do not know.

Q. Is a work order needed to be submitted for a safety inspection to be done to a utility pole or wires. Please provide documentation and sources.

A. This is outside my area of expertise and job description. I do not know.

Q. Is a work order needed to be submitted for maintenance done to a utility pole or wires. Please provide documentation and sources.

A. This is outside my area of expertise and job description.

I do not know.

Q. Please list all work orders for maintenance or safety inspections that were performed for pole # 5733N42685 since it was erected. Please provide records, documentation and sources for these events.

A. This is outside my area of expertise and job description. I do not have the requested information.

Q. Please list all work orders for maintenance or safety inspections that were performed for pole # 57339N46273 since it was erected. Please provide records, documentation and sources for these events.

A. This is outside my area of expertise and job description. I do not have the requested information.

Q. Please list all work orders for maintenance or safety inspections that were performed for pole # 57327N46297 since it was erected. Please provide records, documentation and sources for these events.

A. This is outside my area of expertise and job description. I do not have the requested information.

Q. Please list all work orders for maintenance or safety inspections that were performed for pole # 57320N46302 since it was erected. Please provide records, documentation and sources for these events.

A. This is outside my area of expertise and job description. I do not have the requested information.

Q. Please list all work orders for maintenance or safety inspections that were performed for pole # 57316N46296 since it was erected. Please provide records, documentation and sources for these events.

A. This is outside my area of expertise and job description. I do not have the requested information.

Q. What documentation would need to be filled out when a new pole is erected?

A. I defer to the right of way department to answer this question. I do not know.

Q. Does PPL require a form, work order, or other documentation to be submitted when a new pole is erected? Please provide a copy of required documentation when erecting a new pole in the city of

Scranton.

- A. Documents are not required to be filed with the city of Scranton, to my knowledge. I defer to the right of way department to fully answer this question as I do not know.

/s/ Tom Kernoschak

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Nieves Abad v.
PPL Electric Utilities Corporation

Docket No. C-2024-3047163

Answers to Written Deposition of Tom Kernoschak

November 6, 2024

DATE OF DEPOSIT

JAN 30 2025

**PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU**

28159777v1

Confidential

Exhibit 16

1 **Q. Can you charge a Tariff to remove/relocate facilities when PPL has no right of way**
2 **documentation?**

3 A Per PPL Electric's Commission approved Tariff Rule 4(I) Relocation of Facilities, the
4 relocation of Company facilities, when done at the request of others, is at the applicant's
5 expense and payment of the Company's estimated cost of the relocation is required in
6 advance of construction. A copy of PPL Electric's Tariff is available online.

7

8 **Q. Can you charge a Tariff to remove/relocate facilities if these facilities are on private**
9 **property without proper documentation??**

10 A. Each individual circumstance is different. However, per the Tariff, it is PPL Electric's
11 policy to charge the customer, yes.

12

13 **Q. Can you charge a Tariff to remove/relocate facilities on private property if you cannot**
14 **prove a legal reason for a pole to be on said property? Explain why or why not.**

15 A. Per the Tariff, it is PPL Electric's policy to charge the customer to relocate facilities at the
16 customer's request.

17

18 **Q. What reason did you have to charge a Tariff to Nieves Abad to relocate facilities on**
19 **said property.**

20 A. Please see prior responses.

21

22 **Q. Are there any exceptions to charge a Tariff to relocate facilities on private property?**

23 A. Please see PPL Electric's Tariff.

1

2 **Q. Is the Tariff you charged related to pole relocation, the charges in quote # 81036584-**
3 **3 for the sum of \$4128.00?**

4 A. Yes, that is the total sum for the relocation project.

5

6 **Q. Are you using billing # 91130032-3 and billing #9113003-33 as a tariff??**

7 A. No. Those invoices were for property damage separate from the relocation request. The
8 amount to relocate facilities was \$4,128.00.

9

10 **Q. How did you come to the total price of \$4128.00 for quote 81036584-3? Please provide**
11 **an explanation of charges.**

12 A. The attached Exhibit 1 Work Order document contains work order information already
13 provided in discovery.

14

15 **Q. Please provide an explanation of charges for quote # 81036584-3 and itemized list for**
16 **each item being charged to the Complainant including direct cost for labor, poles, and**
17 **wires and any other cost charged that added up to the sum of \$4128.00**

18 A. The attached Exhibit 1 Work Order document contains work order information already
19 provided in discovery.

20

21 **Q. What is the PUC Tariff regulation to charge for PPL facility removal relocation in**
22 **the case of Nieves Abad?**

23 A. PPL Electric's Commission approved Tariff Rule 4(I) Relocation of Facilities.

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Q. What is the exact formula you used to calculate the tariff you charged Nieves Abad to relocate Utility poles on his property? Please provide an explanation for each step of this formula and why it was used.

A. The attached Exhibit 1 Work Order document contains work order information already provided in discovery.

Q. Does this mean that the location of utility pole #57320N46302 could be in the wrong place or on the wrong side of the property line in the drawings?

A. Yes, the drawing is not to scale.

Q. Is there a scale drawing for pole design numbers 307480 dated 04/17/23, 309256 dated 06/06/23, and 309256 dated 06/27/23?

A. No.

Q. Why did you use the N.T.S to design drawing?

A. This is standard practice.

Q. When would you use a scaled drawing for a pole design?

A. PPL Electric never uses a drawing to scale with distribution design.

Q. Is it your practice as a PPL employee while making these drawings to use a N.T.S design?

1 A. Yes

2

3 **Q. When designing engineer design numbers 307480, 309256, and 309256, did you make**
4 **the design set and the utility wires between these poles to be a safe distance from the**
5 **residence at 20 Amity court and in compliance with NEC code?**

6 A. Yes.

7

8 **Q. When designing engineer design numbers 307480, 309256, and 309256, did you factor**
9 **in the distance between the utility pole #s 57327N46297 and 57320N46302 and the**
10 **utility wires located from 20 Amity court?**

11 A. Yes

12

13 **Q. Is there a final plan for design numbers 307480, 309256, and 309256?**

14 A. The final plan and any start on construction await customer payment.

15

16 **Q. Is there a stamped engineer drawing for design 307480, 309256, and 309256?**

17 A. No.

18

19 **Q. Are design numbers 307480, 309256, and 309256 the final design for this project?**

20 A. They await customer approval.

21

1 **Q. As an engineer who is the designer of these drawings for fellow technicians to follow,**
2 **is it your responsibility to ensure that utility pole # 57320N46302 is on the correct side**
3 **of the property line?**

4 **A. Yes. However, it is the customer's responsibility to mark property corners.**
5

6 **Q. On drawing numbers 307480, 309256 and 309256 did you place utility pole #**
7 **57320N46302 on the property of Nieves Abad because it is on his property? Please**
8 **provide all records, documents, and sources used to determine where this pole is**
9 **located.**

10 **A. It is the customer's responsibility to mark the property lines and PPL Electric then places**
11 **its facilities accordingly.**
12

13 **Q. When designing drawing numbers design numbers 307480, 309256, and 309256 do**
14 **you use property maps, surveys, deeds and what other methods do you use to gauge**
15 **where a utility pole #57320N46302 should be? Please provide all items used and how**
16 **you used them to determine where this pole should be located.**

17 **A. Please see the prior two responses.**
18

19 **Q. Why did you choose to place utility pole 57320N46302 on the property of Nieves Abad**
20 **on drawing numbers 307480, 309256, and 309256?**

21 **A. Please see the prior responses. The pole itself has been in place since before I started**
22 **working for PPL Electric.**
23

1 Q. Why did you not draw utility pole 57320N46302 on other side of the property line?

2 A. The pole exists on the map from its original placement.

3

4 Q. Why did you not draw utility pole 57320N46302 in the public right of way?

5 A. The pole is placed there because that is its location as originally placed.

6

7 Q. On drawing numbers 307480, 309256, and 309256, if you placed a utility pole on the
8 wrong side of the property line, was it installed there after damage was done to the
9 poles?

10 A. I do not understand the question. The Poles were replaced in their original positions prior
11 to any damage done to them.

12

13 Q. When making a pole design drawing is it the responsibility of the engineer designing
14 the drawing to ensure that the utility pole is located on the correct property?

15 A. Yes, but it is up to the customer to have the property lines clearly defined.

16

17 Q. How did you base where a utility pole is located when you designed drawing
18 numbers 307480, 309256, and 309256?

19 A. Based on conversations had with Mr. Abad about the needs of the relocation project. It
20 was my understanding he did not want them to interfere with his proposed buildings
21 being constructed.

22

- 1 **Q. What measurements did you use while placing each utility pole on drawing numbers**
2 **307480, 309256, and 309256?**
- 3 **A. The measurements are on the drawings provided. Final locations and property liens were**
4 **never verified by the customer.**
- 5
- 6 **Q. On drawing numbers 307480, 309256, and 309256, you labeled next to 3 of these**
7 **poles numbers 3485, 3973, and 1797. What are the full pole numbers that these**
8 **numbers represent? Why are they different from utility pole numbers. Please list**
9 **each of the correct PPL Utility pole numbers you were referencing in those**
10 **drawings.**
- 11 **A. That's the last four digits of the pole number, i.e. 57334N46285 = 34/85.**
- 12
- 13 **Q. In the answers to the written deposition of Tom Kernoschak Set II, Question 2, you**
14 **gave an "approximate distance of 10 feet from the upper porch". How did you**
15 **determine this distance? Please provide all plans, drawings, measurements, notes,**
16 **records, documents, or other sources used to determine this distance.**
- 17 **A. This was an estimated distance.**
- 18
- 19 **Q. In the answers to the written deposition of Tom Kernoschak Set II, Question 7, you**
20 **gave "an approximate distance of 12 feet." How did you determine this distance?**
21 **Please provide all plans, drawings, measurements, notes, records, documents, or**
22 **other sources used to determine this distance.**
- 23 **A. This was an estimated distance.**

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Q. In the answers to the written deposition of Tom Kernoschak Set II, Question 8, you gave “an approximate distance of 8 feet.” How did you determine this distance? Please provide all plans, drawings, measurements, notes, records, documents, or other sources used to determine this distance.

A. This was an estimated distance.

Q. In the answers to the written deposition of Tom Kernoschak Set II, Question 6, you answered “the utility pole # 57327N46297 meets all NEC clearances”. What is the NEC clearance for a utility pole distance from a residential structure? Please list the exact code this falls under.

A. The NEC code is readily available online.

Q. In the answers to the written deposition of Tom Kernoschak Set II, Questions 2, 7, and 8 you answered with an approximate distance. What documentary evidence do you have of these distances? Who recorded these distances? On what date? Is there a scaled or unscaled map showing these distances?

A. There is no evidence. They were estimated distances until the customer could verify the property lines and the propose locations of the buildings.

Q. What is PPL’s policy for maintenance and maintaining maintenance recors for a utility pole after it has been erected? Please provide PPL’s policy on maintaining utility poles and maintenance record requirements for utility poles.

1 A. This is outside my area of expertise and job description. I understand that wood poles are
2 checked for rot and pest infestation, but I cannot confirm the whole policy.

3

4 **Q. What is a schedule for maintenance to take place on utility poles and wires after it**
5 **has been erected? Please provide a year-by-year maintenance schedule for a utility**
6 **pole's life.**

7 A. This is outside my area of expertise and job description. I understand that wood poles are
8 checked for rot and pest infestation, but I cannot confirm the whole policy.

9

10 **Q. What does scheduled maintenance include for a utility pole?**

11 A. This is outside my area of expertise and job description. I understand that wood poles are
12 checked for rot and pest infestation, but I cannot confirm the whole policy.

13

14 **Q. Is there a form that is required to be filled out by PPL for a scheduled maintenance**
15 **performed on a utility pole? Please provide a copy of that form.**

16 A. I don't know.

17

18 **Q. Since the 1970's, when pole # 57334N42685 was erected, how many times was this**
19 **pole maintained? Please provide records, documentation and sources.**

20 A. Please see prior responses to questions of pole maintenance.

21

22 **Q. Since the 1970's, when pole # 57339N46273 was erected, how many times was this**
23 **pole maintained? Please provide records, documentation and sources.**

1 A. Please see prior responses to questions of pole maintenance.

2

3 **Q. Since the 1970's, when pole # 57327N46297 was erected, how many times was this**
4 **pole maintained? Please provide records, documentation and sources.**

5 A. Please see prior responses to questions of pole maintenance.

6

7 **Q. Since the 1970's, when pole # 57320N46302 was erected, how many times was this**
8 **pole maintained? Please provide records, documentation and sources.**

9 A. Please see prior responses to questions of pole maintenance.

10

11 **Q. Since the 1970's, when pole # 57316N46296 was erected, how many times was this**
12 **pole maintained? Please provide records, documentation, and sources.**

13 A. Please see prior responses to questions of pole maintenance.

14

15 **Q. Has maintenance ever been done to utility pole # 57334N42685? Please provide**
16 **records, documentation, and sources.**

17 A. Please see prior responses to questions of pole maintenance.

18

19 **Q. Has maintenance ever been done to utility pole # 57339N46273? Please provide**
20 **records, documentation, and sources.**

21 A. Please see prior responses to questions of pole maintenance.

22

23 **Q. Has maintenance ever been done to utility pole # 57327N4629? Please provide**

- 1 **records, documentation, and sources.**
- 2 A. Please see prior responses to questions of pole maintenance.
- 3
- 4 **Q. Has maintenance ever been done to utility pole # 57320N46302? Please provide**
- 5 **records, documentation, and sources.**
- 6 A. Please see prior responses to questions of pole maintenance.
- 7
- 8 **Q. Has maintenance ever been done to utility pole # 57316N46296? Please provide**
- 9 **records, documentation, and sources.**
- 10 A. Please see prior responses to questions of pole maintenance.
- 11
- 12 **Q. Does an annual inspection or any other inspection need to be performed to a utility**
- 13 **pole or wires as part of PPL Policy after the poles and wires are erected? Please**
- 14 **provide documentation, and sources.**
- 15 A. Please see prior responses to questions of pole maintenance.
- 16
- 17 **Q. After a storm or severe inclement weather was any inspection made by PPL of pole**
- 18 **# 57334N42685 since it has been erected? Please provide dates, times, work orders**
- 19 **or documentation of the events or any other inspections and the results.**
- 20 A. Please see prior responses to questions of pole maintenance.
- 21

1 **Q. After a storm or severe inclement weather was any inspection made by PPL of pole**
2 **# 57339N46273 since it has been erected? Please provide dates, times, work orders**
3 **or documentation of the events or any other inspections and the results.**

4 **A. Please see prior responses to questions of pole maintenance.**

5

6 **Q. After a storm or severe inclement weather was any inspection made by PPL of pole**
7 **# 57327N46297 since it has been erected? Please provide dates, times, work orders**
8 **or documentation of the events or any other inspections and the results.**

9 **A. Please see prior responses to questions of pole maintenance.**

10

11 **Q. After a storm or severe inclement weather was any inspection made by PPL of pole**
12 **# 57320N46302 since it has been erected? Please provide dates, times, work orders**
13 **or documentation of the events or any other inspections and the results.**

14 **A. Please see prior responses to questions of pole maintenance.**

15

16 **Q. After a storm or severe inclement weather was any inspection made by PPL of pole**
17 **# 57316N46296 since it has been erected? Please provide dates, times, work orders**
18 **or documentation of the events or any other inspections and the results.**

19 **A. Please see prior responses to questions of pole maintenance.**

20

21 **Q. After a storm or severe inclement weather is it PPL policy to do an inspection on**
22 **utility poles and wires? Please provide documentation and sources.**

23 **A. Please see prior responses to questions of pole maintenance.**

1 Q. Please list all inspection reports for pole #57334N42685 since it was erected. Please
2 list all records, documentation and sources.

3 A. Please see prior responses to questions of pole maintenance.
4

5 Q. Please list all inspection reports for pole #57339N46273 since it was erected. Please
6 list all records, documentation and sources.

7 A. Please see prior responses to questions of pole maintenance.
8

9 Q. Please list all inspection reports for pole #57327N46297 since it was erected. Please
10 list all records, documentation and sources.

11 A. Please see prior responses to questions of pole maintenance.
12

13 Q. Please list all inspection reports for pole #57320N46302 since it was erected. Please
14 list all records, documentation and sources.

15 A. Please see prior responses to questions of pole maintenance.
16

17 Q. Please list all inspection reports for pole #57316N46296 since it was erected. Please
18 list all records, documentation and sources.

19 A. Please see prior responses to questions of pole maintenance.
20

21 Q. Has an inspection for pole #57334N42685 ever been done? Please list all records,
22 documentation and sources.

23 A. Please see prior responses to questions of pole maintenance.

1 Q. **Has an inspection for pole #57339N46273 ever been done? Please list all records,**
2 **documentation and sources.**

3 A. Please see prior responses to questions of pole maintenance.
4

5 Q. **Has an inspection for pole #57327N46297 ever been done? Please list all records,**
6 **documentation and sources.**

7 A. Please see prior responses to questions of pole maintenance.
8

9 Q. **Has an inspection for pole #57320N46302 ever been done? Please list all records,**
10 **documentation and sources.**

11 A. Please see prior responses to questions of pole maintenance.
12

13 Q. **Has an inspection for pole #57316N46296 ever been done? Please list all records,**
14 **documentation and sources.**

15 A. Please see prior responses to questions of pole maintenance.
16

17 Q. **Is there a form required to be filled out by PPL when a safety inspection is**
18 **performed on utility poles or wires. Please provide the form, documentation and**
19 **sources.**

20 A. Please see prior responses to questions of pole maintenance.
21

22 Q. **Is a work order needed to be submitted for a safety inspection to be done to a utility**
23 **pole or wires. Please provide documentation and sources.**

- 1 A. Please see prior responses to questions of pole maintenance.
2
- 3 **Q. Is a work order needed to be submitted for maintenance done to a utility pole or**
4 **wires. Please provide documentation and sources.**
- 5 A. Please see prior responses to questions of pole maintenance.
6
- 7 **Q. Please list all work orders for maintenance or safety inspections that were**
8 **performed for pole # 5733N42685 since it was erected. Please provide records,**
9 **documentation and sources for these events.**
- 10 A. Please see prior responses to questions of pole maintenance.
11
- 12 **Q. Please list all work orders for maintenance or safety inspections that were**
13 **performed for pole # 57339N46273 since it was erected. Please provide records,**
14 **documentation and sources for these events.**
- 15 A. Please see prior responses to questions of pole maintenance.
16
- 17 **Q. Please list all work orders for maintenance or safety inspections that were**
18 **performed for pole # 57327N46297 since it was erected. Please provide records,**
19 **documentation and sources for these events.**
- 20 A. Please see prior responses to questions of pole maintenance.
21

1 **Q. Please list all work orders for maintenance or safety inspections that were**
2 **performed for pole # 57320N46302 since it was erected. Please provide records,**
3 **documentation and sources for these events.**

4 A. Please see prior responses to questions of pole maintenance.

5

6 **Q. Please list all work orders for maintenance or safety inspections that were**
7 **performed for pole # 57316N46296 since it was erected. Please provide records,**
8 **documentation and sources for these events.**

9 A. Please see prior responses to questions of pole maintenance.

10

11 **Q. What documentation would need to be filled out when a new pole is erected?**

12 A. I defer to the right of way department to answer this question.

13

14 **Q. Does PPL require a form, work order, or other documentation to be submitted**
15 **when a new pole is erected? Please provide a copy of required documentation when**
16 **erecting a new pole in the city of Scranton.**

17 A. Documents are not required to be filed with the city of Scranton, to my knowledge. I
18 defer to the right of way department to fully answer this question.

19

20

21

22

23

/s/ Tom Kernoschak

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Nieves Abad v.
PPL Electric Utilities Corporation

Docket No. C-2024-3047163

Answers to Written Deposition of Tom Kernoschak

January 16, 2025

DATE OF DEPOSIT

JAN 30 2025

**PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU**

Exhibit 17

1 **Q. In prior questions in the deposition of Tom Kernoschak Set I,II, III, It was asked for**
2 **information about pole 57316N46296. Utility pole # 57317N46297 does not exist on**
3 **the property of Nieves Abad located at 837 Rear Capouse Ave, Scranton PA 18509.**
4 **This pole is not a part of this complaint. Did you provided information for pole #**
5 **57317N46297 does not instead of pole # 57316N46296?**

6 **A. Please provide an explanation for or the reasoning of why you provided incorrect**
7 **information for a pole that does not exist on the property and not a part of this**
8 **Complaint.**

9 A. At some point, the grid was changed. That being said, when there's a pole located in a
10 unique position that is ultimately relocated within the Company's database the Company
11 must renumber the pole, although the pole in question remains the same. The information
12 provided was not incorrect, rather, just reflects an updated pole number based on the
13 database changes made at some point in the past.

14 **B. Please provide the information asked for in questions regarding pole #**
15 **57316N46296.**

16 A The grid was changed at some point, and it affected this pole numbering within the
17 Company's database. The pole(s) are the same. When the grid changed, the coordinates of
18 this pole changed from 16/96 to 17/97. In other words, the x and y coordinates were
19 changed by one digit, but remain on your property. When that happens, a new number is
20 assigned.

21
22 **Q. Why is pole # 57317N46297 on the property of Nieves Abad, on the map provided by**
23 **PPL in exhibits 1 & 2, if that pole does not exist on the property of Nieves Abad?**

1 A. It does exist. As explained in the prior question, the x and y coordinate were changed at
2 some point.

3

4 **Q. As an employee of PPL is it your job to correct a utility pole number in the system if**
5 **it is incorrect? If yes please state if this correction will be made for utility pole**
6 **#57317N46297. If not, please list how this correction should be made.**

7 A. Yes. The pole number can be changed, if requested, within the Company's database.

8

9 **Q. What steps do you take if an incorrect pole number has been found in records or**
10 **maps of PPL by you?**

11 A. It is corrected.

12

13 **Q. Have you physically viewed pole # 57316N46296 in the claim of Nieves Abad? If so,**
14 **please provide a detailed report of the findings on this pole. If not please explain why**
15 **you did not physically view this pole.**

16 **A. Please provide a description of this pole?**

17 **B. What condition is this pole in?**

18 **C. Did you view the pole number plate on this pole?**

19 **D. Did you take any pictures of this pole?**

20 **E. Do you have any notes or other documents on this pole?**

21 A. I have seen this pole. It is made of wood and in fair condition. I do not recall viewing the
22 pole number plate on this pole. I did not take any pictures. I do not have any other
23 documents not already provided in discovery.

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Q. Have you physically viewed pole # 57334N42685 in the claim of Nieves Abad? If so, provide a detailed report of the findings on this pole. If not please explain why you did not physically view this pole.

- A. Please provide a description of this pole?**
- B. What condition is this pole in?**
- C. Did you view the pole number plate on this pole?**
- D. Did you take any pictures of this pole?**
- E. Do you have any notes or other documents on this pole?**

A. I have seen this pole. It is made of wood and in fair condition. I do recall seeing the number plate. I did not take any pictures. I do not have any other documents not already provided in discovery.

Q. Have you physically viewed pole # 57320N46302 in the claim of Nieves Abad? If so, provide a detailed report of the findings on this pole. If not please explain why you did not physically view this pole.

- A. Please provide a description of this pole?**
- B. What condition is this pole in?**
- C. Did you view the pole number plate on this pole?**
- D. Did you take any pictures of this pole?**
- E. Do you have any notes or other documents on this pole?**

1 A. I have seen this pole. It is made of wood and in fair condition. I do not recall seeing the
2 number plate. I did not take any pictures. I do not have any other documents not already
3 provided in discovery.

4
5 **Q. Have you physically viewed pole # 57339N46273 in the claim of Nieves Abad? If so,**
6 **provide a detailed report of the findings on this pole. If not please explain why you**
7 **did not physically view this pole.**

8 **A. Please provide a description of this pole?**

9 **B. What condition is this pole in?**

10 **C. Did you view the pole number plate on this pole?**

11 **D. Did you take any pictures of this pole?**

12 **E. Do you have any notes or other documents on this pole?**

13 A. I have seen this pole. It is made of wood and in fair condition. I do recall seeing the number
14 plate. I did not take any pictures. I do not have any other documents not already provided
15 in discovery.

16

17 **Q. Have you physically viewed pole # 57327N46297 in the claim of Nieves Abad? If so,**
18 **provide a detailed report of the findings on this pole. If not please explain why you**
19 **did not physically view this pole.**

20 **A. Please provide a description of this pole?**

21 **B. What condition is this pole in?**

22 **C. Did you view the pole number plate on this pole?**

23 **D. Did you take any pictures of this pole?**

1 **E. Do you have any notes or other documents on this pole?**

2 A. I have seen this pole. It is made of wood and in fair condition. I do recall seeing the number
3 plate. I did not take any pictures. I do not have any other documents not already provided
4 in discovery.

5
6 **Q. Have you physically viewed pole # 57317N46297 in the claim of Nieves Abad? If so,
7 provide a detailed report of the findings on this pole. If not please explain why you
8 did not physically view this pole.**

9 **A. Please provide a description of this pole?**

10 **B. What condition is this pole in?**

11 **C. Did you view the pole number plate on this pole?**

12 **D. Did you take any pictures of this pole?**

13 **E. Do you have any notes or other documents on this pole?**

14 A. I have seen this pole. It is made of wood and in fair condition. The pole was reinforced in
15 2012. I do recall seeing the number plate. I did not take any pictures. I do not have any
16 other documents not already provided in discovery.

17
18 **Q. In your answers to questions in the deposition of Tom Kernoschak set III you
19 answered that pole # 57320N46302 could be on the wrong side of the property line
20 and property markers would need to be set in a scaled drawing that was up to the
21 customer to provide. A survey has been provided, Enclosed in exhibit 3, is an engineer
22 survey scaled with marked corners of 837 Rear Capouse Scranton Pa 18509, the
23 property of Nieves Abad. This survey has a highlighted section where Amity Court**

1 **meets the property of Nieves Abad with marked corners. Based on this Exhibits 1,**
2 **Exhibits 2, and Exhibit 3 does the of pole # 57320N46302 sit in the confines in a public**
3 **right of way or the property of Nieves Abad?**

4 A. The provided survey is a property boundary/topographical survey. The survey does not
5 show the poles on the map.

6
7 **Q. Can you determine where the property line of Nieves Abad meets Amity Court in**
8 **exhibit 3? Please explain why or why not.**

9 A. No. We would need the surveyor to locate the rebar and mark it on the survey.

10
11 **Q. Can you determine where the property line of nieves abad meets the structure of**
12 **Vivian Alvarado in exhibit 3 at 20 Amity Court Scranton PA 18509?**

13 A. The surveyor needs to locate and mark.

14
15 **Q. Can you determine where the property line of Nieves Abad meets the structure of**
16 **Lakeshkumar Patel in exhibit 3 at 20 Amity Court Scranton PA 18509?**

17 A. No. We would need the surveyor needs to locate and mark it on the survey.

18
19 **Q. On this same property line can you locate the 3 property rebar markers and pinned**
20 **corners on the survey in exhibit 3?**

21 A. No. the surveyor need to locate and mark it on the survey.

22
23 **Q. On Work order/design # 12952883/09256 dated 06/06/2023 enclosed in exhibit 2**

1 there is an approximate property line. Next to this property line there is a dot that
2 represents pole # 57320N46302. The dot is placed on the property of Nieves Abad in
3 this drawing. If this dot was to be the exact location of pole# 57320N46302 would pole
4 #57320N46302 be located on the property of Nieves Abad?

5 **A. Can you identify the line that represents the approximate property line in exhibit**
6 **2?**

7 **B. Can you verify the circle that identifies pole # 57320N46302 in exhibit 2?**

8 **C. Can you identify the line that represents Amity court in exhibit 2?**

9 **D. Does that line that represents Amity Court appear to end at the approximate**
10 **property**
11 **line in exhibit 2?**

12 **A.** I can't determine whether or not the pole reflected in the drawing is on your property. The
13 drawing is not to scale so it needs to be confirmed by the survey or by the customer.

14
15 **Q.** In exhibit 1, a pole distribution map provided by PPL , there are several utility poles
16 listed on this map. Each utility pole is represented by a circle. Can you identify what
17 circle represents pole # 57320N46302?

18 **A. Can you identify the lines that represent Amity Court on the map in exhibit 1?**

19 **B. Does the lines that represent Amity Court end before they meet the circle that**
20 **represent pole #57320N46302**

21 **C. If the lines that represent Amity court end before they meets the circle that**
22 **represents pole # 57320N46302, would that place pole # 57320N46302 on the**
23 **property of Nieves Abad?**

1 A. The one closest to it marked # 2. For questions of lines or property boundaries in exhibit
2 1, that drawing is not to scale and the poles should be marked in a complete survey.

3
4 **Q. In the answer to question 26 of the deposition of Tom Kernoschak Set III, you state,**
5 **“The pole exists on the map from its original placement.” Does this map show the**
6 **placement of the utility pole # 57320N46302 to be on the property of Nieves Abad?**

7 A. As stated previously, the poles should be marked by a survey done by the customer.

8
9 **Q. Is the original placement of pole # 57320N46302 placed in the public right of way or**
10 **the property of Nieves Abad when PPL designed the original placement? Please**
11 **answer and explain where PPL wanted this pole placed in the original design.**

12 A. I do not know. As stated previously, the poles should be marked by a survey performed by
13 the customer.

14
15 **Q. In your answers to the deposition of Thomas Kernoschak set III, question 29 you**
16 **stated “you don’t often draw a utility pole on the wrong side of the property line .”**
17 **What makes utility pole # 57320N46302 unique, to where this situation had to place**
18 **pole # 57320N46302 on the property of Nieves Abad?**

19 A. As stated previously, the drawing is not to scale and is not intended to be used to determine
20 property boundaries. Moreover, this pole has been located in its present location for
21 approximately 50-years.

22
23 **Q. In question 32 in the deposition of Thomas kernoschak set III, you state “ The**

1 **measurements are on each drawing referenced in the question.” On the copies on**
2 **drawing numbers 307480 Dated 04/17/2023, 309256 dated 06/06/2023, 309256 Dated**
3 **06/27/23. There is no measurements on the copies that have been provided to me.**
4 **Please provide a copy of these drawings or the drawings you are referring to with**
5 **measurements.**

6 A. Please see the attached document “Attachment 1” for the unofficial distances and
7 measurements.

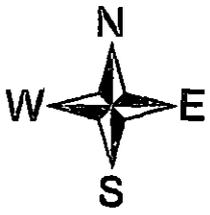
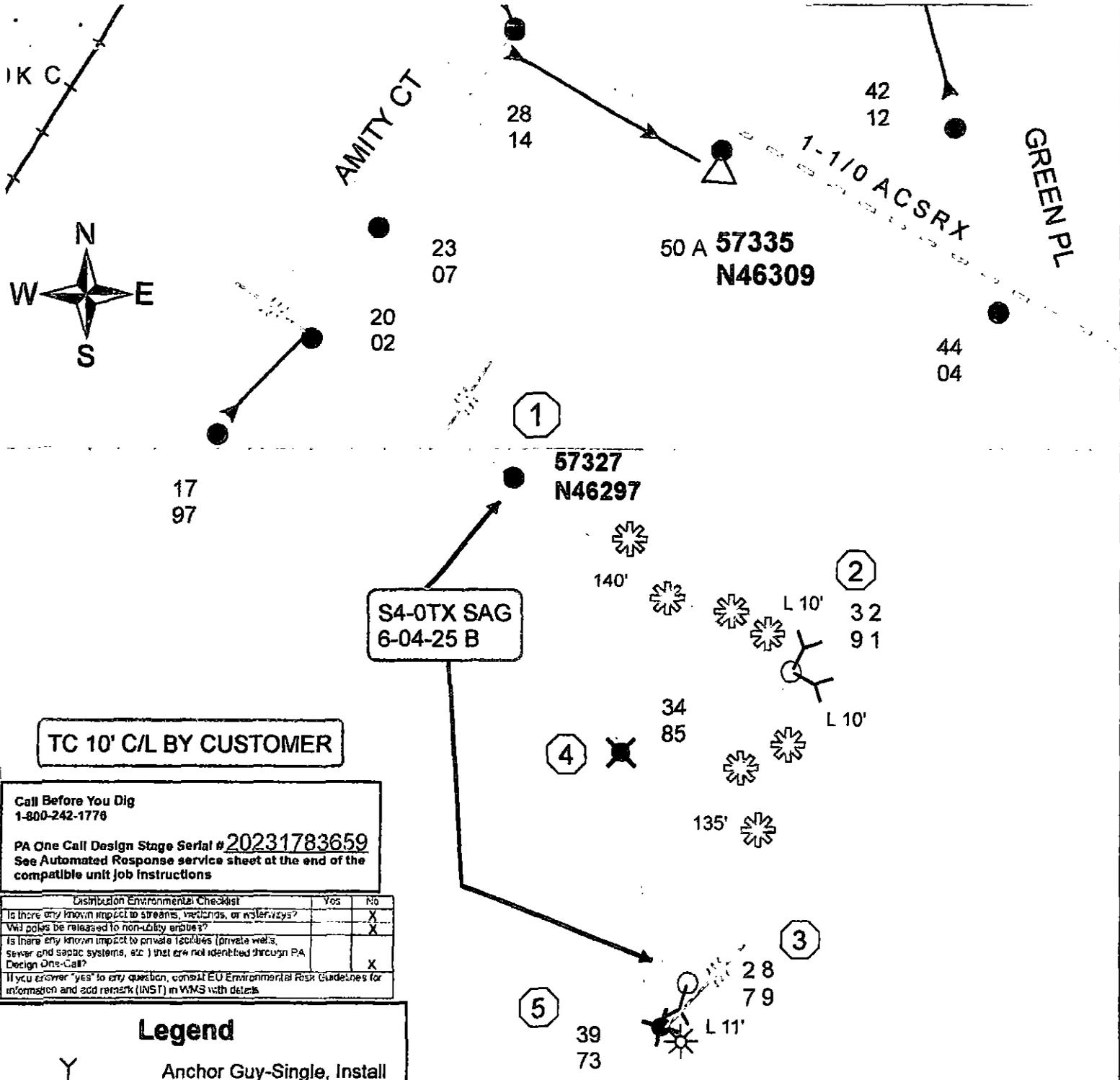
8
9 **Q. Questions 35-37 in the deposition of Thomas Kernoshchak set III, you answered “This**
10 **was an estimated distance.” Who did these estimates? Please list what instruments,**
11 **documents or tools were used to make this estimate.**

12 A. I performed the estimate with a measuring wheel.

13
14 **Q. When a distribution pole is retired, how is that information stored and or how long?**

15 A. I do not know.

16 */s/ Tom Kernoschak*



**S4-0TX SAG
6-04-25 B**

TC 10' C/L BY CUSTOMER

**Call Before You Dig
1-800-242-1776**

PA One Call Design Stage Serial # 20231783659
See Automated Response service sheet at the end of the compatible unit job instructions

Distribution Environmental Checklist	Yes	No
Is there any known impact to streams, wetlands, or waterways?		X
Will poles be released to non-utility entities?		X
Is there any known impact to private facilities (private wells, sewer and septic systems, etc.) that are not identified through PA Design One-Call?		X

If you answer "yes" to any question, consult EU Environmental Risk Guidelines for information and add remark (INST) in WMS with details.

Legend

- Anchor Guy-Single, Install
- Wood Pole, Remove
- Wood Pole, Install
- Wood Pole, Existing
- OH Transformer, Existing
- Streetlight, Existing
- Primary OH, 1, Existing
- Secondary OH, Existing
- Secondary OH, Install
- Secondary OH, Remove
- Service OH, Existing
- Span Guy, Single, Existing

WO/Design: 12952883/309256	PPL Electric Utilities Corporation Allentown, PA
ER: 289122	Scope of Work / Construction Details For: OH 1PH POLE SEC RELOC ABAD AMITY PL, REAR CAPOUSE CITY OF SCRANTON LACKAWANNA COUNTY
SCALE N.T.S.	
REGION: NORTHEAST	
DATE: 6/27/2023	
ENGR: Kernoschak, Thomas M	DWG. NO.: 12952883/309256-C-00

VERIFICATION

I, THOMAS M. KERNOSCHAK, JR. being a Distribution Tech at PPL Electric Utilities 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: 01/16/2025

Thomas M. Kernoschak Jr
Thomas M. Kernoschak Jr (Jan 16, 2025 12:21 EST)

Thomas M. Kernoschak, Jr.

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Nieves Abad v.
PPL Electric Utilities Corporation

Docket No. C-2024-3047163

Answers to Written Deposition of Daniel Walker

September 12, 2024

DATE OF DEPOSIT

JAN 30 2025

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

27956728v1

Confidential

EXHIBIT 18

Q. Please state your name and office address?

A. My name is Daniel Walker, and my office address is 600 Larch Street, Scranton, PA 18509.

Q. Please state your educational background including the schools you have attended, the academic and professional degrees you have received and the dates you received these degrees?

A. Scranton Preparatory Highschool – 1981; St. Joseph’s University – BS in Sociology, 1985; Widener University, Paralegal Training Program – Certificate Granted 1985 (Specializing in Real Estate)

Q. What company do you work for? Please submit your current employee work history at this company?

A. Right of Way Agent, Distribution, Scranton Service Center; Hired January 2014

Q. What is your current position at PPL Electric Utilities Corporation?

A. Right of Way Agent, Distribution

Q. How long have you practiced your profession and how long have you held your current position?

A. 10 Years

Q. State the names of the professional licensing agencies that have issued licenses to you? Include the date of such licenses and whether they are still current. In conjunction with this question, please attach a copy of your licenses.

A. Widener University, Paralegal Training Program – Certificate Granted 1985 (Specializing in Real Estate)

Q. What dates and times did you speak to Nieves Abad about the property at 837 Rear Capouse Ave, Scranton Pa 18509?

A. I cannot recollect any specific dates but the first was likely in April of 2023 shortly after originally receiving the work assignment. I believe Mr. Abad would have been the first person to whom I would have spoken, as a matter of course. I recall having two or three conversations subsequently wherein we discussed the pole locations and PPL's lack of ROW for said poles situate on his property; in these conversations I endeavored to explain to him that PPL had owned and maintained the poles at issue for a period well in excess of 21 years and PPL, therefore, asserted "proscribed" rights for them. I believe I also pointed out that the poles were present and clearly visible when he acquired the property in April of 2023.

Q. What did you discuss about 837 Rear Capouse Ave, Scranton Pa 18509? Please explain in your own words what you recall of the conversations that took place.

A. See Answer above.

- Q. What forms of communication were used to communicate with Nieves Abad for issues regarding 837 Capouse Ave, Scranton Pa 1859? Please submit any communication you have.**
- A. Phone conversations as described above, an email through Adobe Sign requesting Mr. Abad sign ROW for the proposed pole relocation on 8-25-2023; an email on 2-16-2024 attaching two Invoices from PPL for outage responses that occurred because of Mr. Abads tree removal activities on the property at issue. It is my understanding these documents have been provided in answers to previous discovery requests.**
- Q. What information do you have about any right of way issued with pole # 57334 N42685, 57339 N 46273, 57327 N46297, 57320 N46302, 571316 N46296? No information already submitted into discovery.**
- A. All information was provided in answers to previous discovery requests.**
- Q. What dates and times did you discuss a right of way or any other issue regarding pole number 57334 N42685, 57339 N 46273, 57327 N46297, 57320 N46302, 571316 N46296 with Nieves Abad, PPL Electric or any other person. In your own words, what were these discussions about? What did you recall of the conversation?**
- A. See previous responses, including the answer to the question on Page 3 line 7.**
- Q. What dates and times did You and Nieves Abad discuss relocation of pole #'s 57334 N42685, 57339 N 46273, 57327 N46297, 57320 N46302, 571316 N46296. Please list what you recall in each conversation.**

A. See previous responses.

Q. Did you have any conversation with any other PPL Employees, about any issues regarding a right of way agreement or pole relocation? (Please list dates and times, names, the information received or given, or anything else you recall about this complaint.)

A. I recall a discussion with PPL's Design Technician Thomas Kernoschak, after the refusal of ROW from a neighboring property owner regarding the original job design which resulted in a redesign for which ROW has been requested of Mr. Abad. Other than that, I do not specifically recall. Additionally, I've had a number of communications with members of PPL's Office of General Counsel regarding the Abad Complaint.

Q. What was the outcome of any decision made about pole relocation? Who made these decision(s)? List all people who played a role in making this decision?

A. It was decided that Mr. Abad would be asked to make a payment to relocate the Company's facilities. Thomas Kernoschak, PPL Design Technician, consulted with me to make this decision.

Q. Did you agree or disagree with any part of this decision? If so please explain what parts of the decision and why you agreed or disagreed with it.

A. I agreed to follow our Company's Commission approved Tariff and policies on customer's paying to relocate facilities.

Q. Was it part of your job to make the decision of pole relocation at 837 Rear Capouse Scranton Pa 19509?

A. No.

Q. If not, who is responsible for this decision in the local branch? List employee(s) and they're position.

A. The PPL Engineering Departments Design Team makes those decisions. In this case, the job was handled by Thomas Kernoschak, PPL Design Technician.

Q. What is the policy regarding PPL Electric's right of way agreements and/or pole relocation?

A. The Company's commission approved Tariff states that customers are responsible for paying to relocate Company facilities.

Q. What is the protocol you follow when a pole is located on a customer's property without a right of way or no legal right to have a pole on the property and where the property owner wants the pole relocated off that property?

A. I believe I've handled similar situations in the same manner that I've handled in the instant case.

Q. As an employee of PPL Electric, what is the policy of PPL Electric regarding right away and pole relocation on private property?

A. In my experience, if a customer demands the relocation of PPL's existing facilities, they are charged for PPL's costs for same.

Q. What is the protocol you follow when a pole is located on a private property without a right of way?

A. See prior responses.

Q. What protocol do you follow when a property owner wants a pole relocated on the property that does not have a legal right of way?

A. See prior responses.

Q. Were these protocols followed for the situation with not right of way at 837 Rear Capouse Ave, Scranton Pa 18509?

A. Yes

Signed: /s/ Daniel Walker

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**Nieves Abad v.
PPL Electric Utilities Corporation**

Docket No. C-2024-3047163

Answers to Written Deposition of Daniel Walker Set II

October 7, 2024

DATE OF DEPOSIT

JAN 30 2025

**PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU**

Confidential

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Exhibit 19

Q. As per the 21 year "proscribed" right away you described in your answers that PPL has asserted, please provide evidence that pole # 57334N42685 has been at its location for 21 consecutive years from the date Nieves Abad asked you to move these poles.

A. Respondent has no such evidence nor any access thereto other than to state that PPL Data Systems indicate that the poles at issue have been in place since at least 1970..

Q. As per the 21 year "proscribed" right away you described in your answers that PPL has asserted, please provide evidence that pole # 57339N46273 has been at its location for 21 consecutive years from the date Nieves Abad asked you to move these poles.

A. Respondent has no such evidence nor any access thereto other than to state that PPL Data Systems indicate that the poles at issue have been in place since at least 1970..

Q. As per the 21 year "proscribed" right away you described in your answers that PPL has asserted, please provide evidence that pole # 57327N46297 has been at its location for 21 consecutive years from the date Nieves Abad asked you to move these poles.

A. Respondent has no such evidence nor any access thereto other than to state that PPL Data Systems indicate that the poles at issue have been in place since at least 1970..

Q. As per the 21 year "proscribed" right away you described in your answers

that PPL has asserted, please provide evidence that pole # 57316N46296 has been at its location for 21 consecutive years from the date Nieves Abad asked you to move these poles.

A. Respondent has no such evidence nor any access thereto other than to state that PPL Data Systems indicate that the poles at issue have been in place since at least 1970..

Q. As per your answer to question number 9, Deposition Set I, you described PPL owned and maintained pole # 57334N42685 please provide maintenance records for this pole for 21 consecutive years before Nieves Abad asked you to move these poles. Please list records including replacement, repair, movement, inspections or any other information or any other record on this pole.

A. Respondent has no such records nor any access thereto.

Q. As per your answer to question number 9, Deposition Set I, you described PPL owned and maintained pole # 57334N46273 please provide maintenance records for this pole for 21 consecutive years before Nieves Abad asked you to move these poles. Please list records including replacement, repair, movement, inspections or any other information or any other record on this pole.

A. Respondent has no such records nor any access thereto.

Q. As per your answer to question number 9, Deposition Set I, you described PPL owned and maintained pole # 57327N46297 please provide maintenance records

for this pole for 21 consecutive years before Nieves Abad asked you to move these poles.

Please list records including replacement, repair, movement, inspections or any other information or any other record on this pole.

A. Respondent has no such records nor any access thereto.

Q. **As per your answer to question number 9, Deposition Set I, you described PPL owned and maintained pole # 57320N46303 please provide maintenance records for this pole for 21 consecutive years before Nieves Abad asked you to move these poles. Please list records including replacement, repair, movement, inspections or any other information or any other record on this pole.**

A. If Complainant is referring to pole #57320N46302, Respondent has no such records nor any access thereto.

Q. **As per your answer to question number 9, Deposition Set I, you described PPL owned and maintained pole # 57316N46296 please provide maintenance records for this pole for 21 consecutive years before Nieves Abad asked you to move these poles. Please list records including replacement, repair, movement, inspections or any other information or any other record on this pole.**

A. Respondent has no access to the requested information and has no access to such information other than installation dates along with general information provided by PPL Data Bases to which Respondent has access.

Q. Have any of these poles been replaced? Please list pole numbers, dates and poles that were replaced, what was the previous location and the new location of the poles, and any other relevant information regarding the poles in this complaint.

A. Poles 57334N42685 and 57327N46297 were replaced on and about 5-1-2023 as a direct result of damages caused by tree removal activities conducted by, or on behalf of, Nieves Abad. It is Respondent's belief that said poles were "in place" replacements, or, within +/- two feet of their original locations.

Q. Please explain what a 21 year "proscribed" Right of Way is?

A. "Proscribed" was erroneously used by me. The term I should have used is "Prescriptive" meaning, generally, "sanctioned by long standing usage. . ."

/s/ Daniel Walker

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Nieves Abad v.
PPL Electric Utilities Corporation

Docket No. C-2024-3047163

DATE OF DEPOSIT

JAN 30 2025

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Answers to Written Deposition of Daniel Walker

November 12, 2024

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Q. What factual data do you have that pole #57334N42685 has been in place since 1970? Please provide all documentation and sources.

A. Please see the attached records from PPL Electric's database. The actual installation date is May 15, 1998, for this location. It is my belief that all the poles located on or around this property have been in place for much longer. The referenced installation dates sometimes get changed when a particular pole gets replaced due to age, damage, etc.

Q. What factual data do you have that pole #57339N46273 has been in place since 1970? Please provide all documentation and sources.

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A. Please see the attached records from PPL Electric's database. The actual installation date is May 15, 1970, for this location.

Q. What factual data do you have that pole #57327N46297 has been in place since 1970? Please

Exhibit 20

provide all documentation and sources.

- A. Please see the attached records from PPL Electric's database. The actual installation date is January 15, 1933, for this location.

Q. What factual data do you have that pole #57320N46302 has been in place since 1970? Please provide all documentation and sources.

- A. Please see the attached records from PPL Electric's database. The actual installation date is March 15, 1976, for this location.

Q. What factual data do you have that pole #57316N46296 has been in place since 1970? Please provide all documentation and sources.

- A. Of the five poles I believe to be at issue in this matter, the referenced number is not one of them. I believe this is in reference to pole #57317N46297. It has been in place since October 15, 1979. It is my belief that all the poles located on or around this property have been in place for much longer. The referenced installation dates sometimes get changed when a particular pole gets replaced due to age, damage, etc.

Q. What is the exact date, including day, month, and year that pole #57334N42685 was erected?

- A. Please see the attached records from PPL Electric's database. The actual installation date is May 15, 1998, for this location. It is my belief that all the poles located on or around this property have been in place for much longer. The referenced installation dates sometimes get changed when a particular pole gets replaced due to age, damage, etc.

Q. What is the exact date, including day, month, and year that pole # 57339N46273 was erected?

- A. Please see the attached records from PPL Electric's database. The actual installation date is May 15, 1970, for this location. It is my belief that all the poles located on or around this property have been in place for much longer. The referenced installation dates sometimes get changed when a particular pole gets replaced due to age, damage, etc.

Q. What is the exact date, including day, month, and

year that pole # 57327N46297 was erected?

A. Please see the attached records from PPL Electric's database. The actual installation date is January 15, 1933, for this location.

Q. What is the exact date, including day, month, and year that pole # 57320N46302 was erected?

A. Please see the attached records from PPL Electric's database. The actual installation date is May 15, 1976, for this location. It is my belief that all the poles located on or around this property have been in place for much longer. The referenced installation dates sometimes get changed when a particular pole gets replaced due to age, damage, etc.

Q. What is the exact date, including day, month, and year that pole # 57316N46296 was erected?

A. I believe this is in reference to pole #57317N46297. It has been in place since October 15, 1979. It is my belief that all the poles located on or around this property have been in place for much longer. The referenced installation dates sometimes get changed when a particular pole gets replaced due to age, damage, etc.

Q. In your answers you stated, "That PPL data systems indicated that the poles at issue have been in place at 1970.." What exactly does PPL data system record indicate for pole #57334N42685?

A. Please see the attached records from PPL Electric's database. The actual installation date is May 15, 1998, for this location. It is my belief that all the poles located on or around this property have been in place for much longer. The referenced installation dates sometimes get changed when a particular pole gets replaced due to age, damage, etc.

Q. In your answers you stated, "That PPL data systems indicated that the poles at issue have been in place at 1970.." What exactly does PPL data system record indicate for pole # 57339N46273?

A. Please see the attached records from PPL Electric's database. The actual installation date is May 15, 1970, for this location. It is my belief that all the poles located on or around this property have been in place for much longer. The referenced installation dates sometimes get changed when a particular pole gets replaced due to age, damage,

etc.

Q. In your answers you stated, "That PPL data systems indicated that the poles at issue have been in place at 1970.." What exactly does PPL data system record indicate for pole # 57327N46297?

A. Please see the attached records from PPL Electric's database. The actual installation date is January 15, 1933, for this location.

Q. In your answers you stated, "That PPL data systems indicated that the poles at issue have been in place at 1970.." What exactly does PPL data system record indicate for pole # 57320N46302?

A. Please see the attached records from PPL Electric's database. The actual installation date is May 15, 1976, for this location. It is my belief that all the poles located on or around this property have been in place for much longer. The referenced installation dates sometimes get changed when a particular pole gets replaced due to age, damage, etc.

Q. In your answers you stated, "That PPL data systems indicated that the poles at issue have been in place at 1970.." What exactly does PPL data system record indicate for pole # 57316N46296?

A. I believe this is in reference to pole #57317N46297. It has been in place since October 15, 1979. It is my belief that all the poles located on or around this property have been in place for much longer. The referenced installation dates sometimes get changed when a particular pole gets replaced due to age, damage, etc.

Q. How did you come to the conclusion that pole #57334N42685 has been in place for 21 years?

A. Based on the date listed for installation in PPL Electric's database. Please see attached documentation for all information on the poles.

Q. How did you come to the conclusion that pole #57339N46273 has been in place for 21 years?

A. Based on the date listed for installation in PPL Electric's database. Please see attached documentation for all information on the poles.

Q. How did you come to the conclusion that pole #

57327N46297 has been in place for 21 years?

A. Based on the date listed for installation in PPL Electric's database. Please see attached documentation for all information on the poles.

Q. How did you come to the conclusion that pole # 57320N46302 has been in place for 21 years?

A. Based on the date listed for installation in PPL Electric's database. Please see attached documentation for all information on the poles.

Q. How did you come to the conclusion that pole # 57316N46296 has been in place for 21 years?

A. Based on the date listed for installation in PPL Electric's database. Please see attached documentation for all information on the poles.

Q. What is PPL's policy for maintenance and maintaining maintenance records for a utility pole after it has been erected? Please provide PPL's policy on maintaining utility poles and maintenance record requirements for utility poles.

A. This is outside my area of expertise and job description. I do not know.

Q. What is a schedule for maintenance to take place on utility poles and wires after it has been erected? Please provide a year-by-year maintenance schedule for a utility pole's life.

A. This is outside my area of expertise and job description. I do not know.

Q. What does scheduled maintenance include for a utility pole?

A. This is outside my area of expertise and job description. I do not know.

Q. Is there a form that is required to be filled out by PPL for a scheduled maintenance performed on a utility pole? Please provide a copy of that form.

A. This is outside my area of expertise and job description. I do not know.

Q. Since the 1970's, when pole # 57334N42685 was erected, how many times was this pole maintained? Please provide records,

documentation and sources.

A. This is outside my area of expertise and job description. I do not know.

Q. Since the 1970's, when pole # 57339N46273 was erected, how many times was this pole maintained? Please provide records, documentation and sources.

A. This is outside my area of expertise and job description. I do not know.

Q. Since the 1970's, when pole # 57327N46297 was erected, how many times was this pole maintained? Please provide records, documentation and sources.

A. This is outside my area of expertise and job description. I do not know.

Q. Since the 1970's, when pole # 57320N46302 was erected, how many times was this pole maintained? Please provide records, documentation and sources.

A. This is outside my area of expertise and job description. I do not know.

Q. Since the 1970's, when pole # 57316N46296 was erected, how many times was this pole maintained? Please provide records, documentation, and sources.

A. This is outside my area of expertise and job description. I do not know..

Q. Has maintenance ever been done to utility pole # 57334N42685? Please provide records, documentation, and sources.

A. This is outside my area of expertise and job description. I do not know.

Q. Has maintenance ever been done to utility pole # 57339N46273? Please provide records, documentation, and sources.

A. This is outside my area of expertise and job description. I do not know.

Q. Has maintenance ever been done to utility pole # 57327N4629? Please provide

records, documentation, and sources.

A. This is outside my area of expertise and job description. I do not know.

Q. Has maintenance ever been done to utility pole # 57320N46302? Please provide records, documentation, and sources.

A. This is outside my area of expertise and job description. I do not know.

Q. Has maintenance ever been done to utility pole # 57316N46296? Please provide records, documentation, and sources.

A. This is outside my area of expertise and job description. I do not know.

Q. Does an annual inspection or any other inspection need to be performed to a utility pole or wires as part of PPL Policy after the poles and wires are erected? Please provide documentation, and sources.

A. This is outside my area of expertise and job description. I do not know.

Q. After a storm or severe inclement weather was any inspection made by PPL of pole # 57334N42685 since it has been erected? Please provide dates, times, work orders or documentation of the events or any other inspections and the results.

A. This is outside my area of expertise and job description. I do not know.

Q. After a storm or severe inclement weather was any inspection made by PPL of pole # 57339N46273 since it has been erected? Please provide dates, times, work orders or documentation of the events or any other inspections and the results.

A. This is outside my area of expertise and job description. I do not know.

Q. After a storm or severe inclement weather was any inspection made by PPL of pole # 57327N46297 since it has been erected? Please provide dates, times, work orders or documentation of the events or any other inspections and the results.

A. This is outside my area of expertise and job description. I

do not know.

Q. After a storm or severe inclement weather was any inspection made by PPL of pole # 57320N46302 since it has been erected? Please provide dates, times, work orders or documentation of the events or any other inspections and the results.

A. This is outside my area of expertise and job description. I do not know.

Q. After a storm or severe inclement weather was any inspection made by PPL of pole # 57316N46296 since it has been erected? Please provide dates, times, work orders or documentation of the events or any other inspections and the results.

A. This is outside my area of expertise and job description. I do not know.

Q. After a storm or severe inclement weather is it PPL policy to do an inspection on utility poles and wires? Please provide documentation and sources.

A. This is outside my area of expertise and job description. I do not know.

Q. Please list all inspection reports for pole #57334N42685 since it was erected. Please list all records, documentation and sources.

A. This is outside my area of expertise and job description. I do not have the requested information.

Q. Please list all inspection reports for pole #57339N46273 since it was erected. Please list all records, documentation and sources.

A. This is outside my area of expertise and job description. I do not have the requested information.

Q. Please list all inspection reports for pole #57327N46297 since it was erected. Please list all records, documentation and sources.

A. This is outside my area of expertise and job description. I do not have the requested information.

Q. Please list all inspection reports for pole #57320N46302 since it was erected. Please list all records, documentation and sources.

A. This is outside my area of expertise and job description. I

do not have the requested information.

Q. Please list all inspection reports for pole #57316N46296 since it was erected. Please list all records, documentation and sources.

A. This is outside my area of expertise and job description. I do not have the requested information.

Q. Has an inspection for pole #57334N42685 ever been done? Please list all records, documentation and sources.

A. This is outside my area of expertise and job description. I do not have the requested information.

Q. Has an inspection for pole #57339N46273 ever been done? Please list all records, documentation and sources.

A. This is outside my area of expertise and job description. I do not have the requested information.

Q. Has an inspection for pole #57327N46297 ever been done? Please list all records, documentation and sources.

A. This is outside my area of expertise and job description. I do not have the requested information.

Q. Has an inspection for pole #57320N46302 ever been done? Please list all records, documentation and sources.

A. This is outside my area of expertise and job description. I do not have the requested information.

Q. Has an inspection for pole #57316N46296 ever been done? Please list all records, documentation and sources.

A. This is outside my area of expertise and job description. I do not have the requested information.

Q. Is there a form required to be filled out by PPL when a safety inspection is performed on utility poles or wires. Please provide the form, documentation and sources.

A. This is outside my area of expertise and job description. I do not know.

Q. Is a work order needed to be submitted for a safety

inspection to be done to a utility pole or wires. Please provide documentation and sources.

A. This is outside my area of expertise and job description. I do not know.

Q. Is a work order needed to be submitted for maintenance done to a utility pole or wires. Please provide documentation and sources.

A. This is outside my area of expertise and job description. I do not know.

Q. Please list all work orders for maintenance or safety inspections that were performed for pole # 5733N42685 since it was erected. Please provide records, documentation and sources for these events.

A. This is outside my area of expertise and job description. I do not have the requested information.

Q. Please list all work orders for maintenance or safety inspections that were performed for pole # 57339N46273 since it was erected. Please provide records, documentation and sources for these events.

A. This is outside my area of expertise and job description. I do not have the requested information.

Q. Please list all work orders for maintenance or safety inspections that were performed for pole # 57327N46297 since it was erected. Please provide records, documentation and sources for these events.

A. This is outside my area of expertise and job description. I do not have the requested information.

Q. Please list all work orders for maintenance or safety inspections that were performed for pole # 57320N46302 since it was erected. Please provide records, documentation and sources for these events.

A. This is outside my area of expertise and job description. I do not have the requested information.

Q. Please list all work orders for maintenance or safety inspections that were performed for pole # 57316N46296 since it was erected. Please provide records, documentation and sources for these events.

A. This is outside my area of expertise and job description. I do not have the requested information.

Q. What documentation would need to be filled out when a new pole is erected?

A. This is outside my area of expertise and job description. I do not know.

Q. Does PPL require a form, work order, or other documentation or be submitted when a new pole is erected? Please provide a copy of required documentation when erecting a new pole in the city of Scranton.

A. This is outside my area of expertise and job description. I do not have the requested information.

Q. Do you as a PPL right of way agent, make such determinations whether a utility pole is located in a public right of way or on private property?

A. No, I do not make those determinations.

Q. When making a decision that a utility pole is in a public right of way, or on private property, what records, documents, software or any other sources do you use to make these decisions? Please list each item and explain how it helps you make these determinations.

A. I do not make these determinations. The customer is responsible for marking the property lines. If a pole is physically located outside a property line, it may be situated in a public right of way.

Q. Did you use any of these methods of determining whether a pole is in a public right of way or private property, for pole # 57320N46302 located 837 Rear Capouse Ave Scranton PA 18509. Please explain why or why not.

A. It appears to me that the pole is situated within the confines of the public ROW. No official survey has been provided.

Q. As a PPL Right of Way agent, can you tell me is pole # 57320N46302 is located in a public right of way, or is on the property of Nieves Abad located at 837 Rear Capouse Ave, Scranton PA 18509. Please explain why or why not. Please explain how you came to this conclusion.

A. It appears to me that the pole is situated within the confines of the public ROW based on a review of the pole's

physical location.

Q. Please explain how you came to this conclusion that pole # 57320N46302 is or is not on the property of Nieves Abad? List all measurements, documents, records and sources of how you came to this conclusion.

A. Based on a review of the pole's location, I believe the pole to be located in the public ROW.

Q. Is pole #57320N46302 located in a public right of way? Please explain why or why not, and explain how you determined this.

A. Yes. Please see prior responses.

/s/ Daniel Walker

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Nieves Abad v.
PPL Electric Utilities Corporation

Docket No. C-2024-3047163

Answers to Written Deposition of Daniel Walker

November 6, 2024

DATE OF DEPOSIT

JAN 30 2025

**PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU**

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Confidential

Exhibit 21

1 **Q. What factual data do you have that pole #57334N42685 has been in place since 1970?**

2 **Please provide all documentation and sources.**

3 A Please see the attached records from PPL Electric's database. The actual installation date
4 is May 15, 1998, for this location. It is my belief that all the poles located on or around this
5 property have been in place for much longer. The referenced installation dates sometimes
6 get changed when a particular pole gets replaced due to age, damage, etc.

7

8 **Q. What factual data do you have that pole #57339N46273 has been in place since 1970?**

9 **Please provide all documentation and sources.**

10 A. Please see the attached records from PPL Electric's database. The actual installation date
11 is May 15, 1970, for this location.

12

13 **Q. What factual data do you have that pole #57327N46297 has been in place since 1970?**

14 **Please provide all documentation and sources.**

15 A. Please see the attached records from PPL Electric's database. The actual installation date
16 is January 15, 1933, for this location.

17

18 **Q. What factual data do you have that pole #57320N46302 has been in place since 1970?**

19 **Please provide all documentation and sources.**

20 A. Please see the attached records from PPL Electric's database. The actual installation date
21 is March 15, 1976, for this location.

22

1 **Q. What factual data do you have that pole #57316N46296 has been in place since 1970?**
2 **Please provide all documentation and sources.**

3 A. I believe this is in reference to pole #57316N46297. It has been in place since October 15,
4 1979.

5

6 **Q. What is the exact date, including day, month, and year that pole #57334N42685 was**
7 **erected?**

8 A. Please see prior responses and documents provided with these Answers for installation date
9 of poles.

10

11 **Q. In your answers you stated, "That PPL data systems indicated that the poles at issue**
12 **have been in place at 1970.." What exactly does PPL data system record indicate for**
13 **pole #57334N42685?**

14 A. Please see prior responses and documents provided with these Answers for installation date
15 of poles.

16

17 **Q. How did you come to the conclusion that pole #57334N42685 has been in place for 21**
18 **years?**

19 A. Please see attached documentation for all information on the poles.

20

21 **Q. What is PPL's policy for maintenance and maintaining maintenance records for a**
22 **utility pole after it has been erected? Please provide PPL's policy on maintaining**
23 **utility poles and maintenance record requirements for utility poles.**

- 1 A. This is outside my area of expertise and job description.
- 2
- 3 Q. **What is a schedule for maintenance to take place on utility poles and wires after it**
4 **has been erected? Please provide a year-by-year maintenance schedule for a utility**
5 **pole's life.**
- 6 A. I am unable to respond as the question is outside my area of expertise.
- 7
- 8 Q. **What does scheduled maintenance include for a utility pole?**
- 9 A. I am unable to respond as the question is outside my area of expertise.
- 10
- 11 Q. **Is there a form that is required to be filled out by PPL for a scheduled maintenance**
12 **performed on a utility pole? Please provide a copy of that form.**
- 13 A. I am unable to respond as the question is outside my area of expertise.
- 14
- 15 Q. **Since the 1970's, when pole # 57334N42685 was erected, how many times was this**
16 **pole maintained? Please provide records, documentation and sources.**
- 17 A. Please see prior responses to questions of pole maintenance.
- 18
- 19 Q. **Since the 1970's, when pole # 57339N46273 was erected, how many times was this**
20 **pole maintained? Please provide records, documentation and sources.**
- 21 A. Please see prior responses to questions of pole maintenance.
- 22
- 23 Q. **Since the 1970's, when pole # 57327N46297 was erected, how many times was this**

1 **pole maintained? Please provide records, documentation and sources.**

2 A. Please see prior responses to questions of pole maintenance.

3

4 **Q. Since the 1970's, when pole # 57320N46302 was erected, how many times was this**
5 **pole maintained? Please provide records, documentation and sources.**

6 A. Please see prior responses to questions of pole maintenance.

7

8 **Q. Since the 1970's, when pole # 57316N46296 was erected, how many times was this**
9 **pole maintained? Please provide records, documentation, and sources.**

10 A. Please see prior responses to questions of pole maintenance.

11

12 **Q. Has maintenance ever been done to utility pole # 57334N42685? Please provide**
13 **records, documentation, and sources.**

14 A. Please see prior responses to questions of pole maintenance.

15

16 **Q. Has maintenance ever been done to utility pole # 57339N46273? Please provide**
17 **records, documentation, and sources.**

18 A. Please see prior responses to questions of pole maintenance.

19

20 **Q. Has maintenance ever been done to utility pole # 57327N4629? Please provide**
21 **records, documentation, and sources.**

22 A. Please see prior responses to questions of pole maintenance.

23

1 **Q. Has maintenance ever been done to utility pole # 57320N46302? Please provide**
2 **records, documentation, and sources.**

3 A. *Please see prior responses to questions of pole maintenance.*

4

5 **Q. Has maintenance ever been done to utility pole # 57316N46296? Please provide**
6 **records, documentation, and sources.**

7 A. *Please see prior responses to questions of pole maintenance.*

8

9 **Q. Does an annual inspection or any other inspection need to be performed to a utility**
10 **pole or wires as part of PPL Policy after the poles and wires are erected? Please**
11 **provide documentation, and sources.**

12 A. *Please see prior responses to questions of pole maintenance.*

13

14 **Q. After a storm or severe inclement weather was any inspection made by PPL of pole**
15 **# 57334N42685 since it has been erected? Please provide dates, times, work orders**
16 **or documentation of the events or any other inspections and the results.**

17 A. *Please see prior responses to questions of pole maintenance.*

18

19 **Q. After a storm or severe inclement weather was any inspection made by PPL of pole**
20 **# 57339N46273 since it has been erected? Please provide dates, times, work orders**
21 **or documentation of the events or any other inspections and the results.**

22 A. *Please see prior responses to questions of pole maintenance.*

23

1 **Q. After a storm or severe inclement weather was any inspection made by PPL of pole**
2 **# 57327N46297 since it has been erected? Please provide dates, times, work orders**
3 **or documentation of the events or any other inspections and the results.**

4 **A. Please see prior responses to questions of pole maintenance.**
5

6 **Q. After a storm or severe inclement weather was any inspection made by PPL of pole**
7 **# 57320N46302 since it has been erected? Please provide dates, times, work orders**
8 **or documentation of the events or any other inspections and the results.**

9 **A. Please see prior responses to questions of pole maintenance.**
10

11 **Q. After a storm or severe inclement weather was any inspection made by PPL of pole**
12 **# 57316N46296 since it has been erected? Please provide dates, times, work orders**
13 **or documentation of the events or any other inspections and the results.**

14 **A. Please see prior responses to questions of pole maintenance.**
15

16 **Q. After a storm or severe inclement weather is it PPL policy to do an inspection on**
17 **utility poles and wires? Please provide documentation and sources.**

18 **A. Please see prior responses to questions of pole maintenance.**

19 **Q. Please list all inspection reports for pole #57334N42685 since it was erected. Please**
20 **list all records, documentation and sources.**

21 **A. Please see prior responses to questions of pole maintenance.**
22

1 **Q. Please list all inspection reports for pole #57339N46273 since it was erected. Please**
2 **list all records, documentation and sources.**

3 **A. Please see prior responses to questions of pole maintenance.**
4

5 **Q. Please list all inspection reports for pole #57327N46297 since it was erected. Please**
6 **list all records, documentation and sources.**

7 **A. Please see prior responses to questions of pole maintenance.**
8

9 **Q. Please list all inspection reports for pole #57320N46302 since it was erected. Please**
10 **list all records, documentation and sources.**

11 **A. Please see prior responses to questions of pole maintenance.**
12

13 **Q. Please list all inspection reports for pole #57316N46296 since it was erected. Please**
14 **list all records, documentation and sources.**

15 **A. Please see prior responses to questions of pole maintenance.**
16

17 **Q. Has an inspection for pole #57334N42685 ever been done? Please list all records,**
18 **documentation and sources.**

19 **A. Please see prior responses to questions of pole maintenance.**

20 **Q. Has an inspection for pole #57339N46273 ever been done? Please list all records,**
21 **documentation and sources.**

22 **A. Please see prior responses to questions of pole maintenance.**
23

1 **Q. Has an inspection for pole #57327N46297 ever been done? Please list all records,**
2 **documentation and sources.**

3 **A. Please see prior responses to questions of pole maintenance.**
4

5 **Q. Has an inspection for pole #57320N46302 ever been done? Please list all records,**
6 **documentation and sources.**

7 **A. Please see prior responses to questions of pole maintenance.**
8

9 **Q. Has an inspection for pole #57316N46296 ever been done? Please list all records,**
10 **documentation and sources.**

11 **A. Please see prior responses to questions of pole maintenance.**
12

13 **Q. Is there a form required to be filled out by PPL when a safety inspection is**
14 **performed on utility poles or wires. Please provide the form, documentation and**
15 **sources.**

16 **A. Please see prior responses to questions of pole maintenance.**
17

18 **Q. Is a work order needed to be submitted for a safety inspection to be done to a utility**
19 **pole or wires. Please provide documentation and sources.**

20 **A. Please see prior responses to questions of pole maintenance.**
21

22 **Q. Is a work order needed to be submitted for maintenance done to a utility pole or**
23 **wires. Please provide documentation and sources.**

- 1 A. Please see prior responses to questions of pole maintenance.
2
- 3 **Q. Please list all work orders for maintenance or safety inspections that were**
4 **performed for pole # 5733N42685 since it was erected. Please provide records,**
5 **documentation and sources for these events.**
- 6 A. Please see prior responses to questions of pole maintenance.
7
- 8 **Q. Please list all work orders for maintenance or safety inspections that were**
9 **performed for pole # 57339N46273 since it was erected. Please provide records,**
10 **documentation and sources for these events.**
- 11 A. Please see prior responses to questions of pole maintenance.
12
- 13 **Q. Please list all work orders for maintenance or safety inspections that were**
14 **performed for pole # 57327N46297 since it was erected. Please provide records,**
15 **documentation and sources for these events.**
- 16 A. Please see prior responses to questions of pole maintenance.
17
- 18 **Q. Please list all work orders for maintenance or safety inspections that were**
19 **performed for pole # 57320N46302 since it was erected. Please provide records,**
20 **documentation and sources for these events.**
- 21 A. Please see prior responses to questions of pole maintenance.
22

1 **Q. Please list all work orders for maintenance or safety inspections that were**
2 **performed for pole # 57316N46296 since it was erected. Please provide records,**
3 **documentation and sources for these events.**

4 **A. Please see prior responses to questions of pole maintenance.**
5

6 **Q. Do you as a PPL right of way agent, make such determinations whether a utility**
7 **pole is located in a public right of way or on private property?**

8 **A. No, I do not make those determinations.**
9

10 **Q. When making a decision that a utility pole is in a public right of way, or on private**
11 **property, what records, documents, software or any other sources do you use to**
12 **make these decisions? Please list each item and explain how it helps you make these**
13 **determinations.**

14 **A. I do not make these determinations. The customer is responsible for marking the property**
15 **lines.**
16

17 **Q. Did you use any of these methods of determining whether a pole is in a public right**
18 **of way or private property, for pole # 57320N46302 located 837 Rear Capouse Ave**
19 **Scranton PA 18509. Please explain why or why not.**

20 **A. It appears to me that the pole is situated within the confines of the public ROW. No**
21 **official survey has been provided.**
22
23

1

2

3

/s/ Daniel Walker

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Nieves Abad v.
PPL Electric Utilities Corporation

Docket No. C-2024-3047163

Answers to Written Deposition of Daniel Walker

January 16, 2025

DATE OF DEPOSIT

JAN 30 2025

**PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU**

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Exhibit 22

- 1 **Q. Provided in exhibit 4, is a structure report for distribution pole # 57334N42685 .**
2 **A. Please list the reason the location section is left blank?**
3 **B. Please list what install WR #N21103 stands for? Please provide all information**
4 **regarding this #N21103.**
5 **C. Please list why the re-enforcing section of this document is left blank?**
6 **D. Please list why the treatment section is "unknown".?**
7 **E. Please list why pole next inspection day section is left blank?**
8 **F. Please list why pole next painting day section is left blank?**
9 **G. Please list why tower type section is left blank?**
10 **H. Please list why tower volt section is left blank?**
11 **I. Please list why the remark section is left blank?**
12 **J. Please list why the last update operator section is left blank? Please answer and**
13 **list the last date this file was updated and by who.**
14 **K. Can the information in this file be changed at anytime?**
15 **L. What is PPL policy for filling out this document?**
16 **M. Everytime this document is altered, is it PPL Policy to keep a record of each**
17 **change?**
18 **N. Does PPL allow information to be left blank in this document?**

19
20 **A** I am not familiar with all aspects of the structure report. In response to your questions. I do
21 not know why some sections are left blank. I can only view the report and cannot make
22 changes.

- 23
24 **Q. Provided in exhibit 5, is a structure report for distribution pole # 57320N46302.**
25 **A. Please list the reason the location section is left blank?**
26 **B. Please list what install #20010 stands for? Please provide all information**
27 **regarding this #20010.**
28 **C. Please list why the re-enforcing section of this document is left blank?**
29 **D. Please list why the treatment section is "unknown".?**
30 **E. Please list why pole next inspection day section is left blank?**
31 **F. Please list why pole next painting day section is left blank?**
32 **G. Please list why tower type section is left blank?**
33 **H. Please list why tower volt section is left blank?**
34 **I. Please list why the remark section is left blank?**
35 **J. Please list why the last update operator section is left blank? Please answer and**
36 **list the last date this file was updated and by who.**
37 **K. Can the information in this file be changed at anytime?**
38 **L. What is PPL policy for filling out this document?**
39 **M. Everytime this document is altered, is it PPL Policy to keep a record of each**
40 **change?**
41 **N. Does PPL allow information to be left blank in this document?**

1 A I am not familiar with all aspects of the structure report. In response to your questions, I do
2 not know why some sections are left blank. I can only view the report and cannot make
3 changes.

- 4 **Q. Provided in exhibit 6, is a structure report for distribution pole # 57339N46273.**
5 **A. Please list the reason the location section is left blank?**
6 **B. Please list what install WR #01719 stands for? Please provide all information**
7 **regarding this #01719.**
8 **C. Please list why the re-enforcing section of this document is left blank?**
9 **D. Please list why the treatment section is "unknown".?**
10 **E. Please list why pole next inspection day section is left blank?**
11 **F. Please list why pole next painting day section is left blank?**
12 **G. Please list why tower type section is left blank?**
13 **H. Please list why tower volt section is left blank?**
14 **I. Please list why the remark section is left blank?**
15 **J. Please list why the last update operator section is left blank? Please answer and**
16 **list the last date this file was updated and by who.**
17 **K. Can the information in this file be changed at anytime?**
18 **L. What is PPL policy for filling out this document?**
19 **M. Everytime this document is altered, is it PPL Policy to keep a record of each**
20 **change?**
21 **N. Does PPL allow information to be left blank in this document?**

22
23 A I am not familiar with all aspects of the structure report. In response to your questions, I do
24 not know why some sections are left blank. I can only view the report and cannot make
25 changes.

- 26
27 **Q. Provided in exhibit 7, is a structure report for distribution pole # 57327N46297.**
28 **A. Why is this document different and not include all the categories as the previous**
29 **documents?**
30 **B. Please list why the Trans Wr section left blank?**

31 A Exhibit 7 is the same report as the other structure reports. I do not know why some sections
32 are blank.

33 **Q. Provided in exhibit 8, is a structure report for distribution pole # 57317N46297.**

- 1 **A. Please list the reason the location section is left blank?**
2 **B. Please list what install WR #35175 stands for? Please provide all information**
3 **regarding this #3517.**
4 **C. Please list why the re-enforcing section of this document is left blank?**
5 **D. Please list why the treatment section is "unknown".?**
6 **E. Please list why pole next inspection day section is left blank?**
7 **F. Please list why pole next painting day section is left blank?**
8 **G. Please list why tower type section is left blank?**
9 **H. Please list why tower volt section is left blank?**
10 **I. Please list why the remark section is left blank?**
11 **J. Please list what OSMOSE under the last update operator section is left blank?**
12 **Please answer and list the last date this file was updated and by who.**
13 **K. Can the information in this file be changed at anytime?**
14 **L. What is PPL policy for filling out this document?**
15 **M. Everytime this document is altered, is it PPL Policy to keep a record of each**
16 **change?**
17 **N. Does PPL allow information to be left blank in this document?**

18
19 **A.** I am not familiar with all aspects of the structure report. In response to your questions, I do
20 not know why some sections are left blank. I can only view the report and cannot make
21 changes.

22
23 **Q.** **Is there a structure report for distribution pole # 57316N46296? Please provide**
24 **records, documentation and sources. If not, please explain why not.**

25 **A.** No. I understand 16/96 to be pole 17/97.

26
27 **Q.** **In your answers to the Deposition of Daniel Walker Set III, you have responded with**
28 **several exhibits that include a structure report for the pole 57334N42685**

29 **A. Can this information be edited at any time?**

30 **B. Have you ever edited this information? If so please list dates and time.**

31 **C. What was the original date and person who entered this information in?**

32 **D. Please list each date this data was edited and by whom?**

1 **E. Do you know anyone who edited this entry?**

2 **F. Is there any more information about this entry to your knowledge?**

3 A. I can only view the information. I have never edited it or know of anyone who has. I do not
4 know the answers to when this information was inputted.

5
6 **Q. In your answers to the Deposition of Daniel Walker Set III, you have responded with
7 several exhibits that include a structure report for the pole 57320N46302.**

8 **A. Can this information be edited at any time?**

9 **B. Have you ever edited this information? If so please list dates and time.**

10 **C. What was the original date and person who entered this information in?**

11 **D. Please list each date this data was edited and by whom?**

12 **E. Do you know anyone who edited this entry?**

13 **F. Is there any more information about this entry to your knowledge?**

14 A. I can only view the information. I have never edited it or know of anyone who has. I do not
15 know the answers to when this information was inputted.

16
17 **Q. In your answers to the Deposition of Daniel Walker Set III, you have responded with
18 several exhibits that include a structure report for the pole 57339N46273.**

19 **A. Can this information be edited at any time?**

20 **B. Have you ever edited this information? If so please list dates and time.**

21 **C. What was the original date and person who entered this information in?**

22 **D. Please list each date this data was edited and by whom?**

23 **E. Do you know anyone who edited this entry?**

- 1 **F. Is there any more information about this entry to your knowledge?**
- 2 A. I can only view the information. I have never edited it or know of anyone who has. I do not
- 3 know the answers to when this information was inputted.
- 4
- 5 **Q. In your answers to the Deposition of Daniel Walker Set III, you have responded with**
- 6 **several exhibits that include a structure report for the pole 57327N46297.**
- 7 **A. Can this information be edited at any time?**
- 8 **B. Have you ever edited this information? If so please list dates and time.**
- 9 **C. What was the original date and person who entered this information in?**
- 10 **D. Please list each date this data was edited and by whom?**
- 11 **E. Do you know anyone who edited this entry?**
- 12 **F. Is there any more information about this entry to your knowledge?**
- 13 A. I can only view the information. I have never edited it or know of anyone who has. I do not
- 14 know the answers to when this information was inputted.
- 15
- 16 **Q. In your answers to the Deposition of Daniel Walker Set III, you have responded with**
- 17 **several exhibits that include a structure report for the pole 57317N46297.**
- 18 **A. Can this information be edited at any time?**
- 19 **B. Have you ever edited this information? If so please list dates and time.**
- 20 **C. What was the original date and person who entered this information in?**
- 21 **D. Please list each date this data was edited and by whom?**
- 22 **E. Do you know anyone who edited this entry?**
- 23 **F. Is there any more information about this entry to your knowledge?**

1 A. I can only view the information. I have never edited it or know of anyone who has. I do not
2 know the answers to when this information was inputted.

3
4 **Q. In questions 5, 10 and 15 in the Deposition of Daniel Walker Set III, It was asked for**
5 **information about pole 57316N46296. You provided information for pole #**
6 **57317N46297. This pole does not exist on the property of Nieves Abad located at 837**
7 **Rear Capouse Ave, Scranton PA 18509. This pole is not a part of this complaint.**

8 **A. Please provide an explanation for or the reasoning of why you provided incorrect**
9 **information for a pole that does not exist on the property and not a part of this**
10 **complaint.**

11 **B. Please provide the information asked for in questions 5, 10 and 15 regarding pole**
12 **number 57316N46296.**

13 A. The grid was changed at some point, and it affected this pole. The poles are the same. When
14 the grid changed, the coordinates of this pole changed from 16/96 to 17/97. In other words,
15 the x and y coordinate were changed by one digit. The pole may have been moved in the
16 past on the map for clarity. When that happens, a new number is assigned.

17
18 **Q. Have you physically viewed pole # 57316N46296 in the claim of Nieves Abad? If so,**
19 **please provide a detailed report of the findings on this pole. If not please explain why**
20 **you did not physically view this pole.**

21 **A. Please provide a description of this pole?**

22 **B. What condition is this pole in?**

23 **C. Did you view the pole number plate on this pole?**

1 **D. Did you take any pictures of this pole?**

2 **E. Do you have any notes or other documents on this pole?**

3 A. I am unaware of #57316N46296 being associated with the matter at hand. No
4 such number appears to exist as a valid PPL pole number. The 16/96 and 17/97 poles
5 appear to be the same.

6
7 **Q. Have you physically viewed pole # 57334N42685 in the claim of Nieves Abad? If so,
8 provide a detailed report of the findings on this pole. If not please explain why you
9 did not physically view this pole.**

10 **A. Please provide a description of this pole?**

11 **B. What condition is this pole in?**

12 **C. Did you view the pole number plate on this pole?**

13 **D. Did you take any pictures of this pole?**

14 **E. Do you have any notes or other documents on this pole?**

15 A. I have seen this pole. The pole stands in the ground and supports overhead wires. It is made
16 of wood and in fair condition. I do not recall seeing the number plate. I did not take any
17 pictures. I do not have any other documents not already provided in discovery.

18
19 **Q. Have you physically viewed pole # 57320N46302 in the claim of Nieves Abad? If so,
20 provide a detailed report of the findings on this pole. If not please explain why you
21 did not physically view this pole.**

22 **A. Please provide a description of this pole?**

23 **B. What condition is this pole in?**

1 **C. Did you view the pole number plate on this pole?**

2 **D. Did you take any pictures of this pole?**

3 **E. Do you have any notes or other documents on this pole?**

4 A. I have seen this pole. The pole stands in the ground and supports overhead wires. It is made
5 of wood and in fair condition. I do not recall seeing the number plate. I did not take any
6 pictures. I do not have any other documents not already provided in discovery.

7
8 **Q. Have you physically viewed pole # 57339N46273 in the claim of Nieves Abad? If so,
9 provide a detailed report of the findings on this pole. If not please explain why you
10 did not physically view this pole.**

11 **A. Please provide a description of this pole?**

12 **B. What condition is this pole in?**

13 **C. Did you view the pole number plate on this pole?**

14 **D. Did you take any pictures of this pole?**

15 **E. Do you have any notes or other documents on this pole?**

16 A. I have seen this pole. The pole stands in the ground and supports overhead wires. It is made
17 of wood and in fair condition. I do not recall seeing the number plate. I did not take any
18 pictures. I do not have any other documents not already provided in discovery.

19
20 **Q. Have you physically viewed pole # 57327N46297 in the claim of Nieves Abad? If so,
21 provide a detailed report of the findings on this pole. If not please explain why you
22 did not physically view this pole.**

23 **A. Please provide a description of this pole?**

1 **B. What condition is this pole in?**

2 **C. Did you view the pole number plate on this pole?**

3 **D. Did you take any pictures of this pole?**

4 **E. Do you have any notes or other documents on this pole?**

5 A. I have seen this pole. The pole stands in the ground and supports overhead wires. It is made
6 of wood and in fair condition. I do not recall seeing the number plate. I did not take any
7 pictures. I do not have any other documents not already provided in discovery.

8
9 **Q. Have you physically viewed pole # 57317N46297 in the claim of Nieves Abad? If so,
10 provide a detailed report of the findings on this pole. If not please explain why you
11 did not physically view this pole.**

12 **A. Please provide a description of this pole?**

13 **B. What condition is this pole in?**

14 **C. Did you view the pole number plate on this pole?**

15 **D. Did you take any pictures of this pole?**

16 **E. Do you have any notes or other documents on this pole?**

17 A. I have seen this pole. The pole stands in the ground and supports overhead wires. It is made
18 of wood and in fair condition. I do not recall seeing the number plate. I did not take any
19 pictures. I do not have any other documents not already provided in discovery.

20
21 **Q. In prior depositions and in other questions asked throughout this complaint you
22 have also answered incorrectly regarding pole # 57316N46296 with information on**

1 pole #57317N46297 . Please provide the correct information asked for pole #
2 57316N46296.

3 A. I have not been providing incorrect information. No such number appears to exist as a valid
4 PPL pole number. As previously stated, the grid was changed at some point, and it affected
5 this pole. The poles are the same. When the grid changed, the coordinates of this pole
6 changed from 16/96 to 17/97. In other words, the x and y coordinate were changed by one
7 digit. The pole may have been moved in the past on the map for clarity. When that happens,
8 a new number is assigned.

9
10 Q. In your answers to questions 58,59,60 and 61 of the Deposition of Daniel Walker set
11 III you answered that it appears pole # 57320N46302 is situated within the confines
12 of the public right of way. That no official survey has been provided. Enclosed in
13 exhibit 3 is an engineer survey of 837 Rear Capouse Scranton Pa 18509, the
14 property of Nieves Abad. This survey has a highlighted section where Amity Court
15 meets the property of Nieves Abad with marked corners. Based on this survey in
16 exhibit 3, of pole #57320N46302 sit in the confines in a public right of way or the
17 property of Nieves Abad?

18 A. I believe that pole # 57320N46302 is situated within the confines of the public ROW. A
19 professional surveyor would be best to provide a definitive answer.

20
21 Q. Can you determine where the property line of Nieves Abad meets Amity Court in
22 exhibit 3?

23 A. A professional surveyor would be best to provide a definitive answer.

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Q. Can you determine where the property line of Nieves Abad meets the structure of Vivian Alvarado in exhibit 3 at 20 Amity Court Scranton PA 18509?

A. The surveyor needs to locate and mark.

Q. Can you determine where the property line of Nieves Abad meets the structure of Lakeshkumar Patel in exhibit 3 at 20 Amity Court Scranton PA 18509?

A. The surveyor needs to locate and mark.

Q. On this same property line can you locate the 3 property rebar markers and pinned corners on the survey in exhibit 3?

A. The surveyor needs to locate and mark.

Q. On Work order/design # 12952883/09256 dated 06/06/2023 enclosed in exhibit 2 there is an approximate property line. Next to this property line there is a dot that represents pole # 57320N46302. The dot is placed on the property of Nieves Abad in this drawing. Does this dot represent pole# 57320N46302 in exhibit 2?

A. Exhibit 1 or Exhibit 2 are not formal, professional surveys, therefore, any lines depicting "property lines" or symbols representing facilities are an approximation in terms of locational values.

1 Q. In exhibit 1, a pole distribution map provided by PPL there are several poles listed
2 on this pole represented by a circle. Can you identify what circle represents pole #
3 57320N46302?

4 A. Can you identify the lines that represent Amity Court?

5 B. Does the lines that represent Amity Court end before they meet the circle that
6 represents pole # 57320N46302.C. If the lines that represent Amity Court end before
7 they meet the circle, would that place pole # 57320N46302 on the property of Nieves
8 Abad?

9 A. Please see the answer to the previous question. These are not formal surveys.

10

11 Q. When a distribution pole is retired, how is that information stored and or how long?

12 A. I do not know.

13

/s/ Daniel Walker

VERIFICATION

I, DANIEL WALKER, being the Right Of Way Agent at PPL Electric Utilities 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: 01/16/2025

Daniel Walker
Daniel Walker (Jan 16, 2025 11:49 EST)
Daniel Walker

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Nieves Abad v.
PPL Electric Utilities Corporation

Docket No. C-2024-3047163

Answers to Written Deposition of John Rosato

January 16, 2025

DATE OF DEPOSIT

JAN 30 2025

**PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU**

28530401v1

Business Use

Exhibit 23

1 **Q. Please state your name and office address?**

2 A. The deposed individual's name is John Rosato. Mr. Rosato retired effective 1/1/2025. He
3 was assigned to the Scranton Service Center, 600 Larch Street, Scranton, PA 18509. These
4 responses are being provided based on his personnel information retained by PPL.
5

6 **Q. Please state your educational background including the schools you have attended,
7 the academic and professional degrees you have received and the dates you received
8 these degrees?**

9 A. To the best of PPL's knowledge, Mr. Rosato obtained his high school diploma prior to
10 working for the Company.
11

12 **Q. What company do you work for? Please submit your current employee work history
13 at this company?**

14 A. Mr. Rosato began work for PPL on May 6, 1985. He was previously a Troublemaker and
15 was promoted to Journeyman Lineman Leader April 6, 2020.
16

17 **Q. What is your current position at PPL Electric Utilities Corporation?**

18 A. Mr. Rosato has retired from PPL. He was previously a Journeyman Lineman Leader.
19

20 **Q. How long have you practiced your profession and how long have you held your
21 current position?**

22 A. Mr. Rosato worked for PPL from May 6, 1985 through January 1, 2025.

VERIFICATION

I, DANIELLE PEDULLA-HASZ, being the Lead HR Business Partner 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: 01/16/2025

Danielle Pedulla-Hasz
Danielle Pedulla-Hasz (Jan 16, 2025 14:45 EST)
Danielle Pedulla-Hasz

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Nieves Abad v.
PPL Electric Utilities Corporation

Docket No. C-2024-3047163

Answers to Written Deposition of Tim Roberts

January 16, 2025

DATE OF DEPOSIT

JAN 30 2025

**PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU**

28530387v1

Business Use

EXHIBIT 24

1 **Q. Please state your name and office address?**

2 A. My name is Tim Roberts.

3

4 **Q. Please state your educational background including the schools you have attended,**
5 **the academic and professional degrees you have received and the dates you received**
6 **these degrees?**

7 A. High School Diploma, Abington Heights High School, 1999.

8

9 **Q. What company do you work for? Please submit your current employee work history**
10 **at this company?**

11 A. PPL Electric Utilities.

12 Journeyman Lineman (2014-present)

13 Journeyman Lineman Trainee (2011-2014)

14

15 **Q. What is your current position at PPL Electric Utilities Corporation?**

16 A. Journeyman Lineman

17

18 **Q. How long have you practiced your profession and how long have you held your**
19 **current position?**

20 A. I was a lineman (trainee or journeyman) from 2005 through 2008 and again 2011 through
21 present, and I have held my current position for 10 years.

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Nieves Abad v.
PPL Electric Utilities Corporation

Docket No. C-2024-3047163

Answers to Written Deposition of PPL Electric Utilities Corporation

September 12, 2024

DATE OF DEPOSIT

JAN 30 2025

**PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU**

Exhibit 25

- 1 **Q. Please state your name and office address?**
- 2 A. My name is Thomas M Kernoschak Jr
- 3
- 4 **Q. Please state your educational background including the schools you have attended,**
- 5 **the academic and professional degrees you have received and the dates you received**
- 6 **these degrees?**
- 7 A. Carbondale Area High School 1985. Associate degree from Penn State Scranton 1987
- 8
- 9 **Q. What company do you work for? Please submit your current employee work history**
- 10 **at this company?**
- 11 A. PPL Electric Utilities Inc. as a Distribution Technician
- 12
- 13 **Q. What is your current position at PPL Electric Utilities Corporation?**
- 14 A. Distribution Technician
- 15
- 16 **Q. How long have you practiced your profession and how long have you held your**
- 17 **current position?**
- 18 A. 37 years, 35 at PPL
- 19
- 20 **Q. State the names of the professional licensing agencies that have issued licenses to**
- 21 **you? Include the date of such licenses and whether they are still current. In**
- 22 **conjunction with this question, please attach a copy of your licenses.**
- 23 A. None.

1 Q. Work order number 12947575 entry # 248280-002, created 03/30/23 02:38 by data
2 bridge internal use and entry number 249220-eam created 04/03/23 at 11:51 by Data
3 bridge internal user. What conversations took place during these events? Please
4 provide information and explain each.

5 A. These are accounting changes made in the background. I changed this from a removal
6 248280 to a new service overhead 249220 power plan, and it will change the accounting.
7 No conversations happening at 02:38.

8

9 Q. Work order number 12952782, entry number 249220-eam created on 03/30/23 at
10 00:24 by data bridge internal user. What conversations took place during these
11 events? Please include copies of any information and explain each.

12 A. These are accounting changes made in the background. I changed this one from overhead
13 service to temporary service. No conversations happening at 00:24.

14

15 Q. W/O #12952782, entry #460920-ccn created on 04/24/23 at 09:17 by data bridge
16 internal user. What conversation took place during this event? Please include copies
17 of any information and explain each.

18 A. The ER was updated to 460920 temporary service. No conversation.

19

20 Q. W/O 12952883 entry # 289122-Eam created 04/24/23 at 11:17 by data bridge internal
21 user. What conversation took place during this event? Please include copies of any
22 information and explain each.

23 A. These are accounting changes made in the background. I created a relocation order. I
24 explained to the customer that the line could not be removed.

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Q. W/O 12953771 entry 824904-ccn created on 04/27/23 at 03:25 by data bridge internal user. What conversation took place during this event? Please include copies of any information and explain each.

A. This request has no engineering task.

Q. W/O # 13002168, entry #460920-ccn created on 07/19/23 at 03:25 by data bridge internal user. What conversation took place during this event? Please include copies of any information and explain each.

A. This was a duplicate called in for the temporary. It was cancelled. Called customer and told him I cancelled.

Q. What are the exact coordinates of pole # 57317/N46297? Please provide a drawing, phot or any documentation that indicates the exact location of where pole # 57317/N46297 is located on or near 837 Rear Capouse Ave Scranton Pa 18509.

A. We would need to have it surveyed to get the exact location.

Q. On the document that is a Right of Way agreement of Pennsylvania power and light company, m by Real Estate Technology for pole # 57317/N46297, what is the address listed on the document? Please state the exact location of the pole # 57317/N46297 and the address on this document.

A. There is no address listed on the document. A map and drawing are provided in the document dated June 28, 1979.

1 Q. On this Right of Way Document with Real Estate Technology where does it state that
2 the Right of Way is transferable to the new owner of 837 Rear Capouse Ave Scranton
3 Pa 18509. Please explain where and why or why not this is on the document.

4 A. I do not understand the question.

5

6 Q. On this Right of Way agreement with Real Estate Technology where does it state and
7 what does it state about the length of expiration of this Right Of Way at 837 Rear
8 Capouse Ave, Scranton Pa 18509. Please explain where and why or why not this is on
9 the document.

10 A. It does not address expiration.

11

12 Q. Is this Right of Way for pole # 57317/N46297 still applicable under Pennsylvania
13 Law? Answer and please explain why or why not.

14 A. I believe so, yes, to the extent that the pole location still exists and has been continuously
15 maintained by PPL since its installation.

16

17 Q. PPL Electric claimed that pole number 57320N46302 was located in a public right
18 way. Do you have any documentation with the City of Scranton or any other
19 information with this Right of Way to prove this claim? Please provide
20 documentation and or law that gives you the right to claim this pole as a Public Right
21 of Way.

22 A. This location appears to me to be within the public ROW but without a formal survey I
23 could not verify one way or the other.

24

1 **Q. Where is the exact location of the poles? Please provide a drawing, photo or any**
2 **documentation that indicates the exact location of where pole #57334 N 42685, 57339**
3 **N 46273, 57327 N46297, 57320 N46302, 571316 N46296 are located on or near 837**
4 **Rear Capouse Ave Scranton Pa 18509.?**

5 **A. We would need to have it surveyed to get the exact location. However please refer to**
6 **exhibit 1 for a drawing of the relocation work order and pole locations.**

7
8 **Q. Complainant has asked PPL Electric to provide public Right of Way documentation**
9 **for pole # 57320N46302. PPL Electric in RFPDS Abad Set I, Section 6. What**
10 **documents has PPL Electric submitted to Complainant to provide public Right of Way**
11 **for this pole? Please list the document and explain how it proves a public right of way**
12 **is valid for this pole.**

13 **A. I'm unaware of any permitting process that is required when setting poles on any Municipal**
14 **property (Public ROW). To my knowledge, Right of Way is not notified of any facilities**
15 **being placed within the confines of what is deemed to be Public Right of Way unless said**
16 **installation somehow requires private ROW (i.e., additional tree work for reliability**
17 **purposes)**

18
19 **Q. Is pole #57320N46302, on the property of 837 Rear Capouse Ave Scranton Pa 18509?**
20 **Please answer and explain where this pole is located?**

21 **A. Please see the above responses.**

22
23 **Q. For pole # 57320N46302 please explain the Public Right of Way you have?**

24 **A. I do not understand the question.**

Signed: /s/ Tom Kernschak

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Nieves Abad y.
PPL Electric Utilities Corporation

Docket No. C-2024-3047163

Answers to Written Deposition of Kimberly Hanson

September 12, 2024

DATE OF DEPOSIT

JAN 30 2025

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Exhibit 20

Q. Please state your name and office address?

A. My name is Kimberly Hanson. My office is located at 2 City Center, 645 Hamilton St, Allentown PA 18101.

Q. Please state your educational background including the schools you have attended, the academic and professional degrees you have received and the dates you received these degrees?

A. Kutztown University of Pennsylvania, Bachelor of Arts 2012; Lehigh Carbon Community College, Paralegal Certification 2012; DeSales University, Masters of Business Administration, 2019.

Q. What company do you work for? Please submit your current employee work history at this company?

A. I work in the Office of General Counsel for PPL Services. I've held the following positions: Paralegal 2012-2017; Senior Paralegal 2017-2018; Claims Coordinator 2018-2023; Claims Specialist 2023- Present.

Q. What is your current position at PPL Electric Utilities Corporation?

A. I don't work for PPL Electric Utilities Corporation. My current position at PPL Services is Claims Specialist.

Q. How long have you practiced your profession and how long have you held your current position?

A. 12 years, and 2 years.

Q. State the names of the professional licensing agencies that have issued licenses to you? Include the date of such licenses and whether they are still current. In conjunction with this question, please attach a copy of your licenses.

A. None.

Q. What dates and times did you speak to Nieves Abad about the property at 837 Rear Capouse Ave, Scranton Pa 18509?

A. I have never spoken with Mr. Abad.

Q. What did you discuss about 837 Rear Capouse Ave, Scranton Pa 18509? Please explain in your own words what you recall of the conversations that took place.

A. I have never spoken with Mr. Abad.

Q. What forms of communication were used to communicate with Nieves Abad for issues regarding 837 Capouse Ave, Scranton Pa 1859? Please submit any communication you have.

A. I sent him property damage invoices associated with the damage he caused to PPL facilities on 4/13/23 and 5/25/23. These have been provided in response to previous discovery requests.

Q. What information do you have about any right of way issued with pole # 57334 N42685, 57339 N 46273, 57327 N46297, 57320 N46302, 571316 N46296? No information already submitted into discovery.

A. All information was provided in answers to previous discovery requests.

Q. What dates and times did you discuss a right of way or any other issue regarding pole number 57334 N42685, 57339 N 46273, 57327 N46297, 57320 N46302, 571316 N46296 with Nieves Abad, PPL Electric or any other person. In your own words, what were these discussions about? What did you recall of the conversation?

A. I have never spoken with Mr. Abad.

Q. What dates and times did You and Nieves Abad discuss relocation of pole #'s 57334 N42685, 57339 N 46273, 57327 N46297, 57320 N46302, 571316 N46296. Please list what you recall in each conversation.

A. I have never spoken with Mr. Abad.

Q. Did you have any conversation with any other PPL Employees, about any issues regarding a right of way agreement or pole relocation? (Please list dates and times, names, the information received or given, or anything else you recall about this complaint.)

A. I have only been involved in the initiation of damage claims against Mr. Abad for the damage to PPL facilities on the dates noted above. I was not involved in any conversations about pole relocation or right of way.

Q. What was the outcome of any decision made about pole relocation? Who made these decision(s)? List all people who played a role in making this decision?

A. My understanding is that PPL Electric was willing to relocate the poles at the customer's expense, per the process outlined in the PPL Electric's Commission approved Tariff.

Q. Did you agree or disagree with any part of this decision? If so please explain what parts of the decision and why you agreed or disagreed with it.

A. I agree PPL Electric should follow our Company's Commission approved Tariff and policies on customer's paying to relocate facilities.

Q. Was it part of your job to make the decision of pole relocation at 837 Rear Capouse Scranton Pa 19509?

A. No.

Q. If not, who is responsible for this decision in the local branch? List employee(s) and they're position.

A. I would imagine any changes need to be approved by the Design team. I don't know the process.

Q. What is the policy regarding PPL Electric's right of way agreements and/or pole relocation?

A. The Company's commission approved Tariff states that customers are responsible for paying to relocate Company facilities.

Q. What is the protocol you follow when a pole is located on a customer's property without a right of way or no legal right to have a pole on the property and where the property owner wants the pole relocated off that property?

A. I don't know.

Q. As an employee of PPL Electric, what is the policy of PPL Electric regarding right away and pole relocation on private property?

A. I am not an employee of PPL Electric. I don't know.

Q. What is the protocol you follow when a pole is located on a private property without a right of way?

A. I don't know.

Q. What protocol do you follow when a property owner wants a pole relocated on the property that does not have a legal right of way?

A. I don't know.

Q. Were these protocols followed for the situation with not right of way at 837 Rear Capouse Ave, Scranton Pa 18509?

A. I don't know.

Q. PPL Electric Utilities Corporation Response to Request for Production of Documents Nieves Abad Set 1, Page 12 Kimberly Hansen Answer for pole # 57320N46302 was to "see attached." What evidence or documentation did you provide? Please answer and explain each document.

A. A review of right of way and pole information conducted for previous discovery requests uncovered the information provided in RFPD Set 1. In other words, all information PPL Electric has on poles on property, including pole # 57320N46302 has already been provided.

Q. Is there any documentation or/records you have on pole #57320N46302? Please provide all the documentation.

A. Please see the attached "Exhibit 1" included with these answers, which includes a map of the relocation project.

Q. Is pole ##57320N46302 located on the property at 837 Rear Capouse Ave, Scranton Pa 18509? Please answer and list the exact cordance of this pole with any supporting documentation.

A. It is my understanding that it is a close call as to whether the pole is on the property or located in the public right of way for Amity Court, but I don't have any personal knowledge of its location. Members of PPL's Right of Way department may be able to provide more information.

Q. Does PPL Electric have an agreement to place pole #5732ON46302 Where it is located with anyone? Please answer and list dates and times, any paperwork or any type of documentation to do with this pole and the placement to do with this pole and the placement of this pole.

A. I don't know.

Signed: /s/ *Kimberly Hanson*

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Nieves Abad v.
PPL Electric Utilities Corporation

Docket No. C-2024-3047163

Answers to Written Deposition of Shani Hujsa

September 12, 2024

DATE OF DEPOSIT

JAN 30 2025

**PA PUBLIC UTILITY COMMISSION
SECRETARY'S OFFICE**

Exhibit 27

Q. Please state your name and office address?

A. My name is Shani Hujsa. 827 Hausman Road Allentown, PA

Q. Please state your educational background including the schools you have attended, the academic and professional degrees you have received and the dates you received these degrees?

A. High School Diploma

Q. What company do you work for? Please submit your current employee work history at this company?

A. PPL Electric Utilities Corporation currently as a Sr. Clerk.

Q. What is your current position at PPL Electric Utilities Corporation?

A. Sr. Clerk

Q. How long have you practiced your profession and how long have you held your current position?

A. Since 2021

Q. State the names of the professional licensing agencies that have issued licenses to you? Include the date of such licenses and whether they are still current. In conjunction with this question, please attach a copy of your licenses.

A. None

Q. What dates and times did you speak to Nieves Abad about the property at 837 Rear Capouse Ave, Scranton Pa 18509?

A. I never spoke with Nieves Abad.

Q. What did you discuss about 837 Rear Capouse Ave, Scranton Pa 18509? Please explain in your own words what you recall of the conversations that took place.

A. I never spoke with Nieves Abad.

Q. What forms of communication were used to communicate with Nieves Abad for issues regarding 837 Capouse Ave, Scranton Pa 1859? Please submit any communication you have.

A. None, never communicated with Nieves Abad.

Q. What information do you have about any right of way issued with pole # 57334 N42685, 57339 N 46273, 57327 N46297, 57320 N46302, 571316 N46296? No information already submitted into discovery.

A. All information was provided in answers to previous previous discovery requests.

Q. What dates and times did you discuss a right of way or any other issue regarding pole number 57334 N42685, 57339 N 46273, 57327 N46297, 57320 N46302, 571316 N46296 with Nieves Abad, PPL Electric or any other person. In your own words, what were these discussions about? What did you recall of the conversation?

A. I did not discuss anything about right of way or pole #s. My email conversation with Kimberly Hanson, dated 6/14/24 was about the property damage claims packets which includes supporting information from various other sources used to prepare the invoices.

Q. What dates and times did You and Nieves Abad discuss relocation of pole #'s 57334 N42685, 57339 N 46273, 57327 N46297, 57320 N46302, 571316 N46296. Please list what you recall in each conversation.

A. None, never communicated with Nieves Abad.

Q. Did you have any conversation with any other PPL Employees, about any issues regarding a right of way agreement or pole relocation? (Please list dates and times, names, the information received or given, or anything else you recall about this complaint.)

A. No.

Q. What was the outcome of any decision made about pole relocation? Who made these decision(s)? List all people who played a role in making this decision?

A. I am not involved in any part of this process.

Q. Did you agree or disagree with any part of this decision? If so please explain what parts of the decision and why you agreed or disagreed with it.

A. I am not involved in any part of this process.

Q. Was it part of your job to make the decision of pole relocation at 837 Rear Capouse Scranton Pa 19509?

A. No.

Q. If not, who is responsible for this decision in the local branch? List employee(s) and they're position.

A. I don't know.

Q. What is the policy regarding PPL Electric's right of way agreements and/or pole relocation?

A. I don't know.

Q. What is the protocol you follow when a pole is located on a customer's property without a right of way or no legal right to have a pole on the property and where the property owner wants the pole relocated off that property?

A. I am not involved in any part of this process.

Q. As an employee of PPL Electric, what is the policy of PPL Electric regarding right away and pole relocation on private property?

A. I don't know. I am not involved in any part of this process.

Q. What is the protocol you follow when a pole is located on a private property without a right of way?

A. I don't know. I am not involved in any part of this process.

Q. What protocol do you follow when a property owner wants a pole relocated on the property that does not have a legal right of way?

A. I don't know. I am not involved in any part of this process.

Q. Were these protocols followed for the situation with not right of way at 837 Rear Capouse Ave, Scranton Pa 18509?

A. I am not involved in any part of this process.

Q. PPL Electric Utilities Corporation Response to Request for Production of Documents Nieves Abad Set 1, Page 12 Kimberly Hansen Answer for pole # 57320N46302 was to "see attached." What evidence or documentation did you provide? Please answer and explain each document.

A. I don't know.

Q. Is there any documentation or/records you have on pole #57320N46302? Please provide all the documentation.

A. I am not involved in this process.

Q. Is pole ##5732ON46302 located on the property at 837 Rear Capouse Ave, Scranton Pa 18509? Please answer and list the exact cordance of this pole with any supporting documentation.

A. I don't know.

Q. Does PPL Electric have an agreement to place pole #5732ON46302 Where it is located with anyone? Please answer and list dates and times, any paperwork or any type of documentation to do with this pole and the placement to do with this pole and the placement of this pole.

A. I don't know.

Signed: /s/ Shani Hujsa

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Nieves Abad v.
PPL Electric Utilities Corporation

Docket No. C-2024-3047163

Answers to Written Deposition of Bill Farber

January 16, 2025

DATE OF DEPOSIT

JAN 30 2025

**PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU**

Exhibit 28

1 **Q. Please state your name and office address?**

2 A. Bill Farber - 600 Larch Street, Scranton PA 18509

3

4 **Q. Please state your educational background including the schools you have attended,**
5 **the academic and professional degrees you have received and the dates you received**
6 **these degrees?**

7 A. Graduated with BSEE from Wilkes University in 2008.

8

9 **Q. What company do you work for? Please submit your current employee work history**
10 **at this company?**

11 A. PPL Electric Utilities Corporation.

12

13 **Q. What is your current position at PPL Electric Utilities Corporation?**

14 A. Regional Design Supervisor.

15

16 **Q. How long have you practiced your profession and how long have you held your**
17 **current position?**

18 A. 15 years.

19

20 **Q. State the names of the professional licensing agencies that have issued licenses to**
21 **you? Include the date of such licenses and whether they are still current. In**
22 **conjunction with this question, please attach a copy of your licenses.**

23 A. N/A.

24

1 **Q. What dates and times did you speak to Nieves Abad about the property at 837 Rear**
2 **Capouse Ave, Scranton Pa 18509?**

3 A. I have never spoken to Mr. Abad.
4

5 **Q. What did you discuss about 837 Rear Capouse Ave, Scranton Pa 18509? Please**
6 **explain in your own words what you recall of the conversations that took place.**

7 A. I have never spoken to Mr. Abad.
8

9 **Q. What forms of communication were used to communicate with Nieves Abad for issues**
10 **regarding 837 Capouse Ave, Scranton Pa 1859? Please submit any communication**
11 **you have.**

12 A. I have never spoken to Mr. Abad.
13

14 **Q. What information do you have about any right of way issued with pole # 57334**
15 **N42685, 57339 N 46273, 57327 N46297, 57320 N46302, 571316 N46296? No**
16 **information already submitted into discovery.**

17 A. I do not have any additional information that was not provided in answers to previous
18 discovery requests.
19

20 **Q. What dates and times did you discuss a right of way or any other issue regarding pole**
21 **number 57334 N42685, 57339 N 46273, 57327 N46297, 57320 N46302, 571316 N46296**
22 **with Nieves Abad, PPL Electric or any other person. In your own words, what were**
23 **these discussions about? What did you recall of the conversation?**

1 A. I never spoke to Nieves Abad.

2

3 **Q. What dates and times did You and Nieves Abad discuss relocation of pole #'s 57334**
4 **N42685, 57339 N 46273, 57327 N46297, 57320 N46302, 571316 N46296. Please list**
5 **what you recall in each conversation.**

6 A. See previous responses.

7

8 **Q. Did you have any conversation with any other PPL Employees, about any issues**
9 **regarding a right of way agreement or pole relocation? (Please list dates and times,**
10 **names, the information received or given, or anything else you recall about this**
11 **complaint.)**

12 A. N/A.

13

14 **Q. What was the outcome of any decision made about pole relocation? Who made these**
15 **decision(s)? List all people who played a role in making this decision?**

16 A. It was decided that Mr. Abad would be asked to make a payment to relocate the Company's
17 facilities.

18

19 **Q. Did you agree or disagree with any part of this decision? If so please explain what**
20 **parts of the decision and why you agreed or disagreed with it.**

21 A. Agree. We are simply enforcing PPL EU Tariff for a customer-requested relocation.

22

1 **Q. Was it part of your job to make the decision of pole relocation at 837 Rear Capouse**
2 **Scranton Pa 19509?**

3 A. N/A

4

5 **Q. If not, who is responsible for this decision in the local branch? List employee(s) and**
6 **they're position.**

7 A. N/A

8

9 **Q. What is the policy regarding PPL Electric's right of way agreements and/or pole**
10 **relocation?**

11 A. The Company's commission approved Tariff states that customers are responsible for
12 paying to relocate Company facilities.

13

14 **Q. What is the protocol you follow when a pole is located on a customer's property**
15 **without a right of way or no legal right to have a pole on the property and where the**
16 **property owner wants the pole relocated off that property?**

17 A. The company would follow its approved Tariff which states the customer requesting the
18 relocation would need to pay for the relocation.

19

20 **Q. As an employee of PPL Electric, what is the policy of PPL Electric regarding right**
21 **away and pole relocation on private property?**

22 A. In my experience, if a customer demands the relocation of PPL's existing facilities, they
23 are charged for PPL's costs for same.

1

2 **Q. What is the protocol you follow when a pole is located on a private property without**
3 **a right of way?**

4 A. See prior responses.

5

6 **Q. What protocol do you follow when a property owner wants a pole relocated on the**
7 **property that does not have a legal right of way?**

8 A. See prior responses.

9

10 **Q. Were these protocols followed for the situation with not right of way at 837 Rear**
11 **Capouse Ave, Scranton Pa 18509?**

12 A. Yes.

13

14

15

16

17

VERIFICATION

I, WILLIAM F. FARBER III being a Regional Design Supervisor at PPL Electric Utilities 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: 01/16/2025

William Farber
William Farber (Jan 16, 2025 12:50 EST)
William F. Farber III

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

Nieves Abad
(Pro-Se)

Complainant

NOTICE OF MOTION

VS

PPL Electric Utilities Corporation

C-2024-3047163

Respondent

NOTICE OF MOTION

PLEASE TAKE NOTICE that the Motion To Compel Set II 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 30th Day Of January by certified mail.

CC:

Alphonso Arnold III
Administrative Law Judge
Office of Administrative Law Judge
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
Email- alphonarno@pa.gov

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

Peter J Kramer Esquire
Post & Schell
Three Logan Square
1717 Arch Street

Nieves Abad
747 Delaware St
Forest City , PA 18421
Email- Marjua3@aol.com
Phone - 631-575-2348
Dated- January 30, 2025

DATE OF DEPOSIT

JAN 30 2025

**PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU**

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FROM:

Nieves Abad
747 Delaware St

TO:

Rosemary Chiavetta
Secretary of the Commission
400 North St 2nd Floor
P.O. BOX 3265
Harrisburg, PA 17105

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