

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Nieves Abad	:	
	:	
v.	:	C-2024-3047163
	:	
PPL Electric Utilities Corporation	:	

ORDER
GRANTING IN PART AND DENYING IN PART
COMPLAINANT’S MOTION TO COMPEL DISCOVERY SET III

Relevant procedural history

On February 15, 2024, Nieves Abad (“Complainant”) filed a Formal Complaint with the Pennsylvania Public Utility Commission against PPL Electric Utilities Corporation (“PPL”). As I explained in my August 13, 2024, Order Clarifying Scope of Proceeding and Granting in Part and Denying in Part, Complainant’s Motion to Compel, the sole issue presented by the Formal Complaint was whether PPL has provided unreasonable service to Complainant for allegedly failing to relocate certain utility poles on or near his property at his request.

On February 11, 2025, Complainant filed an Amended Complaint in this matter which raised 5 arguments. On February 20, 2025, PPL filed an Answer with New Matter and Preliminary Objections to the Amended Complaint.

On June 27, 2025, the Commission issued my Order granting in part, and denying in part, PPL’s Preliminary Objections (“Order”). In my Order portions of the Amended Complaint were stricken, and I highlighted the three issues to be addressed at a future evidentiary hearing in this matter. Those issues are the following:

- Whether Respondent has complied with the Commission’s regulations and its tariff regarding the relocation of poles located on Complainant’s property (as raised in the Formal Complaint and Amended Complaint Argument #4).
- Whether Respondent’s tree removal activities (vegetation management practices) on Complainant’s property were reasonable and adequate pursuant to the Code and applicable Commission regulations (as raised in Amended Complaint Argument #1 and Argument #2).
- Whether Respondent is responsible or accountable for the April 13, May 25, and June 6, 2023, incidents where utility wires fell onto Complainant’s property, causing power outages (as raised in Amended Complaint Argument #1).

Therefore, through the Amended Complaint, the scope of this proceeding has expanded from one issue to be addressed (pole relocation) to three issues to be addressed (pole relocation, vegetation management, and the three outage incidents).

On February 7, 2025, Complainant filed a document titled “Motion to Compel Discovery Set III” (“Motion”).¹ In his Motion, Complainant seeks to compel answers to written deposition questions directed to several PPL employees.

On February 12, 2025, PPL filed an Answer to the Motion (“Answer”).

Discussion

Pursuant to the Commission’s regulations, a party is entitled to obtain discovery of any matter not privileged that is relevant to the pending proceeding, or any matter that is reasonably calculated to lead to the discovery of admissible evidence. 52 Pa. Code § 5.321(c). As highlighted by the procedural history above, the Motion and Answer were filed prior to my

¹ This document does not appear in the Commission’s docketing system, “Infomap”, at the time this Order is being issued.

Order which clarified the three issues to be addressed at a future evidentiary hearing in this matter. My rulings on what questions PPL will be compelled, or not compelled, to answer will be based on the relevant issues in this proceeding as highlighted by my Order.

The question numbering below is taken from PPL's Answer.

WRITTEN DEPOSITION - KERNOSHAKE SET V

- Question 1 – Denied as unduly burdensome.
- Question 2 – Denied as irrelevant.
- Questions 3 to 19 – Denied as overly broad and unduly burdensome.
- Questions 20 and 21 – Granted.
- Questions 22 and 23 – Denied as irrelevant.
- Questions 24 to 29 – Denied as unduly burdensome.
- Question 30 – Denied as irrelevant.
- Questions 31 to 34 – Denied as unduly burdensome.
- Questions 35 to 50 – Granted.

WRITTEN DEPOSITION – WALKER SET V

- Question 1 – Denied as unduly burdensome.
- Question 2 – Denied as irrelevant.
- Question 3 to 20 – Denied as unduly burdensome.
- Question 21 – Granted.
- Question 22 – Denied as unduly burdensome.
- Question 23 – Denied as irrelevant.
- Question 24 to 31 – Denied as irrelevant.
- Questions 32 to 36 – Denied as unduly burdensome.
- Questions 37 to 43 – Denied as irrelevant.
- Questions 44 to 47 – Denied as unduly burdensome.

- Questions 48 to 52 – Granted.
- Questions 53 to 58 – Denied as unduly burdensome.
- Questions 59 to 60 – Denied as irrelevant.
- Question 61 – Denied as not specific enough.
- Questions 62 to 71 – Granted.

WRITTEN DEPOSITION – ROBERTS SET II

- Questions 1 to 6 – Denied as unduly burdensome.
- Questions 7 to 8 – Granted.
- Questions 9 to 13 – Denied as not specific enough.
- Questions 14 to 19 – Denied as irrelevant.
- Questions 20 to 26 – Denied as unduly burdensome.
- Questions 27 to 34 – Granted.
- Questions 35 to 37 – Denied as irrelevant.
- Questions 38 and 39 – Granted.
- Questions 40 – Denied as unduly burdensome.
- Questions 41 to 53 – Denied as irrelevant.
- Questions 54 and 55 – Granted.
- Question 56 – Denied as irrelevant.
- Questions 57 to 79 – Denied as unduly burdensome.
- Questions 80 to 89 – Granted.
- Question 90 – Denied as unduly burdensome.
- Questions 91 – Granted.
- Question 92 – Denied as irrelevant.
- Questions 93 to 102 – Denied as unduly burdensome.

WRITTEN DEPOSITION – FARBER SET II

- Question 1 – Denied as overly broad.

- Questions 2 to 7 – Granted.
- Questions 8 – Denied as duplicative to Questions 5 to 7.
- Questions 9 to 18 – Denied as unduly burdensome.
- Questions 19 to 36 – Denied as irrelevant.
- Questions 37 to 40 – Granted.
- Question 41 – Denied as duplicative to Question 40.
- Question 42 – Granted.
- Questions 43 – Denied as irrelevant.
- Questions 44 to 56 – Denied as unduly burdensome.
- Questions 57 and 58 – Denied as irrelevant.
- Question 59 – Denied as overly broad.
- Question 60 – Denied as irrelevant.
- Question 61 – Granted.
- Question 62 – Denied as unduly burdensome.

WRITTEN DEPOSITION – ROSATO SET II

- Questions 1 to 102 – Denied. PPL has averred that Mr. Rosato is no longer employed by PPL, effective January 1, 2025. As such, PPL was not the proper party for service of these discovery requests.

C-2024-3047163 NIEVES ABAD V. PPL ELECTRIC UTILITIES CORPORATION
Revised 6/27/2025

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