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File #: 205250

December 3, 2025

***VIA ELECTRONIC FILING***

Matthew L. Homsher, Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street, 2nd Floor North  
P.O. Box 3265  
Harrisburg, PA 17105-3265

**Re: Nieves Abad v. PPL Electric Utilities Corporation**  
**Docket No. C-2024-3047163**

Dear Secretary Homsher:

Attached for filing is the Motion of PPL Electric Utilities Corporation to Reinstate the Protective Order in the above-referenced proceeding. Copies will be provided as indicated on the Certificate of Service.

Respectfully submitted,



Anthony C. DeCusatis

ADC/sa  
Attachment

cc: The Honorable Alphonso Arnold III (*via email; w/attachments*)  
Certificate of Service

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing has been served upon the following persons, in the manner indicated, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

**VIA EMAIL AND FIRST-CLASS MAIL**

Nieves Abad  
747 Delaware Street  
Forest City, PA 18421  
[Martjua3@aol.com](mailto:Martjua3@aol.com)

Dated: December 3, 2025

  
Anthony C. DeCusatis

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Nieves Abad	:	
v.	:	
	:	Docket No. C-2024-3047163
PPL Electric Utilities Corporation	:	
	:	
	:	

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**MOTION TO REINSTATE THE PROTECTIVE ORDER  
ISSUED JULY 23, 2025,  
BY ADMINISTRATIVE LAW JUDGE  
ALPHONSO ARNOLD III**

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**TO ADMINISTRATIVE LAW JUDGE ALPHONSO ARNOLD III:**

**I. INTRODUCTION AND OVERVIEW**

1. On July 23, 2025, Administrative Law Judge Alphonso Arnold III (“ALJ”) issued an *Order Granting Motion for Protective Order* (“Protective Order”) in this case. At page 3 of the Protective Order, the ALJ concluded:

Here, I find that Mr. Abad’s conduct regarding discovery has resulted in unreasonable annoyance, burden, and expense towards PPL, given the sheer number of the discovery requests issued and the fact that a substantial portion of the requests have been irrelevant to the issues present in this proceeding. Further, Mr. Abad frequently serves discovery requests that are duplicative of previous requests that have already been responded to by PPL or that have already been addressed by me in addressing Motions to Compel filed by Mr. Abad. Given the responses previously provided by PPL to Mr. Abad . . . Mr. Abad will be able to utilize the information he has to prosecute his case at a future evidentiary hearing.

2. Based on his findings and conclusions, the ALJ's Protective Order directed, in relevant part, as follows:

That the Complainant is prohibited from serving any additional discovery upon the Company in the form of written interrogatories, requests for production of documents, requests for written depositions, and any other forms of discovery or discovery-related pleadings otherwise covered by the Commission's regulations for the remainder of this proceeding. *See* 52 Pa. Code §§ 5.321 – 5.351.

3. A further Prehearing Conference occurred on November 4, 2025. At the Prehearing Conference, the Complainant, Nieves Abad, represented to the ALJ and counsel for PPL Electric that he “would just like to be able to know what Osmose has.” Transcript (“Tr.”) at 59, lines 7-10.<sup>1</sup> Osmose Utilities Services Company (“Osmose”) is a contractor to PPL Electric Utilities Corporation (“PPL Electric” or the “Company”). At the Prehearing Conference Mr. Abad asserted that Osmose had conducted inspections of PPL Electric's utility poles located on 837 Rear Capouse Avenue, Scranton, Pennsylvania (the “Property”).

4. At the Prehearing Conference, Mr. Abad also represented that he needed the opportunity for additional discovery because the Protective Order was “written” before the ALJ issued his *Order Granting in Part and Denying in Part the Preliminary Objections of PPL Electric Utilities Corporation to the Amended Complaint* (“Order on Preliminary Objections to Amended Complaint”). *See* Tr. at 50, lines 15-19. Complainant's representation was not correct.

5. The ALJ's ruling on PPL Electric's Preliminary Objections was issued on June 27, 2025, and presumably “written” before that date. The Protective Order, however, was issued

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<sup>1</sup> *See* Tr. at 55, lines 14-17: “JUDGE ARNOLD: . . . Mr. Abad, you can choose to subpoena Osmose but we can – before we jump to that, you might be able to get the information that you are seeking here through further discovery upon PPL.” *See also* Tr. at 53, lines 20-24 (Mr. Abad indicated he was seeking inspection reports from Osmose).

on July 23, 2025 – nearly a month after the Order deciding PPL Electric’s Preliminary Objections.

6. Thus, the Protective Order was issued with full knowledge and understanding of the three discrete issues identified at page 14 of the Order on Preliminary Objections to the Amended Complaint, as evidenced by the fact that the Protective Order, at page 3, sets forth those same three issues and, once again, notes that they define the permissible scope of this proceeding.

7. Moreover, the Protective Order reiterated and reinforced the ALJ’s earlier finding that the discovery Mr. Abad had undertaken up to that point was sufficient “to prosecute his case” on the issues that remained in this proceeding based on the ALJ’s rulings on the Company’s Preliminary Objections:

*Therefore, even though the issues in this proceeding were expanded through Mr. Abad’s Amended Complaint, as highlighted in my June 27, 2025, Order Granting in Part, and Denying in Part, the Preliminary Objections of PPL to the Amended Complaint, I find that Mr. Abad has the information necessary to prosecute his case at a future evidentiary hearing. Protective Order, p. 3, fn. 1 (emphasis added).*

8. Notwithstanding the prior Protective Order, the ALJ acquiesced to Mr. Abad’s request for additional discovery based on Complainant’s representations at Prehearing Conference that are summarized above. PPL Electric, and presumably the ALJ as well, anticipated that Mr. Abad’s additional discovery requests would be reasonable in number and scope. That, however, did not turn out to be the case.

9. On Sunday, November 23, 2025, at approximately 11:35 p.m., PPL Electric was served with Complainant’s Set VI Interrogatories. Set VI contains Interrogatory Nos. 1 through 184 and covers 35 pages. Including their multiple subparts, the Set VI Interrogatories total 229

separate questions. (A copy of Complainant's Set VI Interrogatories is attached as **Appendix A** to this Motion.)

10. Complainant's Set VI Interrogatories are in addition to the more than 1,250 discovery requests, many with multiple subparts, covering a total of 387 pages, that were served by Complainant on PPL Electric before the Protective Order was issued.<sup>2</sup>

11. The email accompanying service of Complainant's Set VI Interrogatories indicated Mr. Abad intends to issue additional sets of interrogatories seeking information to be produced by PPL Electric and by PPL Electric's "contractors" and "employees."

12. PPL Electric files this Motion pursuant to 66 Pa.C.S. §333(i) (Protective Orders) and 52 Pa. Code §§5.1(a)(6) (Pleadings allowed), 5.361(a) (Limitation of scope of discovery and deposition) and 5.362(a) (Protective orders).

13. By this Motion, PPL Electric requests that the ALJ reinstate the terms of the Protective Order issued on July 23, 2025, subject to PPL Electric's agreement to produce the inspection and maintenance reports of Osmose for the Company's facilities located on the Property.

14. In an email to the ALJ and the Complainant on November 25, 2025, PPL Electric indicated that it has no objection to producing the Osmose inspection reports for its facilities located on Complainant's Property but will object to other interrogatories in Complainant's Set VI and seek to reinstate the terms of the previously issued Protective Order for the reasons set forth in this Motion. As explained in that email, the Company provided that notice to be as

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<sup>2</sup> The page count for Complainant's discovery requests was obtained from Appendix B to the Company's Motion for Protective Order filed on February 18, 2025 (available on the Commission's website at this docket). Appendix B to the Motion for Protective Order included copies of all the various forms of discovery Complainant had issued up to that time.

transparent as possible about its intentions and the future filings the ALJ and the Complainant should expect to be forthcoming.

## II. BACKGROUND AND PROCEDURAL SUMMARY

15. This proceeding began by Mr. Abad filing a Complaint that was served on PPL Electric on March 7, 2024. The Complaint asked the Commission to award Complainant “damages” because PPL Electric allegedly had not established a right to locate utility poles on his property.

16. PPL Electric filed Preliminary Objections to the Complaint on the grounds that the Commission lacks subject matter jurisdiction to either: (1) adjudicate the scope or validity of an easement or right-of-way agreement; or (2) award “damages” to a litigant.

17. On May 17, 2024, the ALJ issued an Order that: (1) denied PPL Electric’s first Preliminary Objection because evidence of an underlying easement for three of the five poles on Mr. Abad’s property was not present in the factual record; and (2) granted PPL Electric’s second Preliminary Objection because the Commission does not have jurisdiction to award damages to a litigant, which is a matter properly within the jurisdiction of civil courts.

18. On August 13, 2025, in response to Complainant’s Motion to Compel answers to various discovery requests, the ALJ issued his *Order Clarifying Scope of Proceedings and Granting in Part, and Denying in Part, Complainant’s Motion to Compel* (“Order Clarifying Scope”). As its title indicates, the Order established the boundaries of this proceeding by defining the issues that are not within the subject matter jurisdiction of the Commission:

Before I discuss Complainant’s Motion to Compel, I will first clarify the scope of this proceeding. In his Complaint, Complainant asked that five utility poles on his property be moved. The Commission has held that the relocation of utility facilities at a customer’s request falls within the statutory definition of service and that the Public Utility Code defines service in its broadest and most inclusive sense.

*See Barbara Gallagher v. PECO Energy Co.*, Docket No. C-2010-2201568 (Order entered September 22, 2011) at 21. Taking the averments of the Complaint as true, it can be reasonably construed that Complainant asserted an unreasonable service allegation averring that PPL refused to relocate these poles at his request. Thus, in this proceeding, the burden of proof is on Complainant to show that he is entitled to a Commission Order requiring PPL to move or relocate its facilities. All other issues raised in the Complaint are not issues that can be addressed by the Commission in this proceeding and, therefore, are not relevant to this proceeding. As discussed in my Order Granting in Part, and Denying in Part, the Preliminary Objections, and as discussed at the July 18, 2024, prehearing conference, the Commission does not have jurisdiction to address claims for damages. *See, Poorbaugh v. Pa. PUC*, 666 A.2d 744 (Pa. Cmwlth. 1995). Therefore, if Complainant wishes to raise a claim for monetary damages against Respondent he must do so in a different forum. If Complainant wishes to challenge the invoices issued to him by Respondent for damage Complainant allegedly caused to Respondent's facilities, then he must do so in a different forum. Further, any property dispute between Complainant and Respondent must also be resolved in a different forum. *See, Fairview Water Co. v. Pa. PUC*, 502 A.2d 162 (Pa. 1985).

19. In the Order Clarifying Scope (p. 3, n.1), the ALJ also stated that whether the Company has an executed right-of-way agreement or other legally sufficient basis to locate poles on Complainant's property may be considered ancillary to the Commission's jurisdiction to determine whether PPL Electric was unreasonably refusing to relocate its facilities located on Complainant's property. The ALJ, however, found that this is a factual matter for which evidence would need to be adduced at any hearing on Mr. Abad's Complaint.

20. Any issue as to the Company's right to continue to maintain facilities on Complainant's property and the associated issue of whether the Company was unreasonably refusing to relocate its facilities as Complainant requested were rendered moot by PPL Electric's agreement to relocate its facilities off the Complainant's property at its own expense. As counsel for PPL Electric explained at an earlier Prehearing Conference, the Company initially asked the Complainant to pay the charges he was billed for the damage he caused to the Company's

property in lieu of paying the cost of relocating the Company's facilities on his property. However, after Complainant refused to pay those charges, so that further recourse would have to be sought through civil court proceedings, the Company agreed that it would relocate its facilities at its own expense. *See* Tr. at 6.

21. Mr. Abad subsequently filed the Amended Complaint in this docket, which was served on PPL Electric on January 31, 2025.

22. The body of the Amended Complaint is divided into six sections. The first five sections (Amended Complaint ¶¶ 2-11) are introduced by "Arguments" numbered 1-5<sup>3</sup> and consist of the following:

- a. **Argument 1 Vegetation Management** (Paragraphs 2-7) alleges PPL Electric failed to comply with the Pennsylvania Public Utility Code ("Public Utility Code") and the Commission's regulations pertaining to vegetation management on the Property.
- b. **Argument 2 PPL Inspection and Maintenance Standards** (Paragraph 8) alleges that PPL Electric is not complying with electrical and safety standards set forth in 52 Pa. Code Chapter 57 of the Commission's regulations.
- c. **Argument 3 Preservation of Records** (Paragraph 9) alleges that PPL Electric has not complied with record retention requirements of the National Association of Regulatory Utility Commissions ("NARUC") that are incorporated in 52 Pa. Code § 57.28.
- d. **Argument 4 Tariff** (Paragraph 10) alleges that PPL Electric has not complied with 52 Pa. Code § 57.27(a), (b) and (c) (Pole Removal or Relocation Expense) or Tariff Rule 4.I (2) (Relocation of Facilities).
- e. **Argument 5 New Poles** (Paragraph 11) alleges that PPL Electric is violating applicable service standards in the Public Utility Code and the Commission's regulations by permitting telecommunication providers to access its poles and further avers the Company should deny access to telecommunication providers for attachments on its poles located on public rights of way.

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<sup>3</sup> The sixth section (Amended Complaint ¶ 12) sets forth the relief Complainant requests.

23. On February 20, 2025, PPL Electric filed five Preliminary Objections to the Amended Complaint on the following grounds:

- a. **PRELIMINARY OBJECTION NO. 1:** The Complainant did not comply with the minimum requirements for an amended complaint. (Preliminary Objections ¶¶ 18-23.)
- b. **PRELIMINARY OBJECTION NO. 2:** The Amended Complaint does not provide a reasonable or adequate description of alleged violations of the Public Utility Code and the Commission’s regulations, as required by 52 Pa. Code §§5.22(a)(5) (contents of formal complaint) and 5.101(a)(3) (preliminary objections) (Preliminary Objections ¶¶ 24-29.)
- c. **PRELIMINARY OBJECTION NO. 3:** The averments of Paragraph No. 11 of the Amended Complaint fail to state a claim for which the Complainant’s requested relief may be granted because PPL Electric cannot lawfully refuse access to “useable space” on its poles to telecommunications providers *See* 52 Pa. Code §5.101(a)(4). (Preliminary Objections ¶¶ 30-37.)
- d. **PRELIMINARY OBJECTION NO. 4:** The Amended Complaint fails to join one or more necessary parties (i.e., telecommunications providers with attachments to PPL Electric’s poles), as required by 52 Pa. Code §5.101(a)(5)). (Preliminary Objections ¶¶ 38-41.)
- e. **PRELIMINARY OBJECTION NO. 5:** The Complainant did not satisfy the requirements for standing of 52 Pa. Code §5.101(a)(7) to pursue various claims in the Amended Complaint, including those related to facilities on public rights of way. (Preliminary Objections ¶¶ 42-60.)

24. On February 28, 2025, Complainant filed an Answer to the Company’s Preliminary Objections.

25. On June 27, 2025, the ALJ issued his Order on Preliminary Objections to Amended Complaint. In that Order, the ALJ:

- a. **Denied** PPL Electric’s Preliminary Objection No. 1, which alleged formal defects in the Amended Complaint. (Order on Preliminary Objections to Amended Complaint, pp. 8-10.)
- b. **Granted** PPL Electric’s Preliminary Objection No. 2, finding that the Amended Complaint “fails to clearly or concisely state any fact or set of facts to support the claim that Respondent failed to keep records in compliance with Section 57.45 of the Commission’s regulations.” (Order on Preliminary Objections to Amended Complaint, pp. 10-11.)
- c. Found it unnecessary to address PPL Electric’s Preliminary Objection No. 3 (failure to state a claim for which relief could be granted) because it was

rendered moot by the ALJ's granting PPL Electric's Preliminary Objection No. 5. (Order on Preliminary Objections to Amended Complaint, p. 11.)

- d. Found it unnecessary to address PPL Electric's Preliminary Objection No. 4 (failure to join a necessary party) because it was rendered moot by reason of the ALJ's granting PPL Electric's Preliminary Objection No. 5. (Order on Preliminary Objections to Amended Complaint, pp. 11-12.)
- f. **Granted** Preliminary Objection No. 5 as it pertains to "Argument No. 5" because Complainant does not have standing to contest PPL Electric's granting access to telecommunications providers to attach their facilities to its utility poles located outside Complainant's property on public rights of way. (Order on Preliminary Objections to Amended Complaint, pp. 12-13.)<sup>4</sup>

26. Based on the foregoing findings, the ALJ's Order on Preliminary Objections to Amended Complaint (p. 14) held as follows:

In conclusion, an evidentiary hearing will be scheduled and held to address the following claims not stricken from the Amended Complaint.

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 12, 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).

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<sup>4</sup> See also Order on Preliminary Objections to Amended Complaint, p. 13 ("Complainant acknowledged that these poles are not on his property").

27. As previously explained, approximately one month after issuing the Order on Preliminary Objections to Amended Complaint, the ALJ granted the Company's Motion for Protective Order. PPL Electric's Motion for Protective Order (¶86 at pp. 12-13) explained that, since this proceeding began, Mr. Abad had served five sets of interrogatories, a request for production of documents, and 21 requests for written depositions that, in total, contained more than 1,250 questions, with many containing multiple subparts.

28. PPL Electric's Motion for Protective Order (¶86 at pp. 12-13) also explained that Complainant filed a Motion for Summary Judgment on September 3, 2024; a Motion to Show Cause on October 7, 2024; and a Motion for Sanctions on January 30, 2025. PPL Electric filed Answers to those Motions, and the ALJ denied all of Complainant's Motions. *See Order Denying Complainant's Motion for Summary Judgment* issued September 24, 2024; *Order Denying Complainant's Motion for Order to Show Cause*, issued October 29, 2024 (finding that this Motion made essentially the same averments as his Motion for Summary Judgment); and *Order Denying Motion for Sanctions* issued February 28, 2025.

29. On February 13, 2025, the Complainant advised counsel for the Company via email that he had also lodged complaints against various of the Company's attorneys with the Pennsylvania Supreme Court's Disciplinary Board. Motion for Protective Order ¶ 66 at p. 8.

30. As previously explained in Paragraph Nos. 1-2, *supra*, the ALJ granted the Company's Motion for Protective Order and issued the Protective Order on June 23, 2025.

31. An evidentiary hearing was scheduled in this case for November 4, 2025. At the parties' request, the ALJ converted the evidentiary hearing to a Prehearing Conference. *See* Hearing Type Change Notice issued October 29, 2025.

32. A further Prehearing Conference was held telephonically on November 4, 2025, at which a litigation schedule was established for the submission of written testimony; a final date of February 17, 2026, was established to conclude all discovery; and 4:30 pm was established as the deadline for serving documents to meet any due date. *See Revised Order Setting Litigation Schedule* issued November 7, 2025.

33. On October 30, 2025, PPL Electric served on Complainant Interrogatories and Requests for Production of Documents – Set I, consisting of 36 discovery requests.

34. On November 10, 2025, Complainant served on counsel for PPL Electric his Objections to all 36 of the Company's discovery requests.

35. On November 19, 2025, the Company filed its Motion to Compel Answers to the Interrogatories and Requests for Production of Documents Propounded by PPL Electric Utilities Corporation to Nieves Abad – Set I.

### III. LEGAL STANDARDS FOR PROTECTIVE ORDERS

36. Section 333(d) of the Public Utility Code, 66 Pa.C.S. §333(d), provides in relevant part as follows:

**Interrogatories.** – Any party to a proceeding may serve written interrogatories upon any other party for purposes of discovering *relevant, unprivileged information*. (Emphasis added.)

37. Section 333(i) of the Public Utility Code, 66 Pa.C.S. §333(i), provides as follows:

**Protective orders.** – The presiding officer shall have the authority, upon motion by a party or by the person from whom discovery is sought, and for good cause shown, to make any order, subject to the rules of the commission, which justice requires to protect the party or person.

38. Section 5.341(a) of the Commission's regulations, 52 Pa. Code §5.341(a), provides in relevant part as follows:

**§ 5.341. Written interrogatories to a party.**

- (a) Subject to the limitations provided by § 5.361 (relating to limitation of scope of discovery and deposition), a party may serve upon another party written interrogatories to be answered by the party served or, if the party served is a public or private corporation, similar entity or a partnership or association, by an officer or agent, who shall furnish the information as is available to the party.

39. Section 5.361(a) of the Commission's regulations, 52 Pa. Code §5.361(a), provides in relevant part as follows:

**§ 5.361. Limitation of scope of discovery and deposition.**

- (a) Discovery or deposition is not permitted which:
- (1) Is sought in bad faith.
  - (2) Would cause unreasonable annoyance, embarrassment, oppression, burden or expense to the deponent, a person or party.
  - (3) Relates to matter which is privileged.
  - (4) Would require the making of an unreasonable investigation by the deponent, a party or witness.

40. Section 5.362(a) of the Commission's regulations, 52 Pa. Code §5.362(a) provides in relevant part as follows:

**§ 5.362. Protective orders.**

- (b) Upon motion by a party or by the person from whom discovery or deposition is sought, and for good cause shown, the presiding officer may make an order which justice requires to protect a party or person from unreasonable annoyance, embarrassment, oppression, burden or expense, including one or more of the following:
- (1) The discovery or deposition shall be prohibited.
  - (2) The discovery or deposition shall be only on specified terms and conditions, including a designation of the method, time or place.

- (3) The scope of discovery or deposition shall be limited and that certain matters may not be inquired into.
- (4) Discovery or deposition shall be conducted with no one present except persons designated by the presiding officer.
- (5) A deposition shall be sealed and shall be opened only by order of the presiding officer.
- (6) The parties simultaneously shall file specified documents or information enclosed in sealed envelopes to be opened as directed by the presiding officer.
- (7) A trade secret or other confidential research, development or commercial information may not be disclosed or be disclosed only in a designated way. Protective orders to protect or limit this type of information shall be issued under § 5.423 (relating to orders to limit availability of proprietary information).

41. For the reasons set forth hereafter, applying the statutory and regulatory requirements quoted above and the findings and conclusions in the Protective Order issued on July 23, 2025, the terms of that Protective Order should be fully reinstated, subject to PPL Electric's agreement to produce the inspection and maintenance reports of Osmose for the Company's facilities located on the Property of the Complainant.

42. As exhibited by the most recent iteration of the Complainant's discovery issued on November 23, 2025, the Complainant has reverted to his historical pattern of engaging in irrelevant, excessive, duplicative, and unreasonably burdensome discovery, which justifies reinstating the terms of the Protective Order previously issued in this case.

43. Given that PPL Electric has agreed to produce the Osmose inspection and maintenance reports, Mr. Abad will not be prejudiced by reinstating the terms of the Protective Order because, as the ALJ previously held, "even though the issues in this proceeding were expanded through Mr. Abad's Amended Complaint . . . Mr. Abad has the information necessary

to prosecute his case at a future evidentiary hearing.” Protective Order, p. 3, fn. 1. On the other hand, PPL Electric will be significantly prejudiced if the Protective Order is not reinstated because Mr. Abad’s discovery serves no other meaningful purpose than to inundate and preoccupy the Company with responding to irrelevant, excessive, duplicative, and unreasonably burdensome discovery demands.

**IV. COMPLAINANT’S CONDUCT FULLY JUSTIFIES REINSTATING THE TERMS OF THE PROTECTIVE ORDER ISSUED ON JULY 23, 2025**

44. The Protective Order issued on July 23, 2025, concluded that the criteria of 52 Pa. Code §5.361(a) warranted issuing a protective order because of “the sheer number of the [Complainant’s] discovery requests” and because “a substantial portion” of that discovery was “irrelevant to the issues present in this proceeding” and “duplicative of previous requests” that PPL Electric answered or the ALJ found objectionable.

45. Complainant’s Set VI Interrogatories – a staggering 229 in number – exhibit all the same characteristics that justified issuing the Protective Order on July 23, 2025. Moreover, the Complainant stated he intends to issue additional sets of interrogatories, even though PPL Electric has agreed to provide the Osmose inspection and maintenance records for its poles on the Property. Significantly, at the Prehearing Conference, Complainant represented to that ALJ and Company’s counsel that he was seeking additional discovery because “I would just like to be able to know what Osmose has.” Tr. at 59, lines 7-10.

46. Given the issuance of Complainant’s Set VI Interrogatories and his intent to engage in additional similarly excessive, duplicative, and unreasonably burdensome discovery unrelated in any meaningful way to the issues in this case, the terms of the Protective Order should be reinstated, as more fully explained below.

**A. The Set VI Interrogatories inquire into subjects that were stricken from this case by the Order on Preliminary Objections to Amended Complaint**

47. Set VI Interrogatory Nos. 103-121 seek information as to “other utility companies” facilities, including the “total load weight capability” for poles to which “other utility companies” have attached their wires. Set VI Interrogatory Nos. 136-139 and 142-147 seek information about facilities located in “public right of way” (i.e., not on the Property of Complainant).

48. The Order on Preliminary Objections to the Amended Complaint (p. 13) held that Complainant “does not have standing to raise issues set forth in “Argument #5” of the Amended Complaint and, therefore, struck those issues from this case.

49. Argument #5 (Paragraph 11 of the Amended Complaint) alleged that PPL Electric is violating service standards set forth in the Public Utility Code and the Commission’s regulations by permitting telecommunication providers to attach their wires to the Company’s poles and further alleged that PPL Electric should deny access to its poles located on public rights of way to telecommunications providers.

50. Complainant’s Set VI Interrogatories include numerous questions (those identified above, as well as others) pertaining to issues that are not part of this case, as the ALJ has previously ruled.

**B. Large parts of Complainant’s Set VI Interrogatories are a wholesale repetition of interrogatories, document requests, and requests for “written depositions” that Complainant issued before the ALJ entered the Protective Order and, therefore, should continue to be subject to the terms of the Protective Order.**

51. Many, if not most, of the 229 questions in the Set VI Interrogatories repeat discovery requests that Complainant issued before the Protective Order was entered. Those questions were either answered by PPL Electric or found objectionable by the ALJ’s prior

rulings. *See* Protective Order, p. 3 (“discovery requests that are duplicative of previous requests that have already been responded to by PPL or that have already been addressed by me in addressing Motions to Compel filed by Mr. Abad”). Two of many examples illustrate this point.

52. The Set VI Interrogatories contain 31 references to information about PPL Electric’s “work orders” to repair damage to the Company’s facilities caused by Mr. Abad or the tree service he hired to work on the Property. *See, e.g.*, Set VI Interrogatory Nos. 1-5. A word search, using the search function on the Commission’s website, of the Complainant’s discovery requests issued before the Protective Order was entered,<sup>5</sup> shows 112 references in those prior discovery requests to PPL Electric’s “work orders.”

53. Similarly, the Set VI Interrogatories contain 77 references to “inspect” and 46 references to “inspection” in relation to information sought by Complainant for facilities either on the Property or on public rights of way. A word search, using the search function on the Commission’s website, of the Complainant’s discovery requests issued before the Protective Order was entered, shows 278 references in those prior discovery requests to either “inspect” or “inspection” in relation to information sought by Complainant before the Protective Order was entered.

54. The wholesale repetition of pre-Protective Order discovery requests that were either answered or the ALJ found objectionable should remain subject to the terms of the prior Protective Order and, therefore, should continue to be deemed improper. The fact that Complainant is attempting to recycle discovery previously issued, answered, or properly stricken is further evidence of the need to reinstate the terms of the Protective Order. Unless the Protective

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<sup>5</sup> All of Complainant’s 1,250 discovery requests, covering 387 pages, were attached as Appendix B to the Company’s Motion for Protective Order that was posted on the Commission’s website on February 21, 2025. The search function on the Commission’s website enables searching key words in Appendix B.

Order is reinstated, PPL Electric will continue to be subjected to Complainant's on-going "conduct regarding discovery" that the ALJ found "resulted in unreasonable annoyance, burden, and expense towards PPL." *See* Protective Order, p. 3.

**C. The Complainant's Set VI Interrogatories are an improper attempt to reverse the burden of proof in this complaint proceeding by asking the Company to produce the evidence to support the averments Complainant himself made in his Amended Complaint**

55. Complainant has the burden of proof to establish, at a minimum, a prima facie case to support the averments of his Amended Complaint, as required by 66 Pa.C.S. §332(a) (the "proponent of a rule or order has the burden of proof") and by the ALJ's Order Clarifying Scope, p. 3 ("the burden of proof is on the Complainant"). Accordingly, Complainant has the burden to produce sufficient evidence to establish a prima facie case supporting the averments of the Amended Complaint. *See Porter Twp. Initiative v. E. Stroudsburg Area Sch. Dist.*, 44 A.3d 1201, 1208-1209 (Pa. Cmwlth. 2012) (the party with the burden of proof has the obligation to establish a prima facie case).

56. The Complainant is attempting to reverse the burden of proof in this complaint proceeding by demanding that Company produce the evidence to support the averments that Complainant himself made in his Amended Complaint. This is evident from, among various other interrogatories, Set VI Interrogatory Nos. 92-101 and 152-181.

57. Set VI Interrogatory Nos. 92-101 ask PPL Electric to produce evidence to demonstrate that the Company's poles on the Property did not meet the standard for safe and reasonable service. It is not the Company's obligation to produce evidence to support the averments Complainant made in his own Amended Complaint.

58. Set VI Interrogatory Nos. 152-181 ask PPL Electric produce evidence to demonstrate that the Company's poles on the Property were subject to "decay" (Interrogatory

Nos. 152-158) or lacked adequate strength for their intended purpose (Interrogatory Nos. 157-161). The Company does not have the obligation to produce evidence to support the averments Complainant made in his own Amended Complaint. Moreover, a number of these questions ask for information that has no bearing on the issues in this case. *See, e.g.*, Set VI Interrogatory Nos. 72-76 (asking for the “diameter” of the poles when “first installed”).

59. The Complainant has the obligation to produce evidence to support the averments of the Amended Complaint. If those averments require the presentation of evidence based on “scientific or specialized knowledge,” the Complainant – not the Company – has the burden to produce that evidence. *See West Penn Power Company v. Pa. P.U.C.*, No. 1548 C.D. 2018 (Pa. Cmwlth. October 2, 2019), *slip op.* at 17 fn. 19 (holding that the complainant was obligated to present evidence to support the averments of his complaint and, if “expert testimony” was required to support those averments, the complainant needed to adduce the requisite testimony to establish a prima facie case).<sup>6</sup>

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<sup>6</sup> A copy of this decision is available on the Commonwealth Court’s website using the “search” function provided by the website.

**D. The Set VI Interrogatories seek information that is not relevant to the issues in this proceeding as determined by the Order on Preliminary Objection to the Amended Complaint**

60. In the Order on Preliminary Objections to Amended Complaint (p. 14), the ALJ held that three issues were within the scope of this proceeding:

- (1) Whether the Company complied with the Commission’s regulations and its tariff regarding the relocation of poles on the Complainant’s Property;
- (2) Whether the Company’s vegetation management activities on Complainant’s Property were “reasonable” under the Public Utility Code and the Commission’s regulations; and
- (3) Whether the Company or the Complainant was “responsible or accountable” for the incidents on April 13, May 25, and June 6, 2023, that caused power outages.

61. As explained in Paragraph No. 20, *supra*, the first issue identified above was rendered moot by PPL Electric’s agreement to relocate its facilities off the Complainant’s property at its own expense.

62. As to the third issue identified above, the ALJ noted in the Order on Preliminary Objections to the Amended Complaint (p. 13): “Complainant’s *admission* that the wires collapsed following *his* tree removal activities impacts his ability to prevail on these claims” (emphasis added). For the same reason, the Company’s “vegetation management activities on Complainant’s property” (the second issue identified above) were not the real or proximate cause of the outages that occurred on April 13, May 25, and June 6, 2023.

63. The Set VI Interrogatories include many questions that are irrelevant to the three discrete issues the ALJ identified within the scope of this proceeding.<sup>7</sup> Some of the more glaring

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<sup>7</sup> Many, if not most, of these questions are also vague, overbroad, impose an unreasonable burden on the Company and would require an unreasonable investigation. See Objections of PPL Electric Utilities Corporation to the Interrogatories of Nieves Abad – Set VI. See also 52 Pa. Code §5.361(a).

examples of Complainant's questions inquiring into areas irrelevant to the issues in this case are identified and discussed below.

64. The Set VI Interrogatories seek information concerning both current and former employees of the Company as well as employees of any "subcontractor," including contact information (*see* Interrogatory Nos 7-14). If provided, this information will undoubtedly trigger even more irrelevant, unnecessary, and burdensome discovery directed to those employees and "subcontractors" (if any), whose involvement is tangential, at most, to the issues this case.

65. Set VI Interrogatory Nos. 27-28 seek detailed information about how PPL Electric assigns identification numbers to its utility poles. This kind of granular detail about pole numbering is irrelevant to any issue in this case. Mr. Abad has the identification numbers for the poles that are on his Property.

66. Set VI Interrogatory Nos. 29-32 seek information concerning "distances" of the Company's utility poles from each other and from "a residential structure." This kind of granular detail about pole "distances" is irrelevant to any issue in this case. Additionally, because there are no "structures" on Mr. Abad's property, any questions about distances from "structures" are equally irrelevant or pertain to the Company's facilities located in public rights of way, which are outside the scope of this proceeding. *See* Order on Preliminary Objections to Amended Complaint, p. 13.

67. Set VI Interrogatory Nos. 33-34 seek information about "PPL's rules for utility maintenance" and "rules for utility pole inspection." This level of granular detail is unnecessary and unreasonable, particularly since any prior "inspections" or "maintenance" are unrelated to the real and proximate cause of the damage to PPL Electric's facilities on the Property, which was, by Complainant's admission, his own tree removal activities on the Property. Additionally,

as previously explained, the Company has agreed to produce the Osmose inspection and maintenance reports.

68. Set VI Interrogatory No. 35 asks whether the Company ever applied any “herbicide” on the Property. There is no issue in this case concerning the application of “herbicide” nor has Complainant, in either his original or Amended Complainant, alleged that the application of “herbicide” could raise concerns for him or others.

69. Set VI Interrogatory Nos. 36-40 ask the Company to review its: (1) Biennial Inspection, Maintenance, Repair and Replacement Plans; (2) Long-Term Infrastructure Improvement Plans; (3) Annual Asset Optimization Plans; (4) Annual Reliability Reports; and (5) Quarterly Reliability Reports and detail any references therein to potential “improvements” to Company facilities on the Property. The plans and reports Complainant identified are extensive documents. Requiring the Company to review all of them to answer questions that are tangential, at most, to any issue in this case is unnecessary and unreasonable. These interrogatories are also vague, overbroad, would impose an unreasonable burden on the Company, and would require an unreasonable investigation.

70. Set VI Interrogatory Nos. 41-45 seek information concerning Osmose inspections of poles on the Property. As previously explained, the Company has agreed to produce Osmose inspection and maintenance reports.

71. Set VI Interrogatory Nos. 46-60 seek information about other prior inspections of the poles on the Property. Because the Company has agreed to provide the inspection and maintenance reports for the most recent inspections conducted by Osmose, additional information about prior inspections serves no purpose and has no reasonable relationship to any issues in this case. This is particularly true because any prior inspections or maintenance are

unrelated to the real and proximate cause of the damage to PPL Electric's facilities on the Property, which was, by Complainant's admission, his own tree removal activities on the Property. Additionally, questions about all prior inspections of poles on the Property would impose an unreasonable burden on the Company and require an unreasonable investigation to produce information that is no longer relevant to the issues in this case for the reasons set forth before in this paragraph.

72. Set VI Interrogatory Nos. 61-65 ask whether any poles had been "treated with a preservative or any chemical." Whether or not the poles had been "treated" is unrelated to the real and proximate cause of the damage to PPL Electric's facilities on the Property, which was, by Complainant's admission, his own tree removal activities on the Property.

73. Set VI Interrogatory Nos. 66-70 ask whether any poles had undergone an "infrared inspection." Set VI Interrogatory Nos. 71-75, ask if any poles had been inspected by "drone or helicopter." Whether or not the poles had been "inspected" by "infrared" scans or by "drone or helicopter" is a tangential issue at best. More importantly, it is unrelated to the real and proximate cause of the damage to PPL Electric's facilities, which was, by Complainant's admission, his own tree removal activities on the Property.

74. Set VI Interrogatory Nos. 76-86 seek information about prior "inspections" and prior vegetation cutting on Complainant's Property. Because the Company has agreed to produce the Osmose inspection and maintenance reports, additional interrogatories seeking information about inspections predating those reports are not relevant. They are also irrelevant because prior inspections and prior vegetation cutting on the Property are unrelated to the real and proximate cause of the damage to PPL Electric's facilities, which was, by Complainant's admission, his own tree removal activities on the Property. Additionally, interrogatories inquiring about all

prior inspections would impose an unreasonable burden on the Company and require an unreasonable investigation.

75. Set VI Interrogatory Nos. 86 and 151 seek information about computer software programs used by PPL Electric. There is no conceivable basis upon which these inquiries are relevant to the claims and issues in this case.

76. Set VI Interrogatory No. 87 seeks five years of historical information on “customer interruptions for the utility poles and wires in this complaint.” Five years of historical information is unnecessary and serves no reasonable purpose given the three discrete issues in this case. Moreover, the Property is unimproved and, therefore, would not have been affected by any prior alleged “interruptions.” Five years of historical records are also irrelevant to the issues in this case because the real and proximate cause of the damage to PPL Electric’s facilities during the three 2023 incidents identified in the Amended Complaint was, by Complainant’s admission, his own tree removal activities on the Property. Additionally, interrogatories inquiring about five years of historical data about events that had no bearing on the actual cause of the outages triggered by Mr. Abad’s conduct on April 13, May 25, and June 6, 2023, would impose an unreasonable burden on the Company and require an unreasonable investigation.

77. Set VI Interrogatory Nos. 88-90 seeks information about “bulletins, memorandums, or other instruction” to the Company’s employees. This information is not relevant to any issues in this case. Such information is also irrelevant because any such “bulletins, memorandums, or other instruction” to the Company’s employees were not the real and proximate cause of the damage to PPL Electric’s facilities during the three 2023 incidents identified in the Amended Complaint, which was, by Complainant’s admission, his own tree

removal activities on the Property. These interrogatories would also impose an unreasonable burden on the Company and require an unreasonable investigation.

78. Set VI Interrogatory No. 91 seeks “lighting [presumably meant to be ‘lightening’] or storm data taken by PPL” for the “utility poles and wires in this complaint.” Since the Amended Complaint included averments regarding poles on public rights of way, Interrogatory No. 91 seeks information outside the scope of this proceeding. Additionally, there is no averment in the Amended Complaint that lightening or storms were responsible for the damage to the Company’s facilities that occurred on April 13, May 25, and June 6, 2023. Rather, the real and proximate cause of the damage to PPL Electric’s facilities during the three 2023 incidents identified in the Amended Complaint was, by Complainant’s admission, his own tree removal activities on the Property. These interrogatories would also impose an unreasonable burden on the Company and require an unreasonable investigation.

79. Interrogatory Nos. 92-96 seek information about the “type of wood” used in PPL Electric’s poles on the Property. This information is not relevant to any issue in this case. The “type of wood” used in PPL Electric’s utility poles was not responsible for the damage that occurred on April 13, May 25, and June 6, 2023. Rather, the real and proximate cause of the damage to PPL Electric’s facilities during the three incidents identified in the Amended Complaint was, by Complainant’s admission, his own tree removal activities on the Property.

80. Set VI Interrogatory Nos. 97-101 seek information about “how deep” the Company’s poles on the Property were “buried beneath the surface of the ground.” This kind detailed information is not relevant to any issue in this case. The depth at which the poles were buried was not responsible for the damage that occurred on April 13, May 25, and June 6, 2023. Rather, the real and proximate cause of the damage to PPL Electric’s facilities during the three

2023 incidents identified in the Amended Complaint was, by Complainant's admission, his own tree removal activities on the Property.

81. Set VI Interrogatory No. 102 seeks information about "toxic substances, radiation or hazardous materials for the poles and wires in this complaint." Neither the original nor the Amended Complaint alleged that PPL Electric has applied or used any "toxic substances, radiation or hazardous materials" in, on or around the facilities on the Property. This question is irrelevant to any claims made, or issues raised, in the original or Amended Complaints in this case. In addition, it would require an unreasonable investigation by the Company to identify every input to the entire supply chain for the material that composes or was used in or on poles, wires, and other facilities on Complainant's property.

82. As previously explained in Section VI.A., *supra*, Set VI Interrogatory Nos. 103-121, 136-139, and 142-147 seek information relating to claims and issues that were stricken from this case by the Order on Preliminary Objection to the Amended Complaint. Therefore, those interrogatories clearly inquire into areas that are not relevant to any issues in this case.

83. Set VI Interrogatory No. 122 seeks information about utility poles that were "previously used" but had been "retired." Inquiries regarding utility poles that were retired in the past is far outside the bounds of relevance to any issue in this case.

84. Set VI Interrogatory No. 140 seeks information about poles that Mr. Abad damaged and were replaced, including whether PPL Electric still has "possession" of the old poles he damaged and how the Company may have disposed of them. These inquiries are not relevant to the issues in this case.

85. Set VI Interrogatory No. 148 seeks "records" from the Company's "work and asset management system (WAM)" that "kept track of work done on distribution utility poles

and wires” on the Property. This type of granular detail about historical records that may exist on PPL Electric’s “work and asset management system” is not relevant to any issues in this case and would impose an unreasonable burden on PPL Electric to produce information with no material bearing on the claims or issues defined in the Order on Preliminary Objections to Amended Complaint (p. 14).

86. Set VI Interrogatory No. 149 seeks information concerning a call Complainant alleges he made to PPL Electric’s call center on April 26, 2023, and requests detailed information about how that call was handled, who addressed Mr. Abad’s request, any work orders assigned, and the “employees/contractors” who handled the request. Upon information and belief,<sup>8</sup> the Complainant did not own the Property at 837 Rear Capouse Avenue, Scranton, Pennsylvania on April 26, 2023. The Company would not de-energize facilities – and interrupt service to other customers – based on a relocation request from someone who did not even own the property on which he asked the Company to de-energize and relocate those facilities. Additionally, providing detailed information about a single call to the Company’s call center imposes an unreasonable burden on the Company with no credible relationship to the claims and issues in this case.

87. As previously explained in Section IV.C., *supra*, the Set VI Interrogatory Nos. 92-101 and 152-181 seek to reverse the burden of proof and the burden of production in this case by asking the Company to produce evidence to support the averments made by the Complainant himself in the Amended Complaint. For the reasons set forth in Section IV.C., those interrogatories are improper. The Complainant – not the Respondent – has the obligation to

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<sup>8</sup> In its Set I Interrogatories to Complainant, the Company asked him to provide the date and a copy of the deed by which he acquired title to the Property. Complainant objected to those interrogatories. However, the Company has reason to believe that he was not deeded the Property until after April 26, 2023.

present the evidence to establish a prima facie case based on the averments in the Amended Complaint.

88. Set VI Interrogatory No. 182 seeks information and “documents” about “input” to PPL Electric’s “Mobile Operations Management Software (MOM)” that was added by any “employee” or “subcontractor.” This information is not relevant to the issues in this case. It is also completely unbounded by any reasonable criteria and, therefore, is vague, overly broad, would impose an unreasonable burden on the Company, and would require an unreasonable investigation.

89. Set VI Interrogatory No. 183 is similar to Interrogatory No. 182 except that it is even broader. This interrogatory asks for “data” that any “employee” or “subcontractor” of the Company may have “input” into “any other software management system” to “take notes or input data.” This information is not relevant to the issues in this case. It is also completely unbounded by any reasonable criteria and, therefore, is overly broad, would impose an unreasonable burden on the Company, and would require an unreasonable investigation.

90. Set VI Interrogatory No. 184 seeks “all documentation from subcontractors” about the Company’s facilities on Complainant’s property. This interrogatory is, on its face, overly broad, seeks information that has no reasonable or focused relationship to the issues in this case, would require an unreasonable search by the Company, and would impose an unreasonable burden to produce information and “documentation” of no discernible import to the claims and issues in this case.

## V. CONCLUSION

THEREFORE, as more fully explained above, the ALJ should reinstate the terms of the Protective Order issued on July 23, 2025, because:

(1) PPL Electric has already agreed to produce the Osmose inspection and maintenance reports that Complainant represented at the November 4 Prehearing Conference was the focus of his request for additional discovery;

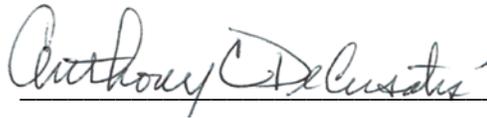
(2) Complainant has once again issued discovery requests that, by their “sheer number” (*see* Protective Order, p. 3) seek to impose “unreasonable annoyance, burden, and expense towards PPL.” *Id.*;

(3) As explained previously in this Motion, Complainant’s Set VI Interrogatories seek information and documents that are not within the permissible scope of discovery and are vague, overly broad, would impose an unreasonable burden on the Company and would require an unreasonable investigation;

(4) Complainant has stated he intends to issue even more discovery requests in this case and, therefore, it is clear from Complainant’s prior conduct and from his Set VI Interrogatories that he will continue to misuse the discovery process in the same manner that triggered the issuance of the July 23, 2025, Protective Order; and

(5) Complainant will not be prejudiced by reinstating the terms of the Protective Order because Your Honor has previously found and determined that “Mr. Abad has the information necessary to prosecute his case at a future evidentiary hearing.” (Protective Order, p. 3, fn 1).

Respectfully submitted.



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*Counsel for PPL Electric Utilities Corporation*

**Dated:** December 3, 2025

## **APPENDIX A**

### **Interrogatories – Set VI of Nieves Abad to PPL Electric Utilities Corporation**

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

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

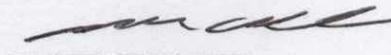
To Whom This May Concern,

I am enclosing herein one copy of Certificate Of Service evidencing the service Complainant's Interrogatories Set VI.

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

Thank you for your cooperation.

Respectfully Yours,



CC:  
Devin T. Ryan  
Principal  
Post & Schell, P.C.  
One Oxford Centre  
301 Grant Street, Suite 3010  
Pittsburgh, PA 15219  
Phone: (717) 612-6052  
Email: [dryan@postschell.com](mailto:dryan@postschell.com)

Nieves Abad  
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Dated-11/24/25

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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

CERTIFICATE OF SERVICE

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

C-2024-3047163

Dear Secretary Of Commission:

Attached for answer is Interrogatories Set VI served Upon Respondent by Nieves Abad in the Above-referenced proceeding. Copies will be provided as indicated on the Certificate of Service.

I, Nieves Abad, hereby certify that I served Interrogatories Set VI to the Respondent via certified mail this 24th Day of November, 2025 addressed as follows:

CC:

Devin T. Ryan  
Principal  
Post & Schell, P.C.  
One Oxford Centre  
301 Grant Street, Suite 3010  
Pittsburgh, PA 15219  
Phone: (717) 612-6052  
Email: [dryan@postschell.com](mailto:dryan@postschell.com)

Erin R. Kawa  
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Anthony C. DeCusatis  
Counsel  
Energy & Utilities  
Harrisburg, PA  
Phone: 717-612-6021  
Fax: 717-291-1609  
adecusatis@postschell.com

Respectfully Submitted,



Nieves Abad  
747 Delaware St  
Forest City pa 18421  
631.575.2248  
Dated-11/24/25

631.575.2248  
Marijna3@aol.com  
Dated-11/24/25

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BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

Nieves Abad  
(Pro-Se)

Complainant

CERTIFICATE OF SERVICE

VS

PPL Electric Utilities Corporation

C-2024-3047163

Respondent

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**CERTIFICATE OF SERVICE**

I, Nieves Abad, hereby certify that I served Interrogatories Set VI to the Respondent via certified mail this 24th Day of November, 2025 addressed as follows;

Respectfully Submitted,



Nieves Abad  
747 Delaware St  
Forest City PA 184211  
631.575.2248  
Martjua3@aol.com  
Dated-11/24/25

CC:

Devin T. Ryan  
Principal  
Post & Schell, P.C.  
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Phone: (717) 612-6052  
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BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

Nieves Abad  
(Pro-Se)

Complainant

Interrogatories Set VI

VS

PPL Electric Utilities Corporation

C-2024-3047163

Respondent

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**INTERROGATORIES SET VI PROPOUNDED UPON RESPONDENT**

Demand is hereby made by Complainant, Nieves Abad, to the Respondent, PPL Utilities Corporation for full and complete answers, under oath or certification to the following Interrogatories within the time and in the manner prescribed by the rules of this Commission. You are required to file Answers to the following Interrogatories within twenty days (20) days after service upon you pursuant to Pennsylvania Title 52 Chapter 5 Code 5.341, service hereof is made upon you and you are notified that your answers, duly executed and sworn, must be entered after the corresponding numbered Interrogatory or part thereof, attaching such additional pages as may be required for complete answers. Complainant further requests Respondent to produce certain documents as set forth herein for purposes of inspection or copying pursuant to Pa.R.C.P. 4009, and upon consent of Respondent. These Interrogatories are continuing in nature. If the responses to the questions change or the Respondent becomes aware of new information, there is an obligation to supplement the responses. Failure to do so may result in the imposition of sanctions.

1. Missing work orders, customer data, forestry department and missing employee info

1. Please provide the information for Work order # 327197674 made on or about 3/29/23.

A. Is this work order # 327197674 made on or about 03/29/2023 cross referenced in another work order? If yes please provide this work order number. If no please provide the information for work order# 327197674 on or about 03/29/2023.

B. Do you not have any information on work order # 327197674 made on or about 03/29/2023? If not, please explain why not.

C. Please provide the account contact history for this work order # 327197674 made on or about 03/29/2023. If not please explain why or why not.

2. Please provide the information for Work order # 58719381 made on or about 04/03/2023.

A. Is this work order #58719381 made on or about 04/03/2023 cross referenced in another work order? If yes please provide this work order number. If no please provide the information for work order# 58719381 on or about 04/03/2023.

B. Do you not have any information on work order # 58719381 made on or about 04/03/2023? If not please explain why or why not.

C. Please provide the account contact history data for this work order # 58719381 made on or about 04/03/2023. If not please explain why.

3. Please provide the information for Work order # 58720380 made on or about 04/26/2023.

A. Is this work order # 58720380 made on or about 04/26/2023 cross referenced in another work order? If yes please provide this work order number. If no please provide the information for work order# 58720380 on or about 04/26/2023.

B. Do you not have any information on work order # 58720380 made on or about 04/26/2023? If not, please explain why or why not.

C. Please provide the account contact data for this work order # 58720380 made on or about 04/26/2023. If not, please explain why or why not.

4. Please provide the information for Work order # 58730565.made on or about 07/18/2023.

A. Is this work order # 58730565 made on or about 07/18/2023 cross referenced in another work order? If yes please provide this work order number. If no please provide the information for work order# 58730565 on or about 07/18/2023.

B. Do you not have any information on work order # 58730565 made on or about 07/18/2023? If not please explain why or why not.

C. Please provide the account contact data for this work order # 58730565 made on or about 07/18/2023.If no please explain why or why not.

5. All customer contact data was not provided between the months of 03/01/23 and 10/01/2023. Please provide all contact data you have between PPL and Nieves Abad between the above dates. Please provide copies of all documents.

A.

6. You have provided in the past a pole design map and several drawing designs of the poles in this complaint. Pole # 57316N46296 has not been on any of these designs. Please provide a pole design map with pole # 57316N46296 on the map.

A.

7. Information has been asked of former employee April Marie including last known position held, address, phone number, or contact information for April that PPL has stored in their records. Under the preservation of records section PPL is required to maintain this information. Please provide contact information PPL Human Resource Department has for former employee April Marie.

A.

8. Information has been asked of former employee Barbara Shumlas including last known position held, address, phone number or contact information for Barbara Shumlas that PPL has obtained in their records. Under the preservation of records section PPL is required to maintain this information. Please provide contact information PPL has for former employee Barbara Shumlas.

A.

9. On April 26, 2023, Complainant met with a male member of the forestry department of PPL on the property of 837 Rear Capouse, Scranton pa 18509. This person was driving a white toyota tacoma truck #605-0510 with company name environmental contractors inc. or ECI. On this date this PPL Employee reviewed the property, trees and poles. Please provide his name, job title and any documents, reports, pictures or other information he may have about this complaint.

A.

10. Who are the managers and employees of PPL's Forestry department at the time the incident in this complaint occurred that serves the property area. Please list name and job title and office address.

A.

10A Please list what information or provide documentation each employee has about this matter?

A.

11. Who is the manager and employee in charge of PPL's electrical safety department at the time the incident in this complaint occurred that serves the property area? Please list name and job title and office address.

A.

12. There was an accident involving damage to PPL utility poles and wires on 04/13/23 on the complainants property. Several PPL employees were dispatched to the property in this complaint. Service was lost to several customers during this incident. Please include each subcontractor, and employee's name and job title(s) that were involved with resolving this incident. Also include all reports, data, documents or any information about this incident from each employee.

A.

13. There was an incident involving damage to PPL utility poles and wires on 05/25/23 on the complainants property. Several PPL employees were dispatched to the property in this complaint. Service was lost to several customers during this incident. Please include the subcontractor and each employee's name and job title(s) that were

involved with resolving this incident. Also include all reports, data, documents or any information about this incident from each employee.

A.

14. There was an accident involving damage to PPL utility poles and wires on 6/6/23 on the complainants property. Several PPL employees were dispatched to the property in this complaint. Service was lost to several customers during this incident. Please include the subcontractor and each employee's name and job title(s) that were involved with resolving this incident. Also include all reports, data, documents or any information about this incident from each employee.

A.

15. On 04/13/23 What was the damage to PPL Utilities Categorized as? Please provide what the damage to the PPL Utilities was categorized as for this incident.

A.

16. Q. When this damage occurred to PPL utilities, a power outage occurred. What was this power outage categorized as ? Please provide the outage category of this incident.

A.

17. Q. On 04/13/23 how many residents were affected by this outage? Please provide all outage data for this incident.

A.

18. Q. On 4 /13/23 what was the duration of the outage for each residence? Please provide all outage data for this incident..

A.

19. Q.On 05/25/23 What was the damage to PPL Utilities Categorized as? Please provide what the damage to the PPL Utilities was categorized as for this incident.

A.

20. On 05/25/23 When this damage occurred to PPL utilities, a power outage occurred. What was this power outage categorized as ? Please provide all outage data for this event.Please provide all outage data for this incident.

A.

21. On 05/25/23 how many residents were affected byPlease provide all outage data for this event.Please provide all outage data for this incident. this outage? Please provide the outage category of this incident.

A.

22. On 05/25/23 what was the duration of the outage for each residence? Please provide all outage data for this incident..

A.

23. On 06/6/23 What was the damage to PPL Utilities Categorized as? Please provide what the damage to the PPL Utilities was categorized as for this incident.

A.

24. Q.On 06/6/23 When this damage occurred to PPL utilities, a power outage occurred. What was this power outage categorized as ?

A.

25. Q.On 06/6/23 how many residents were affected by this outage? Please provide the outage category of this incident.

A.

26. Q.On 06/6/23 what was the duration of the outage for each residence? Please provide the outage category of this incident.

A.

**2. Utility Pole/Wire Distances Information on Safety Inspection and Maintenance**

27. Q.When replacing utility pole # 57334N42685 on 4/13/23 the old utility pole ID is the same as the new utility pole ID number. Why wasn't the new utility pole assigned a new number?

A.

28. Q.When replacing utility pole # 57327N46297 on 4/13/23 the old utility pole ID is the same as the new utility pole ID number. Why wasn't the new utility pole assigned a new number?

**A.**

29. Q.It has been asked the exact distance of pole # 57320N46302 from 20 Amity Court Scranton PA 18509. Does PPL know the exact distance from the utility pole to 20 Amity Court Scranton PA 18509 . Please list the distance if you have this information. If not explain why PPL does not have this information in its records.

A.

30. Q.It has been asked the exact distance of pole # 57327N46297 from 20 Amity Court Scranton PA 18509. Does PPL know the exact distance from the utility pole to 20 Amity Court Scranton PA 18509 ? If not, please explain why PPL does not record this data.

A.

31. Q.It has been asked the exact distance of utility wires between pole #'s 57320N46302 and 57327N46297 at 20 Amity Court Scranton PA 18509. Does PPL know the exact distance from the utility wires to 20 Amity Court Scranton PA 18509 ? If not, please explain why PPL does not record this data.

A.

32. Q.What are PPL's rules for distance to a utility pole from a residential structure? Please provide PPL's rules on distance of a utility pole to a residential structure. Please include the rules, letters/memorandums to PPL employees or any other documentation PPL has on this subject.

A.

33. Q.What are PPL's rules for utility pole maintenance? Please provide PPL's rules of utility pole maintenance. Please include any biennial reports, memorandum letters, or any other documentation on this subject.

A.

34. Q.What are PPL's rules for utility pole inspection? Please provide PPL's applicable electrical safety rules that pertain to utility pole inspection. Please include the rules, letters/memorandums to PPL employees or any other documentation PPL has on this subject.

A.

35. Q.Has a herbicide application been applied in or around the PPL alleged right of way on the complainants property?

A.

36. Q.When submitting PPL's Biennial Inspection, Maintenance, Repair and Replacement plan to the public utilities commission what years plans involved improvements to the PPL right of way for PPL's distribution system through the property of the complainant?

A.

37. Q.When submitting PPL's Long Term Infrastructure Improvement Plan to the Public Utilities Commission what years plans involved improvements to the PPL right of way for PPL's distribution system through the property of the complainant?

A.

38. Q.When submitting PPL's Annual Asset Optimization Plan to the Public Utilities Commission what years plans involved improvements to the PPL right of way for PPL's distribution system through the property of the complainant?

A.

39. Q.When submitting PPL's Annual Reliability Report to the Public Utilities Commission what years plans involved improvements to the PPL right of way for PPL's distribution system through the property of the complainant?

A.

40. Q.When submitting PPL's Quarterly Reliability Report to the Public Utilities Commission what quarter plan involved improvements to the PPL right of way for PPL's distribution system through the property of the complainant.

A.

41. Q.When has OSMOSE inspected and/or maintained Pole #57334N42685?  
Please list the person who inspected the pole, dates, times, findings,

repairs, recommendations, load testing, core testing or any other testing, or documentation for the pole's service life.

A.

42. Q. When has OSMOSE inspected and/or maintained Pole #57339N46273? Please list the person who inspected the pole, dates, times, findings, repairs, recommendations, load testing, core testing or any other testing, or documentation for the poles service life.

A.

43. Q. When has OSMOSE inspected and/or maintained Pole #57327N46297? Please list the person who inspected the pole, dates, times, findings, repairs, recommendations, load testing, core testing or any other testing, or documentation for the poles service life.

A.

44. Q. When has OSMOSE inspected and/or maintained Pole #57320N46302? Please list the person who inspected the pole, dates, times, findings, repairs, recommendations, load testing, core testing or any other testing, or documentation for the poles service life.

A.

45. Q. When has OSMOSE inspected and/or maintained Pole # 57316N46296? Please list the person who inspected the pole, dates, times, findings, repairs, recommendations, load testing, core testing or any other testing, or documentation for the poles service life.

A.

46. Q.Has any other company inspected and/or maintained pole # 57334N42685 during the service life of the pole? Please list the person who inspected the pole, dates, times, findings, repairs, recommendations, load testing, core testing, or any other testing, documentation. If not, please explain why not.

A.

47. Q.Has any other company inspected and/or maintained pole # 57339N46273 during the service life of the pole? Please list the person who inspected the pole, dates, times, findings, repairs, recommendations, load testing, core testing, or any other testing, documentation. If not, please explain why not.

A.

48. Q.Has any other company inspected and/or maintained pole # 57327N46297 during the service life of the pole? Please list the person who inspected the pole, dates, times, findings, repairs, recommendations, load testing, core testing, or any other testing, documentation. If not, please explain why not.

A.

49. Q.Has any other company inspected and/or maintained pole # 57320N46302 during the service life of the pole? Please list the person who inspected the pole, dates, times, findings, repairs, recommendations, load testing, core testing, or any other testing, documentation. If not, please explain why not.

A.

50. Q.Has any other company inspected and/or maintained pole # 57316N46296 during the service life of the pole? Please list the person who inspected the pole, dates,

times, findings, repairs, recommendations, load testing, core testing, or any other testing, documentation. If not, please explain why not.

A.

51. Q.Has PPL inspected and/or maintained pole # 57334N42685 during the service life of the pole? Please list the person who inspected the pole, dates, times, findings, repairs, recommendations, load testing, core testing or any other testing, documentation. If not, please explain why not.

A.

52. Q.Has PPL inspected and/or pole # 57339N46273 during the service life of the pole? Please list the person who inspected the pole, dates, times, findings, repairs, recommendations, load testing, core testing or any other testing, documentation. If not, please explain why not.

A.

53. Q.Has PPL inspected and/or maintained pole # 57327N46297 during the service life of the pole? Please list the person who inspected the pole, dates, times, findings, repairs, recommendations, load testing, core testing or any other testing, documentation. If not, please explain why not.

A.

54. Q.Has PPL inspected and/or maintained pole # 57320N46302 during the service life of the pole? Please list the person who inspected the pole, dates, times, findings, repairs, recommendations, load testing, core testing or any other testing, documentation. If not, please explain why not.

A.

55. Q.Has PPL inspected and/or maintained pole # 57316N46296 during the service life of the pole? Please list the person who inspected the pole, dates, times, findings, repairs, recommendations, load testing, core testing or any other testing, documentation.If not, please explain why not.

A.

56. Q.Was a visual inspection done by any PPL Employee during the service life of pole # 57334N42586 please list the date, the PPL employee, explain the employees findings, and any documentation they may have submitted. If not, please explain why not.

A.

57. Q.Was a visual inspection done by any PPL Employee during the service life of pole # 57339N46273? Please list the date, the PPL employee, explain the employees findings, and any documentation they may have submitted. If not, please explain why not.

A.

58. Q.Was a visual inspection done by any PPL Employee during the service life of pole # 57327N46297? Please list the date, the PPL employee, explain the employees findings, and any documentation they may have submitted. If not, please explain why not.

A.

59. Q.Was a visual inspection done by any PPL Employee during the service life of pole # 57320N46302? Please list the date, the PPL employee, explain the employees

findings, and any documentation they may have submitted. If not, please explain why not.

A.

60. Q. Was a visual inspection done by any PPL Employee during the service life of pole # 57316N46296? Please list the date, the PPL employee, explain the employees findings, and any documentation they may have submitted. If not, please explain why not.

A.

61. Q. Was pole #57334N42586 ever treated with a preservative or any chemical to increase the pole service life? If so, list the date the person applied the chemical, what chemical was used, what exact products were in this chemical and any studies of the effect of this chemical or product used to preserve the pole to the public health. If not, please explain why not.

A.

62. Q. Was pole # 57339N46273 ever treated with a preservative or any chemical to increase the pole service life? If so, list the date the person applied the chemical, what chemical was used, what exact products were in this chemical and any studies of the effect of this chemical or product used to preserve the pole to the public health. If not, please explain why not.

A.

63. Q. Was pole #57327N46297 ever treated with a preservative or any chemical to increase the pole service life? If so, list the date the person applied the chemical, what chemical was used, what exact products were in this chemical and any studies of the

effect of this chemical or product used to preserve the pole to the public health. If not, please explain why not.

A.

64. Q.Was pole # 57320N46302 ever treated with a preservative or any chemical to increase the pole service life? If so, list the date the person applied the chemical, what chemical was used, what exact products were in this chemical and any studies of the effect of this chemical or product used to preserve the pole to the public health. If not, please explain why not.

A.

65. Q.Was pole # 57316N46296 ever treated with a preservative or any chemical to increase the pole service life? If so ,list the date the person applied the chemical, what chemical was used, what exact products were in this chemical and any studies of the effect of this chemical or product used to preserve the pole to the public health. If not, please explain why not.

A.

66. Q.Was an infrared inspection done for pole # 57334N42586 or utility wires attached to this pole during the poles life? Please explain why or why not. Please enclose all records.

A.

67. Q.Was an infrared inspection done for pole # 57339N46273 or utility wires attached to this pole during the poles life? Please explain why or why not. Please enclose all records.

A.

68. Q. Was an infrared inspection done for pole # 57327N46297 or utility wires attached to this pole during the poles life? Please explain why or why not. Please enclose all records.

A.

69. Q. Was an infrared inspection done for pole # 57320N46302 or utility wires attached to this pole during the poles life? Please explain why or why not. Please enclose all documents.

A.

70. Q. Was an infrared inspection done for pole # 57316N46296 or utility wires attached to this pole during the poles life? Please explain why or why not. Please enclose all documents.

A.

71. Q. Was an inspection done by drone or helicopter for pole # 57334N42586 or utility wires attached to this pole during the poles life? Please explain why or why not. Please enclose all documents.

A.

72. Q. Was an inspection done by drone or helicopter for pole # 57339N46273 or utility wires attached to this pole during the poles life? Please explain why or why not. Please enclose all documents.

A.

73. Q. Was an inspection done by drone or helicopter for pole # 57327N46297 or utility wires attached to this pole during the poles life? Please explain why or why not. Please enclose all documents.

A.

74. Q. Was an inspection done by drone or helicopter for pole # 57320N46302 or utility wires attached to this pole during the poles life? Please explain why or why not. Please enclose all documentation.

A.

75. Q. Was an inspection done by drone or helicopter for pole # 57316N46296 or utility wires attached to this pole? Please explain why or why not. Please enclose all documents.

A.

76. Q. Has pole # 57334N42586 failed inspection? If so, please list what dates, the person's name who failed the pole and any documents related to a failed inspection of this pole. If not, please explain why not.

A.

77. Q. Has pole #57339N46273 failed inspection? If so, please list what dates, the person's name who failed the inspection and any documents related to a failed inspection of this pole. If not, please explain why not.

A.

78. Q. Has pole #57327N46297 failed inspection? If so, please list what dates, the person's name who failed the pole and any documents related to a failed inspection of this pole. If not, please explain why not.

A.

79. Q.Has pole # 57320N46302 failed inspection? If so, please list what dates, the person's name who failed the pole and any documents related to a failed inspection of this pole.If not, please explain why not.

A.

80. Q.Has pole #57316N46296 failed inspection? If so, please list what dates, the person's name who failed the pole and any documents related to a failed inspection of this pole.If not, please explain why not.

A.

81. Q.How many times has vegetation been cut around pole # 57334N42586 during the service life of this pole? Please include the date, the name of the person who cut the vegetation management, what work was performed and any documents.

A.

82. Q.How many times has vegetation been cut around pole # 57339N46273 during the service life of this pole? Please include the date, the name of the person who cut the vegetation management, what work was performed and any documents.

A.

83. Q.How many times has vegetation been cut around pole # 57327N46297 during the service life of this pole? Please include the date, the name of the person who cut the vegetation management, what work was performed and any documents.

A.

84. Q.How many times has vegetation been cut around pole # 57320N46302 during the service life of this pole? Please include the date, the name of the person who cut the vegetation management, what work was performed and any documents.

A.

85. Q.How many times has vegetation been cut around pole # 57316N46296 during the service life of this pole? Please include the date, the name of the person who cut the vegetation management, what work was performed and any documents.

A.

86. Q.Have you used a program to analyze the service performance of the utility poles and wires in this complaint. If so, what software do you use? Please provide the documents and the data of service performance since keeping track.

A.

87. Q.Please provide five years or historical records of customer interruptions for the utility poles and wires in this complaint.

A.

88. Q.Has there been any bulletins, memorandums, or any other instruction to employees in this matter regarding pole maintenance for the poles & utilities in this complaint. Please include any documents regarding pole maintenance instruction given to PPL employees regarding the five poles in this complaint.

A.

89. Q.Has there been any bulletins, memorandums, or any other instruction to employees in this matter regarding pole inspection. Please include any documents regarding pole maintenance instructions given to PPL employees regarding matters that affect the PPL owned utilities in this complaint.

A.

90. Q.Is there any bulletin or memorandums of general instruction issues by PPL to its employees pertaining to changes in maintenance, inspection, construction, engineering or any other policy that has affected the utility poles and wires in this complaint for the service life of each pole that is not privileged?

A.

91. Q.Is there any lighting or storm data taken by PPL regarding the utility poles and wires in this complaint for the service life of these poles. If yes, please provide. If not, please explain why not.

A.

92. Q.What type of wood is pole # 57334N42586 made from?

A.

93. Q.What type of wood is pole # 57339N46273 made from?

A.

94. Q.What type of wood is pole # 57327N46297 made from?

A.

95. Q.What type of wood is pole # 57320N46302 made from?

A.

96. Q.What type of wood is pole # 57316N46296 made from?

A.

97. Q.How deep is pole # 57334N42586 buried beneath the surface of the ground?

A.

98. Q.How deep is pole # 57339N46273 buried beneath the surface of the ground?

A.

99. Q.How deep is pole # 57327N46297 buried beneath the surface of the ground?

A

100. Q.How deep is pole # 57320N46302 buried beneath the surface of the ground?

A.

101. Q.Was concrete or any other substance used when these poles were set in the ground. If so please explain how much concrete. If not, please explain why not.

A.

102. Q.Is there any toxic substances, radiation or hazardous materials for the utility poles and wires in this complaint. Please explain and list each material.

A.

103. Q.Does PPL inspect Utility wires from other utility companies that are placed on PPL owned Utility poles in this complaint? Please explain why or why not. If yes please any reports for the utilities in this complaint.

A.

104. Q.Does PPL receive maintenance reports of utility wires that are owned by other utility companies for utility wires placed on PPL owned Utility poles in this complaint? Please explain why or why not. If yes, please include any reports for the poles in this complaint.

A.

105. Q.Does PPL receive inspection reports on utility wires that are owned by other utility companies for utility wires placed on PPL owned Utility poles in this complaint? Please explain why or why not. If,yes please include any reports for the poles in this complaint.

A.

106. Q.What are PPL's rules for oversight on each utility company's utility wires placed on PPL owned poles in this complaint.

A.

107. Q.Does PPL require any other utility companies to submit inspection, maintenance or replacements reports to PPL, for utility wires that are placed on PPL owned utility poles in this complaint? Please explain why or why not. If yes, please include any reports for the poles in this complaint.

A.

108. Q.Does PPL require any other utility companies that have utility wires placed on PPL owned utility poles, to submit load testing reports to PPL for utility wires placed on utility poles in this complaint. If so please include, if not, please explain why not.

A.

109. Q.Does PPL keep track of the total load of each utility pole in this complaint with all companies' utility wires on them ? Please explain why or why not. If yes, please include any reports for the poles in this complaint.

A.

110. Q.What is the total load weight capability for pole # 57334N42685 ?

A.

111 Q.What is the total load weight capability for pole # 57339N46273 ?

A.

112. Q.What is the total load weight capability for pole # 57327N46297 ?

A.

113. Q.What is the total load weight capability for pole # 57320N46302 ?

A.

114. Q.What is the total load weight capability for pole # 57316N46296?

A.

115. Q.What is the current load weight of pole # 57334N42685 with all utility wires in place?

A.

116. Q.What is the current load weight of pole # 57339N46273 with all utility wires in place?

A.

117. Q.What is the current load weight of pole # 57327N46297 with all utility wires in place?

A.

118. Q.What is the current load weight of pole # 57320N46302 with all utility wires in place?

A.

119. Q.What is the current load weight of pole # 57316N46296 with all utility wires in place?

A.

120. Please list all utility companies that have utility wires attached to utility poles in this complaint?

A.

121. Q. Please explain what documents are required by PPL for each utility company to submit showing compliance with PPL's rules for use of its utility poles. Please include an example of documents a utility company needs to apply to PPL in order to install their utilities to a PPL owned utility pole. Also include an example of PPL approval for this application.

A.

122. Q. Please list all utility pole # that have been previously used on the complainants property by PPL, that may be retired and not in service anymore?

A.

123. Q. During discovery it was determined that PPL owned utility pole # 57316N46296 and is on the complainants property. On the drawing design of the PPL owned Utilities on the complainants property provided by PPL, This utility pole is not on the map provided.

A. Will the new pole # 57316N46296 problem be fixed by PPL? Please explain why or why not.

B. Will this problem be fixed in the system of PPL?

C. What are the procedures to fix this error?

D. Is this error documented when the corrections are made?

E. Please submit the utility pole data and information for pole # 57316N46296.

124. Q. Was pole # 57317N46297 replaced/retired by utility pole # 57316N46296 ?

A. Please list what date this pole was replaced?

125. Q.Pole # 57317N46297 does not exist on the property of Nieves Abad. Is this utility poles right of way between PPL and Real Estate Technology Corporation still applicable under Pennsylvania Law?

A.) Does PPL know that this utility pole is not in service anymore? Please explain why or why not.

A.

126. Q.The Right Of Way document for pole # 57317N46297 Between Real Estate Technology and Pennsylvania power and light company that PPL has submitted. Please explain where on this right of way document does it say the right of way is transferable to PPL from Pennsylvania power and lights?

A.)Is the Right of Way on this document transferable from Pennsylvania Power and Lights to PPL? Please explain why or why not.

127. Q.The Right Of Way document PPL has submitted for pole # 57317N46297 Between Real Estate Technology and Pennsylvania power and light company. Please explain where on this document does it say the right of way is transferable to a new property owner.

A.)Is the Right Of Way on this document transferable to the new owner Nieves Abad, please explain why or why not.

A.

128. Q.What is the distance vegetation must be cleared by PPL for the distribution utility poles and wires in an alleged PPL right of way for the property in this complaint?

A.

129. Q. In March through July of 2023, was vegetation clearances for the alleged right of way of utility poles owned distribution utility poles and wires in this complaint in compliance with standards set forth in PPL.s Please explain how it was or was not in compliance. Please also include all dates of non compliance.

A.) Was vegetation management clearance standards met during this period as required of an Electrical Distribution Company operating in the State of Pennsylvania?

130. Q.PPL electric has claimed in the answers to the complaint of Nieves Abad that pole # 57320N46302 was located in a public right of way. Please provide documentary evidence that pole # 57320N46302 is in a public right of way. If provided in discovery please explain what documentation you have disclosed. If you do not have this information please explain why not.

A.

131. Q.Please list how far from the property line of Nieves Abad Is pole # 57320N46302 placed in a public right of way? Please provide the exact measurements and if you don't have these measurements please explain why not.

A.) Does PPL know the exact coordinates such as the longitude and longitude location of pole # 57320N46302? Please explain why or why not. If yes, please include these coordinates.

A.

132. Q.Has pole # 57320N46302 been placed on the property of Nieves Abad? Please explain why or why not.

133. Q.Are there any internal notes regarding this complaint from PPL, PPL contractors or any PPL employees that are not privileged? Please list and give copies

and disclose all. If provided in discovery please explain what documentation you have disclosed. If you do not have this information please list the missing information and explain why it's missing.

A.

134. Q.Has PPL's and/or any one acting in PPL's behalf obtained from any witnesses or persons, including the parties to this action, and reports, statements, recordings, etc concerning the allegations found in this complaint that is not privileged. If so, please list each person and attach to your answer.

A.

135. Q.State whether PPL or any persons acting on PPL's behalf have prepared any charts, diagrams, photographs or videos pertaining in any manner to PPL Utility poles and wires in this complaint that are not privileged.

A. The name and address of the person making or prepare

B. The date and place made or prepared;

C. The objects or scenes depicted;

D. The name and address of the person having possession.

E. Attach a copy of the same to your answers hereto

136. Q.When erecting a new utility pole and/or utility wires next to a residential structure, does PPL follow the national residential code? If so please list what year codes you follow. If not please explain why PPL is exempt from following these codes.

A.

137. Q.When erecting a new utility pole and/or utility wires next to a residential structure, does PPL follow the international building code? If so, please list what year codes you follow. If not please explain why PPL is exempt from following these codes.

A.

138. When erecting a new utility pole and/or utility wires next to a residential structure, does PPL follow the international fire code? If so, please list what year codes you follow. If not please explain why PPL is exempt from following these codes.

A.

139. Q.When erecting a new utility pole and/or utility wires next to a residential structure, does PPL follow the NFPA 70? If so, please list what year codes you follow. If not please explain why PPL is exempt from following these codes.

A.

140. Q.On 4/13/23 Two Utility poles were damaged and needed replacing on the property in this complaint. Pole # 57327N46297 and 57334N42685. Does PPL still have possession of the old utility poles that were replaced? If not, how did PPL dispose of these Utility poles and what date.

A.

141. Q.What class distribution company is PPL Electric Utilities Corporation categorized by the State Of Pennsylvania?

A.

142. Q.Does PPL have an agreement with the City Of Scranton to place its utility poles in a public right of way? Please submit this agreement. If not please explain what gives PPL permission to place its poles and wires in a public right of way.

A.

143. Q.Does PPL have an agreement for safety standards for the utility poles and wires placed in a public right of way in the city of Scranton?

A.

144. Q. What are the City of Scranton's safety standards for PPL utility poles placed within city limits that are required of PPL.

A.

145. Q.Has PPL received any special zoning for utility poles and utility wires placed in the city limits. If yes, please provide copies of permits and the terms. If not, please explain why not.

A.

146. Q.Is there an exemption for PPL to follow city ordinances in the city of scranton? Please provide information on this exemption.

A.

147. Q.Does PPL have permission from the state of Pennsylvania to Use the City of Scranton's public right of way to place PPL utility poles and wires. If yes, please include this agreement. If no, explain and submit what agreements PPL has in place to place PPL utilities in a public right of way.

A.

148. Q.What records do you retain in your company's work and asset management system (WAM) where records were kept track of work done on distribution utility poles and wires in the PPL alleged right of way on the property of the complainant? Please include inspection, maintenance,vegetation management and any other documents you

may have for information on the utility poles and wires in this complaint. If no records were kept please explain why,

A.

149 Q. On 04/26/23, when Nieves Abad called into the PPL call center. He asked to drop and de-energize utility wires for tree cutting.

A. Who denied this request?

B. Who did this request get dispatched to?

C. What were the results of this work order?

D. What was the work order # for this request.

E. Is there any more documentation on this request?

F. Who is the employees/contractors who took this request?

150. Q. Are there any documents or other evidence you have not submitted due to them being privileged that I have requested from you? Please provide how many documents or evidence you are withholding and provide what category of privilege they fall under.

A.

151. Q. What contract based engineering software/or any other source that was used to determine the measurable decay for the remaining pole strength for the utility poles in this complaint.

A.

152. Q. What is the percentage of decay for pole #57334N42685 each of its inspection(s)?

A

153. Q. What is the percentage of decay for pole # 57339N46273 in each of its inspection(s)?

A.

154. Q. What is the percentage of decay for pole # 57327N46297 in each of its inspection(s)?

A.

155. Q.What is the percentage of decay for pole # 57320N46302 in each of its inspection(s)?

A.

156. Q.What is the percentage of decay for pole # 57316N46296 in each of its inspection(s)?

A.

157. Q.What is the remaining pole strength for pole # 57334N42685 in each inspection?

A.

158. Q.What is the remaining pole strength for pole # 57339N46273 in each inspection?

A.

159. Q.What is the remaining pole strength for pole # 57327N46297 in each inspection?

A.

160. Q.What is the remaining pole strength for pole # 57320N46302 in each inspection?

A.

161. Q.What is the remaining pole strength for pole #57316N46296 in each inspection?

A

162. Q.How tall is pole # 57334N42685?

A.

163. Q.How tall is pole # 57339N46273?

A.

164. Q.How tall is pole # 57327N46297?

A.

165. Q.How tall is pole # 57320N46302?

A.

166. Q. How tall is pole# 57316N46296?

A.

167. Q.What is the total diameter of pole # 57334N42685 when it was first installed?

A.

168. Q.What is the total diameter of pole # 57339N46273 when it was first installed?

A.

169. Q.What is the total diameter of pole # 57327N46297 when it was first installed?

A.

170. Q.What is the total diameter of pole # 57320N46302 when it was first installed?

A.

171. Q.What is the total diameter of pole # 57316N46296 when it was first installed?

A.

172. Q.What is the current total diameter of pole # 57334N42685?

A.

173. Q.What is the current total diameter of pole # 57339N46273?

A.

174. Q.What is the current total diameter of pole # 57327N46297?

A.

175. Q.What is the current total diameter of pole # 57320N46302?

A.

176. Q.What is the current total diameter of pole # 57316N46296?

A.

177. Q.Has a steel C TRUSS with bands been placed on pole # 57334N42685 for reinforcement?

A.What is the length and width of the C TRUSS?

B.Where is the C TRUSS positioned on the utility pole?

C.What gauge metal is the C TRUSS?

D. What type of metal is the C TRUSS?

178. Q.Has a steel C TRUSS with bands been placed on pole #57339N46273 for reinforcement?

A.What is the length and width of the C TRUSS?

B.Where is the C TRUSS positioned on the utility pole?

C.What is the length and width?

D. What type of metal is the C TRUSS?

179. Q.Has a steel C TRUSS with bands been placed on pole # 57327N46297 for reinforcement?

A.What is the length and width of the C TRUSS?

B.Where is the C TRUSS positioned on the utility pole?

C.What type of metal is the C TRUSS?

180. Q.Has a steel C TRUSS with bands been placed on pole # 57320N46302 for reinforcement?

A.What is the length and width of the C TRUSS?

B.Where is the C TRUSS positioned on the utility pole?

C.What type of metal is the C TRUSS?

181. Q.Has a steel C TRUSS with bands been placed on pole # 57316N46296 for reinforcement?

A.What is the length and width of the C TRUSS?

B.Where is the C TRUSS positioned on the utility pole?

C.What is the length and width?

182. Q.Has any employee of PPL or subcontractor input any data into the Mobile Operations Management Software (MOM) to take notes or input data? If so, please answer and include all documents that are not privileged. Please include any information regarding this incident that

you have submitted during discovery. If you have already included these documents in discovery please explain what documents you have included.

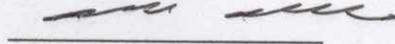
A.

183. Q.Has any employee of PPL or subcontractor input any data into any other software management system to take notes or input data? If so, please answer and include all documents that are not privileged. Please include any information regarding this incident that you have submitted during discovery. If you have already included these documents in discovery please explain what documents you have included.

184. Q.Please disclose all documentation from subcontractors about the distribution utility poles and wires and PPL alleged right of way on the property of Nieves Abad that are not privileged. Please include any information, pictures or documents regarding this incident that you have submitted during discovery. If you have already included these documents in discovery please explain what documents you have included.

A.

Respectfully Submitted,



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