

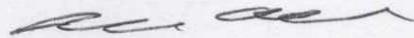
Matthew L. Homsher  
Secretary of The Commission  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street, 2nd Floor North  
P.O BOX 3265  
Harrisburg, PA 17105-3265

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

Dear Secretary Of Commission:

Attached is my response to PPL's Motion For Protective Order served Upon Respondent by Nieves Abad in the Above-referenced proceeding. Copies will be provided as indicated on the Certificate of Service.

Respectfully Submitted,



Nieves Abad  
747 Delaware St  
Forest City pa 18421  
631.575.2248  
Dated-01/11/26

CC:

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

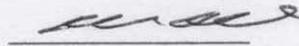
To Whom This May Concern,

I am enclosing herein one copy of Certificate Of Service evidencing the service Complainant's Response to The Motion For Protective Order.

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,



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BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

Nieves Abad  
(Pro-Se)

Complainant

CERTIFICATE OF SERVICE

VS

PPL Electric Utilities Corporation

Respondent

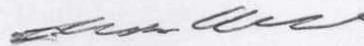
C-2024-3047163

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**CERTIFICATE OF SERVICE**

I, Nieves Abad, hereby certify that I served my Response to PPL Utility Corporation Motion for Protective Order to Respondent via certified mail and electronic filing this 11th Day of January, 2026 addressed as follows;

Respectfully Submitted,



Nieves Abad  
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Martjua3@aol.com  
Dated-01/11/2026

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BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

Nieves Abad

(Pro Se)

Complainant

RESPONSE TO MOTION FOR PROTECTIVE ORDER

C-2024-3047163

VS

PPL Electric Utilities Corporation

Respondent

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**Response To Motion For Protective Order**

To The Public Utility Commission:

Nieves Abad, (hereon in Complainant), hereby files this response to the Motion For The Protective Order pursuant to the Public Utility Commission ( hereon in PUC) Rules and regulations against PPL Utility Corporation (hereon in PPL) in front of Honorable Administrative Law Judge Alphonso Arnold III ( hereon in ALJ) states the following;

1. On July 27,2025 ALJ granted in part the Amended Formal Complaint Of Nieves Abad. New matters granted to be heard at an evidentiary hearing included vegetation management , pole conditions, pole maintenance, and pole inspections. Also granted to be heard in the amended formal complaint were three accidents that occurred on the Complainant's property. All

matters were limited to five different utility poles located on the Complainants property. This is a complex case that involves dozens of PPL employees and subcontractors. This case involves five utility poles, and different subject matter involving the safety of these utility poles. Each question asked by the Complainant has been asked about direct subject matter pertaining to this Complaint. This case requires documentation and evidence that PPL has withheld from the Complainant. This court has been made aware by the Complainant that PPL has been hiding these documents from the Complainants. That PPL refuses to submit these documents into discovery. The Complainant has raised this issue in a subpoena, sanctions and multiple motions to the compel. No action has been taken against PPL for withholding this evidence against the Complainant. PPL has now admitted in emails to the court, and in their Motion for reinstating the protective order that they have discoverable evidence from OSMOSE. Yet PPL has not submitted this evidence into discovery. ( PA Title 52 Chapter 15 Section 5.342 (1) ) PPL has other information regarding the matters granted by the ALJ, in the Amended Formal Complaint. PPL has a continuous duty to supplement additional discoverable evidence. This information is from other contractors such as Environmental Contractors Inc and North East Forestry. PPL Attorneys are doing their best to keep other discoverable information from the Complainant in order to win this case. The Complainants, complaint has been prejudiced by PPL since discovery has first began. PPL Discovery tactics are unlawful and unethical. The fact that this evidence does exist is a violation of discovery by PPL and its attorneys. The Complainant is requesting a hearing to be held so that all discoverable evidence that PPL may or may not have been heard on the record in front of the ALJ. At a pre hearing conference that took place on November 4th 2025, the ALJ granted discovery for new matters in the Amended Formal Complaint. Specifically the Complainant asked for Osmose contractors information. OSMOSE

and these other contractors hold key evidence that was part of the Complainant's case involving vegetation management and the three accidents involving PPL utilities that occurred on the Complainant property. After this hearing on November 10th 2025, The Complainant wrote an email to Devin Ryan, Anthony Decusasis, and Erin Kawa. In this email the Complainant asked PPL Attorneys if we can discuss the information I am seeking to save costs, time and a lengthy discovery process that may postpone our written testimony. Instead of negotiating a resolution to discovery, PPL used its go to discovery tactics and did not answer the complainant. This caused the Complainant to submit Interrogatories Set VI to PPL on 11/23/25. On 11/25/25 Anthony Decusasis, then wrote an email to the Court complaining of the questions asked by the Complainant to PPL. PPL is not the victim here and is using a protective order out of context. PPL would not have been asked any questions if they would have negotiated discovery with the Complainant. Now that PPL has been asked tough questions, they now seek again a Protective Order against the Complainant. This information is public information. The Complainant is entitled to this information to ensure that the poles on his property have been maintained properly for safety. If you consider all five utility poles in this Complaint, all the employees and subcontractors involved in this complaint, and the three accidents that occurred on the Complainants. The questions asked are not unreasonable. This is a complex case with multiple factors. These questions have direct subject matter to the complaint at hand. This is information PPL is required by Law to have readily available. No questions have been asked of PPL employees or subcontractors, but only to PPL themselves. PPL has made several references that the Complainant is going to question other employees or subcontractors. PPL has made several assertions in its protective order that the Complainant may in the future ask more questions. The truth is the Complainant only asked PPL 178 questions that were direct subject matter to matters

that were granted in the amended formal complaint of Nieves Abad. No other questions have been asked to PPL employees or subcontractors. PPL protective order is premature, and an incorrect use of a protective order. PPL cannot ask for a protective order for questions the Complainant may ask in the future. Other legal means such as objections should have been used if PPL felt these questions were inappropriate. This is a brand new Formal complaint after the Amended Formal Complaint was granted. Any prior ruling(s) by the ALJ or objections by PPL that were made prior to the Amended Formal Complaint being granted shall not prejudice this new set of questions that are about new subject matter. In PPL's protective order paragraph 60-90, are all examples of how PPL could have objected to the questions in Interrogatories Set VI. Paragraphs 60-90 of PPL's protective order are direct subject matter of this case. These questions and documents, the Complainant seeks are available to PPL PPL has withheld this information from the Complainant. It will be detrimental to and prejudice to the Complainants case by not having this information. PPL has now said they will produce OSMOSE inspection and maintenance reports. PPL had almost two years to produce these documents and has withheld these documents. What about other records OSOMSE has such as vegetation management, and pole reinforcement/repair records. What about the other records PPL has from Environmental Contractors Inc and North East Forestry. PPL's protective order is basically directing the court to grant them a protective order and limit what discoverable evidence they produce. This is not the way discovery is meant to be used under PA Legislation. This is not how discovery is meant to be used under PA legislation. Although full discovery is not guaranteed in the PUC, fundamental discovery is. PPL has noted in this protective order that the Complainant has asked for pole descriptions , notes, documents, and other conditions about the poles in this complaint and PPL;s alleged right of way. By law PPL is supposed to collect and retain these

records Title 52 Chapter 57 Section 57.45, Title 52 Chapter 57 57.198, or the most publications of the national associates of regulatory utility commissions (hereon in NARUC) published 2007 entitled " Regulations to govern the preservation of records of electric, gas and water utilities." These records are a part of pole safety, without these records being collected and maintained by PPL the poles on the Complainant property should be considered unsafe. These records alone are an important part of pole safety. PPL has produced several spreadsheets for each pole in this complaint. On these sheets the information such as pole height, description, and other information sought by the Complainant was left blank. If PPL does not have these records these poles should be removed from the Complainants property immediately and considered unsafe.

### **CONCLUSION**

2. PPL accusations that the complainant engaged in bad faith discovery through excessive filing is moot. Complainant denies all allegations made by PPL in this protective order. For all reasons listed in this brief. PPL has not met the burden of proof to the claim of bad faith discovery on the complainants behalf. Nor did PPL produce a single document into evidence showing bad faith discovery towards PPL. Further all evidence being withheld by PPL should be disclosed. For the reasons listed in this brief and set forth in this conclusion PPL Protective Order should be denied:

PPL, being in violation of vegetation management standards set forth by the state of PA, has led to three accidents occurring on the Complainants property. These accidents involved PPL utility poles and wires in an alleged ROW on the Complainants property. These three incidents have put the Complainant and the public's safety at risk. It has caused property damage, and outages, some outages lasting over a two week period. In order to obtain the information needed

to prove PPL is in violation of these laws. Specific information is needed. PPL has not disclosed that certain information even existed to the Complainant. This evidence does exist, and PPL is in sole possession of the information. In order to hold PPL accountable for its actions, this information must be disclosed. PPL is responsible for each of these three accidents by their negligence in vegetation management, inspection and maintenance practices. This led up to these accidents happening, and for these three accidents to occur. This is in violation of Pa Title 66 Chapter 15 Section 1501.

Both PPL and its attorneys Post & Schell have discriminated against the Complainant's right to due process during the discovery phase. PPL has throughout discovery made false allegations of Complainant's "bad faith" or "improper" discovery methods. Complainant briefs do not fall under this category. Post & Schell is trying to cast an unfavorable image of the complainant. PPL has not presented any evidence with their objections of "bad faith" or "improper discovery". These questions are not meant to cause unreasonable annoyance or unreasonable harassment to its employees. These questions are direct questions to PPL seeking the truth and data which they hold for subject matter in this complaint and are required by due process and rules of civil procedure law to disclose this evidence.

The questions in Depositions, Interrogatories, and the information sought are reasonable requests. The questions to PPL are reasonable. Not only because they have direct subject matter to this complaint. The complainant is questioning documentation PPL has provided during discovery. There is a need for further questioning of PPL, PPL employees, and PPL subcontractors for documentation and evidence that is still being withheld by PPL and matters in the amended formal complaint. The value of this evidence outweighs the cost of this evidence.

This is public information, this information by law has to be readily available to PPL. It is PPL's duties as an EDC operating in the State Of PA, to PPL maintain these records.

The complainant is well within the scope of discovery governing an evidentiary hearing in front of the PUC. All the evidence requested falls in the category of hearing preparation material and is the complainants due process right to obtain from PPL. This evidence is not vague, overly broad, unduly burdensome, duplicative, or an improper bad faith use of discovery other than its forcing ppl to disclose the truth. PPL by law is required to compile and store this data. This data is readily available to PPL. PPL should want the truth to come out to show it is in compliance with PA state and its utilities are safe for the public. PPL is under the continuing duty to supplement answers to questions during discovery PPL is a multi billion dollar corporation with unlimited resources. PPL has several in-house attorneys and multiple employees and subcontractors working on its defense in this complaint from multiple departments. PPL has hired Post & Schell who also have several attorneys and paralegals working to defend PPL. The Complainants case is dependent on information that PPL is in sole control over. Without this evidence the Complaint may not survive the defense PPL is preparing for. This information is pre hearing material. Giving PPL a protective order would allow PPL to continue to withhold this evidence. This gives the Complainant an unfair disadvantage and discriminates against his due process rights to discovery. The Complainant is a pro-se applicant, and has limited funds to survive the defense with a company with unlimited resources. PPL has proven case after case in front of the PUC that PPL will use all means to win their case even if they are wrong. This upcoming hearing in front of the PUC must be even. The value of this information that is being withheld from PPL outweighs the cost to this complaint. It is crucial to this complaint that the PUC order PPL to release this information. PPL has sole access to all the information needed to

prove this Complaint. PPL will not release this information without the help from the PUC. This case will be going to trial. Without this information, PPL wins again.

Wherefore, Complainant asks the Commission to dismiss in full PPL request for protective order based on information provided above, ordering PPL to answer all questions from depositions and interrogatories, and/or any other relief this court may deem proper in this situation.

CC;

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Dated-01/11/2026