

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Carlos Ortiz	:	
	:	
v.	:	F-2025-3056999
	:	
PPL Electric Utilities Corporation	:	

**INTERIM ORDER
SUSTAINING OBJECTION TO EXHIBIT**

At the hearing in this matter, on Friday, November 14, 2025, the Complainant, Carlos Ortiz, offered one, nine-page exhibit into the record, which was marked for identification as Ortiz Exhibit 1. Tr. 24-25. The Complainant had emailed the proposed exhibit to the undersigned on the evening prior to the hearing and had provided a similar, but not identical, document to PPL earlier in the week. Tr. 8. During the hearing, counsel for PPL Electric Utilities Corporation (PPL, Respondent, or Company) raised initial objections to the exhibit being admitted into evidence. Tr. 25-26.

To afford PPL a fuller opportunity to review the exhibit, I gave the Company one week, until November 21, 2025, to submit any objections in writing. I also provided Mr. Ortiz the option to file a reply to PPL’s objections, to be filed by December 3, 2025. Tr. 91-93. I advised the parties that a written order memorializing those deadlines would be issued. Tr. 95-96, 100.

On November 21, 2025, PPL filed a letter stating its objections to the admission of Ortiz Exhibit 1 into the record.

Subsequent review of the record revealed that the prepared order memorializing the deadlines for objections and reply had not been served to the parties. Accordingly, I issued

an interim order setting a new deadline of December 23, 2025 for Mr. Ortiz to reply to PPL's objections. Interim Order Setting New Deadline for a Reply to Respondent's Objections (issued Dec. 11, 2025).

Mr. Ortiz did not file a reply to PPL's objections. The extended deadline having passed, I will now consider whether to admit the Complainant's proposed exhibit into the record.

Discussion

The grounds for admissibility of evidence are set forth in 52 Pa. Code § 5.401, which provides that relevant and material evidence is generally admissible, subject to objections on other grounds and certain exclusions. However, pursuant to 52 Pa. Code § 5.401(b), evidence will be excluded if the evidence is duplicative or its probative value is outweighed by the danger of unfair prejudice or confusion of issues. After reviewing the proposed exhibit, I find that Ortiz Exhibit 1 should be excluded from the evidentiary record.

Broadly, Ortiz Exhibit 1 provides a list of facts alleged by the Complainant and the Commission regulations that he believes that PPL has violated. The exhibit also provides the Complainant's assessment of two of the Company's exhibits (PPL Exhibits 8 and 9).

PPL objects to admission of Ortiz Exhibit 1 on the basis that the exhibit "includes legal argument that is inappropriate for the evidentiary record, and requests relief that is outside of the scope of the Complaint." Objections at 1. The Company argues, further, that the exhibit mischaracterizes Commission regulations. *Id.*

The Company is correct that most of the exhibit is legal argument, not evidence. *See* 52 Pa. Code § 5.401(a). Moreover, during the hearing, the Complainant orally explained the claims raised by his complaint and was also given opportunity to make a closing argument. Tr. 12-14, 16-18, 26-28, 96. The references in the exhibit to regulations that are not relevant to those claims serve to distract from and confuse the issues. 52 Pa. Code § 5.401(b)(2)(ii).

To the extent that the exhibit contains factual claims by Mr. Ortiz, those facts are already part of the record through the Complainant's testimony and through his cross-examination of PPL's witness, which has greater probative value because it was made under oath and subject to cross-examination. Tr. 12-40 (Ortiz); Tr. 72-82 (DeLong). As such, the facts claimed in Ortiz Exhibit 1 are repetitious and cumulative. *See* 52 Pa. Code § 5.401(b)(1).

Therefore, PPL's objections are sustained and Ortiz Exhibit 1 will not be admitted into the evidentiary record.

No further requests for relief have been filed by either party. The record of this case will now be closed. An initial decision will be prepared and served on the parties.

THEREFORE,

IT IS ORDERED:

1. That the request to admit Ortiz Exhibit 1 into the record of this proceeding is denied.
2. That the record in the matter of Carlos Ortiz v. PPL Electric Utilities Corporation, Docket No. F-2025-3056999, is closed.
3. That an initial decision will be prepared and issued.

Dated: January 28, 2026

Erin L. Gannon
Administrative Law Judge

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