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March 6, 2026

VIA ELECTRONIC FILING

Matthew L. Homsher, Secretary
Pennsylvania Public Utility Commission
400 North Street, 2nd Floor North
Harrisburg, PA 17105-3265

**RE: In re: Application of PPL Electric Utilities Corporation for approval of the alteration of the crossing where State Route 1005 (Mount Sidney Road) crosses, above grade, tracks of the National Railroad Passenger Service (AMTRAK) (DOT 518 160 Y) for the purpose of replacing an existing utility pole and relocating an aerial utility line in East Lampeter Township, Lancaster County
File No. A-2025-3054947**

Dear Secretary Homsher:

Enclosed for filing is PPL Electric Utilities Corporation's Prehearing Conference Memorandum.

Copies of the aforesaid Answer are being provided as indicated on the Certificate of Service.

Respectfully submitted,

GRAIG M. SCHULTZ

Enclosure

cc: Certificate of Service

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

In re: Application of PPL Electric Utilities Corporation for approval of the alteration of the crossing where State Route 1005 (Mount Sidney Road) crosses, above grade, tracks of the National Railroad Passenger Service (AMTRAK) (DOT 518 160 Y) for the purpose of replacing an existing utility pole and relocating an aerial utility line in East Lampeter Township, Lancaster County

File No. A-2025-3054947

**PPL ELECTRIC UTILITIES CORPORATION'S
PREHEARING CONFERENCE MEMORANDUM**

PPL Electric Utilities Corporation (“PPL Electric”), by and through its counsel, Fitzpatrick Lentz & Bubba, P.C., submits the following Prehearing Conference Memorandum pursuant to the regulations of the Pennsylvania Public Utility Commission (the “Commission”) found at 52 Pa. Code § 5.222(d) as follows:

I. FACTUAL BACKGROUND & PROCEDURAL HISTORY

On May 1, 2025, PPL Electric filed its Application for approval of alteration of the crossing where State Route 1005 (Mount Sidney Road) crosses, above grade, tracks of the National Railroad Passenger Service (AMTRAK) (DOT 518 160 Y) for the purpose of replacing an existing utility pole and relocating an aerial utility line in East Lampeter Township, Lancaster County (the “Application”). PPL Electric sought the Commission’s approval to transfer conductors from a condemned wood pole to a steel pole. The power conductors at issue cross Amtrak’s railroad rails within the public right-of-way at Mount Sidney Road. The alteration is necessary to support current and future loading conditions, and to provide continued utility services to PPL Electric’s

customers. PPL Electric agreed to pay all costs of construction of the utility pole replacement and agreed to take responsibility for installing, maintaining, and inspecting its facilities.

On May 27, 2025, the Commission issued a Secretarial Letter confirming receipt of the Application and advising that it would approve the Application unless any party in interest notified the Commission of any objection to the Application on or before June 16, 2025.

On June 15, 2025, Amtrak notified the Commission of its objection to the Application (the “Letter Objection”). Amtrak based its objection on a claim that PPL Electric was required to submit its Application through Amtrak’s online portal.

On June 30, 2025, PPL Electric filed Preliminary Objections to the Letter Objection arguing that it was not required to submit the Application through Amtrak’s online portal, and that Commission’s regulations required Amtrak to file a protest in order to properly object to the Application. On August 13, 2025, Amtrak answered PPL Electric’s Preliminary Objection and filed its Protest. On September 2, 2025, PPL Electric replied to Amtrak’s New Matter.

On September 17, 2025, Amtrak filed its Motion to Supplement the Record. On October 7, 2025, PPL Electric filed its Answer to Amtrak’s Motion concurring in Amtrak’s requested relief.

On February 9, 2026, a Notice of Appearance was filed by the Bureau of Investigation and Enforcement of the Pennsylvania Public Utility Commission.

II. STATEMENT OF LEGAL ISSUES

The legal issues to be addressed in this action are: (1) whether PPL Electric is required to submit the Application through Amtrak’s online portal (the “Portal”); (2) whether PPL Electric is required to execute Amtrak’s Temporary Permit to Enter Upon Property (the “Permit”) in order to complete the work set forth in the Application; and (3) whether PPL Electric is required to execute

Amtrak's Pipe & Wire License Agreement (the "License Agreement") in order to complete the work set forth in the Application.

PPL Electric submits that it is not legally required to submit the Application through the Portal or execute the Permit or the License Agreement before completing the work set forth in the Application. The Public Utility Code provides, in pertinent part:

No public utility, engaged in the transportation of passengers or property, shall, without prior order of the commission, construct its facilities across the facilities of any other such public utility or across any highway at grade or above or below grade, or at the same or different levels; and no highway, without like order, shall be so constructed across the facilities of any such public utility, and, without like order, no such crossing heretofore or hereafter constructed shall be altered, relocated, suspended or abolished.

66 Pa.C.S.A. § 2702(a).

Under Section 2702, the Commission has the exclusive power to prescribe how highway-railroad crossing should be constructed and costs allocated. *Dep't of Highways v. Pennsylvania Pub. Util. Comm'n*, 182 A.2d 267, 271 (Pa. Super. 1962) (citations omitted). As part of its power, the Commission can direct the details of construction so as to provide for occupancy and relocation of the facilities of a utility occupying a highway or street in the area under commission jurisdiction. *Id.*

PPL Electric believes that the Application falls squarely within the ambit of the Commission's exclusive power over highway-rail crossings. Consequently, PPL Electric requests a formal determination from the Commission that it does not need to submit the Application through the Portal, or execute the Permit or License Agreement, or pay Amtrak any fees associated therewith before beginning any of the work set forth in the Application.

III. STATUS OF SETTLEMENT DISCUSSIONS

Since the time that PPL Electric's Application was filed, counsel for PPL Electric and Amtrak have had ongoing settlement discussions. However, settlement is not likely if Amtrak insists that PPL Electric submit the Application through the Portal, execute the Permit, and execute the License Agreement as a prerequisite to performing the work outlined in the Application.

During counsel's most recent meet and confer, PPL Electric and Amtrak discussed the option of submitting joint proposed findings of facts for the Administrative Law Judge's ("ALJ") consideration, followed by main briefs, and reply briefs, thereby alleviating the need for the ALJ to hold a formal hearing for this matter. PPL Electric does not believe that there are any material facts in dispute and is agreeable to proceeding in this manner. Amtrak subsequently notified PPL Electric that it believes written witness testimony and hearings are necessary because of outstanding factual issues.

IV. PROPOSED WITNESS LIST

Should a formal hearing be scheduled, PPL Electric intends to present the following witnesses in its case in chief in support of its Application, but reserves the right to add such other witnesses as it deems appropriate upon further notice to the presiding ALJ and the parties:

A. Allison Sheehe

Ms. Sheehe is employed by PPL Electric as Supervisor – Distribution Right of Way. Ms. Sheehe will offer testimony concerning: the location of the wooden and metal poles located at the public highway/rail crossing (DOT 518 160 Y); the construction schedule PPL Electric would need for the removal of the existing wooden pole and restringing of aerial facilities onto the metal pole at the subject highway/rail crossing structure; the work and cost that PPL Electric will agree to perform and bear for the future maintenance and replacement of PPL Electric's utility facilities at

the existing public highway/rail crossing; and any past orders or actions of the Commission, or its predecessor, which may have dealt with the construction, alteration, or reconstruction or maintenance of utility facilities at the subject highway/rail crossing structure.

B. Chelsea Pine

Ms. Pine is employed by PPL Electric as Agent – Right of Way. Ms. Pine will offer testimony concerning: the location of the wooden and metal poles located at the public highway/rail crossing (DOT 518 160 Y); the construction schedule PPL Electric would need for the removal of the existing wooden pole and restringing of aerial facilities onto the metal pole at the subject highway/rail crossing structure; the work and cost that PPL Electric will agree to perform and bear for the future maintenance and replacement of PPL Electric’s utility facilities at the existing public highway/rail crossing; and any past orders or actions of the Commission, or its predecessor, which may have dealt with the construction, alteration, or reconstruction or maintenance of utility facilities at the subject highway/rail crossing structure.

V. PROPOSED PROCEDURAL SCHEDULE

Amtrak has offered the following proposed schedule for this proceeding, to which PPL Electric concurs:

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|----|-----------------------|----------------|
| 1. | Application filing | May 1, 2025 |
| 2. | Prehearing Conference | March 10, 2026 |
| 3. | Settlement Conference | May 13, 2026 |
| 4. | Direct Testimony | June 15, 2026 |
| 5. | Rebuttal Testimony | July 10, 2026 |
| 6. | Surrebuttal Testimony | July 31, 2026 |
| 7. | Hearings | September 2026 |

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|----|--------------|-------------------|
| 8. | Main Briefs | October 21, 2026 |
| 9. | Reply Briefs | November 15, 2026 |

PPL Electric is also agreeable to conducting discovery in accordance with the Commission's regulations found at 52 Pa. Code §§ 5.321, et seq.

Dated: March 6, 2026

Respectfully submitted,

By: 

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On behalf of PPL Electric Utilities Corp.

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PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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File No. A-2025-3054947

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Prehearing Conference Memorandum 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 party.

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Dated: March 6, 2026

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