

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Brian Carnahan	:	
	:	
v.	:	C-2025-3058978
	:	
PPL Electric Utilities Corporation	:	

ORDER
GRANTING CONTINUANCE

On December 2, 2025, Brian Carnahan (Mr. Carnahan or Complainant) filed a Formal Complaint (Complaint) with the Pennsylvania Public Utility Commission (Commission) against PPL Electric Utilities Corporation (PPL or Company). In his Complaint, Mr. Carnahan alleges that work related to installation of two new utility poles caused considerable damage to his property. Specifically, Mr. Carnahan alleges that the work caused damage to his trees and sidewalk. As relief, Mr. Carnahan requests that a contractor repair the sidewalk and an arborist assess the damaged trees. Mr. Carnahan requests that PPL cover all contractor costs and guarantee that the old poles will be removed by May 31, 2026. Additionally, Mr. Carnahan wants assurances from PPL that they will put processes in place to alert property owners when significant work is being done that affects their property.

On December 22, 2025, PPL filed an Answer and New Matter to Mr. Carnahan's Complaint. In its Answer, PPL admitted that its contractor installed two utility poles at Complainant's property in September 2025 and performed vegetation management at Complainant's property in September 2025. PPL avers that at no point did PPL's contractor access Complainant's property and operated within its recorded right-of-way to perform vegetation management for the utility line upgrades. PPL denies that it caused Complainant to suffer any damages. In its New Matter, PPL asserts that the Commission does not have jurisdiction over Complainant's claims; Complainant's claims are legally insufficient; at all relevant times, PPL did not exceed the scope of its right-of-way; the Commission does not have

jurisdiction to determine the scope and validity of PPL's right-of-way; the Commission lacks authority to make a determination that PPL was negligent in performing work within its right-of-way; PPL was not negligent in the performance of its work within its right-of-way; any damages alleged to have been suffered by Complainant were not caused by the actions and/or inactions of PPL; and the Commission does not have the authority to award monetary damages to Complainant. PPL's New Matter was not accompanied by a Notice to Plead.

Also on December 22, 2025, PPL filed Preliminary Objections to Mr. Carnahan's Complaint. PPL's Preliminary Objections included a Notice to Plead. No response to PPL's Preliminary Objections was filed.

On January 27, 2026, a Motion Judge Assignment Notice was issued, assigning me as the presiding officer.

On February 24, 2026, I issued an Order Granting in Part and Denying in Part PPL's Preliminary Objections and Scheduling an Evidentiary Hearing.

On February 25, 2026, the Commission issued an Initial Telephonic Hearing Notice setting a formal call-in telephonic hearing for this matter for Tuesday, April 7, 2026 at 10:00 a.m. In anticipation of that hearing, I issued a Prehearing Order on February 25, 2026 setting forth various rules that would govern that proceeding.

On March 31, 2026, PPL filed a Motion for Continuance of the April 7, 2026 hearing. PPL averred that parties have engaged in settlement discussions, and PPL requested a 30-day extension of April 7, 2026 hearing to allow parties to continue their settlement discussions without incurring additional expenses to litigate this matter. PPL also stated that Complainant agreed to a 30-day continuance of the April 7, 2026 hearing.

Section 5.483 of the Commission's regulations provides presiding officers with the authority to regulate the course of proceedings. 52 Pa.Code § 5.483(a). Presiding officers are required to conduct fair and impartial hearings and maintain order. 52 Pa.Code § 5.485(a).

Requests for continuance of hearings may be made by oral motion in the hearing before the presiding officer. 52 Pa.Code § 1.15(b). Only for good cause shown will requests for continuance be considered. *Id.* The Commission has recognized the Pennsylvania Supreme Court’s definition of good cause as “conduct which is reasonable under all the circumstances, thereby justifying the [c]laimant’s actions.” *Smart Meter Procurement and Installation*, Docket No. M-2009-2092655 (Order entered November 4, 2020); *In re Application of Penn Access Corporation and Digital Direct of Pittsburgh, Inc.*, 1992 Pa. PUC LEXIS 56 (Pa. P.U.C. 1992) (citing *Frumento v. Unemployment Comp. Bd. of Review*, 351 A.2d 631 (Pa. 1976)).

In this case, there is good cause for the request for a continuance to be granted and for the April 7, 2026 hearing to be continued to May 12, 2026. Both parties agreed to the continuance, and the Commission strongly encourages settlement, which may lead to avoiding unnecessary expenditure of parties’ resources. Even if the parties are unable to settle this case, they may still resolve some of the questions or issues during their discussions. If the parties reach an agreement on all issues, a formal hearing will not be necessary. The parties are also reminded that the presiding officer may participate in settlement discussions upon agreement of all parties. 52 Pa.Code § 5.223(c); *see also*, 52 Pa.Code § 5.231(c).

ORDER

THEREFORE,

IT IS ORDERED:

1. That the hearing scheduled for April 7, 2026 is continued to May 12, 2026.
2. That to participate in the evidentiary hearing scheduled for May 12, 2026 starting at 10:00 a.m., parties shall call the Toll-free Bridge Number at 888-456-5124 and enter PIN Number 9563241 when prompted.

Date: April 1, 2026

/s/
John M. Coogan
Administrative Law Judge

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BRIAN CARNAHAN
444 N NEW ST
BETHLEHEM PA 18018
205.616.8619
brianmcarnahan@gmail.com
Served via eService April 1, 2026

GRAIG M SCHULTZ ESQUIRE
FITZPATRICK LENTZ & BUBBA
645 W HAMILTON STREET
SUITE 800
ALLENTOWN PA 18101-2109
610.797.9000
gschultz@flblaw.com
Served via eService April 1, 2026