

COMMONWEALTH OF PENNSYLVANIA



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April 16, 2026

Via Electronic Filing

Matthew L. Homsher, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120

Re: Letter of Notification of PPL Electric Utilities Corporation filed pursuant to 52 PA. Code Chapter 57 with respect to the approval to build approximately 1.1 miles of new parallel double circuit 230 kV transmission taps that are needed to connect the existing Susquehanna-Harwood #1 & #2 transmission lines on the New Tomhicken 230 kV switchyard that are respectively located in Luzerne County, Pennsylvania; Docket No. A-2025-3059443

Dear Secretary Homsher:

Attached for electronic filing, please find the Office of Consumer Advocate's Motion to Dismiss Objections and to Compel Answers to Interrogatories of the Office of Consumer Advocate in this proceeding.

Copies have been served on the parties as indicated on the enclosed Certificate of Service.

Respectfully submitted,

/s/ Jacob Guthrie
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Enclosures

cc: Administrative Law Judge Erin L. Gannon (Via Email Only: egannon@pa.gov)
Administrative Law Judge John M. Coogan (Via Email Only: jcoogan@pa.gov)
Certificate of Service

CERTIFICATE OF SERVICE

Letter of Notification of PPL Electric :
Utilities Corporation filed pursuant to 52 PA. :
Code Chapter 57 with respect to the approval :
to build approximately 1.1 miles of new :
parallel double circuit 230 kV transmission : Docket No. A-2025-3059443
taps that are needed to connect the existing :
Susquehanna-Harwood #1 & #2 :
transmission lines on the New Tomhicken :
230 kV switchyard that are respectively :
located in Luzerne County, Pennsylvania. :

I hereby certify that I have this day filed electronically on the Commission's electronic filing system and served a true copy of the following document, the Office of Consumer Advocate's Motion to Dismiss Objections and to Compel Answers to Interrogatories of the Office of Consumer Advocate, upon parties of record in this proceeding in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant), in the manner and upon the persons listed below.

Dated this 16th day of April 2026.

SERVICE BY E-MAIL ONLY

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Dated: April 16, 2026

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BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Letter of Notification of PPL Electric :
Utilities Corporation filed pursuant to 52 :
PA Code Chapter 57 with respect to the :
approval to build approximately 1.1 miles :
of new parallel double circuit 230 kV : Docket No. A-2025-3059443
transmission taps that are needed to :
connect the existing Susquehanna- :
Harwood #1 & #2 transmission lines on the :
New Tomhicken 230 kV switchyard that :
are respectively located in Luzerne County, :
Pennsylvania :

MOTION TO DISMISS OBJECTIONS AND TO COMPEL
ANSWERS TO INTERROGATORIES
OF THE OFFICE OF CONSUMER ADVOCATE

I. INTRODUCTION

AND NOW, before the Administrative Law Judges (ALJs) Erin L. Gannon and John M. Coogan, the Office of Consumer Advocate (OCA) files this Motion to Dismiss Objections and to Compel Answers to Interrogatories (Motion), pursuant to 66 Pa. C.S. Section 333(g) and 52 Pa. Code Sections 5.103, 5.331, and 5.342(g). In this Motion, the OCA requests that the ALJs enter an order that (1) dismisses the written objections filed by PPL Electric Utilities Corporation (PPL or Company) on April 6, 2026, in this proceeding; and (2) compels the Company to provide the full and complete information requested in OCA Interrogatory Set 1, Questions No 2(b), 5(b), and 5(d) and OCA Interrogatory Set 2, Questions No. 12, 13, 15, 21, 22, and 24¹ (Objections), on the grounds that the information sought in these interrogatory questions is narrowly tailored to

¹ The OCA notes that PPL included OCA Interrogatory Set 2, Question No. 23 in its Objections, Paragraph 2. After further discussion with counsel for the Company, PPL has stated that it does not object to OCA Interrogatory Set 2, Question No. 23.

discover relevant and admissible evidence regarding matters which the Pennsylvania Public Utility Commission (Commission) must consider in this matter without imposing an unreasonable burden on PPL.

This filing represents PPL's first filing to the Commission for authorization to construct new transmission facilities in order to interconnect a large data center. As the Commission is well aware, there is a substantial amount of public interest in *any* proposed data center. It is the OCA's intention in this proceeding to compile a full and complete record for the Commission's review as to PPL's proposal, as it is a matter of great public interest and importance. This requires the OCA to investigate and address each argument raised by PPL regarding large load or data center customers, generally, in addition to ensuring compliance with the Commission's regulations and the Public Utility Code for the facilities, and attendant terms and conditions of service, proposed in this proceeding. Accordingly, PPL's Objections should be dismissed in order to facilitate a full and complete investigation, and to ensure that full disclosure and transparency is maintained in this evidentiary record.

In support thereof, the OCA states as follows:

II. BACKGROUND

1. On December 19, 2025, PPL filed a Letter of Notification (LON) with the Commission, pursuant to 52 Pa. Code Section 57.72(d)(1)(iii) and (vi), to build approximately 1.1 miles of new parallel double-circuit 230 kilovolt (kV) transmission taps that PPL claims are needed to connect the existing Susquehanna-Harwood #1 & #2 230 kV Transmission Lines to the new Tomhicken 230 kV Switchyard (Project). The Project also includes the construction of two new 0.1-mile-long 230 kV transmission lines from the Tomhicken 230 kV Switchyard to a new

customer-owned 230-34 kV substation. The Project is located in Hazle Township, Luzerne County, Pennsylvania.

2. According to PPL, it “will carry out the projects necessary to serve this Customer’s load request in two separate phases. Phase 1, subject to this Letter of Notification, is needed to connect the Customer requesting transmission-level service.” LON ¶ 23. Further:

Phase 2 will be needed to address the Customer’s future electrical needs and demands, as well as PPL Electric’s system needs. Phase 2 will be submitted in a subsequent filing, which PPL Electric anticipates may necessitate a full siting application. PPL Electric notes that the phases are being submitted separately because only the first phase is required to meet the Customer’s in-service request; Phase 2 will not be necessary until the Customer’s load increases at a future date.

LON ¶ 24.

3. On March 27, 2026, the OCA issued its Set 1 Interrogatories (Set 1) and Set 2 Interrogatories (Set 2) to the Company.

4. On April 6, 2026, PPL filed its Objections.

5. On April 8, 2026, counsel for the Company and the OCA held a conference call to discuss the Objections and attempt to resolve the Objections without the need for a motion to compel. However, the parties were unable to reach agreement.

III. LEGAL STANDARD

6. Section 333(d) of the Public Utility Code permits a party to a proceeding to “serve written interrogatories upon any other party for purposes of discovering relevant, unprivileged information.” 66 Pa.C.S. § 333(d).

7. Under the Commission’s regulations, a party may obtain discovery regarding any matter, not privileged, which is relevant to the subject matter involved in the pending action.² 52

² Section 5.321 outlines the scope of discovery as follows:

(c) *Scope.* Subject to this subchapter, a party may obtain discovery regarding **any matter**, not privileged, which is **relevant to the subject matter** involved in the pending action, whether it

Pa. Code § 5.321(c). It is not grounds for objection that the information sought will be inadmissible at hearing if the information sought appears reasonably calculated to lead to the discovery of admissible evidence. *Id.*

8. The Commission applies the relevance test liberally. *See Pa. Pub. Util. Comm'n v. The Peoples Natural Gas Co.*, 62 Pa. PUC 56 (Aug. 26, 1986). Relevance depends upon the nature and the facts of the individual case. *Koken v. One Beacon Ins. Co.*, 911 A.2d 1021, 1025 (Pa. Cmwlth. 2006). Any doubts are to be resolved in favor of relevance and permitting discovery. *Petition of the Borough of Cornwall for a Declaratory Order*, Docket No. P-2015-2476211 (Order entered Sept. 11, 2015) (citing *Koken*, 911 A.2d at 1025).

9. The burden is placed on the party objecting to discovery to establish that the information requested is not relevant or discoverable. *Id.*

10. Where there has been an objection filed to an interrogatory, the propounding party has the right to file a motion requesting that the presiding officer issue an order that dismisses the objection and compels an answer to the interrogatory. 66 Pa.C.S. § 333(d); 52 Pa. Code § 5.432(g). The consequence to the propounding party for failure to file a motion to compel is that the objected-to interrogatory will be deemed withdrawn. 52 Pa. Code § 5.432(g). The motion to compel must include the interrogatory objected to and the objection. *Id.*

relates to the claim or defense of the party seeking discovery or to the **claim or defense of another party**, including the **existence**, description, nature, content, custody, condition and location of any books, **documents**, or other tangible things and the identity and location of persons having knowledge of a discoverable matter. It is not ground for objection that the information sought will be inadmissible at hearing if the information sought appears reasonably calculated to lead to the discovery of admissible evidence.
52 Pa. Code § 5.321(c) (emphasis added).

IV. RESPONSE TO GENERAL OBJECTION

11. In Section A of its Objections, PPL asserts a “General Objection” wherein it states that “[o]ther PPL Electric facilities (whether they are existing facilities or proposed facilities) are not within the scope of this case” and that “this matter does not involve transmission revenue requirement or rate determinations within the jurisdiction of the Federal Energy Regulatory Commission.” Objections, Sec. A ¶¶ 2-3. Based on these assertions, PPL claims that “discovery targeting information that is not within the scope of the Project that is the subject of this LON is overly broad, and seeks information that is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence.” Objections, Sec. A ¶ 4.

12. The Commission’s regulations do not provide for a general objection. Rather, the regulations regarding objections require that the objection be raised separately in response to each contested interrogatory and “[r]estate the interrogatory or part thereof deemed objectionable and the specific ground for the objection.” 52 Pa. Code § 5.342(c)(3). PPL’s general objection is not tied to the issuance of a specific interrogatory and states a legal conclusion without adequate support.

13. In transmission line siting proceedings:

[T]he Commission will accept evidence upon, and in its determination of the application it will consider, *inter alia*, the following matters:

(1) The present and future necessity of the proposed HV line in furnishing service to the public.

(2) The safety of the proposed HV line.

(4) The availability of reasonable alternative routes.

52 Pa. Code § 57.75(e).

14. In ruling on a proposed application for the siting of transmission facilities:

The Commission will issue its order, with its opinion, if any, either granting or denying the application, in whole or in part, as filed or upon the terms, conditions or modifications, of the location, construction, operation or maintenance of the line as the Commission may deem appropriate. The Commission will not grant the application, either as proposed or as modified, unless it finds and determines as to the proposed HV line:

- (1) That there is a need for it.
- (2) That it will not create an unreasonable risk of danger to the health and safety of the public.
- (3) That it is in compliance with applicable statutes and regulations providing for the protection of the natural resources of this Commonwealth.
- (4) That it will have minimum adverse environmental impact, considering the electric power needs of the public, the state of available technology and the available alternatives.

52 Pa. Code § 57.76(a).

15. Any matter which is implicated directly by the factors the Commission must consider is relevant, and any evidence requested in discovery which affects these considerations is relevant and highly probative. In addition, the provisions of 52 Pa. Code Sections 57.75(e) and 57.76(a) clearly indicate that the Commission may consider matters beyond these four factors in determining whether to grant, deny, or modify the proposed siting application, based on the Commission's statement that it will take evidence and will reach its determination on the application regarding "*inter alia*" the matters specifically identified in those sections.

16. As a result, PPL's assertion that any discovery requested could not be within the scope of the proceeding or not be involved in this matter *per se* is unsupported by the Commission's clear language in its regulations.

17. Notwithstanding this clear direction from the Commission, and as set forth in detail below, the OCA submits that its interrogatories in Sets 1 and 2 are reasonably calculated to lead to the discovery of admissible evidence regarding (1) matters explicitly included in the

Commission's regulations for consideration in reaching a determination on the Project and/or (2) investigating the assertions made by PPL in the LON, which are directly relevant to the instant proceeding.

V. MOTION TO COMPEL

18. Interrogatory OCA-1-2(b) states:

2. Refer to the LON, page 2, "The Customer will construct, own, operate, and maintain their 230-34 kV substation."

b. Please identify any other Customers who currently own substations interconnected with PPL Electric's system, and explain whether PPL Electric's tariff or interconnection agreements treat customer-owned substations differently from utility-owned substations with respect to cost responsibility for upstream transmission facilities.

19. The Company objects to Interrogatory OCA-1-2(b) based on the grounds that the discovery request is overly broad, seeks irrelevant information, and is not reasonably calculated to lead to the discovery of admissible evidence. The Company argues:

OCA Set I, No. 2.b. is overly broad and seeks information that is not relevant and not likely to lead to the discovery of admissible evidence in this case, to the extent that it asks PPL Electric to provide information regarding "any other Customers who currently own substations interconnected with PPL Electric's system." The Company has many customer-owned substations and it would constitute an unreasonable burden and expense should the Company be forced to pull interconnection agreements from each of its customer-owned substations in order to make the determination being requested in Set I, No. 2.b. Furthermore, the information sought by this request is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Any customer-owned PPL Electric substations not within the scope of the Project are outside the scope of this proceeding and, therefore, the identification of such substations and provision of information specific to those customer-owned substations is irrelevant. PPL Electric notes that it is willing to explain whether, as a general matter, "PPL Electric's tariff or interconnection agreements treat customer-owned substations differently from utility-owned substations" as requested by this question.

Objections, Sec. B ¶ 4.

20. It is the OCA's responsibility to protect the interests of PPL's consumers in matters that are properly before the Commission. In doing so, the OCA must inquire into any and all

matters which may lead to the discovery of admissible evidence to support its recommendations to the Commission in this proceeding. Absent privileged information, the OCA has the right to obtain discovery regarding any matter which is relevant to the subject matter involved in the proceeding.

21. Interrogatory OCA-1-2(b) is reasonably calculated to produce relevant and admissible evidence regarding the need for the Project. 52 Pa. Code §§ 57.75(e)(1), 57.76(a)(1).

22. The determination of “need” is not narrowly construed by the Commission. *Hess v. Pa. Pub. Util. Comm’n*, 107 A.3d 246, 260 (Pa. Cmwlth. 2014). One aspect of need is whether the project, as proposed, will meet its stated aims or, in other words, whether the facilities proposed by the utility to meet the identified reason are safe, reasonable, adequate, and efficient. *See Energy Conservation Council of Pa. v. Pa. Pub. Util. Comm’n*, 995 A.2d 465, 483-84, 486 (Pa. Cmwlth. 2010) (affirming the Commission’s taking of evidence regarding whether the proposed transmission line was designed to address the stated need for the project in comparison to suggested alternatives).

23. Furthermore, the Commission also reviews whether the project, as proposed, is consistent with the Public Utility Code and the Commission’s regulations. *Letter of Notification of PPL Electric Utilities Corporation for Approval to Reconductor approximately 14.2 miles of the Juniata-Cumberland 230 kV Transmission Line in Centre, Carroll, and Rye Townships, Perry County and Middlesex and Silver Spring Townships, Cumberland Pennsylvania*, Docket No. A-2022-3036291 (Order entered Mar. 16, 2023)³ at 7 (*Juniata-Cumberland*).

³ Available at: <https://www.puc.pa.gov/pcdocs/1777523.pdf>.

24. Under Section 1502 of the Public Utility Code, PPL is prohibited from making or granting “any unreasonable preference or advantage to any” customer and shall not “establish or maintain any unreasonable difference as to service.” 66 Pa. C.S. § 1502.

25. Because the Commission is empowered to modify “the terms, conditions or modifications, of the location, construction, operation or maintenance of the” Project in its order granting or denying the LON, discovery regarding PPL’s (1) determination as to the service needs of the customer with respect to the design and intended construction of the Project and (2) application of its terms and conditions of construction and service to the Customer as compared to PPL’s other customers is relevant. This discovery ensures compliance with 52 Pa. Code Section 57.76(a)(1) as well as 66 Pa. C.S. Section 1502, based on the interpretation of the information procured in discovery by the reviewing expert witness.

26. Based on the facts included in the LON, alone, the OCA does not have sufficient information to ensure compliance with these provisions of the Public Utility Code and the Commission’s regulations, or to determine that the Project – as proposed – is necessary with respect to its design, construction, and efficiency.

27. Interrogatory OCA-1-2(b) seeks information regarding the manner in which PPL has treated other customers who currently own substations interconnected with PPL’s system, similar to the proposed customer interconnection facilities identified in the LON. LON at 2, n.2, ¶¶ 26-33.

28. The OCA expressed to PPL’s counsel that if PPL provided the number of customers which currently own their own substations, instead of providing identifying information regarding each customer, specifically, it would deem that answer to be responsive.

29. Furthermore, the OCA submits that a utility's identification of the number of customers on its system which own their own substations interconnected to the system does not constitute an unreasonable investigation or undue burden. Rather, PPL's tariff provides under what circumstances a customer must own their own substation, namely if they are a member of Rate Classes LP-4, LP-5, or LPEP. PPL Tariff Electric Pa. P.U.C. No. 201 at 27-27A, 28, 29. As the owner and operator of the distribution and transmission systems to which these customers interconnect, PPL should be able to identify how many customers interconnect through their own substations.

30. In addition, the second portion of Interrogatory OCA-1-2(b) poses little burden on PPL in requesting an explanation as to how PPL's tariff or interconnection agreements treat customer-owned substations differently from utility-owned substations, and is directly relevant as it pertains to the terms and conditions of service of the Project which are subject to Commission modification in this proceeding. 52 Pa. Code § 57.76(a).

31. For these reasons, PPL's Objection to Interrogatory OCA-1-2(b) should be dismissed, and PPL should be compelled to provide a response.

32. Interrogatory OCA-1-5(b) states:

5. Please refer to the Letter of Notification (LON) page 7, "The prospective Customer is requesting 230 kV electrical service with an in-service date of December 15, 2026 and an initial load of 240 MW."

b. Please provide all non-privileged written communications, meeting notes, emails, interconnection requests, and other documents exchanged between PPL Electric and the Customer regarding the Customer's request for 230 kV electrical service, including any documents in which the Customer stated its reasons for requesting service at 230 kV rather than a lower voltage level.

33. The Company objects to Interrogatory OCA-1-5(b) based on the grounds that the discovery request is overly broad, unduly burdensome, seeks irrelevant information, and is not reasonably calculated to lead to the discovery of admissible evidence. The Company argues:

OCA Set I, No. 5.b. is overly broad, unduly burdensome, and seeking information that is not relevant and not likely to lead to the discovery of admissible evidence. This is a “catch all” discovery request that lacks sufficient specificity as to the information or documents sought and generally lacks reasonable limitations in the subject matter sought. It also specifically fails to contain limitations on the subject matter sought to information within the scope of this proceeding. It would constitute an undue burden on the Company to compile, review, and provide all of the requested materials, which would almost certainly include voluminous irrelevant information.

Objections, Sec. B ¶ 5.

34. Interrogatory OCA-1-5(b) is reasonably calculated to produce relevant and admissible evidence regarding the need for the Project. 52 Pa. Code §§ 57.75(e)(1), 57.76(a)(1). The OCA incorporates by reference the statements made in Paragraphs 22-26 of this Motion as if fully set forth herein.

35. Interrogatory OCA-1-5(b) seeks information regarding the basis for the design and construction of the Project, as proposed in this case, based on the discussions between the Customer and PPL which ultimately led to the selected facilities. The documents requested in this interrogatory are necessary for the OCA’s retained expert witnesses to determine, on an independent basis, whether PPL has sufficiently established a need for the Project. Absent access to these documents, the OCA must simply accept PPL’s averments without being able to support its conclusions with evidence.

36. Interrogatory OCA-1-5(b) is not overly broad because it only seeks documents regarding the Customer’s request for service at 230 kV, as opposed to all documents exchanged between PPL and the Customer, or all documents regarding the initiation of service. This is a request for documents relevant to the determination of need for the Project facilities as proposed,

which is a limitation within the scope of this proceeding and is reasonably calculated to produce admissible evidence.

37. While the OCA understands that there may be burden associated with production of responsive documents, such burden is not unreasonable. Rather, the OCA's Interrogatory is as limited as possible to discovery of further information regarding a question which is of direct and material importance to the Commission's ability to rule on the LON, while still enabling an independent determination.

38. For these reasons, PPL's Objection to Interrogatory OCA-1-5(b) should be dismissed, and PPL should be compelled to provide a response.

39. Interrogatory OCA-1-5(d) states:

5. Please refer to the Letter of Notification (LON) page 7, "The prospective Customer is requesting 230 kV electrical service with an in-service date of December 15, 2026 and an initial load of 240 MW."

d. Please identify any other instance in PPL Electric's history where a Customer has requested new electrical service at 230 kV, and for each instance state the Customer's initial load MW, the in-service date, and whether the associated transmission infrastructure costs were allocated to the Customer, to ratepayers, or shared, and in what proportion.

40. The Company objects to Interrogatory OCA-1-5(d) based on the grounds that the discovery request is overly broad, unduly burdensome, seeks irrelevant information, and is not reasonably calculated to lead to the discovery of admissible evidence. The Company argues:

OCA Set I, No. 5.d is overly broad, unduly burdensome, and seeking information that is not relevant and not likely to lead to the discovery of admissible evidence. It would be unduly burdensome for the Company to pull each and every customer request for electrical service at 230 kV, as well as all the associated information. Further, the information sought by this request is irrelevant and not likely to lead to the discovery of admissible evidence. Only one request is the subject of the instant LON, and information regarding other customer requests for electrical service at 230 kV is not relevant to the proceeding and determination at hand.

Objections, Sec. B ¶ 6.

41. Interrogatory OCA-1-5(d) is reasonably calculated to produce relevant and admissible evidence regarding the need for the Project. 52 Pa. Code §§ 57.75(e)(1), 57.76(a)(1). The OCA incorporates by reference the statements made in Paragraphs 22-26 of this Motion as if fully set forth herein.

42. Interrogatory OCA-1-5(d), similar to OCA-1-2(b), seeks information regarding the consistency with which PPL treats its customers. The OCA requires access to the requested information in order to precisely determine under what circumstances PPL (1) is requested to construct a 230 kV substation in order to interconnect a new customer and (2) actually connects with that customer at that voltage. Absent knowledge of these circumstances, verified on an independent basis, the OCA is unable to determine whether the Project facilities proposed in this case are consistent with PPL's typical practices or if there is an unreasonable deviation from those practices. The consistent application of its tariff is part of PPL's obligation under the Public Utility Code and, because the Commission can modify the proposed facilities or the terms of the Project, this information is highly relevant to the Commission's ultimate order in this proceeding.

43. While the OCA understands that there may be burden associated with production of documents responsive to this request, such burden is not unreasonable. To the extent that the burden would be unreasonable, the OCA communicated to counsel for PPL that certain limitations as to the documents' age could be implemented. Notably, however, PPL has a discrete number of rate classifications which provide service at or above 230 kV, significantly reducing the number of records which might apply to the OCA's discovery request.

44. For these reasons, PPL's Objection to Interrogatory OCA-1-5(d) should be dismissed, and PPL should be compelled to provide a response. To the extent that a limitation as

to the age of responsive documents is necessary, the OCA submits that a 10-year history would be an appropriate limitation and would balance the OCA's interests with those of PPL's.

45. Interrogatory OCA-2-12 states:

12. How much load does PPL currently have in its large load interconnection pipeline?

a. Please provide further qualification regarding whether this amount is subject to a contract with PPL, such as an Electric Service Agreement or Letter of Authorization, or is otherwise included in PPL's pipeline.

b. Please identify how many potential interconnection customers have at least 50 megawatts of load at a single point of interconnection.

c. Please identify the load of the potential interconnection customers which have at least 50 megawatts of load at a single point of interconnection.

d. Please identify how many potential interconnection customers have at least 75 megawatts of load at multiple points of interconnection within a 10-mile radius.

e. Please identify the load of the potential interconnection customers which have at least 75 megawatts of load at multiple points of interconnection within a 10-mile radius.

46. The Company objects to Interrogatory OCA-2-12 based on the grounds that the discovery request is overly broad, seeks irrelevant information, and is not reasonably calculated to lead to the discovery of admissible evidence. The Company argues:

OCA Set II, No. 12 is overly broad, and seeks information that is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. The amount of load in the Company's large load interconnection pipeline has no relevance to the instant LON, which concerns one customer's (the "Customer") interconnection request the Tap Lines necessary to interconnect and provide service to that Customer. As such, this request seeks information outside of the scope of this proceeding, which is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence.

Objections, Sec. B ¶ 7.

47. In the LON, PPL claims:

Expedient initiation of adequate and reliable service to new high-load customers seeking to enter PPL Electric's system is critical for the Commonwealth of Pennsylvania's continued economic development. This interest is addressed by the Project. Moreover, high-load customers connecting to PPL Electric's Bulk Electric System ("BES") will ultimately reduce the transmission rates charged by PPL Electric to its other transmission level customers. The Project would further that interest and result in lower rates for other of PPL Electric's transmission level customers.

LON ¶ 11; *see also* LON, Attach. 1 at 6 (providing a similar statement).

48. Further, PPL states that the Project is related to load growth in the Hazleton area, including but not limited to the load growth of the interconnecting customer. LON ¶ 35; LON, Attach. 1 at 6, 9.

49. PPL's claim that the requested information is irrelevant is directly at odds with the assertion in the LON that the Project is necessary because of the impact that interconnecting large load customers to PPL's system will have on transmission rates. LON ¶ 25; LON, Attach. 1 at 6 (describing the purported rate benefits as part of the "project need"). If the information were irrelevant or outside the scope of this proceeding, it would not have been included in the Necessity Statement.

50. One aspect of determining the potential for benefits associated with the interconnection of new, large load customers, including the impact on transmission rates and on the ability of the system to accommodate addition load growth, is understanding the amount of load which may potentially interconnect to PPL's system. Without such information, the OCA will not be able to meaningfully engage with PPL's factual assertions regarding the potential benefits – and purported need – of the Project.

51. For these reasons, PPL's Objection to Interrogatory OCA-2-12 should be dismissed, and PPL should be compelled to provide a response.

52. Interrogatory OCA-2-13 states:

13. Please provide a projection as to the cumulative impact of the interconnection of large load customers on PPL's FERC transmission formula rate each year for the next five years, based on PPL's projected additions to rate base associated with PPL's planned construction of interconnection facilities and planned load ramp across PPL's footprint. Please provide the analysis in live, Excel format with links intact.

53. The Company objects to Interrogatory OCA-2-13 based on the grounds that the discovery request is overly broad, seeks irrelevant information, and is not reasonably calculated to lead to the discovery of admissible evidence. The Company argues:

OCA Set II, No. 13 is also overly broad, and seeks information that is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Information regarding "the cumulative impact of the interconnection of large load customers on PPL's FERC transmission formula rate each year for the next five years" and "planned construction of interconnection facilities and planned load ramp across PPL's footprint" is irrelevant and not likely to lead to the discovery of admissible evidence. Only the Project that is the subject of the above-captioned LON is within the scope of this proceeding. No other interconnections or facilities are the subject of this case. The "cumulative impact" of large load interconnections on PPL's "FERC transmission formula rate" is also irrelevant and outside the scope of this proceeding; PPL Electric's FERC transmission formula rate is subject to the exclusive jurisdiction of FERC.

Objections, Sec. B ¶ 8.

54. The OCA incorporates by reference the statements made in Paragraphs 47-49 of this Motion as if fully set forth herein.

55. Because PPL averred that the Project and other interconnections of large load customers "will ultimately reduce" PPL's transmission rates, the OCA must investigate the speed at which this reduction will occur and the amount of the reduction. LON ¶ 11. Reviewing the impact of the Project, alone, on PPL's transmission rates will not inform the OCA as to the veracity of PPL's claim or provide a complete picture of the cumulative effect of large load customer interconnections on transmission rates. *See Application of Pa.-American Water Co. to acquire the wastewater assets of the Borough of Brentwood pursuant to Sections 1102, 1103, and 1329 of the Public Utility Code*, Docket No. A-2021-3024058 (Order entered Feb. 22, 2024) at 75 ("In

weighing the public benefit...the future impacts of an application to rates for wastewater and water customers[] must be considered.”).

56. While the OCA acknowledges that PPL’s formula transmission rate is subject to the jurisdiction of the Federal Energy Regulatory Commission (FERC), and the facilities approved for construction in this matter will be included in PPL’s transmission rate base, the costs associated with transmission infrastructure are recovered from PPL ratepayers through their electric supply rates, either as provided by PPL in the price-to-compare or through a competitive retail rate. *See* 52 Pa. Code § 54.182 (defining price-to-compare as including “all unbundled generation and transmission related charges”). The ultimate cost to consumers for the Project is not only mentioned by PPL but is also relevant to the determination of whether approval of the LON is in the public interest. *See Pike Cnty. Light & Power Co. v. Pa. Pub. Util. Comm’n*, 465 A.2d 735, 738 (Pa. Cmwlth. 1983) (the Commission is empowered to determine whether it is reasonable for a utility to incur wholesale costs in light of available alternatives but not to establish the wholesale rate for payment of such costs) *cited with approval*, *Miss. Power & Light Co. v. Miss.*, 487 U.S. 354, 385 (1988).

57. For these reasons, PPL’s Objection to Interrogatory OCA-2-13 should be dismissed, and PPL should be compelled to provide a response.

58. Interrogatory OCA-2-15 states:

15. Are there any pending legal proceedings regarding the development of the interconnecting Customer’s property, such as zoning, permitting, or other, similar matters? If yes, please provide the docket number of the proceeding and court or administrative tribunal before which the proceeding has been initiated.

59. The Company objects to Interrogatory OCA-2-15 based on the grounds that the discovery request would be unreasonably burdensome to produce, seeks irrelevant information,

and is not reasonably calculated to lead to the discovery of admissible evidence. The Company argues:

OCA Set II, No. 15 seeks information that would be unreasonably burdensome to produce, and information that is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. This request seeks information related to the Customer's zoning and permitting processes, which is not within the scope of PPL Electric's responsibility and not within PPL Electric's possession or control. Thus, it would be unreasonably burdensome for PPL Electric to provide this information. The request also seeks information related to the Customer's non-HV transmission line facilities; the Customer's non-HV transmission line facilities, are not within the scope of this proceeding and, therefore, are irrelevant to the Commission's determinations under 52 Pa Code Ch. 57, Subch. G.

Objections, Sec. B ¶ 9.

60. Interrogatory OCA-2-15 is reasonably calculated to produce relevant and admissible evidence regarding the need for the Project. 52 Pa. Code §§ 57.75(e)(1), 57.76(a)(1).

61. The OCA informed PPL's counsel that it would deem responsive an answer to this interrogatory which provided only those legal proceedings of which PPL is aware, without requiring an affirmative investigation from PPL. The OCA submits that, with this modification, OCA-2-15 should not be deemed unreasonably burdensome.

62. Importantly, the construction of the customer's facilities which will interconnect to the Project facilities described in the LON are directly related to the Commission's ability to determine the need for the project, as is required under 52 Pa. Code Section 57.76(a)(1). 52 Pa. Code § 57.76(a)(1). If the customer's facilities are not constructed, then there may be no need for the Project, for the Project as described in the LON, or for the Phase 2 Project. LON ¶ 9; LON, Attach. 1 at 1, n.1 ("the instant LON is needed forthwith to connect the Customer to the 230kV grid through the Customer-owned substation and the Tomhicken Switchyard"). As a result, the ability or inability of the Customer to construct the substation to which the Project facilities will interconnect is directly relevant to the Commission's determination in this proceeding.

63. For these reasons, PPL's Objection to Interrogatory OCA-2-15 should be dismissed, and PPL should be compelled to provide a response.

64. Interrogatory OCA-2-21 and OCA-2-22 state:

21. Provide the number of customers, by class, served by PPL in each of Luzerne, Carbon, and Schuylkill Counties.

22. Provide the number of customers, by class, served by PPL in each of Nescopeck, Black Creek, Sugarloaf, and Hazle Townships in Luzerne County, separately identified.

65. The Company objects to Interrogatories OCA-2-21 and OCA-2-22 based on the grounds that the discovery requests seek irrelevant information, and are not reasonably calculated to lead to the discovery of admissible evidence. The Company argues:

OCA Set II, Nos. 21 and 22 also seek information that is not relevant and are also not reasonably calculated to lead to the discovery of admissible evidence. The customer information requested in these interrogatories has no bearing on the instant LON proceeding. Moreover, PPL Electric notes that the Project will occur entirely on either existing, PPL Electric-owned right-of-way ("ROW") or on Customer-owned property..

Objections, Sec. B ¶ 10.

66. In the LON, PPL asserts that the Project is related to load growth in the Hazleton area, including, but not limited to, the load growth of the interconnecting customer. LON ¶ 35; LON, Attach. 1 at 6, 9.

67. PPL also claimed that a portion of the Project provides benefits related to: added system reliability; increased capacity/lower congestion; lower impedance; improved asset condition of existing facilities; service to multiple transmission customers and/or retail feeders; increased resiliency and operational flexibility; and/or expanded capacity for new generation flow and interconnections. LON ¶ 38. Some or all of these purported benefits would be provided to customers proximate to the site of the Project facilities.

68. Identifying the number of customers in the areas surrounding the Project serves two functions. First, it aids in analyzing the extent to which there is additional load growth in the Hazelton area and, as a result, to the need of the Project in accordance with the benefits PPL avers will result. Second, it permits a fulsome review of the customer base which would allegedly see reliability improvements as a result of the Project; PPL customers will bear responsibility for approximately \$38.4 million of the total Project cost, largely as a result of the alleged reliability benefits to those customers electrically near the Project site. LON ¶ 39. The identified counties and townships are near to the Project site and, therefore, could be among the customers which see the purported reliability benefits. Absent this information, the OCA will be unable to complete a full analysis of the number and type of customers which PPL avers will benefit from the Project.

69. For these reasons, PPL's Objections to Interrogatories OCA-2-21 and OCA-2-22 should be dismissed, and PPL should be compelled to provide responses.

70. Interrogatory OCA-2-24 states:

24. Please describe PPL's procedures to require all electric generation suppliers to deliver energy to PPL at locations and in amounts which are adequate to meet the energy supplier's obligations to its customers.

71. The Company objects to Interrogatory OCA-2-24 based on the grounds that the discovery request is overly broad, seeks irrelevant information, and is not reasonably calculated to lead to the discovery of admissible evidence. The Company argues:

OCA Set II, No. 24 is not reasonably calculated to lead to the discovery of admissible evidence. Issues regarding electric generation supplier ("EGS") deliverability are not relevant to the Commission's review of this Project under 52 Pa. Code Ch. 57, Subch. G.

Objections, Sec. B ¶ 11.

72. Section 2807(a) of the Public Utility Code provides:

Each electric distribution company shall maintain the integrity of the distribution system at least in conformity with the National Electric Safety Code and such other

standards practiced by the industry in a manner sufficient to provide safe and reliable service to all customers connected to the system consistent with this title and the commission's regulations. *In performing such duties, the electric distribution company shall implement procedures to require all electric generation suppliers to deliver energy to the electric distribution company at locations and in amounts which are adequate to meet the energy supplier's obligations to its customers.* Subject to commission approval, the electric distribution company may require that the customer install, at the customer's expense, enhanced metering capability sufficient to match the energy delivered by the electric generation suppliers with consumption by the customer.

66 Pa. C.S. § 2807(a) (emphasis added).

73. In Section 2807(a), the General Assembly identified that the provision of safe and reliability service requires procedures in place “to require all electric generation suppliers to deliver energy to the electric distribution company at locations and in amounts which are adequate to meet the energy supplier's obligations to its customers.” 66 Pa. C.S. § 2807(a). One of the Commission's obligations in this proceeding is to find and determine whether the proposed Project “will not create an unreasonable risk of danger to the health and safety of the public.” 52 Pa. Code § 57.76(a)(2).

74. Furthermore, due to the large size of the interconnecting customer, there could be significant effects on the reliability of PPL's system. 66 Pa. C.S. § 2803 (defining “reliability” to include resource adequacy, or “the provision of sufficient generation, transmission and distribution capacity so as to supply the aggregate electric power and energy requirements of consumers, taking into account scheduled and unscheduled outages of system facilities”); *see supra*, ¶ 2 (requiring a second phase of the Project to provide reliable service based on the size of the interconnecting Customer's load). To the extent that the interconnection of the customer, and associated approval of the LON, could degrade the reliability of PPL's system, that matter is a relevant consideration for the Commission. *Transource Pa. LLC v. Pa. Pub. Util. Comm'n*, 278 A.3d 942, 966 (Pa.

Cmwlth. 2022) *invalidated on other grounds, Transource Pa. LLC v. DeFrank*, 156 F.4th 351 (3d Cir. 2025).

75. Interrogatory OCA-2-24 is directly targeted at ensuring that PPL is in compliance with the General Assembly's stated requirements of providing safe and reliable service, consistent with the Commission's regulations under Chapter 57, Subchapter G, and among the matters that the Commission may take evidence on and consider in ruling on the LON. 52 Pa. Code § 57.75(e). The information requested goes directly to investigating how PPL will ensure the continued reliability of its system when the Project facilities are being installed to serve a customer load of up to 2,000 megawatts. LON ¶ 10; LON, Attach. 1 at 7.

76. For these reasons, PPL's Objection to Interrogatory OCA-2-24 should be dismissed, and PPL should be compelled to provide a response.

VI. CONCLUSION

For the foregoing reasons, the OCA Interrogatory Set 1, Questions No 2(b), 5(b), and 5(d) and OCA Interrogatory Set 2, Questions No. 12, 13, 15, 21, 22, and 24 request relevant information that is likely to be admissible at hearings in this matter, do not impose an unreasonable burden on PPL, and are not overly broad. Accordingly, the OCA respectfully requests that the ALJs grant this Motion to Dismiss Objection and Compel Response to Discovery and direct PPL Electric Utilities Corporation to answer OCA Interrogatory Set 1, Questions No 2(b), 5(b), and 5(d) and OCA Interrogatory Set 2, Questions No. 12, 13, 15, 21, 22, and 24 within five calendar (5) days from the date of the order.

Respectfully submitted,

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