

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Letter of Notification of PPL Electric Utilities	:	
Corporation Filed Pursuant to 52 Pa. Code Chapter	:	
57 Subchapter G, for Approval to Build	:	
Approximately 1.1 Miles of New Parallel Double	:	A-2025-3059443
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	:	

PREHEARING ORDER # 3
Granting Motion to Compel

On December 19, 2025, PPL Electric Utilities Corporation (PPL) filed a Letter of Notification with the Pennsylvania Public Utility Commission pursuant to 52 Pa. Code Sections 57.72(d)(1)(iii) and (vi), to build approximately 1.1 miles of new double-circuit 230 kilovolt (kV) transmission taps (Tap Lines). PPL states that the Tap Lines 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 (Connecting Lines) from the Tomhicken 230 kV Switchyard to a new customer-owned 230-34 kV substation. The new Connecting Lines, Tap Lines and Tomhicken 230 kV Switchyard are located in Hazle Township, Luzerne County, Pennsylvania.

A Prehearing Conference Order was issued on January 14, 2026. A Telephonic Prehearing Conference Notice was issued on January 15, 2026. Notice of the prehearing conference was also published in the Pennsylvania Bulletin on January 31, 2026 (56 Pa.B. 736). The order and notices advised that protests and petitions to intervene must be filed on or before March 13, 2026 and provided information for joining the prehearing conference.

In addition, on February 19, 2026, PPL filed affidavits stating that the protest deadline and conference participation information were published in the Wilkes Barre Citizens' Voice and Wilkes Barre Times Leader on January 28, 2026 and February 4, 2026.

Three protests were timely filed by: the Office of Consumer Advocate (OCA), on January 7, 2026; Erika Cook, on March 13, 2026; and John Zola, on March 13, 2026.

In response to the Prehearing Conference Order, PPL and OCA submitted prehearing memoranda outlining their respective positions on various procedural matters. The prehearing conference convened on March 18, 2026, as scheduled. Counsel for PPL and OCA appeared, as well as Erika Cook and John Zola.

On March 20, 2026, we issued a Scheduling Order, setting forth the procedural matters addressed during the prehearing conference. Among other things, the Scheduling Order directed protestants Erika Cook and John Zola to inform the undersigned if they choose to participate in this proceeding as active parties. On March 24, 2026, Erika Cook and John Zola e-mailed the undersigned that they would participate in this proceeding as active parties. On March 26, 2026, we issued Prehearing Order #1, memorializing Erika Cook and John Zola's status in this proceeding as active parties.

On April 2, 2026, PPL filed preliminary objections to the protests of Erika Cook and John Zola.

On April 6, 2026, Erika Cook and John Zola filed answers to PPL's preliminary objections.

On April 13, 2026, OCA filed answers to PPL's preliminary objections.

On April 14, 2026, we issued Prehearing Order #2, denying PPL's preliminary objections.

On April 16, 2026, the OCA filed a Motion to Dismiss Objections and to Compel Answers to Interrogatories of the Office of Consumer Advocate (Motion to Compel). In the Motion to Compel, the OCA requested that we dismiss the written objections filed by PPL on April 6, 2026, and compel PPL to provide the full and complete information requested in OCA Interrogatory Set 1, Questions 2(b), 5(b), and 5(d), and OCA Interrogatory Set 2, Questions 12, 13, 15, 21, 22, and 24.

On April 21, 2026, PPL filed its Answer to the OCA's Motion to Compel. In its Answer, PPL averred that it has served responses to OCA Interrogatory Set 1, Question 2(b), and OCA Interrogatory Set 2, Questions 15, 21, 22, and 24. Since responses to these interrogatories have been provided, we will treat the OCA's Motion to Compel responses to these questions as moot. However, PPL maintains its objections to OCA Interrogatory Set 1, Questions 5(b) and 5(d), and OCA Interrogatory Set 2, Questions 12 and 13, and has not provided answers to those requests.

For the reasons stated below, the OCA's Motion to Compel is granted regarding OCA Interrogatory Set 1, Questions 5(b) and 5(d), and OCA Interrogatory Set 2, Questions 12 and 13.

DISCUSSION

Section 5.321(c) of the Commission's Rules of Administrative Practice and Procedure, 52 Pa. Code § 5.321(c), specifically provides that "a party may obtain discovery regarding any matter, not privileged, which is relevant to the subject matter involved in the pending action." Discovery is permitted regardless of whether the information sought "relates to the claim or defense of the party seeking discovery or to the claim or defense of another party or participant." *Id.* Information may be discoverable, even if it would be inadmissible at a hearing. "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." *Id.* Consistently, the Commission has allowed participants wide latitude in discovery

matters. *Pa. Pub. Util. Comm'n v. Peoples Nat. Gas Co.*, 62 Pa. PUC 56 (Aug. 26, 1986); *Pa. Pub. Util. Comm'n v. Equitable Gas Co.*, 61 Pa. PUC 468 (May 16, 1986).

The Commission's regulations place limitations on the scope of discovery. Discovery that would cause unreasonable burden or expense or require an unreasonable investigation by a party is not permitted. 52 Pa. Code § 5.361(a)(2), (4). "The law is [] clear that the Commission has the right to limit discovery that would place an unreasonable burden upon a participant in litigation." *Application of Newtown Artesian Water Co. and Indian Rock Water Co.*, Docket No. A-212070, 1990 Pa. PUC LEXIS 83 (June 20, 1990) *citing City of Pittsburgh v. Pa. Pub. Util. Comm'n*, 526 A.2d 1243, 1249-50 (Pa. Cmwlth. 1987).

INTERROGATORY OCA-1-5(b):

Question 5(b) of OCA Interrogatory Set 1 requests the following information:

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.

The OCA submits that this question is reasonably calculated to produce relevant and admissible evidence regarding the need for the Project. Specifically, the OCA states that the requested documents are necessary for the OCA's retained expert witness to determine, on an independent basis, whether PPL has sufficiently established a need for the Project. The OCA avers that the interrogatory is not overly broad because it only seeks documents regarding the Customer's request for service at 230 kV. The OCA also avers that the request is not unreasonably burdensome.

PPL objects to this question as overly broad, unduly burdensome, and seeking information that is not likely to lead to the discovery of admissible evidence. PPL objects that such a request is a “catch-all” discovery request, and lacks sufficient specificity as to information sought and lacks reasonable limitations in the subject matter sought. PPL also avers that answering this question would impose an unreasonable burden on PPL as it would request substantial electronic and hard file discovery, which a yet unknown number of custodians.

PPL’s objection focuses on the scope and effort required to answer this question, rather than an objection to its relevance. Indeed, PPL states that it “acknowledges that documents related to the interconnection request within the possession and control of individuals responsible for the review of this request would be an appropriately limited scope of information sought.” PPL Answer, ¶ 25. There may be a burden associated with answering this question, but for our purposes in evaluating the OCA’s Motion to Compel, our concern is whether such question is unduly burdensome. PPL detailed the efforts it would have to undertake to produce the information. Even with the detail supplied by PPL, it is not clear to us that answering the OCA’s questions as written requires such effort that is disproportionately unreasonable when compared to the burden required in answering discovery generally. Therefore, we disagree with PPL that the question is unduly burdensome or otherwise improper, and we grant the OCA’s motion and direct PPL to provide an answer to OCA Interrogatory Set 1, Question 5(b).

INTERROGATORY OCA-1-5(d):

Question 5(d) of OCA Interrogatory Set 1 requests the following information:

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.

The OCA submits that this question is reasonably calculated to produce relevant and admissible evidence regarding the need for the Project. Specifically, the OCA states that it seeks information regarding the consistency with which PPL treats its customers. Without that information, the OCA avers that it 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.

PPL objects to this question as overly broad, unduly burdensome, and seeking information that is not likely to lead to the discovery of admissible evidence. PPL asserts that the OCA is seeking information not relevant to the specific facts and circumstances involved in this case. PPL also submits that this question is insufficiently limited in scope, either temporally or by subject matter.

We grant the OCA's motion and direct PPL to provide an answer to OCA Interrogatory Set 1, Question 5(d). PPL has not clearly articulated the burden in producing information as regards other 230 kV electrical service, either as a subject matter or historically. Although PPL argues that answering the question would produce "irrelevant, inadmissible evidence", as is stated above, the standard in discovery is whether such question is reasonably calculated to lead to admissible evidence. As the OCA articulated, the consistent application of PPL's tariff is part of PPL's obligation under the Public Utility Code. Producing information regarding comparable projects is therefore clearly reasonably calculated to lead to admissible evidence.

INTERROGATORY OCA-2-12 AND OCA-2-13:

Question 12 of OCA Interrogatories Set 2 requests the following information:

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.

Question 13 of OCA Interrogatories Set 2 requests the following information:

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.

The OCA submits that the information requested by OCA Interrogatory Set 2, Question 12 is relevant because of PPL's assertions regarding need for the project in its Letter of Notification and attached Necessity Statement. Specifically, the OCA points to PPL's claim that the Project would further the interest in connecting new high-load customers to PPL's Bulk Electric System (BES) and result in lower transmission rates charged to PPL's other transmission level customers. The OCA also contends that PPL has related the Project to load growth in the Hazleton area, including the load growth of the interconnecting customer. Thus, the OCA argues that understanding the amount of load which may potentially interconnect to PPL's system is needed for evaluating the Company's factual assertions about the potential benefits of

interconnecting new, large load customers, including the impact on transmission rates and the ability of the system to accommodate additional load growth.

In PPL's Answer to the Motion to Compel, regarding Question 12, the Company submits that the question seeks information about other "large load interconnections" that are not the subject of this proceeding, which only concerns the construction of one switchyard, specific tap lines, and specific connecting lines necessary to interconnect a specific customer. PPL argues that load growth in the Hazleton area does not include the entirety of the Company's "large load interconnection pipeline." Similarly, PPL argues that the impacts of the entire "large load interconnection pipeline" on transmission rates is different from the impacts of this specific Project. Accordingly, PPL maintains that information about other large load interconnections is irrelevant, outside the scope of the LON, and cannot be reasonably calculated to lead to the discovery of admissible evidence.

We grant the OCA's motion and direct PPL to provide answers to OCA Interrogatory Set 2, Question 12 regarding PPL's large load interconnection pipeline. In the context of addressing need for the Project, PPL states that this Project furthers the interest in new large load customer connections. The OCA's question goes to whether that is an interest that PPL's system is able to accommodate. As such, the OCA has articulated how its request regarding large load is relevant or reasonably calculated to lead to the discovery of admissible evidence.¹

Regarding the information requested in OCA Interrogatory Set 2, Question 13, the OCA again points to the statements made by PPL regarding benefits supporting need for the Project and specifically, the Company's claim that the Project and other interconnections of large load customers would result in lower transmission rates. The OCA contends that the information sought is needed to investigate the speed at which this reduction will occur and the amount of the reduction. Further, the OCA argues that reviewing the impact of the Project, alone, on PPL's

¹ As noted by PPL, the Company retains the right to object to the admissibility of the information at an evidentiary hearing. Answer at 5, n.1. Relevancy in discovery is broader than the standard used for admission of evidence at a hearing. *Com. v. TAP Pharm. Prods., Inc.*, 904 A.2d 986 (Pa.Cmwlth. 2006).

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.” OCA Motion, ¶ 16 (citing *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) (*Brentwood*)).

The OCA avers that the facilities approved for construction in this matter will be included in PPL’s transmission rate base, and the costs associated with transmission infrastructure are recovered from PPL ratepayers through their electric supply rates. According to the OCA, the ultimate cost to consumers for the Project is also relevant to the determination of whether approval of the LON is in the public interest. The OCA further asserts that, while the Commission cannot establish the wholesale rate for payment of wholesale costs, it is empowered to determine whether it is reasonable for a utility to incur wholesale costs in light of available alternatives, citing *Pike County Light & Power Co. v. Pa. Pub. Util. Comm’n*, 465 A.2d 735, 738 (Pa. Cmwlth. 1983) (*Pike County*).

In its Answer, PPL incorporates its objections to OCA Interrogatory Set 2, Question 12 as reason to deny the Motion to Compel a response to Question 13. Additionally, PPL argues that the OCA’s reliance on *Brentwood* is misguided because that case involved the Commission’s review of an acquisition of wastewater assets under different statutory provisions, which include a determination of the ratemaking rate base for the acquired assets. The Company asserts, similarly, that *Pike County* is not applicable here because that case involved review of purchase power costs and the scope of the Commission’s jurisdiction over the utility’s purchase of power at wholesale costs, and not the costs associated with the construction of an HV transmission line. PPL agrees that analysis of the costs of this Project is relevant and within the scope of this proceeding but argues that does not authorize a “fishing expedition” into cost impacts associated with other large load interconnection on PPL’s transmission rates.

We do not find it necessary to address the public interest argument raised by the OCA nor the applicability of the *Brentwood* or *Pike County* cases. In its LON and Necessity

A-2025-3059443 - LETTER OF NOTIFICATION OF PPL ELECTRIC UTILITIES CORPORATION FOR SUSQUEHANNA - HARWOOD 230 KV TRANSMISSION LINE TAPS

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