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April 30, 2026

Via eFile

Matthew Homsher, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor
Harrisburg, PA 17120

Re: Verizon Pennsylvania LLC and Verizon North LLC v. Metropolitan Edison Company, Pennsylvania Electric Company, and Pennsylvania Power Company; Docket No. C-2020-3019347

Dear Secretary Homsher:

Enclosed please find Verizon's Motion to Dismiss FirstEnergy's Objections and Compel Responses to Verizon's Fourth Set of Interrogatories and Requests for Production of Documents to Metropolitan Edison Company, Pennsylvania Electric Company and Pennsylvania Power Company (together "First Energy") in the above captioned matter.

Please do not hesitate to contact me should you have any questions.

Sincerely,

Suzan D. Paiva

Cc via email:

The Honorable John M. Coogan
Certificate of Service (attached)

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Verizon Pennsylvania LLC and	:	
Verizon North LLC	:	
	:	
v.	:	C-2020-3019347
Metropolitan Edison Company, Pennsylvania	:	
Electric Company and Penn Power Company,	:	
now known as FirstEnergy Pennsylvania	:	
Electric Company	:	

NOTICE TO PLEAD

YOU ARE HEREBY ADVISED THAT, PURSUANT TO 52 PA. CODE § 5.342(g)(l), AND PARAGRAPH 7(D) OF THE MARCH 23, 2026 SCHEDULING ORDER IN THE ABOVE-REFERENCED DOCKET, YOU MAY FILE AN ANSWER TO THE ENCLOSED MOTION TO DISMISS OBJECTIONS AND COMPEL RESPONSES WITHIN THREE (3) BUSINESS DAYS OF THE DATE OF SERVICE. YOUR ANSWER SHOULD BE FILED WITH THE SECRETARY OF THE PENNSYLVANIA PUBLIC UTILITY COMMISSION, P.O. BOX 3265, HARRISBURG, PA 17105-3265. A COPY OF YOUR ANSWER SHOULD ALSO BE SERVED ON THE UNDERSIGNED COUNSEL:

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Counsel for Verizon Pennsylvania LLC and Verizon North LLC

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Verizon Pennsylvania LLC and	:	
Verizon North LLC	:	
	:	
v.	:	C-2020-3019347
Metropolitan Edison Company, Pennsylvania	:	
Electric Company and Penn Power Company	:	
now known as FirstEnergy Pennsylvania	:	
Electric Company	:	

**VERIZON’S MOTION TO DISMISS FIRSTENERGY’S OBJECTIONS AND COMPEL
RESPONSES TO VERIZON’S FOURTH SET OF INTERROGATORIES
AND REQUESTS FOR PRODUCTION OF DOCUMENTS**

Verizon Pennsylvania LLC and Verizon North LLC (“Verizon”) move under 52 Pa. Code §§ 5.342(g) and 5.349(d) and paragraph 7(C) of the March 23, 2026 Scheduling Order for an Order compelling FirstEnergy Pennsylvania Electric Company (“FirstEnergy Pennsylvania”) to provide full and complete responses to Request Nos. 1-4, 6-8, 11-12, 14, and 16 of Verizon’s Fourth Set of Interrogatories and Requests for Production of Documents (“Set IV Discovery Requests”). Verizon states as follows:

I. Introduction

1. The Pennsylvania Supreme Court remanded this case to address the pole attachment rates FirstEnergy Pennsylvania charges Verizon—rates that far exceed what Verizon’s competitors pay and that the Commission found unlawfully high. Verizon targeted its discovery requests to update the record and address the issues the Pennsylvania Supreme Court identified. FirstEnergy Pennsylvania objected to most requests and ignored Verizon’s good-faith efforts to resolve those objections. This motion is necessary because FirstEnergy Pennsylvania refused to provide discoverable information falling within three general categories:

- Company-wide information about FirstEnergy Pennsylvania after its 2024 merger, which will allow Verizon to evaluate FirstEnergy Pennsylvania’s pole attachment practices, treatment of other attachers, and company-wide pole cost

data filed with the Federal Energy Regulatory Commission to establish that the rates at issue continue to be unjust and unreasonable from 2024 forward;

- Updated discovery about other pole attachers, which will allow Verizon to establish the rates Verizon should pay for comparable pole space and to quantify “change[s] in facts and circumstances since the [challenged] rates were originally fixed,” *FirstEnergy Pa. Elec. Co. v. PA PUC*, 349 A.3d 165, 189 (Pa. 2026); and
- Information about unbilled, uncollected, or refunded amounts, which will allow Verizon to address the Pennsylvania Supreme Court’s request for “analysis by the PUC as to the effects on FirstEnergy’s customers” from the relief sought in this case. *Id.*

2. The Commission should also compel FirstEnergy Pennsylvania to produce two additional categories of discovery: (1) confidential information protected by the parties’ Stipulated Protective Agreement; and (2) documents its witnesses considered or relied upon, to be produced within two business days after testimony submission—the deadline FirstEnergy Pennsylvania itself proposed in its Prehearing Conference Memorandum.

II. Background

3. On April 15, 2026, Verizon served sixteen discovery requests seeking information to update the record and address the remand standard. *See Ex. A.*

4. On April 20, 2026, FirstEnergy Pennsylvania objected to most of Verizon’s requests. *See Ex. B.*

5. On April 24, 2026, Verizon detailed its concerns with FirstEnergy’s objections and proposed solutions to avoid motion practice. *See Ex. C.* Verizon assured FirstEnergy Pennsylvania that it was not seeking publicly filed documents, special studies, privileged documents, or testimony drafts. Verizon sought clarification on certain objections, offered to convert the parties’ Stipulated Protective Agreement into a Protective Order, and clarified the deadline for producing documents witnesses consider or rely upon after testimony is filed.

Verizon requested a response by 4:30 p.m. on April 28, 2026 and offered to discuss the issues by telephone.

6. FirstEnergy Pennsylvania did not respond to Verizon's email.

III. Legal Standard

7. The legal standards are set forth in Judge Cheskis's May 11, 2020 Order Denying FirstEnergy's Motion to Compel. The Commission's regulations allow parties to conduct discovery "regarding any matter, not privileged, which is relevant to the subject matter involved in the pending action." May 11, 2020 Order at 4 (citing 52 Pa. Code § 5.321(c)). Information need not be admissible at a hearing if it "appears to be reasonably calculated to lead to the discovery of admissible evidence." *Id.* Discovery is not permitted if it is sought in bad faith, would cause an unreasonable burden, is privileged, or would require an unreasonable investigation. *Id.*

8. "[I]nformation is relevant if it tends to establish a material fact, tends to make a fact at issue more or less probable or supports a reasonable inference or presumption regarding a material fact." *Id.* Discovery relevance is broader than the standard for admissibility at a hearing. *Id.* The objecting party bears the burden to show the requested information is not relevant or discoverable, and doubts are resolved in favor of discovery. *Id.*

IV. Argument

A. FirstEnergy Pennsylvania Must Provide Company-Wide Discovery Because It Now Operates as a Single Entity

9. The Commission should compel FirstEnergy Pennsylvania to provide company-wide information for periods following its January 1, 2024 merger because such information is reasonably calculated to lead to admissible evidence about FirstEnergy Pennsylvania's pole attachment practices and is needed to understand FirstEnergy Pennsylvania's publicly-reported,

company-wide pole cost data. FirstEnergy Pennsylvania did not object to providing company-wide information in response to seven requests (Request Nos. 4–5, 9–10, 13, 15–16). It should provide company-wide information in response to the remaining nine requests (Request Nos. 1–3, 6–8, 11–12, and 14).

10. FirstEnergy Pennsylvania is the surviving entity following the January 1, 2024 merger of four prior operating companies. FirstEnergy Pennsylvania explained on the first page of its Objections:

On December 7, 2023, the Pennsylvania Public Utility Commission (“Commission”) entered an Order at Docket Nos. A-2023-3038771, et al. approving, among other things, the merger of Metropolitan Edison Company (“Met-Ed”), Pennsylvania Electric Company (“Penelec”), Pennsylvania Power Company (“Penn Power”), and West Penn Power Company (“West Penn”) into FE PA with FE PA as the surviving entity. Therefore, FE PA submits that all references to the three prior respondents in this matter should, instead, be made to FE PA as their successor in interest.

Ex. B at 1 n.1.

11. FirstEnergy Pennsylvania’s objection is meritless. It rests solely on the claim that FirstEnergy Pennsylvania currently charges electric consumers based on rate districts corresponding to its former operating companies: Met-Ed, Penelec, Penn Power, and West Penn. Ex. B ¶ 3; *see also* Docket A-2023-3038771, Recommended Decision ¶ 32 (Oct. 19, 2023). FirstEnergy Pennsylvania contends Verizon’s requests for company-wide information are overbroad because they encompass information about the West Penn Power rate district, when this case was originally filed against Met-Ed, Penelec, and Penn Power. *See* Ex. B ¶ 5.

12. FirstEnergy Pennsylvania’s decision to merge four prior companies into one does not justify limiting its discovery obligations. Since January 1, 2024, FirstEnergy Pennsylvania has operated as a single entity. It acknowledged it is a party to this case. Ex. B at 1 n.1. It seeks to enforce the challenged pole attachment rates. It reported to its federal regulator the pole cost

data underlying its rental rates to other attachers. Unlike prior years—when Met-Ed, Penelec, Penn Power, and West Penn Power each filed separate pole cost data with the Federal Energy Regulatory Commission (“FERC”)—FirstEnergy Pennsylvania now files company-wide pole cost data that does not break down costs by former operating company. Verizon needs company-wide information to analyze FirstEnergy Pennsylvania’s company-wide FERC Form 1, to understand the company’s pole attachment costs, rental rates, and post-merger practices, and to calculate rental rates using the FCC rate methodology incorporated into Pennsylvania’s regulations.

13. FirstEnergy lodged the same objection against nine requests (Request Nos. 1-3, 6-8, 11-12, and 14). Four of those requests (Request Nos. 3, 6, 12, and 14) are addressed in Sections IV(B) and (C) below. The remaining five (Request Nos. 1-2, 7-8, and 11) are addressed next.

14. Verizon’s Request No. 1 seeks information needed to calculate a rate under this Commission’s regulations, *see* 52 Pa. Code § 77.4(a) (incorporating 47 C.F.R. § 1.1404(d)(2)), and to convert FirstEnergy Pennsylvania’s publicly reported company-wide pole cost data into a per-pole cost figure. It states:

For each year beginning with 2020 for Met-Ed, Penelec, and Penn Power, and each year beginning with 2024 for FirstEnergy Pennsylvania, provide the New Telecom Rate for a communications provider’s use of one foot of space on (a) Met-Ed’s poles, (b) Penelec’s poles, (c) Penn Power’s poles, and (d) FirstEnergy Pennsylvania’s poles. In answering this question, provide for each New Telecom Rate FirstEnergy’s calculation of the rate and identify all inputs, assumptions, and source data used to calculate the rate, the person(s) who calculated the rate, and the date the rate was calculated. If FirstEnergy has not calculated a New Telecom Rate, provide all inputs and identify all source data required to calculate the rate. Provide all documents concerning all calculations and inputs, including all source data, if they are not publicly available. Separately present the information for poles owned by Met-Ed, Penelec, Penn Power, and FirstEnergy Pennsylvania.

Ex. A at 4. FirstEnergy Pennsylvania’s objection to Request No. 1 states:

FE PA objects to this request on the grounds that it is overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence.

FE PA has four rate divisions, each of which corresponds to one of the former Pennsylvania utility operating companies that were merged to create FE PA: Met-Ed, Penelec, Penn Power, and West Penn.

The instant proceeding, however, only involves three of those rate divisions, namely the Met-Ed, Penelec, and Penn Power Rate Divisions.

As posited, VZ to FE PA Set IV, No. 1 requests information about the “New Telcom Rate for a communications provider’s use of one foot of space” on “FirstEnergy Pennsylvania’s poles,” which would encompass West Penn Rate Division’s rates and poles.

Therefore, by requesting this information about the West Penn Rate Division, the request is overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence.

Ex. B ¶¶ 2–6.

15. The Commission should dismiss FirstEnergy Pennsylvania’s objection to Request No. 1. Company-wide information is reasonably tailored and reasonably calculated to lead to admissible evidence. FirstEnergy Pennsylvania filed company-wide FERC Form 1s for 2024 and 2025 that publicly reported company-wide pole cost data—not data at an individual rate district level. Verizon is entitled to the additional information needed to convert that company-wide data into per-pole cost figures and to calculate rates under the Commission’s regulations. The Pennsylvania Supreme Court expected such rate calculations would be part of the remand record. *See FirstEnergy Pa.*, 349 A.3d at 189 (holding that the “presumptive maximum rate” in the Commission’s regulations “can be evidence of unreasonableness”).

16. Verizon’s Request No. 2 seeks information needed to understand FirstEnergy Pennsylvania’s position about the contract rates at issue. It states:

For each year beginning with 2020 for Met-Ed, Penelec, and Penn Power, and each year beginning with 2024 for FirstEnergy Pennsylvania, provide:

- (a) the rental or deficiency rate that FirstEnergy contends applies to Verizon’s use of FirstEnergy’s poles under the Joint Use Agreements and, if different, the rental or deficiency rate that FirstEnergy charged Verizon;
- (b) the number of FirstEnergy poles governed by the Joint Use Agreements that FirstEnergy contends have Verizon facilities attached;
- (c) the number of deficiency poles owned by Met-Ed that FirstEnergy contends are subject to a deficiency rate under the Joint Use Agreements;
- (d) the rental rate that FirstEnergy contends applies to FirstEnergy’s use of Verizon’s poles under the Joint Use Agreements and, if different, the rental rate reflected in a rental invoice issued by FirstEnergy; and
- (e) the number of Verizon poles governed by the Joint Use Agreements that FirstEnergy contends have FirstEnergy facilities attached.

In answering this question, provide for each rental or deficiency rate FirstEnergy’s calculation of the rate and identify all inputs, assumptions, and source data used to calculate the rate, the person(s) who calculated the rate, and the date the rate was calculated. If FirstEnergy has not calculated the rental or deficiency rate that it contends applies to Verizon’s use of FirstEnergy’s poles and/or the rental rate that FirstEnergy contends applies to FirstEnergy’s use of Verizon’s poles under the Joint Use Agreements, provide all inputs and identify all source data required to calculate the rate. Provide all documents concerning all rate calculations and inputs, including all source data, if they are not publicly available. Separately present the information for poles owned by Met-Ed, Penelec, Penn Power, and FirstEnergy Pennsylvania.

Ex. A at 4–5. FirstEnergy Pennsylvania’s objection to Request No. 2 states:

FE PA objects to this request on the grounds that it is overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence.

As explained in Section I.A., *supra*, which is incorporated by reference herein, discovery into the West Penn Rate Division is overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence.

Ex. B ¶¶ 8–9.

17. The Commission should dismiss FirstEnergy Pennsylvania’s objection to Request No. 2. Company-wide information is reasonably tailored and reasonably calculated to lead to admissible evidence. Since January 1, 2024, FirstEnergy Pennsylvania has sought to enforce the challenged contract rates as successor-in-interest to the contracts of its prior operating

companies, but has not invoiced Verizon for them. *See, e.g.*, Ex. B at 1 n.1 (“all references to the three prior respondents in this matter should, instead, be made to FE PA as their successor in interest”). Verizon is entitled to learn what rates FirstEnergy Pennsylvania seeks to enforce.

18. Verizon’s Request No. 7 seeks information about other pole attachers and the rates they have been charged. It states:

For each year beginning with 2020 for Met-Ed, Penelec, and Penn Power, and each year beginning with 2024 for FirstEnergy Pennsylvania, describe in detail the method or formula FirstEnergy used to calculate the pole attachment rate(s) it charged cable companies and CLECs. For each pole attachment rate charged, provide FirstEnergy’s calculation of the rate and identify all inputs, assumptions, and source data, the person(s) who calculated the rate, and the date the rate was calculated. To the extent that a rate identified in response to this Request differs from the rate identified in response to Request 1 for the same pole owner and same year, describe in detail the reason for the difference. Provide all documents concerning all calculations and inputs, including all source data, if they are not publicly available. Separately present the information for poles owned by Met-Ed, Penelec, Penn Power, and FirstEnergy Pennsylvania.

Ex. A at 7–8. FirstEnergy Pennsylvania’s objection to Request No. 7 states, in relevant part:

As explained in Section I.A., *supra*, which is incorporated by reference herein, discovery into the West Penn Rate Division is overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence.

Ex. B ¶ 33. The Commission should dismiss FirstEnergy Pennsylvania’s objection to Request No. 7. Company-wide information is reasonably tailored and reasonably calculated to lead to admissible evidence. The Pennsylvania Supreme Court remanded for further consideration of the rates FirstEnergy Pennsylvania demands from Verizon under Pennsylvania statutes requiring just, reasonable, and non-discriminatory rates. *See, e.g., FirstEnergy Pa.*, 349 A.3d at 176–78. The rates FirstEnergy Pennsylvania charges other entities for comparable pole space are relevant regardless of rate district. They shed light on FirstEnergy Pennsylvania’s pole attachment practices, its disparate rates, and its recovery of pole costs compared to its publicly reported company-wide data.

19. Verizon’s Request No. 8 seeks information about FirstEnergy Pennsylvania’s cost of capital. It states:

For each year beginning with 2020 for Met-Ed, Penelec, and Penn Power, and each year beginning with 2024 for FirstEnergy Pennsylvania, provide FirstEnergy’s state-authorized weighted average cost of capital and/or weighted cost of equity, FirstEnergy’s cost of debt, FirstEnergy’s cost of equity, and FirstEnergy’s capital structure. Identify in your response the formula, calculations, inputs, assumptions, and source data used to determine FirstEnergy’s state-authorized weighted average cost of capital and/or weighted cost of equity, FirstEnergy’s cost of debt, FirstEnergy’s cost of equity, and FirstEnergy’s capital structure. Separately present the information for poles owned by Met-Ed, Penelec, Penn Power, and FirstEnergy Pennsylvania.

Ex. A at 8. FirstEnergy Pennsylvania’s objection to Request No. 8 states, in relevant part:

As explained in Section I.A., *supra*, which is incorporated by reference herein, discovery into the West Penn Rate Division is overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence.

Ex. B ¶ 37.¹

20. The Commission should dismiss FirstEnergy Pennsylvania’s objection to Request No. 8. Company-wide information is reasonably tailored and reasonably calculated to lead to admissible evidence. To calculate a rate under the Commission’s formula, Verizon requires a cost of capital input that correlates to the company-wide pole cost data in FirstEnergy Pennsylvania’s 2024 and 2025 FERC Form 1s. Verizon is entitled to this company-wide information to analyze FirstEnergy Pennsylvania’s rates and to calculate rates under the “presumptive maximum rate” formula, which the Pennsylvania Supreme Court found may serve as “evidence of unreasonableness.” *See FirstEnergy Pa.*, 349 A.3d at 189.

21. Verizon’s Request No. 11 seeks information about an alternate rate formula FirstEnergy Pennsylvania included in its 2020 Initial Brief. It states:

¹ FirstEnergy Pennsylvania also objected to Request No. 8 to the extent it “calls for a special study or analysis.” Ex. B ¶¶ 36, 38–40. On April 24, 2026, Verizon informed FirstEnergy Pennsylvania that it does not seek a special study or analysis, but extant facts. Ex. C at 2.

For each year beginning with 2019 for Met-Ed, Penelec, and Penn Power, and each year beginning with 2024 for FirstEnergy Pennsylvania, identify the rate for a communications provider's use of one foot of space on (a) Met-Ed's poles, (b) Penelec's poles, (c) Penn Power's poles, and (d) FirstEnergy Pennsylvania's poles using the formula " $RR = E + ROR(RB)$ " that is referenced on page 42 of FirstEnergy's Initial Brief. For each rate, provide FirstEnergy's calculation of the rate and identify all inputs, assumptions, and source data used to calculate the rate, the person(s) who calculated the rate, and the date the rate was calculated. If FirstEnergy has not calculated a rate using the formula " $RR = E + ROR(RB)$," identify all inputs and source data required to calculate the rate. Provide all documents concerning the calculations and inputs, including all source data, if they are not publicly available. Separately present the information for poles owned by Met-Ed, Penelec, Penn Power, and FirstEnergy Pennsylvania.

Ex. A at 9. FirstEnergy Pennsylvania's objection to Request No. 11 states, in relevant part:

As explained in Section I.A., *supra*, which is incorporated by reference herein, discovery into the West Penn Rate Division is overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence.

Ex. B ¶ 43.²

22. The Commission should dismiss FirstEnergy Pennsylvania's objection to Request No. 11. Company-wide information is reasonably tailored and reasonably calculated to lead to admissible evidence. FirstEnergy Pennsylvania included the " $RR = E + ROR(RB)$ " formula in its Initial Brief without explanation, after testimony was submitted. Verizon is entitled to test FirstEnergy Pennsylvania's argument, including by asking whether FirstEnergy Pennsylvania has ever calculated a rate using the formula and, if so, what the rate is. The merger of four prior operating companies does not justify denying Verizon discovery targeted to the issues presented on remand.

² FirstEnergy Pennsylvania also objected to Request No. 11 to the extent it "calls for a special study or analysis." Ex. B ¶¶ 42, 44–46. On April 24, 2026, Verizon informed FirstEnergy Pennsylvania that it does not seek a special study or analysis, but extant facts. Ex. C at 2.

B. FirstEnergy Pennsylvania Must Provide Discovery About Other Pole Attachers To Establish Changed Circumstances

23. The Commission should compel FirstEnergy Pennsylvania to provide information about other pole attachers in response to Request Nos. 6 and 12. This information is reasonably calculated to lead to admissible evidence supporting Verizon's claim that FirstEnergy Pennsylvania and its prior operating companies have long charged Verizon far more than other companies using comparable pole space. Changes in the regulatory environment, rates charged other attachers, and the competitive marketplace have made the rates FirstEnergy Pennsylvania charges Verizon especially unjust and unreasonable.

24. FirstEnergy Pennsylvania produced some responsive information in the first phase of this case without objection. Verizon does not seek that information again and is willing to accept the additional information requested under the parties' Stipulated Protective Agreement. *See* Section IV(D) below. At FirstEnergy Pennsylvania's urging, the Supreme Court placed the burden on Verizon to "prove that existing rates are unjust and unreasonable by showing a change in facts and circumstances since the rates were originally fixed." *FirstEnergy PA*, 349 A.3d at 189. The Commission should compel FirstEnergy Pennsylvania to produce information about changes in the number and types of attachers and the pole attachment rates collected since the challenged rates were adopted.

25. Verizon's Request No. 6 seeks information about the number and type of other attachers, the rates they were charged, and the revenues FirstEnergy Pennsylvania collected since the challenged rates were adopted. It states:

To the extent not previously produced, for each year beginning with 2009 for Met-Ed and Penelec, for each year beginning with 1999 for Penn Power, and for each year beginning with 2024 for FirstEnergy Pennsylvania, identify all entities that had a Pole Attachment Agreement with FirstEnergy and state whether the entity was an ILEC, CLEC, cable company, wireless provider, or other entity. For each entity and each year, describe in detail the pole attachment rent collected

from the entity, including whether rent was calculated as a lump sum amount, a net rental amount, a gross rental amount, a deficiency amount, using rental rates, and/or in some other manner. In answering this question, provide (a) the manner for calculating the pole attachment revenue, (b) the rate and/or amount that FirstEnergy charged the entity, (c) the rate and/or amount that FirstEnergy collected from the entity, if different, (d) the number of poles and/or attachments for which pole attachment rent was charged, (e) the total gross rental amount FirstEnergy collected from the entity and, if applicable, (f) the rate and/or amount that applied to FirstEnergy's use of the entity's poles, (g) the number of the entity's poles used by FirstEnergy, and (h) the total net rental amount collected from the entity. Provide all documents concerning FirstEnergy's response to this Request, including all source data and workpapers. Separately present the information for poles owned by Met-Ed, Penelec, Penn Power, and FirstEnergy Pennsylvania.

Ex. A at 7. FirstEnergy Pennsylvania's objection to Request No. 6 states:

FE PA objects to this request on the grounds that it is overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence.

As explained in Section I.A., *supra*, which is incorporated by reference herein, discovery into the West Penn Rate Division is overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence.

Additionally, this request is overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence due to its expansive temporal scope.

Verizon's request would require FE PA to compile extensive information and documents for every year going back 27 years for the Penn Power Rate Division and 17 years for the Met-Ed and Penelec Rate Divisions.

Information and documents dating back decades for any "Pole Attachment Agreement with FirstEnergy" and any "ILEC, CLEC, cable company, wireless provider, or other entity" is not relevant to the matters in dispute, nor is it reasonably calculated to lead to the discovery of admissible evidence.

Finally, FE PA notes that information and documents requested in this discovery request are confidential and competitively-sensitive.

The Company reserves the right to seek a Protective Order to protect against the unwarranted public disclosure of such information and documents should this request be permitted in full or in part.

Ex. B ¶¶ 24–30.

26. The Commission should dismiss FirstEnergy Pennsylvania’s objections. Request No. 6 is reasonably tailored and reasonably calculated to lead to admissible evidence. Verizon will accept the information under the parties’ Stipulated Protective Agreement. *See* Section IV.D below. FirstEnergy Pennsylvania already produced similar information for 2011-2019 in the first phase of this case under the Stipulated Protective Agreement and stipulated to its admission into evidence. *See* Verizon Statement 1.0, Ex. MSC-20; Joint Motion to Admit Stipulated Items into Record of Proceeding at 2 (July 7, 2020). The remaining information requested is equally relevant to Verizon’s claim that FirstEnergy Pennsylvania and its prior operating companies have long charged Verizon far higher pole attachment rates for comparable pole space. This relevance is heightened because the Pennsylvania Supreme Court remanded for further consideration of the rates FirstEnergy Pennsylvania demands under Pennsylvania statutes requiring just, reasonable, and non-discriminatory rates. *See, e.g., FirstEnergy Pa.*, 349 A.3d at 176–78. Company-wide information about FirstEnergy Pennsylvania post-merger is relevant regardless of rate district because it is calculated to lead to admissible evidence about the company’s pole attachment practices, disparate rates, and recovery of pole costs compared to publicly reported data.

27. Information about changes in attacher identity, number of attachers on poles, and pole attachment revenues collected since the challenged rates were adopted in 1999 (Penn Power) and 2009 (Met-Ed and Penelec) is also relevant. Verizon bears the burden to “prove that existing rates are unjust and unreasonable by showing a change in facts and circumstances since the rates were originally fixed.” *Id.* at 189. Verizon is entitled to discovery about network changes and FirstEnergy’s pole revenues since the challenged rates were adopted.

28. Verizon’s Request No. 12 seeks copies of FirstEnergy Pennsylvania’s agreements with other attachers. It states:

To the extent not previously produced, provide FirstEnergy's Pole Attachment Agreements.

Ex. A at 9. FirstEnergy Pennsylvania's objection to Request No. 12 states:

FE PA objects to this request on the grounds that it is overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence.

As defined in the Instructions accompanying VZ to FE PA Set IV, "Pole Attachment Agreements" means "an agreement between FirstEnergy and any entity for use of space on FirstEnergy's poles and includes, without limitations, Joint Use Agreements and License Agreements."

This remand proceeding is limited in scope to the Joint Use Agreements in place between Verizon and FE PA's Met-Ed, Penelec, and Penn Power Rate Divisions and the rates under those agreements.

An inquiry into and production of every "Pole Attachment Agreement" for FE PA is far beyond the scope of this proceeding.

In fact, the request encompasses any agreement governing the attachment of facilities to FE PA's poles, including those entities that are not similarly-situated to Verizon, which is an Incumbent Local Exchange Carrier ("ILEC").

Furthermore, as explained in Section I.A., *supra*, which is incorporated by reference herein, discovery into the West Penn Rate Division is overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence.

The Company also reserves the right to seek a Protective Order to protect against the unwarranted public disclosure of any confidential or competitively-sensitive information and documents should this request be permitted in full or in part.

Ex. B ¶¶ 48–54.

29. The Commission should dismiss FirstEnergy Pennsylvania's objection. Request No. 12 is reasonably tailored and reasonably calculated to lead to admissible evidence. Verizon will accept the information under the parties' Stipulated Protective Agreement. *See* Section IV(D) below. FirstEnergy Pennsylvania produced about 200 of the requested agreements in the first phase of this case under the Stipulated Protective Agreement and stipulated to the admission of some into evidence. *See* Verizon Statement 1.0, Exs. SCM-3, SCM-11; Joint Motion to Admit Stipulated Items into Record of Proceeding at 2 (July 7, 2020). The remaining agreements are

equally discoverable to update the record for remand and to shed light on FirstEnergy Pennsylvania's company-wide pole attachment practices post-merger. The agreements and their rate provisions are reasonably calculated to lead to admissible evidence supporting Verizon's claim that FirstEnergy Pennsylvania and its prior operating companies subjected Verizon to disparate treatment and charged Verizon far higher rates for comparable pole space.

C. FirstEnergy Pennsylvania Must Provide Discovery About Unbilled, Uncollected, and Refunded Amounts To Address Customer Impact

30. The Commission should compel FirstEnergy Pennsylvania to produce information about unbilled or uncollected pole attachment rent since 2011 and Commission-ordered refunds since 2009 (excluding *pro se* complaint proceedings). The requested time frames capture a sufficient sample of likely infrequent events to assess their role in FirstEnergy Pennsylvania's 2014, 2016, and 2024 base rate proceedings. The Pennsylvania Supreme Court remanded for further "analysis by the PUC as to the effects on FirstEnergy's customers" of the relief sought in this case. *FirstEnergy Pa.*, 349 A.3d at 189. Verizon is entitled to learn whether, and to what extent, other pole attachment rate reductions and Commission-ordered refunds affected FirstEnergy's electric rates.

31. Verizon's Request No. 3 seeks information about unbilled and uncollected pole attachment rent since 2011. It states:

For each year beginning with 2011 for Met-Ed, Penelec, and Penn Power, and with 2024 for FirstEnergy Pennsylvania, state whether FirstEnergy did not charge pole attachment rent to any entity with facilities attached to its poles and/or whether FirstEnergy did not collect the full amount of pole attachment rent it invoiced. In answering this question, if FirstEnergy did not charge pole attachment rent and/or did not collect the full amount of pole attachment rent it invoiced, identify the relevant entity and describe for each such entity: (a) whether FirstEnergy did not charge pole attachment rent and/or did not collect the full amount of invoiced pole attachment rent; (b) the rental years for which FirstEnergy did not charge pole attachment rent and/or did not collect the full amount of invoiced pole attachment rent; (c) the amount of pole attachment rent FirstEnergy contends that it did not charge and/or did not collect; (d) the reason

why FirstEnergy did not charge and/or collect pole attachment rent; (e) how FirstEnergy treated the unbilled or uncollected revenue in a base rate proceeding filed by FirstEnergy under 66 Pa. C.S. § 1308(d), and (f) the docket number for the base rate proceeding. Identify and provide all non-privileged documents concerning FirstEnergy's treatment of the unbilled or uncollected revenue in a base rate proceeding. Separately present the information for poles owned by Met-Ed, Penelec, Penn Power, and FirstEnergy Pennsylvania, if possible.

Ex. A at 5–6. FirstEnergy Pennsylvania's objection to Request No. 3 states:

FE PA objects to this request on the grounds that it is overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence.

As explained in Section I.A., *supra*, which is incorporated by reference herein, discovery into the West Penn Rate Division is overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence.

Also, this request is overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence due to its expansive temporal scope.

Verizon's discovery request would require FE PA to review an extensive amount of records and documents for all the attachers to its facilities for the Met-Ed, Penelec, and Penn Power Rate Divisions for the past 15 years, and then compile such information in the manner requested by Verizon.

Consequently, due to the expansive temporal scope of this request and the amount of records implicated by it, the request is overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence.

Ex. B ¶¶ 11–15.

32. The Commission should dismiss FirstEnergy Pennsylvania's objection. The temporal scope of Request No. 3 is reasonably tailored and reasonably calculated to lead to admissible evidence. The Pennsylvania Supreme Court remanded for further "analysis by the PUC as to the effects on FirstEnergy's customers." *FirstEnergy Pa.*, 349 A.3d at 189. Verizon is entitled to learn whether, and to what extent, other pole attachment revenue reductions have affected electric rates, including any reductions experienced by FirstEnergy Pennsylvania post-merger. The timeframe starting in 2011 is reasonable for three reasons. First, the Commission already considered evidence pre-dating 2011 in this case. Second, the Pennsylvania Supreme

Court described 2011 as the time of a “major milestone . . . that is directly relevant to the present matter.” *Id.* at 168. Third, presumably there are few instances where FirstEnergy Pennsylvania fails to bill or collect pole attachment rent, so a sufficient time period is needed to test FirstEnergy Pennsylvania’s claim that pole attachment revenue reductions result in equivalent increases to electric rates based on a review of the few base rate proceedings (2014, 2016, 2024) that occurred since 2011.

33. Verizon’s Request No. 14 seeks information about Commission-ordered refunds since 2009. It states:

State each and every instance since 2009 in which FirstEnergy was expressly required by the Public Utility Commission to refund amounts to any entity. Describe in detail each such refund, including (a) the docket number in which the refund was required; (b) how much FirstEnergy was required to refund, why, to, whom, and when; (c) whether, and if so, when and by how much FirstEnergy sought to increase the rates it charges its electric customers on a gross and per-customer basis because of the refund; and (d) whether and, if so, what increase to the rates FirstEnergy charges its electric customers was authorized by the Public Utility Commission and the impact of that increase on a per-customer basis. Identify and provide all filings at the Commission that reference the refund and/or a rate increase authorized by the Public Utility Commission because of the refund. Separately present the information for poles owned by Met-Ed, Penelec, Penn Power, and FirstEnergy Pennsylvania, if possible.

Ex. A at 10–11. FirstEnergy Pennsylvania’s objection to Request No. 14 states:

FE PA objects to this request on the grounds that it is overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence.

As explained in Section I.A., *supra*, which is incorporated by reference herein, discovery into the West Penn Rate Division is overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence.

In addition, Verizon’s request asks for extensive information, stretching back over 17 years, for “each and every instance . . . in which FirstEnergy was expressly required by the Public Utility Commission to refund amounts to any entity.”

As written, Verizon’s request would encompass any Commission proceeding, including *pro se* customer complaints, where FE PA was directed to issue a refund to an entity.

Such refunds have no bearing on the instant proceeding, which involves pole attachment agreements and rates.

Nevertheless, FE PA would be willing answer this request if the scope were limited to the past 10 years and to refunds involving pole attachment rates.

Ex. B ¶¶ 56–61.

34. The Commission should dismiss FirstEnergy Pennsylvania’s objection and compel a complete response to Request No. 14, excluding refunds ordered in *pro se* complaint proceedings. The Pennsylvania Supreme Court remanded for further “analysis by the PUC as to the effects on FirstEnergy’s customers.” *FirstEnergy Pa.*, 349 A.3d at 189. Verizon is entitled to learn whether, and to what extent, other Commission-ordered refunds have affected electric rates, including any refunds required of FirstEnergy Pennsylvania post-merger. The timeframe starting in 2009 is reasonable for at least two reasons. First, the Met-Ed and Penelec contract rates were adopted that year, so the Commission will be considering evidence dating back to 2009. Second, there are presumably few instances where the Commission has ordered FirstEnergy Pennsylvania to refund amounts outside of *pro se* complaint proceedings. A sufficient time period is thus required to test FirstEnergy Pennsylvania’s claim that refunds in this case will increase its electric rates, by considering refunds that could have affected rates in FirstEnergy’s 2014, 2016, and 2024 base rate proceedings.

35. FirstEnergy Pennsylvania offered to produce information “limited to the past 10 years and to refunds involving pole attachment rates.” Ex. B ¶ 61. This limitation would render the Request a nullity. FirstEnergy Pennsylvania has had just one base rate proceeding in the last 10 years (2024), and this is the sole pole attachment case in which the Commission has ordered refunds since it assumed jurisdiction over pole attachment cases in 2020. Due process and fundamental fairness require the Commission to compel FirstEnergy Pennsylvania to produce the information requested.

D. The Commission Should Compel FirstEnergy Pennsylvania To Produce Confidential Information Under the Stipulated Protective Agreement

36. The Commission should not permit FirstEnergy Pennsylvania to delay production of confidential information based on a claimed need for a Protective Order. The parties entered a Stipulated Protective Agreement in 2020 (*see* Ex. D) that the Commission recognized and enforced in the first phase of this case. *See* Opinion and Order (Dec. 3, 2020). The parties remain bound by the Stipulated Protective Agreement, which governs the remand phase. The Commission should order FirstEnergy Pennsylvania to produce confidential information under its terms. Going forward, Verizon is willing to convert the Stipulated Protective Agreement into a Protective Order, but this should not delay the prompt production of the discovery it requires. FirstEnergy Pennsylvania had the opportunity at the Prehearing Conference to request conversion of the Stipulated Protective Agreement into a Protective Order but did not do so. It should not be permitted to use a belated request for a Protective Order to delay production of discovery responses. The Commission's rules do not permit this delay tactic. *See* 52 Pa. Code § 5.365(c)(4) ("Prior to the issuance of a protective order, a party may not refuse to provide information which the party reasonably believes to be proprietary to a party who agrees to treat the information as if it were covered by a protective order until the presiding officer or the Commission issues the order or determines that issuance of the order would not be appropriate.").

37. FirstEnergy Pennsylvania reserved the right to seek a Protective Order if the Commission compels discovery in response to Request Nos. 6, 7, and 12, addressed above. FirstEnergy Pennsylvania also delayed production of information sought in Request No. 4 based on a claimed need for a Protective Order. Verizon's Request No. 4 seeks, among other things,

unredacted copies of documents referencing this case that were exchanged or filed in FirstEnergy Pennsylvania's 2024 base rate proceeding. It states:

Identify and provide all non-privileged documents concerning FirstEnergy's view of the potential impact of this Litigation, including the potential impact of the relief sought by this Litigation, on the rates FirstEnergy charges its customers, and all documents concerning or reflecting the position taken by any other entity, including the Bureau of Investigation and Enforcement ("I&E") of the Pennsylvania Public Utility Commission and the Office of Consumer Advocate ("OCA"), concerning the potential impact of this Litigation, including the potential impact of the relief sought by this Litigation, on the rates FirstEnergy charges its customers. Include with your response unredacted copies of all documents related to Pennsylvania Public Utility Commission docket R-2024-3047068 that reference this Litigation, including all filings made and all documents issued, exchanged, or produced by any entity, including FirstEnergy. Separately present the information for poles owned by Met-Ed, Penelec, Penn Power, and FirstEnergy Pennsylvania, if possible.

Ex. A at 6. FirstEnergy Pennsylvania's objection to Request No. 4 states, in relevant part:

[T]he unredacted copies of any filings and testimony, as well as any discovery responses and any documents exchanged in discovery, were the subject of a Protective Order issued on August 15, 2024, in that case.

As those materials were the subject of a Protective Order issued in that proceeding, a Protective Order must be entered in this case before the Company can produce such materials.

Ex. B ¶¶ 21–22.³

38. The Commission should compel FirstEnergy Pennsylvania to provide the requested discovery under the Stipulated Protective Agreement as required by 52 Pa. Code § 5.365(c)(4), and if FirstEnergy Pennsylvania continues to demand one, then issue a Protective Order in due course.

³ FirstEnergy Pennsylvania also objected to Request No. 4 to the extent it seeks documents that "are publicly available on the Commission's online docket for the proceeding." Ex. B ¶¶ 18–20. On April 24, 2026, Verizon informed FirstEnergy Pennsylvania that it does not seek such documents. Ex. C at 2.

E. The Commission Should Compel FirstEnergy Pennsylvania To Produce Witness Materials Within Two Business Days of Testimony Submission

39. The Commission should compel FirstEnergy Pennsylvania to produce materials its witnesses considered or relied upon within two business days after testimony submission. To meet the tight deadlines in this case, Verizon sought this information in Verizon's Request No. 16, which states:

Identify and provide all documents, workpapers, reports, and analyses FirstEnergy's Supplemental Witnesses consider or rely upon in preparing Supplemental Testimony.

Ex. A at 11. FirstEnergy Pennsylvania objected to Request No. 16 to the extent it seeks premature disclosure of the materials. Its objection states, in relevant part:

FE PA objects to the extent that the request would require the disclosure of facts and opinions held by expert witnesses prior to the service of their direct testimony in accordance with the litigation schedule.

Section 5.324(a)(1)(ii) of the Commission's regulations states "[t]hat the other party have each expert so identified state the substance of the facts and opinions to which the expert is expected to testify and a summary of the grounds for each opinion," that "[t]he party answering the interrogatories may file as the answer a report of the expert, have the interrogatories answered by the expert or provide written direct testimony of the expert," and that "[t]he answer, separate report or testimony shall be signed by the expert and shall be deemed to be provided under oath in accordance with section 333(d) of the act (relating to prehearing procedures).

However, the timing of the disclosure of such experts' facts and opinions is limited by Section 5.324(a)(2) of the Commission's regulations, which provides:

If the party against whom discovery is sought, under paragraph (1)(ii), responds by the filing of written direct testimony, the response shall be considered timely, regardless of § 5.342 (relating to answers or objections to written interrogatories by a party), if the written direct testimony is served on all parties at least 20 days prior to the date on which the expert is scheduled to testify or in accordance with the schedule for the submission of written testimony established by the presiding officer.

Id. § 5.342(a)(2).

Under the litigation schedule in this case on remand, FE PA's written supplemental direct testimony is not due until July 17, 2026.

That deadline is at least 20 days before the first day of evidentiary hearings on August 19, 2026.

Yet, as written, Verizon's request would force FE PA to disclose the facts and opinions of its experts well before that deadline.

Thus, FE PA objects to the extent that this discovery request would require the Company to disclose the facts and opinions held by its expert witnesses before the service of its written supplemental direct testimony on July 17, 2026.

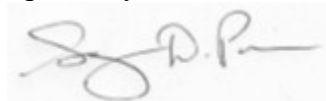
Ex. B ¶¶ 71–77.⁴

40. Verizon tried to resolve this issue by proposing the production deadline FirstEnergy Pennsylvania included in its Prehearing Conference Memorandum. *See* FirstEnergy Pennsylvania's Prehearing Conference Memorandum ¶ 67 (proposing production of documents relied upon by witnesses "within two (2) business days of the testimony being served") (Mar. 13, 2026). FirstEnergy Pennsylvania did not respond. Verizon seeks an order clarifying that FirstEnergy Pennsylvania must provide a full and complete response to Request No. 16 within two business days of the date its testimony is served.

V. CONCLUSION

41. The Commission should dismiss FirstEnergy Pennsylvania's objections to Request Nos. 1–4, 6–8, 11–12, 14, and 16 of Verizon's Set IV Discovery Requests and compel FirstEnergy to provide full and complete responses as set forth in this motion.

Respectfully submitted,



Suzan D. Paiva (Atty ID No. 53853)
Verizon
900 Race St., 6th Floor
Philadelphia, PA 19107

Christopher S. Huther (*pro hac vice*)

⁴ FirstEnergy Pennsylvania also objected to Request No. 16 to the extent it "seeks privileged information and materials [and] asks for drafts of testimony and exhibits." Ex. B ¶¶ 63–70. On April 24, 2026, Verizon informed FirstEnergy Pennsylvania that it does not seek privileged information or drafts of filed testimony. Ex. C at 2.

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Counsel for Verizon Pennsylvania LLC and Verizon North LLC

Dated: April 30, 2026

VERIFICATION

I, Stephen C. Mills, state that I am employed as Principal Engineer, Network Engineering, Verizon, and that as such I am authorized to make this verification on behalf of Verizon Pennsylvania LLC and Verizon North LLC (“Verizon”). I have reviewed the facts set forth above, and verify that they are true and correct to the best of my knowledge, information, and belief and that I expect Verizon Pennsylvania LLC and Verizon North LLC to be able to prove the same at a hearing held in this case. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. § 4904 (relating to unsworn falsification to authorities).

Date: April 30, 2026

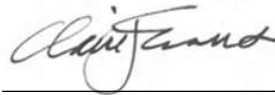


Stephen C. Mills

CERTIFICATION

I, Claire J. Evans, counsel for Verizon Pennsylvania LLC and Verizon North LLC (“Verizon”) certify that I sought in good faith to informally resolve the discovery disputes detailed in this motion with counsel for FirstEnergy Pennsylvania Electric Company (“FirstEnergy Pennsylvania”). I sent the email attached to this motion as Exhibit C to FirstEnergy Pennsylvania’s counsel on April 24, 2026 and requested a response by 4:30 p.m. on April 28, 2026. I also offered to discuss the issues by telephone. As of 3:00 p.m. on April 30, 2026, I have not received a response from FirstEnergy Pennsylvania’s counsel.

Date: April 30, 2026



Claire J. Evans

EXHIBIT A

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Verizon Pennsylvania LLC and	:	
Verizon North LLC	:	
	:	
v.	:	C-2020-3019347
Metropolitan Edison Company, Pennsylvania	:	
Electric Company and Penn Power Company,	:	
now known as FirstEnergy Pennsylvania	:	
Electric Company	:	

**VERIZON’S FOURTH SET OF INTERROGATORIES AND
REQUESTS FOR PRODUCTION OF DOCUMENTS TO METROPOLITAN
EDISON COMPANY, PENNSYLVANIA ELECTRIC COMPANY AND
PENNSYLVANIA POWER COMPANY**

Pursuant to 66 Pa. C.S. § 333 and 52 Pa. Code § 5.341 *et seq.*, Verizon Pennsylvania LLC and Verizon North LLC (collectively, “Verizon”) issue this Fourth Set of Interrogatories and Requests for Production of Documents (“Requests”) to Defendants Metropolitan Edison Company (“Met-Ed”), Pennsylvania Electric Company (“Penelec”), and Pennsylvania Power Company (“Penn Power”), now known as FirstEnergy Pennsylvania Electric Company (collectively, “FirstEnergy”) and those persons authorized to answer on FirstEnergy’s behalf.

DEFINITIONS AND INSTRUCTIONS

Verizon incorporates by reference the definitions and instructions included in Verizon’s Third Set of Interrogatories and Requests for Production of Documents, which were served on FirstEnergy on May 15, 2020, except to the extent that a term is again defined below. The following terms have the following meanings, unless the context requires otherwise:

1. “Field Audit” means any review and/or collection of data regarding FirstEnergy’s utility poles or attachments to such utility poles by FirstEnergy employees and/or a third-party contractor, including any pole inventories, pole audits, pole surveys, and pole samples.

2. “FirstEnergy” means any or all of FirstEnergy Pennsylvania Electric Company, Metropolitan Edison Company, Pennsylvania Electric Company, and Penn Power Company, and any persons associated with those entities, including, but not limited to, each of their current or former parents, subsidiaries, affiliates, officers, directors, independent contractors, agents, servants, attorneys, successors, predecessors, representatives, investigators, experts, employees, ex-employees, consultants, representatives and others who are in possession of, or who may have obtained, information for or on behalf of the above-mentioned persons or entities.

3. “FirstEnergy Pennsylvania” means FirstEnergy Pennsylvania Electric Company.

4. “FirstEnergy Supplemental Witness” means a person who submitted or will submit Supplemental Testimony on behalf of FirstEnergy during the remand phase of this Litigation.

5. “ILEC” means an incumbent local exchange carrier.

6. “Initial Brief” means the document titled “Main Brief of Metropolitan Edison Company, Pennsylvania Electric Company, and Pennsylvania Power Company” that was filed in the Litigation on July 28, 2020.

7. “Litigation” means all proceedings concerning the Pole Attachment Complaint, including all proceedings in FCC Proceeding Number 19-354, Bureau ID Number EB-19-MD-008, all proceedings in Pennsylvania Public Utility Commission Docket No. C-2020-3019347, all proceedings seeking further review of the Commission’s decision before the Pennsylvania Commonwealth Court, all proceedings on appeal from the Commonwealth Court’s decision before the Pennsylvania Supreme Court, and all proceedings on remand.

8. “New Telecom Rate” means the rate that is calculated using the formula at 47 C.F.R. § 1.1406(d)(2) (incorporated at 52 Pa. Code § 77.4(a)), the inputs identified at 47 C.F.R.

§§ 1.1409 and 1.1410 (incorporated at 52 Pa. Code § 77.4(a)), FirstEnergy's current rate of return, and FirstEnergy's year-end pole costs from the immediately preceding year.

9. "Pole Attachment Agreement" means an agreement between FirstEnergy and any entity for use of space on FirstEnergy's poles and includes, without limitations, Joint Use Agreements and License Agreements.

10. "Pole Attachment Complaint" means the Pole Attachment Complaint filed by Verizon on November 20, 2019 in FCC Proceeding Number 19-354, Bureau ID Number EB-19-MD-008 and transferred to the Pennsylvania Public Utility Commission at Docket No. C-2020-3019347, and any amendments thereto.

11. "Supplemental Testimony" means any supplemental testimony and exhibits submitted on behalf of FirstEnergy in Pennsylvania Public Utility Commission Docket No. C-2020-3019347 during the remand phase of this Litigation.

INTERROGATORIES AND REQUESTS FOR PRODUCTION OF DOCUMENTS

1. For each year beginning with 2020 for Met-Ed, Penelec, and Penn Power, and each year beginning with 2024 for FirstEnergy Pennsylvania, provide the New Telecom Rate for a communications provider's use of one foot of space on (a) Met-Ed's poles, (b) Penelec's poles, (c) Penn Power's poles, and (d) FirstEnergy Pennsylvania's poles. In answering this question, provide for each New Telecom Rate FirstEnergy's calculation of the rate and identify all inputs, assumptions, and source data used to calculate the rate, the person(s) who calculated the rate, and the date the rate was calculated. If FirstEnergy has not calculated a New Telecom Rate, provide all inputs and identify all source data required to calculate the rate. Provide all documents concerning all calculations and inputs, including all source data, if they are not publicly available. Separately present the information for poles owned by Met-Ed, Penelec, Penn Power, and FirstEnergy Pennsylvania.

2. For each year beginning with 2020 for Met-Ed, Penelec, and Penn Power, and each year beginning with 2024 for FirstEnergy Pennsylvania, provide:

- (a) the rental or deficiency rate that FirstEnergy contends applies to Verizon's use of FirstEnergy's poles under the Joint Use Agreements and, if different, the rental or deficiency rate that FirstEnergy charged Verizon;
- (b) the number of FirstEnergy poles governed by the Joint Use Agreements that FirstEnergy contends have Verizon facilities attached;
- (c) the number of deficiency poles owned by Met-Ed that FirstEnergy contends are subject to a deficiency rate under the Joint Use Agreements;
- (d) the rental rate that FirstEnergy contends applies to FirstEnergy's use of Verizon's poles under the Joint Use Agreements and, if different, the rental rate reflected in a rental invoice issued by FirstEnergy; and
- (e) the number of Verizon poles governed by the Joint Use Agreements that FirstEnergy contends have FirstEnergy facilities attached.

In answering this question, provide for each rental or deficiency rate FirstEnergy's calculation of the rate and identify all inputs, assumptions, and source data used to calculate the rate, the person(s) who calculated the rate, and the date the rate was calculated. If FirstEnergy has not calculated the rental or deficiency rate that it contends applies to Verizon's use of FirstEnergy's poles and/or the rental rate that FirstEnergy contends applies to FirstEnergy's use of Verizon's poles under the Joint Use Agreements, provide all inputs and identify all source data required to calculate the rate. Provide all documents concerning all rate calculations and inputs, including all source data, if they are not publicly available. Separately present the information for poles owned by Met-Ed, Penelec, Penn Power, and FirstEnergy Pennsylvania.

3. For each year beginning with 2011 for Met-Ed, Penelec, and Penn Power, and with 2024 for FirstEnergy Pennsylvania, state whether FirstEnergy did not charge pole attachment rent to any entity with facilities attached to its poles and/or whether FirstEnergy did not collect the full amount of pole attachment rent it invoiced. In answering this question, if FirstEnergy did not charge pole attachment rent and/or did not collect the full amount of pole attachment rent it invoiced, identify the relevant entity and describe for each such entity:

(a) whether FirstEnergy did not charge pole attachment rent and/or did not collect the full amount of invoiced pole attachment rent; (b) the rental years for which FirstEnergy did not charge pole attachment rent and/or did not collect the full amount of invoiced pole attachment rent; (c) the amount of pole attachment rent FirstEnergy contends that it did not charge and/or did not collect; (d) the reason why FirstEnergy did not charge and/or collect pole attachment rent; (e) how FirstEnergy treated the unbilled or uncollected revenue in a base rate proceeding filed by FirstEnergy under 66 Pa.C.S. § 1308(d), and (f) the docket number for the base rate proceeding. Identify and provide all non-privileged documents concerning FirstEnergy's

treatment of the unbilled or uncollected revenue in a base rate proceeding. Separately present the information for poles owned by Met-Ed, Penelec, Penn Power, and FirstEnergy Pennsylvania, if possible.

4. Identify and provide all non-privileged documents concerning FirstEnergy's view of the potential impact of this Litigation, including the potential impact of the relief sought by this Litigation, on the rates FirstEnergy charges its customers, and all documents concerning or reflecting the position taken by any other entity, including the Bureau of Investigation and Enforcement ("I&E") of the Pennsylvania Public Utility Commission and the Office of Consumer Advocate ("OCA"), concerning the potential impact of this Litigation, including the potential impact of the relief sought by this Litigation, on the rates FirstEnergy charges its customers. Include with your response unredacted copies of all documents related to Pennsylvania Public Utility Commission docket R-2024-3047068 that reference this Litigation, including all filings made and all documents issued, exchanged, or produced by any entity, including FirstEnergy. Separately present the information for poles owned by Met-Ed, Penelec, Penn Power, and FirstEnergy Pennsylvania, if possible.

5. Identify and provide all non-privileged internal communications, memoranda, analyses, reports, documents, and presentations concerning FirstEnergy's assessment, at any time since July 12, 2011, of whether the pole attachment rates charged to Verizon under the Joint Use Agreements were consistent with the New Telecom Rate, the just and reasonable rate standard under 47 U.S.C. § 224(b)(1), the just and reasonable rate standard under the Pennsylvania Public Utility Code, 66 Pa. C.S. § 1301(a), the non-discriminatory rate standard under the Pennsylvania Public Utility Code, 66 Pa. C.S. § 1304, the Pennsylvania Public Utility Commission's pole attachment regulations, 52 Pa. Code §§ 77.1-77.7, the FCC's 2011 *Pole Attachment Order*,

and/or the FCC's 2018 *Third Report and Order*, including any analyses of the financial impact of adjusting those rates.

6. To the extent not previously produced, for each year beginning with 2009 for Met-Ed and Penelec, for each year beginning with 1999 for Penn Power, and for each year beginning with 2024 for FirstEnergy Pennsylvania, identify all entities that had a Pole Attachment Agreement with FirstEnergy and state whether the entity was an ILEC, CLEC, cable company, wireless provider, or other entity. For each entity and each year, describe in detail the pole attachment rent collected from the entity, including whether rent was calculated as a lump sum amount, a net rental amount, a gross rental amount, a deficiency amount, using rental rates, and/or in some other manner. In answering this question, provide (a) the manner for calculating the pole attachment revenue, (b) the rate and/or amount that FirstEnergy charged the entity, (c) the rate and/or amount that FirstEnergy collected from the entity, if different, (d) the number of poles and/or attachments for which pole attachment rent was charged, (e) the total gross rental amount FirstEnergy collected from the entity and, if applicable, (f) the rate and/or amount that applied to FirstEnergy's use of the entity's poles, (g) the number of the entity's poles used by FirstEnergy, and (h) the total net rental amount collected from the entity. Provide all documents concerning FirstEnergy's response to this Request, including all source data and workpapers. Separately present the information for poles owned by Met-Ed, Penelec, Penn Power, and FirstEnergy Pennsylvania.

7. For each year beginning with 2020 for Met-Ed, Penelec, and Penn Power, and each year beginning with 2024 for FirstEnergy Pennsylvania, describe in detail the method or formula FirstEnergy used to calculate the pole attachment rate(s) it charged cable companies and CLECs. For each pole attachment rate charged, provide FirstEnergy's calculation of the rate and

identify all inputs, assumptions, and source data, the person(s) who calculated the rate, and the date the rate was calculated. To the extent that a rate identified in response to this Request differs from the rate identified in response to Request 1 for the same pole owner and same year, describe in detail the reason for the difference. Provide all documents concerning all calculations and inputs, including all source data, if they are not publicly available. Separately present the information for poles owned by Met-Ed, Penelec, Penn Power, and FirstEnergy Pennsylvania.

8. For each year beginning with 2020 for Met-Ed, Penelec, and Penn Power, and each year beginning with 2024 for FirstEnergy Pennsylvania, provide FirstEnergy's state-authorized weighted average cost of capital and/or weighted cost of equity, FirstEnergy's cost of debt, FirstEnergy's cost of equity, and FirstEnergy's capital structure. Identify in your response the formula, calculations, inputs, assumptions, and source data used to determine FirstEnergy's state-authorized weighted average cost of capital and/or weighted cost of equity, FirstEnergy's cost of debt, FirstEnergy's cost of equity, and FirstEnergy's capital structure. Separately present the information for poles owned by Met-Ed, Penelec, Penn Power, and FirstEnergy Pennsylvania.

9. Describe in detail the basis for FirstEnergy's position that "Verizon presented no evidence that the rates it pays exceed cost of service or produce an excessive rate of return." Initial Brief, p. 41. To the extent FirstEnergy contends that FirstEnergy's annual net investment per distribution pole, carrying charge rate, and rate of return for a particular year (as calculated at Verizon Statement 2.0, Exhibit MSC-1 at VZ00059-90) does not evidence FirstEnergy's cost of service and rate of return, describe in detail the basis of FirstEnergy's contention, including all errors FirstEnergy contends exist with Verizon's calculation and all components, inputs, and/or amounts FirstEnergy contends are missing from the calculation.

10. Describe in detail the basis for FirstEnergy’s position that “Verizon has failed to present any evidence on the current cost of equity.” Initial Brief, p. 43. To the extent FirstEnergy contends that FirstEnergy’s cost of equity for a particular year (as set forth at Verizon Statement 2.0, Exhibit MSC-1 at VZ00089-90) does not evidence FirstEnergy’s then-current cost of equity, describe in detail the basis of FirstEnergy’s contention, including all errors FirstEnergy contends exist with the cost of equity set forth at Verizon Statement 2.0, Exhibit MSC-1 at VZ00089-90 and all components, inputs, and/or amounts FirstEnergy contends are missing from such cost of equity.

11. For each year beginning with 2011 for Met-Ed, Penelec, and Penn Power, and for each year beginning with 2024 for FirstEnergy Pennsylvania, state whether FirstEnergy did not charge pole attachment rent for communications provider’s use of entity with facilities attached to its poles and/or whether FirstEnergy did not collect pole attachment rent from (c) Penn Power’s poles, and (d) the amount of pole attachment rent it invoiced. In answering this question, if FirstEnergy did not charge pole attachment rent and/or did not collect the full amount of pole attachment rent, identify the relevant entity and describe for each such entity: (a) whether FirstEnergy’s calculation of the rate invoiced, identify the relevant entity and describe for each such entity: (a) whether FirstEnergy calculated the rate, the person(s) who did not charge pole attachment rent and/or did not collect the full amount of pole attachment rent, and (b) whether FirstEnergy has not calculated a rate using the formula “ $RR = E + ROR(RB)$,” identify all inputs and source data required to calculate the rate. Provide all documents concerning the calculations and inputs, including all source data, if they are not publicly available. Separately present the information for poles owned by Met-Ed, Penelec, Penn Power, and FirstEnergy Pennsylvania.

12. To the extent not previously produced, provide FirstEnergy’s Pole Attachment Agreements.

13. State each and every instance since 2009 in which FirstEnergy identified a reduction in pole attachment revenue as a reason for increasing the rates it charges its electric

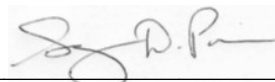
customers in a base rate proceeding filed by FirstEnergy under 66 Pa.C.S. § 1308(d). Describe in detail each such instance, including (a) the docket number for the base rate proceeding; (b) how much less FirstEnergy collected in annual pole attachment revenue, from whom, and when; (c) when and how much FirstEnergy sought to increase the rates it charges its electric customers on a gross and per-customer basis because of FirstEnergy's collection of less annual pole attachment revenue; and (d) the result of FirstEnergy's request, including whether and, if so, what increase to the rates FirstEnergy charges its electric customers was authorized by the Public Utility Commission and the impact of that increase on a per-customer basis. Identify and provide all documents related to each base rate proceeding that reference FirstEnergy's claim that a reduction in pole attachment revenue is a reason for increasing the rates FirstEnergy charges its electric customers, including all filings made and all documents issued, exchanged, or produced by any entity in the base rate proceeding. Separately present the information for poles owned by Met-Ed, Penelec, Penn Power, and FirstEnergy Pennsylvania, if possible.

14. State each and every instance since 2009 in which FirstEnergy was expressly required by the Public Utility Commission to refund amounts to any entity. Describe in detail each such refund, including (a) the docket number in which the refund was required; (b) how much FirstEnergy was required to refund, why, to, whom, and when; (c) whether, and if so, when and by how much FirstEnergy sought to increase the rates it charges its electric customers on a gross and per-customer basis because of the refund; and (d) whether and, if so, what increase to the rates FirstEnergy charges its electric customers was authorized by the Public Utility Commission and the impact of that increase on a per-customer basis. Identify and provide all filings at the Commission that reference the refund and/or a rate increase authorized by the

Public Utility Commission because of the refund. Separately present the information for poles owned by Met-Ed, Penelec, Penn Power, and FirstEnergy Pennsylvania, if possible.

15. Identify and describe in detail all Field Audits that FirstEnergy has conducted in the Met-Ed, Penelec, Penn Power and/or FirstEnergy Pennsylvania service territories since 2019, including all anticipated Field Audits identified in response to Request 7 of Verizon's Second Set of Interrogatories and Requests for Production of Documents. Provide all documents concerning the Field Audits, including all documents governing the Field Audit, all documents communicating about the Field Audit with entities attached FirstEnergy's poles, all data collected in the Field Audit, the methods used to collect the data, the rules and standards governing the collection of data, and the minimum required accuracy rate of the data collected. Separately present the information for poles owned by Met-Ed, Penelec, Penn Power, and FirstEnergy Pennsylvania, if possible.

16. Identify and provide all documents, workpapers, reports, and analyses FirstEnergy's Supplemental Witnesses consider or rely upon in preparing Supplemental Testimony.



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Counsel for
Verizon Pennsylvania LLC and
Verizon North LLC

Dated: April 15, 2026

EXHIBIT B

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Verizon Pennsylvania LLC and Verizon North LLC,	:	
	:	
	:	
Complainants	:	
	:	
v.	:	Docket No. C-2020-3019347
	:	
Metropolitan Edison Company, Pennsylvania Electric Company, and Pennsylvania Power Company,	:	
	:	
	:	
Respondents	:	

OBJECTIONS OF FIRSTENERGY PENNSYLVANIA ELECTRIC COMPANY TO THE INTERROGATORIES AND REQUESTS FOR PRODUCTION OF DOCUMENTS OF VERIZON PENNSYLVANIA LLC AND VERIZON NORTH LLC – SET IV

Pursuant to 52 Pa. Code §§ 5.342(c) and 5.349(d), FirstEnergy Pennsylvania Electric Company (“FE PA” or the “Company”),¹ by and through its attorneys, hereby serves these objections to the fourth set of interrogatories and requests for production of documents of Verizon Pennsylvania LLC (“Verizon Pennsylvania”) and Verizon North LLC (“Verizon North”) (collectively, “Verizon”) served on April 15, 2026 (“VZ to FE PA Set IV”).

FE PA objects to VZ to FE PA Set IV, Nos. 1-4, 6-8, 11-12, 14, and 16. As explained herein, the grounds for such objections are that one or more of these requests call for a special study or analysis, are overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence, seek privileged information and materials, ask for drafts of

¹ On December 7, 2023, the Pennsylvania Public Utility Commission (“Commission”) entered an Order at Docket Nos. A-2023-3038771, et al. approving, among other things, the merger of Metropolitan Edison Company (“Met-Ed”), Pennsylvania Electric Company (“Penelec”), Pennsylvania Power Company (“Penn Power”), and West Penn Power Company (“West Penn”) into FE PA with FE PA as the surviving entity. Therefore, FE PA submits that all references to the three prior respondents in this matter should, instead, be made to FE PA as their successor in interest.

testimony and exhibits, and seek disclosure of facts and opinions held by expert witnesses prior to the service of their direct testimony in accordance with the litigation schedule.

In support, FE PA states as follows:

I. SPECIFIC OBJECTIONS

A. OBJECTIONS TO VZ TO FE PA SET IV, NO. 1

1. VZ to FE PA Set IV, No. 1 requests the following:

1. For each year beginning with 2020 for Met-Ed, Penelec, and Penn Power, and each year beginning with 2024 for FirstEnergy Pennsylvania, provide the New Telecom Rate for a communications provider's use of one foot of space on (a) Met-Ed's poles, (b) Penelec's poles, (c) Penn Power's poles, and (d) FirstEnergy Pennsylvania's poles. In answering this question, provide for each New Telecom Rate FirstEnergy's calculation of the rate and identify all inputs, assumptions, and source data used to calculate the rate, the person(s) who calculated the rate, and the date the rate was calculated. If FirstEnergy has not calculated a New Telecom Rate, provide all inputs and identify all source data required to calculate the rate. Provide all documents concerning all calculations and inputs, including all source data, if they are not publicly available. Separately present the information for poles owned by Met-Ed, Penelec, Penn Power, and FirstEnergy Pennsylvania.

2. FE PA objects to this request on the grounds that it is overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence.

3. FE PA has four rate divisions, each of which corresponds to one of the former Pennsylvania utility operating companies that were merged to create FE PA: Met-Ed, Penelec, Penn Power, and West Penn.

4. The instant proceeding, however, only involves three of those rate divisions, namely the Met-Ed, Penelec, and Penn Power Rate Divisions.

5. As posited, VZ to FE PA Set IV, No. 1 requests information about the "New Telecom Rate for a communications provider's use of one foot of space" on "FirstEnergy Pennsylvania's poles," which would encompass West Penn Rate Division's rates and poles.

6. Therefore, by requesting this information about the West Penn Rate Division, the request is overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence.

B. OBJECTIONS TO VZ TO FE PA SET IV, NO. 2

7. VZ to FE PA Set IV, No. 2 requests the following:

2. For each year beginning with 2020 for Met-Ed, Penelec, and Penn Power, and each year beginning with 2024 for FirstEnergy Pennsylvania, provide:

(a) the rental or deficiency rate that FirstEnergy contends applies to Verizon's use of FirstEnergy's poles under the Joint Use Agreements and, if different, the rental or deficiency rate that FirstEnergy charged Verizon;

(b) the number of FirstEnergy poles governed by the Joint Use Agreements that FirstEnergy contends have Verizon facilities attached;

(c) the number of deficiency poles owned by Met-Ed that FirstEnergy contends are subject to a deficiency rate under the Joint Use Agreements;

(d) the rental rate that FirstEnergy contends applies to FirstEnergy's use of Verizon's poles under the Joint Use Agreements and, if different, the rental rate reflected in a rental invoice issued by FirstEnergy; and

(e) the number of Verizon poles governed by the Joint Use Agreements that FirstEnergy contends have FirstEnergy facilities attached.

In answering this question, provide for each rental or deficiency rate FirstEnergy's calculation of the rate and identify all inputs, assumptions, and source data used to calculate the rate, the person(s) who calculated the rate, and the date the rate was calculated. If FirstEnergy has not calculated the rental or deficiency rate that it contends applies to Verizon's use of FirstEnergy's poles and/or the rental rate that FirstEnergy contends applies to FirstEnergy's use of Verizon's poles under the Joint Use Agreements, provide all inputs and identify all source data required to calculate the rate. Provide all documents concerning all rate calculations and inputs, including all source data, if they are not publicly available. Separately present the

information for poles owned by Met-Ed, Penelec, Penn Power, and FirstEnergy Pennsylvania.

8. FE PA objects to this request on the grounds that it is overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence.

9. As explained in Section I.A., *supra*, which is incorporated by reference herein, discovery into the West Penn Rate Division is overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence.

C. OBJECTIONS TO VZ TO FE PA SET IV, NO. 3

10. VZ to FE PA Set IV, No. 3 requests the following:

3. For each year beginning with 2011 for Met-Ed, Penelec, and Penn Power, and with 2024 for FirstEnergy Pennsylvania, state whether FirstEnergy did not charge pole attachment rent to any entity with facilities attached to its poles and/or whether FirstEnergy did not collect the full amount of pole attachment rent it invoiced. In answering this question, if FirstEnergy did not charge pole attachment rent and/or did not collect the full amount of pole attachment rent it invoiced, identify the relevant entity and describe for each such entity: (a) whether FirstEnergy did not charge pole attachment rent and/or did not collect the full amount of invoiced pole attachment rent; (b) the rental years for which FirstEnergy did not charge pole attachment rent and/or did not collect the full amount of invoiced pole attachment rent; (c) the amount of pole attachment rent FirstEnergy contends that it did not charge and/or did not collect; (d) the reason why FirstEnergy did not charge and/or collect pole attachment rent; (e) how FirstEnergy treated the unbilled or uncollected revenue in a base rate proceeding filed by FirstEnergy under 66 Pa.C.S. § 1308(d), and (f) the docket number for the base rate proceeding. Identify and provide all non-privileged documents concerning FirstEnergy's treatment of the unbilled or uncollected revenue in a base rate proceeding. Separately present the information for poles owned by Met-Ed, Penelec, Penn Power, and FirstEnergy Pennsylvania, if possible.

11. FE PA objects to this request on the grounds that it is overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence.

12. As explained in Section I.A., *supra*, which is incorporated by reference herein, discovery into the West Penn Rate Division is overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence.

13. Also, this request is overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence due to its expansive temporal scope.

14. Verizon's discovery request would require FE PA to review an extensive amount of records and documents for all the attachers to its facilities for the Met-Ed, Penelec, and Penn Power Rate Divisions for the past 15 years, and then compile such information in the manner requested by Verizon.

15. Consequently, due to the expansive temporal scope of this request and the amount of records implicated by it, the request is overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence.

D. OBJECTIONS TO VZ TO FE PA SET IV, NO. 4

16. VZ to FE PA Set IV, No. 4 requests the following:

4. Identify and provide all non-privileged documents concerning FirstEnergy's view of the potential impact of this Litigation, including the potential impact of the relief sought by this Litigation, on the rates FirstEnergy charges its customers, and all documents concerning or reflecting the position taken by any other entity, including the Bureau of Investigation and Enforcement ("I&E") of the Pennsylvania Public Utility Commission and the Office of Consumer Advocate ("OCA"), concerning the potential impact of this Litigation, including the potential impact of the relief sought by this Litigation, on the rates FirstEnergy charges its customers. Include with your response unredacted copies of all documents related to Pennsylvania Public Utility Commission docket R-2024-3047068 that reference this Litigation, including all filings made and all documents issued, exchanged, or produced by any entity, including FirstEnergy. Separately present the information for poles owned by Met-Ed, Penelec, Penn Power, and FirstEnergy Pennsylvania, if possible.

17. FE PA objects to this request on the grounds that it is overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence.

18. All the public filings, testimony, and exhibits that were submitted in FE PA's 2024 Rate Case at Docket No. R-2024-3047068 are publicly available on the Commission's online docket for the proceeding at <https://www.puc.pa.gov/docket/R-2024-3047068>.

19. FE PA objects to the extent that this request would require the Company to assemble and produce any of the documents that are publicly available at that docket.

20. Verizon is more than capable of filtering through those documents and identifying which of those fall within the scope of its request.

21. Furthermore, the unredacted copies of any filings and testimony, as well as any discovery responses and any documents exchanged in discovery, were the subject of a Protective Order issued on August 15, 2024, in that case.

22. As those materials were the subject of a Protective Order issued in that proceeding, a Protective Order must be entered in this case before the Company can produce such materials.

E. OBJECTIONS TO VZ TO FE PA SET IV, NO. 6

23. VZ to FE PA Set IV, No. 6 requests the following:

6. To the extent not previously produced, for each year beginning with 2009 for Met-Ed and Penelec, for each year beginning with 1999 for Penn Power, and for each year beginning with 2024 for FirstEnergy Pennsylvania, identify all entities that had a Pole Attachment Agreement with FirstEnergy and state whether the entity was an ILEC, CLEC, cable company, wireless provider, or other entity. For each entity and each year, describe in detail the pole attachment rent collected from the entity, including whether rent was calculated as a lump sum amount, a net rental amount, a gross rental amount, a deficiency amount, using rental rates, and/or in some other manner. In answering this question, provide (a) the manner for calculating the pole attachment revenue, (b) the rate and/or amount that FirstEnergy charged the entity, (c) the rate and/or amount that FirstEnergy collected from the entity, if different, (d) the number of poles and/or attachments for which pole attachment rent was

charged, (e) the total gross rental amount FirstEnergy collected from the entity and, if applicable, (f) the rate and/or amount that applied to FirstEnergy's use of the entity's poles, (g) the number of the entity's poles used by FirstEnergy, and (h) the total net rental amount collected from the entity. Provide all documents concerning FirstEnergy's response to this Request, including all source data and workpapers. Separately present the information for poles owned by Met-Ed, Penelec, Penn Power, and FirstEnergy Pennsylvania.

24. FE PA objects to this request on the grounds that it is overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence.

25. As explained in Section I.A., *supra*, which is incorporated by reference herein, discovery into the West Penn Rate Division is overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence.

26. Additionally, this request is overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence due to its expansive temporal scope.

27. Verizon's request would require FE PA to compile extensive information and documents for every year going back 27 years for the Penn Power Rate Division and 17 years for the Met-Ed and Penelec Rate Divisions.

28. Information and documents dating back decades for any "Pole Attachment Agreement with FirstEnergy" and any "ILEC, CLEC, cable company, wireless provider, or other entity" is not relevant to the matters in dispute, nor is it reasonably calculated to lead to the discovery of admissible evidence.

29. Finally, FE PA notes that information and documents requested in this discovery request are confidential and competitively-sensitive.

30. The Company reserves the right to seek a Protective Order to protect against the unwarranted public disclosure of such information and documents should this request be permitted in full or in part.

F. OBJECTIONS TO VZ TO FE PA SET IV, NO. 7

31. VZ to FE PA Set IV, No. 7 requests the following:

7. For each year beginning with 2020 for Met-Ed, Penelec, and Penn Power, and each year beginning with 2024 for FirstEnergy Pennsylvania, describe in detail the method or formula FirstEnergy used to calculate the pole attachment rate(s) it charged cable companies and CLECs. For each pole attachment rate charged, provide FirstEnergy's calculation of the rate and identify all inputs, assumptions, and source data, the person(s) who calculated the rate, and the date the rate was calculated. To the extent that a rate identified in response to this Request differs from the rate identified in response to Request 1 for the same pole owner and same year, describe in detail the reason for the difference. Provide all documents concerning all calculations and inputs, including all source data, if they are not publicly available. Separately present the information for poles owned by Met-Ed, Penelec, Penn Power, and FirstEnergy Pennsylvania.

32. FE PA objects to this request on the grounds that it is overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence.

33. As explained in Section I.A., *supra*, which is incorporated by reference herein, discovery into the West Penn Rate Division is overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence.

34. The Company also reserves the right to seek a Protective Order to protect against the unwarranted public disclosure of any confidential or competitively-sensitive information and documents should this request be permitted in full or in part.

G. OBJECTIONS TO VZ TO FE PA SET IV, NO. 8

35. VZ to FE PA Set IV, No. 8 requests the following:

8. For each year beginning with 2020 for Met-Ed, Penelec, and Penn Power, and each year beginning with 2024 for FirstEnergy Pennsylvania, provide FirstEnergy's state-authorized weighted average cost of capital and/or weighted cost of equity, FirstEnergy's cost of debt, FirstEnergy's cost of equity, and FirstEnergy's capital structure. Identify in your response the formula, calculations, inputs, assumptions, and source data used to determine FirstEnergy's state-

authorized weighted average cost of capital and/or weighted cost of equity, FirstEnergy's cost of debt, FirstEnergy's cost of equity, and FirstEnergy's capital structure. Separately present the information for poles owned by Met-Ed, Penelec, Penn Power, and FirstEnergy Pennsylvania.

36. FE PA objects to this request on the grounds that it calls for a special study or analysis and is overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence.

37. As explained in Section I.A., *supra*, which is incorporated by reference herein, discovery into the West Penn Rate Division is overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence.

38. Additionally, this is a complaint proceeding, not a rate proceeding.

39. As such, discovery cannot be used to require the answering party to conduct a special study or analysis. *See* 52 Pa. Code § 5.361(b).

40. Therefore, FE PA objects to the extent that the request calls for the Company to perform a special study or analysis.

H. OBJECTIONS TO VZ TO FE PA SET IV, NO. 11

41. VZ to FE PA Set IV, No. 11 requests the following:

11. For each year beginning with 2019 for Met-Ed, Penelec, and Penn Power, and each year beginning with 2024 for FirstEnergy Pennsylvania, identify the rate for a communications provider's use of one foot of space on (a) Met-Ed's poles, (b) Penelec's poles, (c) Penn Power's poles, and (d) FirstEnergy Pennsylvania's poles using the formula " $RR = E + ROR(RB)$ " that is referenced on page 42 of FirstEnergy's Initial Brief. For each rate, provide FirstEnergy's calculation of the rate and identify all inputs, assumptions, and source data used to calculate the rate, the person(s) who calculated the rate, and the date the rate was calculated. If FirstEnergy has not calculated a rate using the formula " $RR = E + ROR(RB)$," identify all inputs and source data required to calculate the rate. Provide all documents concerning the calculations and inputs, including all source data, if they are not publicly available. Separately present the

information for poles owned by Met-Ed, Penelec, Penn Power, and FirstEnergy Pennsylvania.

42. FE PA objects to this request on the grounds that it calls for a special study or analysis and is overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence.

43. As explained in Section I.A., *supra*, which is incorporated by reference herein, discovery into the West Penn Rate Division is overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence.

44. Furthermore, this is a complaint proceeding, not a rate proceeding.

45. As such, discovery cannot be used to require the answering party to conduct a special study or analysis. *See* 52 Pa. Code § 5.361(b).

46. Therefore, FE PA objects to the extent that the request calls for the Company to perform a special study or analysis.

I. OBJECTIONS TO VZ TO FE PA SET IV, NO. 12

47. VZ to FE PA Set IV, No. 12 requests the following:

12. To the extent not previously produced, provide FirstEnergy's Pole Attachment Agreements.

48. FE PA objects to this request on the grounds that it is overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence.

49. As defined in the Instructions accompanying VZ to FE PA Set IV, "Pole Attachment Agreements" means "an agreement between FirstEnergy and any entity for use of space on FirstEnergy's poles and includes, without limitations, Joint Use Agreements and License Agreements."

50. This remand proceeding is limited in scope to the Joint Use Agreements in place between Verizon and FE PA's Met-Ed, Penelec, and Penn Power Rate Divisions and the rates under those agreements.

51. An inquiry into and production of every "Pole Attachment Agreement" for FE PA is far beyond the scope of this proceeding.

52. In fact, the request encompasses any agreement governing the attachment of facilities to FE PA's poles, including those entities that are not similarly-situated to Verizon, which is an Incumbent Local Exchange Carrier ("ILEC").

53. Furthermore, as explained in Section I.A., *supra*, which is incorporated by reference herein, discovery into the West Penn Rate Division is overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence.

54. The Company also reserves the right to seek a Protective Order to protect against the unwarranted public disclosure of any confidential or competitively-sensitive information and documents should this request be permitted in full or in part.

J. OBJECTIONS TO VZ TO FE PA SET IV, NO. 14

55. VZ to FE PA Set IV, No. 14 requests the following:

14. State each and every instance since 2009 in which FirstEnergy was expressly required by the Public Utility Commission to refund amounts to any entity. Describe in detail each such refund, including (a) the docket number in which the refund was required; (b) how much FirstEnergy was required to refund, why, to, whom, and when; (c) whether, and if so, when and by how much FirstEnergy sought to increase the rates it charges its electric customers on a gross and per-customer basis because of the refund; and (d) whether and, if so, what increase to the rates FirstEnergy charges its electric customers was authorized by the Public Utility Commission and the impact of that increase on a per-customer basis. Identify and provide all filings at the Commission that reference the refund and/or a rate increase authorized by the Public Utility Commission because of the refund. Separately present the information for poles owned by Met-Ed, Penelec, Penn Power, and FirstEnergy Pennsylvania, if possible.

56. FE PA objects to this request on the grounds that it is overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence.

57. As explained in Section I.A., *supra*, which is incorporated by reference herein, discovery into the West Penn Rate Division is overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence.

58. In addition, Verizon's request asks for extensive information, stretching back over 17 years, for "each and every instance . . . in which FirstEnergy was expressly required by the Public Utility Commission to refund amounts to any entity."

59. As written, Verizon's request would encompass any Commission proceeding, including *pro se* customer complaints, where FE PA was directed to issue a refund to an entity.

60. Such refunds have no bearing on the instant proceeding, which involves pole attachment agreements and rates.

61. Nevertheless, FE PA would be willing answer this request if the scope were limited to the past 10 years and to refunds involving pole attachment rates.

K. OBJECTIONS TO VZ TO FE PA SET IV, NO. 16

62. VZ to FE PA Set IV, No. 16 requests the following:

16. Identify and provide all documents, workpapers, reports, and analyses FirstEnergy's Supplemental Witnesses consider or rely upon in preparing Supplemental Testimony.

63. FE PA objects to this request to the extent that it seeks privileged information and materials, asks for drafts of testimony and exhibits, and seeks disclosure of facts and opinions held by expert witnesses prior to the service of their direct testimony in accordance with the litigation schedule.

64. First, FE PA objects to the extent that the request asks for information and materials that are privileged, including those information and materials that are protected by the attorney-client privilege and attorney work product doctrine.

65. Matters that are privileged are shielded from discovery by the Commission's regulations. *See* 52 Pa. Code §§ 5.321(c), 5.361(a).

66. Further, Section 5.323(a) of the Commission's regulations states, "The discovery may not include disclosure of the mental impressions of a party's attorney or his conclusions, opinions, memoranda, notes, summaries, legal research or legal theories." 52 Pa. Code § 5.323(a).

67. Section 5.323(a) also provides, in pertinent part, that "[w]ith respect to the representative of a party other than the party's attorney, discovery may not include disclosure of his mental impressions, conclusions or opinions respecting the value or merit of a claim or defense or respecting strategy, tactics or preliminary or draft versions of written testimony or exhibits, whether or not final versions of the testimony or exhibits are offered into evidence." *Id.*

68. Thus, discovery is not permitted into legal opinions of the Company's attorneys that are protected by attorney-client privilege and the attorney work product doctrine, nor the mental impressions, conclusions, or opinions of a non-attorney representative of a party's mental impressions, conclusions, or opinions about a claim or defense or regarding strategy or tactics.

69. Second, FE PA objects to the extent that the request seeks any drafts of testimony or exhibits.

70. As noted previously, Section 5.323(a) of the Commission's regulations prohibits the discovery of such materials, stating, "[w]ith respect to the representative of a party other than the party's attorney, discovery may not include . . . preliminary or draft versions of written

testimony or exhibits, whether or not final versions of the testimony or exhibits are offered into evidence.” 52 Pa. Code § 5.323(a).

71. Third, FE PA objects to the extent that the request would require the disclosure of facts and opinions held by expert witnesses prior to the service of their direct testimony in accordance with the litigation schedule.

72. Section 5.324(a)(1)(ii) of the Commission’s regulations states “[t]hat the other party have each expert so identified state the substance of the facts and opinions to which the expert is expected to testify and a summary of the grounds for each opinion,” that “[t]he party answering the interrogatories may file as the answer a report of the expert, have the interrogatories answered by the expert or provide written direct testimony of the expert,” and that “[t]he answer, separate report or testimony shall be signed by the expert and shall be deemed to be provided under oath in accordance with section 333(d) of the act (relating to prehearing procedures).

73. However, the timing of the disclosure of such experts’ facts and opinions is limited by Section 5.324(a)(2) of the Commission’s regulations, which provides:

If the party against whom discovery is sought, under paragraph (1)(ii), responds by the filing of written direct testimony, the response shall be considered timely, regardless of § 5.342 (relating to answers or objections to written interrogatories by a party), if the written direct testimony is served on all parties at least 20 days prior to the date on which the expert is scheduled to testify or in accordance with the schedule for the submission of written testimony established by the presiding officer.

Id. § 5.342(a)(2).

74. Under the litigation schedule in this case on remand, FE PA’s written supplemental direct testimony is not due until July 17, 2026.

75. That deadline is at least 20 days before the first day of evidentiary hearings on August 19, 2026.

76. Yet, as written, Verizon's request would force FE PA to disclose the facts and opinions of its experts well before that deadline.

77. Thus, FE PA objects to the extent that this discovery request would require the Company to disclose the facts and opinions held by its expert witnesses before the service of its written supplemental direct testimony on July 17, 2026.

78. For these reasons, FE PA objects to VZ to FE PA Set IV, Nos. 1-4, 6-8, 11-12, 14, and 16 on the grounds that one or more of these requests call for a special study or analysis, are overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence, seek privileged information and materials, ask for drafts of testimony and exhibits, and seek disclosure of facts and opinions held by expert witnesses prior to the service of their direct testimony in accordance with the litigation schedule.

II. CONCLUSION

WHEREFORE, FirstEnergy Pennsylvania Electric Company respectfully objects to VZ to FE PA Set IV, Nos. 1-4, 6-8, 11-12, 14, and 16, as one or more of these requests call for a special study or analysis, are overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence, seek privileged information and materials, ask for drafts of testimony and exhibits, and seek disclosure of facts and opinions held by expert witnesses prior to the service of their direct testimony in accordance with the litigation schedule. Moreover, FirstEnergy Pennsylvania Electric Company reserves the right to object to future interrogatories, requests for admissions, and requests for production of documents, including any instructions and definitions contained therein.

Respectfully submitted,



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Dated: April 20, 2026

*Counsel for FirstEnergy Pennsylvania Electric Company,
f/k/a Metropolitan Edison Company, Pennsylvania Electric
Company, and Pennsylvania Power Company*

EXHIBIT C

Evans, Claire

From: Evans, Claire
Sent: Friday, April 24, 2026 4:28 PM
To: Ryan, Devin
Cc: Connolly, Thomas; Lent, Garrett; tgeisler@firstenergycorp.com; Rhea, Jessica; Lepkoski, Lauren M; Kawa, Erin; Grecu, Emily; 'Corey, Brittney'; Suzan.D.Paiva@verizon.com; curtis.groves@verizon.com; Huther, Christopher; Scaduto, Frank
Subject: RE: Verizon Pennsylvania LLC and Verizon North LLC v. Metropolitan Edison Company, Pennsylvania Electric Company, and Pennsylvania Power Company Docket No. C-2020-3019347

Devin:

We reviewed FirstEnergy Pennsylvania's objections to Verizon Set IV, Request Nos. 1-4, 6-8, 11-12, 14, and 16 and would like to try to resolve the objections without needing to raise them with ALJ Coogan. Please provide FirstEnergy Pennsylvania's position on our proposed resolution to the objections below by 4:30pm Tuesday. We would also be glad to go through these issues with you on a call. If you would like to discuss, please let us know when you are available for a call.

- 1. Information about FirstEnergy Pennsylvania Electric Company.** FirstEnergy Pennsylvania objected to Request Nos. 1, 2, 3, 6, 7, 8, 11, 12, and 14 because they seek information about FirstEnergy Pennsylvania as a whole, so are not limited to the three FirstEnergy Pennsylvania rate districts that correspond to areas served by the prior Met-Ed, Penelec, and Penn Power operating companies. Please reconsider this objection. FirstEnergy Pennsylvania is the surviving entity following the merger transaction that closed on January 1, 2024, so is the entity that has owned the utility poles at issue since January 1, 2024, that has publicly reported pole cost data for 2024 and 2025, and that has taken the position (including in its discovery objections) that it is the proper party to this case. Please let us know whether FirstEnergy Pennsylvania agrees to withdraw its objection and timely provide the requested discovery about FirstEnergy Pennsylvania. Please also confirm that this is the sole objection to Request Nos. 1, 2, and 7, and that FirstEnergy Pennsylvania intends to timely provide the rest of the discovery sought in Request Nos. 1, 2, and 7. Verizon is willing to accept the rate information sought in Request No. 7 under the terms of the parties' Stipulated Protective Agreement or a Protective Order containing the same terms (see discussion in paragraph 2 below).
- 2. Protective Order.** FirstEnergy Pennsylvania stated that it requires a Protective Order to provide certain information sought in Request Nos. 4, 6, 7, and 12. The parties currently are bound by the Stipulated Protective Agreement entered on June 8, 2020, and Verizon thinks that should be sufficient for this phase of the case as well. However, if FirstEnergy Pennsylvania now believes a Protective Order is needed, Verizon is willing to request that the Stipulated Protective Agreement be converted into a Protective Order. If that is agreeable, we will prepare a request to submit to ALJ Coogan.

3. **Pennsylvania Public Utility Commission Docket No. R-2024-3047068.** FirstEnergy Pennsylvania objected to Request No. 4 to the extent it seeks publicly filed documents in Pennsylvania Public Utility Commission Docket R-2024-3047068. Verizon does not seek such documents. Please confirm that FirstEnergy otherwise agrees to timely produce the discovery sought in Request No. 4, including unredacted documents covered by the Protective Order in Docket R-2024-3047068. Verizon is willing to accept information covered by the Protective Order in Docket R-2024-3047068 under the terms of the Stipulated Protective Agreement or a Protective Order containing the same terms.
4. **Special Studies.** FirstEnergy Pennsylvania objected to Request Nos. 8 and 11 to the extent they seek a special study, which FirstEnergy contends can only be required in a rate proceeding. Setting aside the fact that FirstEnergy Pennsylvania has consistently sought to impose the requirements of a rate proceeding on this case about pole attachment rates, Verizon has not sought a special study in these Requests. Rather, Request No. 8 seeks extant factual information about the state-authorized weighted average cost of capital and/or weighted cost of equity, cost of debt, cost of equity, and capital structure for FirstEnergy Pennsylvania and its prior operating companies. And Request No. 11 seeks extant factual information about a rate formula FirstEnergy Pennsylvania included in its Initial Brief, including information about the formula, its inputs, and whether FirstEnergy Pennsylvania has calculated a rate using the formula. Please let us know if FirstEnergy Pennsylvania agrees to withdraw its objection and timely provide the discovery sought in Request Nos. 8 and 11 under the understanding that Verizon is not requesting it to perform a special study.
5. **Workpapers.** FirstEnergy Pennsylvania objected to Request No. 16, which seeks documents, workpapers, reports, and analyses that FirstEnergy Pennsylvania’s witnesses consider or rely upon when preparing their supplemental testimony, to the extent the Request seeks privileged documents, draft testimony, or a production prior to the filing of FirstEnergy Pennsylvania’s supplemental testimony. Verizon does not seek privileged documents or draft testimony, and requests that FirstEnergy Pennsylvania provide a complete response to Request No. 16 in light of that clarification within two business days following the date FirstEnergy Pennsylvania serves its supplemental testimony. Please let us know whether FirstEnergy Pennsylvania agrees to this timing.
6. **Additional Requests.** We disagree with FirstEnergy Pennsylvania’s additional objections to Request Nos. 3, 6, 12, and 14 for the reasons next detailed, and request that FirstEnergy withdraw its objections and timely provide the requested discovery subject to the limitation Verizon proposes below for Request No. 14.

Request No. 3: FirstEnergy Pennsylvania objected to this Request, which seeks information about any unbilled or uncollected pole attachment rent since 2011, based on its temporal scope. The scope of the request is reasonable, however, because the Commission has already considered evidence that pre-dates 2011 in this case and the Pennsylvania Supreme Court described 2011 as the time of a “major milestone ... that is directly relevant to the present matter.” This timeframe is also reasonable to ensure that Verizon can test FirstEnergy Pennsylvania’s claim that reductions

in its pole attachment rate revenues necessarily result in equivalent increases to its electric rates based on a review of the few base rate proceedings during that time period. Please let us know if FirstEnergy Pennsylvania agrees to withdraw its objection and timely provide the requested discovery.

Request No. 6: FirstEnergy Pennsylvania objected to this Request, which seeks information about the number and types of entities attached to its poles, and the pole attachment revenues collected from them, based on its temporal scope and because it seeks information about other attachers. FirstEnergy Pennsylvania should reconsider these objections, particularly because FirstEnergy Pennsylvania already produced some of this unquestionably discoverable information in the initial phase of this case. The information is more than reasonably likely to lead to the discovery of admissible evidence about Verizon's claim that FirstEnergy has demanded (and collected) attachment rates from Verizon that far exceed the pole attachment rates FirstEnergy has charged other attachers for use of comparable space on FirstEnergy's poles. Its temporal scope is also reasonable because it seeks information since the current contract rates were adopted (2009 for Met-Ed and Penelec and 1999 for Penn Power), which is reasonably likely to lead to the discovery of admissible evidence about "change[s] in facts and circumstances since the rates were originally fixed"—an issue the Pennsylvania Supreme Court has made relevant to this remand proceeding. Please let us know if FirstEnergy Pennsylvania agrees to withdraw its objection and timely provide the requested discovery. Verizon is willing to accept it under the terms of the Stipulated Protective Agreement or a Protective Order containing the same terms.

Request No. 12: FirstEnergy Pennsylvania objected to Request No. 12, which seeks FirstEnergy's pole attachment agreements with other entities attached to its poles, because it contends that this remand proceeding should be limited to the rates in the agreements between Verizon and FirstEnergy Pennsylvania. But the remand proceeding will consider whether those rates are unjust, unreasonable, and/or discriminatory in violation of law, meaning that information about the rates that FirstEnergy charges other attachers under different agreements for use of comparable space on FirstEnergy's poles is reasonably likely to lead to the discovery of admissible evidence, particularly when the Commission has already found that CLEC and cable attachers are similarly-situated to Verizon in this context. Please let us know if FirstEnergy Pennsylvania agrees to withdraw its objection and timely provide the requested agreements. FirstEnergy Pennsylvania already produced about 200 of the requested agreements in the first phase of this case and need not produce them again. Verizon will continue to hold the previously produced agreements subject to the terms of the Stipulated Protective Agreement and is willing to receive the additional agreements subject to the Stipulated Protective Agreement or a Protective Order containing the same terms.

Request No. 14: FirstEnergy Pennsylvania objected to Request No. 14, which seeks information since 2009 about PUC-required refunds and their impact on electric customer rates, based on its temporal scope and because it contends that the Request is overbroad. FirstEnergy Pennsylvania offered to limit this request "to the past 10 years and to refunds involving pole attachment rates." This would unreasonably narrow the request and deny Verizon the ability to learn whether PUC

refund orders have historically required increases to electric rates. The temporal scope of the request is reasonable, as it dates back to the adoption of the Met-Ed and Penelec rates that are at issue in this case. But Verizon is willing to limit the request so that it excludes refunds ordered in *pro se* customer complaints. Please let us know if FirstEnergy Pennsylvania agrees to provide the requested discovery with the exclusion of refunds ordered in *pro se* customer complaint proceedings.

Thank you for reconsidering FirstEnergy Pennsylvania's objections to these requests. We look forward to hearing from you by Tuesday.

Claire

From: Corey, Brittney <BCorey@PostSchell.com>

Sent: Monday, April 20, 2026 4:18 PM

To: Suzan.D.Paiva@verizon.com; curtis.groves@verizon.com; Evans, Claire <cevans@wiley.law>; Huther, Christopher <chuther@wiley.law>; Scaduto, Frank <fscaduto@wiley.law>

Cc: Ryan, Devin <DRyan@PostSchell.com>; Connolly, Thomas <TConnolly@PostSchell.com>; Lent, Garrett <GLent@PostSchell.com>; tgeisler@firstenergycorp.com; Rhea, Jessica <jrhea@firstenergycorp.com>; Lepkoski, Lauren M <llepkoski@firstenergycorp.com>; Kawa, Erin <EKawa@PostSchell.com>; Grecu, Emily <EGrecu@PostSchell.com>

Subject: Verizon Pennsylvania LLC and Verizon North LLC v. Metropolitan Edison Company, Pennsylvania Electric Company, and Pennsylvania Power Company Docket No. C-2020-3019347

External Email - Use Caution

Good afternoon,

Enclosed are FirstEnergy Pennsylvania Electric Company's ("FE PA" or the "Company") Objections to the Interrogatories and Requests for Production of Documents of Verizon Pennsylvania LLC and Verizon North LLC (collectively, "Verizon") – Set IV, Nos. 1-4, 6-8, 11-12, 14, and 16 in the above-captioned proceeding.

Respectfully,

Brittney Corey
Legal Administrative Assistant
Post & Schell, PC
One Oxford Centre
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Suite 3010
Pittsburgh, PA 15219

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EXHIBIT D

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Verizon Pennsylvania LLC and Verizon North LLC	:	
	:	
	:	
v.	:	
	:	Docket No. C-2020-3019347
Metropolitan Edison Company, Pennsylvania Electric Company, and Pennsylvania Power Company	:	
	:	
	:	

STIPULATED PROTECTIVE AGREEMENT

1. This Stipulated Protective Agreement is granted with respect to all materials and information identified in Paragraph Nos. 2 and 3, below, which are filed with the Pennsylvania Public Utility Commission (“Commission”), produced in discovery, or otherwise presented during the above-referenced proceeding by complainants Verizon Pennsylvania LLC and Verizon North LLC (“Verizon”) or defendants Metropolitan Edison Company, Pennsylvania Electric Company, and Pennsylvania Power Company (“FirstEnergy”). All persons now, and hereafter, granted access to the materials and information identified in Paragraph Nos. 2 and 3 shall use and disclose such information only in accordance with this Stipulated Protective Agreement.

2. The materials and information subject to this Stipulated Protective Agreement include all correspondence, documents, data, studies, methodologies, and all other materials or information that either party (“the producing party”) furnishes in this proceeding to the other party (“the receiving party”) pursuant to filing, discovery or evidentiary procedures, or otherwise may provide as a courtesy to another party in this proceeding, which are claimed to be of a proprietary or confidential nature and which are designated “CONFIDENTIAL INFORMATION” or

“HIGHLY CONFIDENTIAL INFORMATION.” Such materials and information are referred to in this Order as “Proprietary Information.”

3. For purposes of this Stipulated Protective Agreement there are two categories of Proprietary Information: “CONFIDENTIAL INFORMATION” and “HIGHLY CONFIDENTIAL INFORMATION.” A producing party may designate as “CONFIDENTIAL INFORMATION” materials and information concerning electric or telecommunications service facilities, inspection or maintenance practices or policies that may be security-sensitive, proprietary or otherwise confidential, and any other information that is either specified as confidential by its terms or pertains to business practices, operations or financial matters that are commercially sensitive or that is ordinarily considered and treated as confidential by the producing party. Absent further order of the Administrative Law Judge or the Commission, FirstEnergy may only designate as “HIGHLY CONFIDENTIAL INFORMATION” such Proprietary Information that identifies by name the entities attached to a party’s distribution and/or transmission poles, such as joint use agreements, license agreements, and other documents that list the rates, terms, and conditions that apply to a particular entity (“Protected Identity Information”). A separate redacted copy of Protected Identity Information that redacts each attaching entity’s name, but identifies the type of attaching entity involved (*e.g.*, competitive local exchange carriers, incumbent local exchange carrier, cable television provider, wireless provider, or other attaching entity), will be produced with any “HIGHLY CONFIDENTIAL INFORMATION” and designated “CONFIDENTIAL INFORMATION” when the producing party can reasonably and feasibly create such versions of the documents. The parties shall endeavor to limit the information designated as “HIGHLY CONFIDENTIAL INFORMATION.”

4. Confidential Information shall be disclosed solely to counsel to the parties in this proceeding (including in-house counsel and outside counsel of the reviewing party who are actively engaged in this proceeding, and their associates, secretaries, paralegals, employees and vendors (collectively “staff”)), employees of a party or its affiliated entities, officers and members of a party (as applicable) who are directly responsible for reviewing, preparing or supporting the presentation of evidence, cross-examination or argument in this proceeding or otherwise seeking a resolution of this proceeding, and outside experts or consultants retained by a party or its counsel for the purpose of assisting in this proceeding. Confidential Information shall be specifically marked as “CONFIDENTIAL” or “CONFIDENTIAL INFORMATION.”

5. Highly Confidential Information shall be provided solely to counsel to the parties in this proceeding (including in-house counsel and outside counsel of the reviewing party who are actively engaged in this proceeding, and their staff), employees and consultants of a party or its affiliated entity who have or will submit testimony, or will assist in the preparation of such testimony, in this proceeding, and outside experts or consultants retained by a party or its counsel for the purpose of assisting in this proceeding; provided, however, that such persons are not an employee of a party or affiliated entity if the employee’s duties involve retail, marketing, business development or expansion, or pricing of the party’s services such that receipt of the Highly Confidential Information would afford the party an unfair advantage over its competitors. If a party’s representative desires to disclose the producing party’s Highly Confidential Information to persons other than those permitted by the foregoing sentence, counsel for the receiving party shall notify the producing party’s counsel three (3) days prior to such disclosure to allow the producing party time to raise the issue orally with the Commission or the presiding Administrative Law Judge if there is an objection to such disclosure. If upon inspection the requesting party disagrees with

the designation of any of the material as Highly Confidential Information and the producing party does not revise the designation, that issue may also be submitted orally to the Commission or the Administrative Law Judge for resolution. Further, in accordance with the provisions of Section 5.362 of the Commission's Rules of Practice and Procedure (52 Pa. Code § 5.362), any party may, by objection or motion, seek further protection with respect to Highly Confidential Information, including, but not limited to, total prohibition of disclosure or limitation of disclosure only to particular parties. Highly Confidential Information shall be specifically marked "HIGHLY CONFIDENTIAL INFORMATION."

6. Proprietary Information shall be made available to the Commission and its Staff for use in this proceeding. For purposes of filing, to the extent that Proprietary Information is placed in the Commission's report folders, testimony folders or other document folders, such information shall be separately bound, conspicuously marked, and accompanied by a copy of the protective order that will be based upon this Stipulated Protective Agreement. The Proprietary Information shall be considered and treated as "confidential proprietary information" as defined in the Pennsylvania Right-to-Know Law, 65 P.S. § 67.101, *et seq.* Public inspection of the Proprietary Information shall be permitted only in accordance with the protective order that will be based upon this Stipulated Protective Agreement.

7. Proprietary Information shall be made available only as permitted by this Stipulated Protective Agreement and only for purposes of reviewing, preparing or presenting evidence, cross-examination or argument in this proceeding. No person authorized to receive Proprietary Information under Paragraph Nos. 4 and 5 of this Stipulated Protective Agreement will be afforded access to Proprietary Information until a signed acknowledgement of this Stipulated Protective Agreement in the form attached to this Stipulated Protective Agreement or, in the case of

Proprietary Information provided prior to execution of this Stipulated Protective Agreement, the form attached to the FCC Protective Agreement defined in Paragraph No. 15 below, from each such person, has been returned to the producing party. Upon return of a signed acknowledgment, parties will receive access to Proprietary Information consistent with this Stipulated Protective Agreement. Notwithstanding the foregoing, a signed acknowledgment by counsel for a party shall be sufficient to cover staff of that counsel and there is no obligation to return a signed acknowledgement or otherwise identify an expert or consultant retained by a party unless and until the receiving party submits testimony from the expert or consultant in this proceeding. Persons afforded access to Proprietary Information shall use such Proprietary Information only for the purpose of this proceeding and any related proceedings including appeals, mediations, arbitrations, settlement proceedings, and proceedings on remand and such Proprietary Information shall not be disclosed or used other than in accordance with the Stipulated Protective Agreement.

8. Nothing in this Agreement precludes the disclosure of any Proprietary Information or any portion thereof that becomes part of the public record or enters into the public domain in a manner that is not contrary to the terms of this Stipulated Protective Agreement. Nothing in this Stipulated Protective Agreement precludes a receiving party from using any part of the Proprietary Information in this proceeding in a manner not inconsistent with this Stipulated Protective Agreement, such as by filing Proprietary Information under seal.

9. The producing party shall designate data or documents as constituting or containing Confidential Information or Highly Confidential Information by affixing an appropriate stamp or typewritten designation on all such data or documents. Where only part of a compilation or multi-page document constitutes or contains Confidential Information or Highly Confidential

Information, the producing party shall designate only the specific data or pages of documents which constitute or contain Confidential Information or Highly Confidential Information.

10. Any public reference to Proprietary Information by the Administrative Law Judge, the Commission, its Staff, the parties, their counsel, or other persons afforded access thereto shall be to the title or exhibit reference in sufficient detail to permit persons with access to the Proprietary Information to understand the reference fully and not more. Proprietary Information shall remain a part of the record, to the extent admitted, for all purposes of administrative or judicial review. Part of any record of this proceeding containing Proprietary Information, including but not limited to all exhibits, writings, direct testimony, cross-examination, argument, and responses to discovery, and including reference thereto as mentioned in the above Paragraphs, shall be sealed for all purposes, including administrative and judicial review, unless such Proprietary Information is released from the restrictions of this Stipulated Protective Agreement, either through the agreement of the parties or pursuant to a further order of the Administrative Law Judge or the Commission.

11. The parties affected by the terms of this Stipulated Protective Agreement shall retain the right to question or challenge the confidential or highly confidential nature of the Proprietary Information; to question or challenge the admissibility of Proprietary Information; to refuse or object to the production of Proprietary Information on any proper ground, including but not limited to irrelevance, immateriality, or undue burden; and to seek additional measures of protection of Proprietary Information beyond those provided in this Stipulated Protective Agreement. If a challenge is made to the designation of a document or information as Proprietary Information, the party claiming that the information is proprietary or otherwise confidential or

highly confidential retains the burden of demonstrating that the designation is necessary and appropriate.


12. Inadvertent production of any material or information without a “Confidential Information” or “Highly Confidential Information” designation will not be deemed to waive the producing party’s claim to the Confidential or Highly Confidential nature of the material or information or estop the producing party from designating the material or information Confidential or Highly Confidential at a later date. Disclosure of the material or information by the receiving party prior to such later designation shall not be deemed a violation of this Stipulated Protective Agreement; however, the receiving party shall take reasonable steps to inform the persons to whom it disclosed such information that the information has been deemed Confidential or Highly Confidential and has become subject to this Stipulated Protective Agreement and secure from them the signed acknowledgment provided for in Paragraph No. 7. The receiving party does not waive its right to challenge the producing party’s delayed claim or designation of the inadvertent production of any material or information as Confidential or Highly Confidential.

13. If a receiving party receives a request or demand to provide, include, utilize, refer to, or copy any Proprietary Information in any manner not provided for in this Stipulated Protective Agreement, receiving party must take all reasonable steps to preserve and keep confidential such Proprietary Information, including without limitation, filing the appropriate objection to its production. In such event, receiving party must give prompt written notice to the producing party’s outside counsel of record of the legal process and cooperate in efforts by the producing party to seek an appropriate protective order, or pursue any other such other legal action necessary to preserve the confidentiality of the materials, and to the fullest extent permitted by law, receiving party will continue to protect as confidential all Proprietary Information

14. Upon completion of this proceeding, including any administrative or judicial review, all copies of all documents and other materials, including notes, whether written or oral, which contain any Proprietary Information, shall be promptly returned to the party furnishing such Proprietary Information or destroyed. This provision, however, shall not apply to any party receiving the consent of the producing party to retain the Proprietary Information; except, however, that Highly Confidential Information provided to any party pursuant to Paragraph No. 5, above, shall be returned to the producing party or destroyed in all cases. In the event that a party elects to destroy all copies of material and information containing Proprietary Information instead of returning the copies to the producing party, that party shall certify in writing to the producing party that all copies of the material and information containing Proprietary Information have been destroyed. Notwithstanding the foregoing, receiving parties, their counsel, and their outside experts and consultants may retain, under the continuing strictures of this Stipulated Protective Agreement, one copy of any filings, submissions, orders, or decisions that contain Proprietary Information.


15. All materials designated as “CONFIDENTIAL” or “COMPETITIVELY SENSITIVE CONFIDENTIAL” by either party in Federal Communications Commission Proceeding No. 19-355, Bureau ID No. EB-19-MD-009 pursuant to the Protective Agreement entered by the parties on January 27, 2020 (the “FCC Protective Agreement”) shall continue to be protected in accordance with the terms of the FCC Protective Agreement and shall be treated as “CONFIDENTIAL INFORMATION” and “HIGHLY CONFIDENTIAL INFORMATION,” respectively, under this Stipulated Protective Agreement. To the extent the terms and conditions of the FCC Protective Agreement and this Stipulated Protective Agreement conflict with respect to the disclosure, access, or use of such materials in this proceeding, the terms and conditions of this Stipulated Protective Agreement shall control.

Dated: June 8, 2020



Tori Giesler
*Counsel for Metropolitan Edison Company,
Pennsylvania Electric Company, and
Pennsylvania Power Company*

Dated: June 8, 2020



Suzan Paiva
*Counsel for Verizon Pennsylvania LLC and
Verizon North LLC*

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**


Verizon Pennsylvania LLC and Verizon North LLC :
v. :
Metropolitan Edison Company, Pennsylvania : **Docket No. C-2020-3019347**
Electric Company, and Pennsylvania Power :
Company :

ACKNOWLEDGMENT

TO WHOM IT MAY CONCERN:

The undersigned is the expert, counsel, employee, representative, member or officer of Metropolitan Edison Company, Pennsylvania Electric Company, and Pennsylvania Power Company (the retaining party).

The undersigned has read and understands the Stipulated Protective Agreement executed in the above-captioned proceeding deals with the treatment of Proprietary Information. The undersigned agrees to be bound by, and comply with, the terms and conditions of said Stipulated Protective Agreement. The undersigned agrees that any Proprietary Information shall be used or disclosed only for purposes of preparation for, and conduct of the above-captioned proceeding, and any administrative or judicial review thereof, and shall not be disclosed or used other than in accordance with this Stipulated Protective Agreement.



Signature

Tori L. Giesler

Print Name

2800 Pottsville Pike, Reading, PA 19601

Address

Date: June 8, 2020

FirstEnergy Service Company

Employer

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

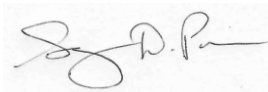
Verizon Pennsylvania LLC and Verizon North LLC	:	
	:	
	:	
v.	:	
	:	Docket No. C-2020-3019347
Metropolitan Edison Company,	:	
Pennsylvania Electric Company, and	:	
Pennsylvania Power Company	:	

ACKNOWLEDGMENT

TO WHOM IT MAY CONCERN:

The undersigned is the expert, counsel, employee, representative, member or officer of Verizon Pennsylvania LLC and Verizon North LLC.

The undersigned has read and understands the Stipulated Protective Agreement executed in the above-captioned proceeding deals with the treatment of Proprietary Information. The undersigned agrees to be bound by, and comply with, the terms and conditions of said Stipulated Protective Agreement. The undersigned agrees that any Proprietary Information shall be used or disclosed only for purposes of preparation for, and conduct of the above-captioned proceeding, and any administrative or judicial review thereof, and shall not be disclosed or used other than in accordance with this Stipulated Protective Agreement.



Signature

Suzan D. Paiva

Print Name

900 Race St., 6th Fl, Philadelphia, PA 19107

Address

Date: June 8, 2020

Verizon

Employer

CERTIFICATE OF SERVICE

I, Suzan D. Paiva, hereby certify that I have this day served a true copy of Verizon's Motion to Dismiss FirstEnergy's Objections and Compel Responses to Verizon's Fourth Set of Interrogatories and Requests for Production of Documents upon the participants listed below in accordance with the requirements of 52 Pa. Code Section 1.54 (related to service by a participant) and 1.55 (related to service upon attorneys).

Dated at Philadelphia, Pennsylvania, this 30th day of April, 2026.

VIA E-MAIL

[mailto:David B. MacGregor](mailto:David.B.MacGregor@postschell.com)
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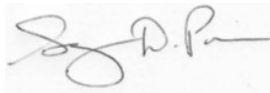
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Attorney for Verizon