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June 8, 2026

VIA ELECTRONIC FILING

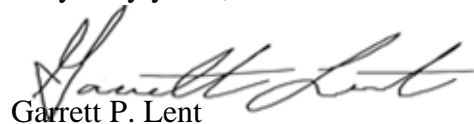
Matthew Homsher, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor North
P.O. Box 3265
Harrisburg, PA 17105-3265

**Re: Letter Of Notification Of PPL Electric Utilities Corporation, Filed Pursuant To 52 Pa. Code Chapter 57 Subchapter G, For Approval To Rebuild Approximately 1.1 Miles Of New Parallel Double Circuit 230 kV Transmission Taps That Are Needed to Connect the Existing Susquehanna-Harwood #1 & #2 Transmission Lines on the New Tomhicken 230 kV Switchyard That Are Respectively Located in Luzerne County, Pennsylvania.
Docket No. A-2025-3059443**

Dear Secretary Homsher:

Attached for filing is the Answer of PPL Electric Utilities Corporation (“PPL Electric”) to the Motion to Deny Applications/Petition Without Prejudice of Erika Cook in the above-referenced proceeding. Copies will be provided as indicated on the Certificate of Service.

Very truly yours,



Garrett P. Lent

GPL/bfc
Attachment

cc: The Honorable Erin L. Gannon (*via email; w/attachment*)
The Honorable John Coogan (*via email; w/attachment*)
Certificate of Service

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been served upon the following persons, in the manner indicated, in accordance with the requirements of 52 Pa. Code § 57.72(d)(3).

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Dated: June 8, 2026


Garrett P. Lent

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Letter of Notification of PPL Electric :
Utilities Corporation, Filed Pursuant to 52 :
Pa. Code Chapter 57 Subchapter G, For :
Approval to Build Approximately 1.1 Miles : Docket No. A-2025-3059443
of New Parallel Double Circuit 230 kV :
Transmission Taps that are Needed to :
Connect the Existing Susquehanna :
Harwood #1 & #2 Transmission Lines to the :
New Tomhicken 230 kV Switchyard that :
are Respectively Located in Luzerne :
County, Pennsylvania :

**ANSWER OF PPL ELECTRIC UTILITIES CORPORATION TO THE MOTION TO
DENY APPLICATIONS/PETITION WITHOUT PREJUDICE OF ERIKA COOK**

TO ADMINISTRATIVE LAW JUDGES ERIN L. GANNON AND JOHN M. COOGAN:

Pursuant to Section 5.61 of the Pennsylvania Public Utility Commission’s (“Commission”) regulations,¹ PPL Electric Utilities Corporation (“PPL Electric” or the “Company”) hereby files this Answer to the Motion to Deny Applications/Petition Without Prejudice (“Motion to Deny”) of Erika Cook dated May 19, 2026. In her Motion to Deny, Ms. Cook avers that the above-captioned proceeding should be denied without prejudice so that other active land-use and zoning litigation between NP Hazleton Holdings 1, LLC and the Hazle Township Board of Supervisors that is currently pending in Luzerne County Court of Common Pleas may be fully resolved.² For the reasons explained herein, Ms. Cook’s Motion should be denied.

¹ 52 Pa. Code § 5.61

² PPL Electric notes that Ms. Cook is not a party to the Full Siting Application at Docket No. A-2026-3061547. However, Ms. Cook’s Motion seems to conflate the Letter of Notification with the Full Siting Application and associated Eminent Domain Applications. To the extent that the Motion is construed as requesting that the Full Siting Application and associated Eminent Domain Applications be denied as well, that request should also be denied.

I. PROCEDURAL BACKGROUND

1. The proceeding at Docket No. A-2025-3059443 (“Letter of Notification”) was initiated on December 19, 2025, when PPL Electric filed the above-captioned “Letter Of Notification Of PPL Electric Utilities Corporation, Filed Pursuant To 52 Pa. Code Chapter 57 Subchapter G, For Approval To Build Approximately 1.1 Miles of New Parallel Double Circuit 230 kV Transmission Taps that are Needed to Connect the Existing Susquehanna-Harwood #1 & #2 Transmission Lines to the New Tomhicken 230 kV Switchyard that are Respectively Located in Luzerne County, Pennsylvania” (hereinafter, the “Letter of Notification”) with the Pennsylvania Public Utility Commission (“Commission”). In the Letter of Notification, PPL Electric requested Commission approval to build approximately 1.1 miles of new double-circuit 230 kilovolt (“kV”) transmission taps (“Tap Lines”) that are needed to connect the existing Susquehanna-Harwood #1 and #2 230 kV Transmission Lines to the new Tomhicken 230 kV Switchyard (“Tomhicken Switchyard”). The Project also includes the construction of two new 0.1-mile-long 230 kV transmission lines (“Connecting Lines”) from the Tomhicken 230 kV Switchyard to a new customer-owned 230-34 kV substation. The new 230 kV Connecting Lines, Tap Lines, and Tomhicken 230 kV Switchyard (together, the “Tomhicken 230 kV Switchyard Project”) are located in Hazle Township, Luzerne County, Pennsylvania.

2. PPL Electric filed the Letter of Notification pursuant to the provisions of 52 Pa Code § 57.72(d)(iii) and (vi), which provide that an LON may be file with the Commission in lieu of a full siting application where the HV line is located entirely within existing transmission line ROW and within the property of the sole customer to be served by the line so long as the ROW will not be substantially altered, and where the HV line has a proposed route of 2 miles or less, respectively.

3. The Tomhicken 230 kV Switchyard Project is the first project of two that will be needed to serve new and future load within the area in which it will be constructed. The Tomhicken 230 kV Switchyard Project is referred to as “Phase 1” of these two projects. It is needed forthwith to interconnect a customer requesting transmission-level service in Hazle Township, Luzerne County, Pennsylvania to the 230 kV system.

4. On December 23, 2025, the Commission issued a Secretarial Letter acknowledging receipt of the Letter of Notification.

5. On December 30, 2025, OCA filed a Notice of Intervention and Public Statement.

6. On January 7, 2026, the OCA filed a Protest.

7. On January 14, 2026, the Commission issued a Prehearing Conference Order.

8. On January 15, 2026, the Commission issued an Initial Call-In Telephonic Prehearing Conference Notice for Letter of Notification proceeding. Administrative Law Judges Erin L. Gannon and John M. Coogan (the “ALJs”) were assigned to preside over the Letter of Notification Proceeding.

9. On January 21, 2026, the Commission issued a Secretarial Letter acknowledging receipt of the Letter of Notification and providing a copy of the Publication Notice to appear in the Saturday, January 31, 2026, issue of the Pennsylvania Bulletin.

10. On February 19, 2026, PPL Electric filed Affidavits and Proofs of Publication showing that Public Notice for the Letter of Notification was published in the Wilkes Barre Citizens’ Voice and Wilkes Barre Times Leader on January 28, 2026, and February 4, 2026, pursuant to ALJ Gannon’s directive in a January 12, 2026, email.

11. On March 12, 2026, Erika Cook filed a Protest.

12. On March 13, 2026, John Zola filed a Protest.

13. On March 16, 2026, PPL Electric and OCA filed Prehearing Memoranda.
14. On March 20, 2026, the ALJs issued a Scheduling Order which, in part, adopted a procedural schedule for the Letter of Notification proceeding.
15. On March 24, 2026, the ALJs issued an In-Person Evidentiary Hearing Notice, setting the hearing in the above-captioned matter for Thursday, September 17 and Friday, September 18, 2026 at 10:00 AM.
16. On March 26, 2026, the ALJs issued Prehearing Order #1, ordering that Erika Cook and John Zola be added to the list of active parties in the Letter of Notification proceeding.
17. On April 2, 2026, PPL Electric filed Preliminary Objections to the Protests of Erika Cook and John Zola.
18. On April 7, 2026, both Erika Cook and John Zola filed Answers to the Preliminary Objections of PPL Electric.
19. On April 13, 2026, OCA filed a Notice of Entry of Appearance.
20. Also on April 13, 2026, OCA filed Answers to the Preliminary Objections of PPL Electric to the Protests of Erika Cook and John Zola.
21. On April 14, 2026, the ALJs issued Prehearing Order #2, denying the Preliminary Objections of PPL Electric to the Protests of Erika Cook and John Zola.
22. On April 21, 2026, PPL Electric filed a Notice of Appearance.
23. On May 5, 2026, the ALJs issued a Public Input Hearings Notice.
24. On May 7, 2026, OCA filed the instant Motion to Consolidate.
25. On May 13, 2026, PPL Electric filed its direct testimony in the Tomhicken 230 kV Switchyard Project proceeding, consisting of PPL Electric Statement Nos. 1-4.

26. On May 19, 2026, Erika Cook filed a Motion to Deny the Pending Applications and Zoning Exemption Petition Submitted by PPL Electric Without Prejudice (“Motion to Deny”),³ pending an “ongoing, active land-use and zoning litigation between NP Hazleton Holdings 1, LLC and the Hazle Township Board of Supervisors that is currently pending in Luzerne County Court of Common Pleas, Case # 202513744.”⁴

II. LEGAL STANDARD

27. As acknowledged by the Commission in *Application of King Cab LLC for Approval to Provide Taxi Service Between Points in Dauphin, Cumberland, and Lancaster Counties*, Docket No. A-2015-2514005 (Order entered August 8, 2016), “the Commission’s regulations do not specifically provide for a motion to dismiss.”⁵

28. However, Section 5.103 of the Commission’s regulations allows “[a] request [to] be made by motion for relief desired.”⁶ The motion “must set forth the ruling or relief sought, and state the grounds therefor and the statutory or other authority upon which it relies.”⁷

29. Further, the Commission has previously treated a motion to dismiss as a motion for summary judgment, where the filing appears more akin to the same.⁸ The Commission’s regulations do provide for motions for summary judgment.

30. Pursuant to Section 5.102 of the Commission’s regulations, a motion for summary judgment will be granted where “the applicable pleadings, depositions, answers to interrogatories

³ To the extent that Ms. Cook is arguing that the full siting application submitted by PPL Electric at Docket No. A-2026-3061547 is improper on these grounds, the Company notes that Ms. Cook has not filed a Petition to Intervene, nor has she filed a Protest to that proceeding.

⁴ Motion to Deny at 6.

⁵ *Application of King Cab LLC for Approval to Provide Taxi Service Between Points in Dauphin, Cumberland, and Lancaster Counties*, Docket No. A-2015-2514005 (Order entered August 8, 2016) (Adopted on September 29, 2016) (“*Application of King Cab*”).

⁶ *Application of King Cab* at 7; 52 Pa. Code § 5.103.

⁷ 52 Pa. Code § 5.103(a).

⁸ *William MacLuckie v. Palmco Energy PA, LLC*, 2014 Pa. PUC LEXIS 383, **8-9, Docket No. C-2014-2402558 (Order entered June 16, 2014).

and admissions, together with affidavits, if any, show that there is no genuine issue as to a material fact and that the moving party is entitled to judgment as a matter of law.”⁹

31. In a motion for summary judgment, the Commission must view the record in the light most favorable to the non-moving party, giving that party the benefit of all reasonable inferences, and the Commission must resolve all doubts as to the existence of a genuine issue of material fact against the moving party.¹⁰ The non-moving party must allege facts showing that an issue for trial exists.¹¹

32. Section 57.72(c)(14) of the Commission’s regulations provides that a full siting application shall contain “[a] statement identifying litigation concluded or in progress which concerns property or matter relating to the proposed HV line, right-of-way route or environmental matters.”¹²

33. Letters of notification do not require the submission of the same amount of evidence as is required for a full siting application under Ch. 57, Subch. G of the Commission’s regulations. Specifically, letters of notification, when submitted in lieu of a full siting application, must contain the information described in Section 57.72(c)(1)-(3), (5), and (6) of the Commission’s regulations.¹³

34. Indeed, the Commission’s regulations at Ch. 57, Subch. G make clear the distinction between a “letter of notification” and a “full siting application.” Indeed, a letter of notification is an abbreviated submission that can be used only when a utility demonstrates that the subject HV line project satisfies the criteria of 52 Pa. Code § 57.72(d)(1).

⁹ 52 Pa. Code § 5.102(d)(1).

¹⁰ *MacLuckie* at *10 (citations omitted).

¹¹ *Id.*

¹² 52 Pa. Code § 57.72(c)(14).

¹³ 52 Pa. Code § 57.72(d).

35. “Ripeness is a prerequisite to judicial review.”¹⁴

36. The doctrine of ripeness mandates the presence of an “actual controversy” and requires consideration of whether the issues are adequately developed and the hardships that the parties will suffer if review is delayed.¹⁵

III. ARGUMENT

A. THE LETTER OF NOTIFICATION CONTAINS ALL OF THE ELEMENTS REQUIRED BY THE COMMISSION’S REGULATIONS

37. The letter of notification complies with the Commission’s regulations and contains all of the elements required at Section 57.72(d).¹⁶

38. The evidence submitted as part of the letter of notification included:

- The name of the applicant and the address of its principal business office;
- The name, title, and business address of the applicant’s attorney and person authorized to receive notice and communications with respect to the application, if not the attorney of the applicant;
- A general description of the proposed route of the HV line;
- A general statement of the need for the proposed HV line; and
- A statement of safety considerations to be incorporated into the design, construction, and maintenance of the proposed HV line.¹⁷

39. This information is included within the letter of notification itself, as well as within Attachment 1 – Necessity Statement and Attachment 4 – Design Criteria and Safety.

40. Ms. Cook avers that the application must contain the information contained in the Commission’s regulations at 57.72(c)(14), pertaining to ongoing or concluded litigation related to

¹⁴ *Hovis v. Nat’l Fuel Gas Distrib. Corp.*, 2008 Pa. PUC LEXIS 899, at *6-11 (Nov. 10, 2008) (Initial Decision) (“*Hovis*”), adopted without further action, Docket No. C-2008-2035033 (Order entered Feb. 23, 2009).

¹⁵ *Bayada Nurses, Inc. v. Dep’t of Labor and Indus.*, 8. A.3d 866, 874 (Pa. 2010).

¹⁶ 52 Pa. Code § 57.72(d).

¹⁷ 52 Pa. Code § 57.72(c)(1)-(3), (5), and (6).

the proposed transmission line.¹⁸ However, the letter of notification need not contain this information, as a letter of notification is an abbreviated form of siting application, the filing requirements for which are included at Section 57.72(d).¹⁹

41. Further, 52 Pa. Code § 57.72(c)(14) does not require that all litigation be concluded at the time of filing a full siting application. Rather, the plain language of this regulation merely requires a statement of known, ongoing or concluded litigation.

B. MS. COOK HAS NOT MET THE STANDARD FOR A MOTION TO DISMISS

42. The Motion to Deny does not meet the standard set forth under 52 Pa. Code § 5.102, because Ms. Cook has not made a showing that no genuine issue of material fact exists and that she is entitled to judgment as a matter of law.

43. Ms. Cook avers that the letter of notification is premature because of pending litigation in another court. However, the mere existence of litigation pending elsewhere does not provide support for the position that there is no genuine issue of material fact in the instant matter.

44. Indeed, the evidentiary record shows that there are sufficient facts present to make out a *prima facie* cause of action. As detailed in Section III.A., *supra*, the Company's initial filing itself was sufficient to satisfy this standard because it provided all of the necessary information as detailed in the Commission's regulations at Section 57.72(d).²⁰

45. The Company demonstrated in its Letter of Notification and supporting witness statements that the Project is needed to serve the customer's load request and to address future electrical needs and demand on the system.²¹ Therefore, viewing the facts in the light most

¹⁸ 52 Pa. Code § 57.72(c)(14).

¹⁹ 52 Pa. Code § 57.72(d).

²⁰ 52 Pa. Code § 57.72(d).

²¹ See Letter of Notification and Statements 1-5.

favorable to the Company, Ms. Cook is not entitled to judgment as a matter of law. To the extent Ms. Cook is disputing the need for the Project, a genuine issue of material fact exists, which should be addressed at a hearing in this matter, and the Motion should be denied.

C. THE LETTER OF NOTIFICATION IS NOT PREMATURE AND IS RIPE FOR THE COMMISSION’S REVIEW

46. Ms. Cook argues that the letter of notification has been prematurely filed because of an existing appeal of land use rights pending before the Court of Common Pleas in Luzerne County, Pennsylvania, arguing that the “Applicant cannot definitively establish compliance with local ordinances or environmental regulations.”²²

47. Ms. Cook further argues that the letter of notification proceeding is “contingent” upon the resolution of the land use proceeding before the Luzerne County Court of Common Pleas, and that it is an “unripe matter.”²³

48. However, a matter is ripe for judicial review where there is an actual controversy.

49. PPL Electric maintains that it has met the prerequisite of ripeness. The letter of notification has been submitted, along with all requisite accompaniments to that letter of notification.

50. The submission of the letter of notification, along with the Company’s submission of its direct testimony, and the level to which all parties have already engaged with the proceeding (e.g., discovery), demonstrate that the issues are adequately developed.

51. Additionally, PPL Electric will undoubtedly suffer hardships if judicial review is delayed.

²² Motion to Deny at 8.

²³ Motion to Deny at 10.

52. As discussed more fulsomely in Section III.E., *infra*, a denial of the letter of notification, even without prejudice, will jeopardize the Company's ability to meet a customer's service need, will result in the expenditure of significant time and resources when re-filing the letter of notification, and may result in the repetition of several procedural steps which have already occurred (i.e., prehearing conference, setting a procedural schedule, discovery, motions, etc.).

53. Ms. Cook also uses the Motion to Deny as a vehicle to make arguments related to the demonstrated need for the project.²⁴

54. However, these arguments are in direct contradiction with the argument that the letter of notification is a premature filing that is unripe for judicial review. The presence of arguments within the Motion to Deny as to the merits of the project, and Ms. Cook's own citations of materials in the evidentiary record, including the Company's direct testimony, lend themselves to a finding that the letter of notification is ripe for judicial review and that there is a sufficiently developed evidentiary record and actual controversy present.

D. DENIAL OF THE LETTER OF NOTIFICATION IS NOT NECESSARY TO PREVENT REGULATORY CONFLICT

55. Ms. Cook argues that a dismissal of the letter of notification without prejudice would "[clear] the Commission's docket of a contingent, unripe matter."²⁵

56. Ms. Cook cites to two cases to support this proposition, and to further argue that the matter is unripe because the Commission should avoid conflict with municipal processes and consider land use impacts. However, one of these cases cited by Ms. Cook, (*El Rancho Grande, Inc. v. Pa. PUC*, 496 A.2d 86, 90 (Pa. Cmwlth. 1985) ("*El Rancho Grande*")), does not appear to

²⁴ Motion to Deny at 9 ("If the Tomhicken Switchyard will be located on privately owned property, . . . how will it be able to provide power to other potential customers if the property and switchyard to not get developed? These statements indicate it will 'eventually' serve multiple customers and 'anticipates' there is potential for load growth and does not provide confirmed projects.")

²⁵ Motion to Deny at 10.

exist. Ms. Cook cites to this case for the proposition that the Commission must consider “local land-use impacts.”²⁶

57. *South Coventry Twp. v. Philadelphia Electric Co.*, 504 A.2d 368 (Pa. Cmwlth. 1986) (“*South Coventry Twp.*”) does not stand for the proposition that the Commission “should avoid actions that conflict with municipal processes,” as Ms. Cook avers.²⁷ Rather, the Commonwealth Court in *South Coventry Twp.* affirms the exclusive regulatory jurisdiction of the Commission over public utility facilities and rejects the notion that municipalities could enforce zoning ordinances against such facilities.²⁸ *South Coventry Twp.* provides no support for Ms. Cook’s motion.

58. Further, it would not be in the interest of judicial economy and efficiency to delay the letter of notification proceeding in any manner. In one case involving the possible abeyance of a proceeding in light of an ongoing proceeding with similar issues in the Commonwealth Court, the ALJ assigned to that proceeding stated:

“The Commission frequently addresses legal issues that are in the process of being appealed. The parties must take the law as they find it. The Commission would not be effective or efficient if it had to delay proceedings until cases with similar legal issues were decided on appeal, especially given the opportunity for any further appeal to the Pennsylvania Supreme Court. To the extent that any appellate proceeding concludes during the pendency of this proceeding, the results will be duly considered. The Commission cannot wait, however, until the appellate proceeding is concluded to adjudicate cases with similar issues.”²⁹

²⁶ Motion to Deny at 10.

²⁷ Motion to Deny at 10.

²⁸ See *South Coventry Twp.* at 296-300.

²⁹ *Heidi Fiedler v. Metropolitan Edison Company*, Docket No. C-2018-3003642 (Order entered July 16, 2020) (emphasis added).

59. The Commission itself has acknowledged that the “complete universe” of regulatory approvals may not be known at the time of filing a transmission line siting application,³⁰ and it is not unusual that other regulatory approvals may be pending at the time a letter of notification is filed.

60. Indeed, in Attachment 3 to the letter of notification that is the subject of the instant proceeding, PPL Electric indicated that it had and would continue to consult with jurisdictional agencies in order to obtain all necessary approvals and permits for construction of the subject facilities, not that it had already obtained each of those necessary permits and approvals.

61. The mere existence of ongoing land-use and zoning litigation to which Ms. Cook refers in her Motion to Deny, while related to the instant letter of notification, is not sufficient to justify a denial of the letter of notification, nor would this cause a “conflict of ongoing regulatory reviews.”³¹

62. The process of obtaining other regulatory approvals is an entirely separate process from a transmission line siting application. The proceeding before the Hazle Township Zoning Hearing Board and Luzerne County Court of Common Pleas to which Ms. Cook refers is in relation to land use and zoning issues which cannot be adjudicated before the Commission, as these issues do not fall within its jurisdiction. Likewise, the current letter of notification proceeding before the Commission concerns the lawfulness of a public utility to commence construction of a HV transmission line at all; this is a proceeding over which the Hazle Township Zoning Hearing Board does not have jurisdiction.

³⁰ *Re: Interim Guidelines for the Filing of Electric Transmission Line Siting Applications*, 2010 Pa. PUC LEXIS 2069, *56 (Order entered Nov. 5, 2010).

³¹ Motion to Deny at 10.

63. Moreover, a more efficient and less prejudicial vehicle by which to ensure that the all local approvals are obtained would be for the Commission to condition its approval of the letter of notification on PPL Electric's acquisition of all necessary permits and approvals before initiating construction of the subject facilities.

E. PPL ELECTRIC WOULD BE PREJUDICED BY A DENIAL OF THE LETTER OF NOTIFICATION

64. PPL Electric would be prejudiced by a denial of the letter of notification. The letter of notification was filed in order to meet an in-service date of March 2027, to meet a customer's need for 230 kilovolt ("kV") electrical service at an initial load of 12 megawatts ("MW").

65. A denial of the instant letter of notification with a directive to re-file the letter of notification at a later, unspecified date in the future will seriously jeopardize the Company's ability to meet the customer's service need by March 2027, and puts PPL Electric at risk of falling out of compliance with its obligation to provide non-discriminatory service and to serve customers in its service territory, subject to the terms and conditions of its tariffs and certificate of public convenience.

66. Further, significant procedural developments have already occurred in the letter of notification proceeding. The resource expenditure alone which would be required to re-file and to re-engage in the steps that have already occurred in the letter of notification proceedings would constitute prejudice to the Company.

67. Significant procedural steps have already occurred in the letter of notification proceeding. The letter of notification was filed approximately six months ago. A prehearing conference has been held, a procedural schedule has been set, and substantial discovery has been engaged in. Further, public input hearings are set to take place in less than three weeks. It would

require the expenditure of substantial resources for the Company, the Commission, and for the parties to re-file the letter of notification and to effectively begin the process from scratch.

IV. CONCLUSION

WHEREFORE, PPL Electric Utilities Corporation respectfully requests that the Motion to Deny the Applications/Petition Without Prejudice of the Erika Cook be denied.

Respectfully submitted,

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Date: June 8, 2026

Attorneys for PPL Electric Utilities Corporation