

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Armstrong Telecommunications, Inc.	:	
	:	
v.	:	C-2026-3062601
	:	(RBAT Accelerated Docket)
FirstEnergy Pennsylvania Electric Company	:	

**SCHEDULING ORDER**

On May 21, 2026, pursuant to the Commission’s Order at *Adoption of Federal Communications Commission Regulations Pursuant to 52 Pa. Code § 77.4*, Docket No. L-2018-3002672 (Implementation Order entered Jan. 8, 2025) (*Implementation Order*), the Pennsylvania Rapid Broadband Assessment Team (PA-RBAT) preliminarily granted the request submitted by Armstrong Telecommunications, Inc. (Armstrong or Complainant) for expedited review and treatment of its pole attachment dispute between it and FirstEnergy Pennsylvania Electric Company (FE PA or Respondent), and both parties were so notified in writing.

Accordingly, on May 27, 2026, pursuant to the *Implementation Order*, Armstrong filed a Formal Complaint (Complaint) against FE PA and identified this case as having been selected for expedited treatment.<sup>1</sup> On May 28, 2026, the Secretary’s Bureau eServed and emailed the Complaint on Respondent, and this matter was assigned to the undersigned Administrative Law Judges (ALJs) to preside over this matter. Also on May 28, 2026, the undersigned ALJs issued an Order Directing Time for Filing Answer, Direct Testimony and Scheduling Prehearing Conference (Prehearing Conference Order), and the Commission issued an Initial Telephonic Prehearing Conference Notice, scheduling a prehearing conference for June 8, 2026 at 1:00 P.M.

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<sup>1</sup> A certificate of service was attached to the Formal Complaint stating that on May 27, 2026, Armstrong emailed a copy of the Complaint to counsel for Respondent.

On May 28, 2026, Armstrong served its direct testimony and exhibits.

On June 4, 2026, FE PA filed its Answer.

On June 5, 2026, Armstrong filed a Motion for Protective Order.

In response to the Prehearing Conference Order, the parties submitted prehearing memoranda outlining their respective positions on various procedural matters. The prehearing conference convened on June 8, 2026, as scheduled. Counsel appeared on behalf of the parties. During the conference, various procedural matters were discussed. This Scheduling Order memorializes the procedural matters addressed during the prehearing conference, as well as provides further directions to the parties.

THEREFORE,

IT IS ORDERED:

1. That the following schedule is adopted for this proceeding:

Armstrong Direct Testimony	May 28, 2026
Prehearing Conference	June 8, 2026
FE PA Rebuttal Testimony	June 17, 2026
Armstrong Surrebuttal Testimony	June 29, 2026
Evidentiary Hearings (In-Person, Pittsburgh, starting 9:30 A.M. each day)	July 1 & 2, 2026
Main Briefs	July 14, 2026
Reply Briefs	July 21, 2026

2. That FE PA shall file a letter to the docket in this proceeding by June 10, 2026, identifying the witnesses it intends to present in this proceeding along with a description of the scope of each witness' testimony.

3. That a briefing order will be issued with further instructions regarding briefs following the evidentiary hearings in this case.

4. That the parties shall serve documents so that documents are received in-hand by the parties and the undersigned ALJs no later than 4:30 p.m. on the dates listed. Parties may serve documents via e-mail to meet this requirement. Parties shall not file testimony with the Commission but shall file a certificate of service.

5. That any evidentiary hearing in this matter constitutes a formal legal proceeding and will be conducted in accordance with the Commission's Rules of Administrative Practice and Procedure, as well as the rules of evidence as applied to administrative hearings.

6. That written testimony shall comply with the requirements of 52 Pa. Code § 5.412 and shall be marked with numerical, sequential statement numbers.

7. That the discovery modifications set forth in Ordering Paragraph No. 8 of the May 28, 2026, Order Directing Time for Filing Answer, Direct Testimony and Scheduling Prehearing Conference remain in effect.

8. That the parties shall conduct discovery pursuant to 52 Pa. Code §§ 5.321-5.373, as modified. The parties are encouraged to cooperate and exchange information on an informal basis. The parties shall cooperate rather than engage in numerous or protracted discovery disagreements that require formal resolution. All motions to compel shall contain a certification by counsel setting forth the informal discovery undertaken and their efforts to resolve their discovery disputes informally. If a motion to compel does not contain this certification, the parties will be directed to pursue informal discovery. There are limitations on discovery and sanctions for abuse of the discovery process. 52 Pa. Code §§ 5.361, 5.371-5.372.

9. That the parties shall stipulate to any matters they reasonably can to expedite this proceeding, lessen the burden of time and expenses in litigation on all parties and conserve administrative hearing resources. 52 Pa. Code §§ 5.232 and 5.234.

10. That the parties should do their best to avoid the use of **Confidential Security Information (CSI)**, as defined by 35 P.S. § 2141 *et seq.*, in this proceeding. Where possible, the parties should develop alternative means of introducing information into the record, such as joint stipulations or redaction when proposing testimony or exhibits. If the parties cannot avoid the use of CSI, the parties are to contact the undersigned ALJs in advance of any submission, and prior to the evidentiary hearing.

11. That the parties are to confer amongst themselves in an attempt to resolve all or some of the issues associated with this proceeding. The parties are reminded it is the Commission's policy to encourage settlements. 52 Pa. Code §5.231(a). The parties are strongly urged to seriously explore this possibility. If a settlement is reached, a joint settlement petition executed by representatives of all parties to be bound thereby, together with statements in support of settlement by all signatory parties, must be filed with the Secretary for the Commission and served on the undersigned.

12. That any provision of this order may be modified upon motion and good cause shown by any party in interest in accordance with 52 Pa. Code § 5.223(a).

Date: June 10, 2026

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/s/  
Gail M. Chiodo  
Deputy Chief Administrative Law Judge

\_\_\_\_\_  
/s/  
John M. Coogan  
Administrative Law Judge

**C-2026-3062601- ARMSTRONG TELECOMMUNICATIONS INC. v FIRSTENERGY PENNSYLVANIA ELECTRIC COMPANY (RBAT ACCELERATED DOCKET)**

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