
Garrett P. Lent

glent@postschell.com
717-612-6032 Direct
717-731-1985 Direct Fax
File #: 209803

August 6, 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 please find the Motion of PPL Electric Utilities Corporation to Dismiss Objections and Compel Responses to Requests for Admission Propounded on the Office of Consumer Advocate – Set I, Nos. 10 through 13 in the above-referenced proceeding. Copies will be provided as indicated on the Certificate of Service.

Respectfully submitted,



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).

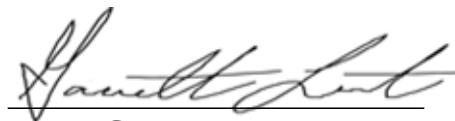
VIA E-MAIL

Jacob Guthrie
Josiah B. Harmar
Melanie Joy El Atieh
PA Office of Consumer Advocate
555 Walnut Street
5th Floor Forum Place
Harrisburg, PA 17101-1923
JGuthrie@paoca.org
JHarmar@paoca.org
melatieh@paoca.org
(Counsel for OCA)

Erika Cook
38 Red Rock Road
Sugarloaf, PA 18249
Elcook33@gmail.com

John Zola
17 Dagostin Road
Sugarloaf, PA 18249
zolajj@gmail.com

Dated: August 6, 2026



Garrett P. Lent

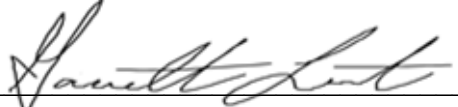
**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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

NOTICE TO PLEAD

YOU ARE HEREBY ADVISED THAT, PURSUANT TO 52 PA. CODE § 5.342(g)(1), YOU MAY FILE AN ANSWER TO THE ENCLOSED MOTION TO COMPEL WITHIN FIVE (5) DAYS AFTER 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 REPLY SHOULD ALSO BE SERVED ON THE UNDERSIGNED COUNSEL.

Michael J. Shafer (ID # 205681)
PPL Services Corporation
645 Hamilton Street, Suite 700
Allentown, PA 18101
Phone: 610-774-2599
Fax: 610-774-4102
E-mail: mjshafer@pplweb.com


David B. MacGregor (I.D. # 28804)
Garrett P. Lent (I.D. # 321566)
Lindsay A. Berkstresser (I.D. # 318370)
Megan E. Rulli (I.D. # 331981)
Hayley E. Wilburn (I.D. # 336055)
Post & Schell, P.C.
17 North Second Street
12th Floor
Harrisburg, PA 17101-1601
Voice: 717-731-1970
Fax: 717-731-1985
E-mail: dmacgregor@postschell.com
E-mail: glent@postschell.com
E-mail: lberkstresser@postschell.com
E-mail: mrulli@postschell.com
E-mail: hwilburn@postschell.com

Dated: August 6, 2026

Attorneys for PPL Electric Utilities Corp.

**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	:	Docket No. A-2025-3059443
to Build Approximately 1.1 Miles of New	:	
Parallel Double Circuit 230 kV Transmission	:	
Taps that are Needed to Connect the Existing	:	
Susquehanna-Harwood #1 & #2	:	
Transmission Lines on the New Tomhicken	:	
230 kV Switchyard that are Respectively	:	
Located in Luzerne County, Pennsylvania	:	

**MOTION OF PPL ELECTRIC UTILITIES CORPORATION TO
DISMISS OBJECTIONS AND COMPEL RESPONSES TO
REQUESTS FOR ADMISSION PROPOUNDED ON THE OFFICE OF CONSUMER
ADVOCATE – SET I, NOS. 10 THROUGH 13**

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

Pursuant to 52 Pa. Code §§ 5.342(g) and 5.350(a), PPL Electric Utilities Corporation (“PPL Electric” or “Company”) hereby files this Motion to Dismiss Objections and Compel Responses to Requests for Admission Propounded on the Office of Consumer Advocate (“OCA”) – Set I, Nos. 10-13.

For the reasons explained herein, PPL Electric respectfully requests that Administrative Law Judges Erin L. Gannon and John M. Coogan (the “ALJs”) dismiss OCA’s objections and compel full and complete responses to those Requests for Admission (“RFAs”), because their objections are without merit. The subject RFAs properly request that OCA admit “the truth of any matters, within the scope of § § 5.321—5.324 (relating to general discovery) . . . that relate to statements or opinions . . . of the application of law to fact” under 52 Pa. Code § 5.350(a). As explained herein, OCA has served testimony that advance recommendations based upon the

purported applicability of specific parts of the Public Utility Code and the Commission's regulations to the facts of this case and the factual determinations the Commission must reach under 52 Pa. Code § 57.76(a) to dispose of the above-captioned request to site and construct certain high voltage ("HV") transmission lines. The RFAs do not seek, and are not intended to seek, the mental impressions of the OCA's attorneys or the attorneys' conclusions, opinions, memoranda, notes, summaries, legal research or legal theories. Moreover, they are reasonably calculated to lead to the production of admissible evidence because they seek information directly relevant to the recommendations OCA itself advanced in testimony.

In support of its Motion, PPL Electric states as follows:

I. INTRODUCTION

1. On July 7, 2026, OCA served its direct testimony in this matter, which included OCA Statement 1, the direct testimony of Frank A Felder, Ph.D., and OCA Statement 2, the direct testimony of Rao Konidena.

2. On July 16, 2026, PPL Electric served its Set I RFAs on OCA by email. A true and correct copy of PPL Electric's Set I RFAs is attached hereto and marked as **Appendix A**.

3. On July 21, 2026, OCA communicated oral objections to the Company. However, the parties were not able to resolve this discovery dispute informally.

4. On July 27, 2026, PPL Electric was served with Objection of the Office of Consumer Advocate to PPL Electric Utilities Corporation's Set I Requests For Admission to the

OCA (“Objections”). A true and correct copy of OCA’s Objections to the Set I RFAs is attached hereto and marked as **Appendix B**.

5. OCA objected to RFA Nos. 10-13, on the grounds that the RFAs are “beyond the scope of admissions that can be requested under the Commission’s regulations and outside the scope of discovery.”¹

6. Counsel for PPL Electric and counsel for OCA conferred via e-mail regarding the Objections on August 6, 2026. However, the parties were not able to resolve the Objections.

7. For the reasons explained below, OCA’s Objections to PPL’s Set I RFAs, Nos. 10-13 lack merit, so the ALJs should compel OCA to fully respond to those discovery requests.

II. MOTION TO COMPEL

8. PPL Electric requests that the ALJs dismiss OCA’s Objections to its Set I RFAs, Nos. 10-13.

9. “The commission’s regulation regarding discovery requests allows a broad scope of discovery.” *City of Pittsburgh v. Pa. PUC*, 526 A.2d 1243, 1249 (Pa. Cmwlth. 1987).

10. Under 52 Pa. Code § 5.321(c), a party is entitled to obtain discovery of any matter not privileged that is relevant to the pending proceeding, or any matter that is reasonably calculated to lead to the discovery of admissible evidence. Discovery is permitted regardless of whether the information sought “relates to the claim or defense of the party seeking discovery or to the claim or defense of another party.” *Id.*

11. Further, 52 Pa. Code § 5.350(a) of the Commission’s regulations entitles a party to request an opposing party to admit “the truth of any matters, within the scope of § § 5.321—5.324

¹ Objections, p. 2.

(relating to general discovery), . . . that relate to statements or opinions of fact or of the application of law to fact.”

12. PPL Electric’s Set I RFAs, Nos. 10-13, seek admission of basic matters relating to the application of law to fact, regarding OCA’s arguments and allegations in its direct testimony. Nos. 10-13 of the Set I RFAs are well within the bounds of the Commission’s regulations at Section 5.350(a).²

A. PPL ELECTRIC RFA-I-10

13. PPL Electric to OCA RFA-I-10 requests that OCA admit or deny the truth of the following:

10. Admit when the Commission approves the siting and construction of a proposed HV transmission line under 52. Pa. Code Ch. 57, Subch. G, it does not make any finding or determination regarding the reasonableness or prudence of the costs associated with the HV transmission line.

14. RFA Set I No. 10 simply asks OCA to admit the application of the Commission’s regulations at Ch. 57, Subch. G to the facts and evidence – more specifically, cost – considered in a Letter of Notification (“LON”) proceeding. In other words, this RFA asks OCA to make an admission of the truth of a matter relating to the application of law to fact.

15. OCA argues that RFA-I-10 makes no reference to factual material. Yet, RFA-I-10 makes direct reference to the costs associated with the HV transmission line, and merely asks that the OCA make an admission related to the application of the Commission’s regulations to the facts of the case as they relate to costs.

16. Indeed, the cost of the Project is a pervasive aspect of the direct testimony of OCA Witness Felder and OCA Witness Konidena. (*See*, OCA Statement 1, pp. 3, 9-11, 17-21; *See also*,

² 52 Pa. Code § 5.350(a).

OCA Statement 2, pp. 5, 13, 27-28, 40, 42, 46, 62, 66-71, 73-76, 79-80, 91, 97-98.) OCA witness Konidena even goes so far as to recommend:

“Before approving the \$38.4 million ratepayer allocation, the Commission should require PPL to provide a quantitative cost comparison between the Tomhicken approach and the Nescopeck direct connection alternative – specifically showing the total customer cost under each scenario and the total ratepayer cost under each scenario.”

(OCA Statement 2, p. 42.) Such a recommendation is an opinion of the application of law to fact, i.e., the Commission should adopt make specific determinations regarding the costs of the Project because it is proper to do so under its regulations and/or statute. Section 5.350(a) permits a party to request an admission regarding the truth of such matters.

17. Moreover, RFA-I-10 does not seek privileged information or attorney work product. To the extent that the only basis by which OCA and its witnesses have advanced recommendations related to the costs of the Project are based upon privileged legal analysis or the work product of OCA’s attorneys, then OCA is entitled to respond to RFA-I-10 to that effect.

18. OCA also argues that, because “there is *no* factual information included” within RFA-I-10, the RFA is impermissibly requesting information protected by the attorney work product privilege.³

19. However, as explained above, RFA-I-10 is seeking an admission as to the application of law (i.e., 52 Pa. Code Ch. 57, Subch. G) to facts (i.e., Project cost) and opinions by OCA’s witnesses regarding the application of such law to those facts and opinions (i.e., recommendations that the Commission make specific findings and determinations regarding Project costs), to which the OCA has provided extensive direct testimony. OCA cannot advance the testimony of a witness that advances specific opinions and recommendations regarding actions

³ Objections, pp. 7-9.

the Commission should take in the context of a siting determination under Ch. 57, Subch. G, and then shield such opinion from discovery.

20. Therefore, RFA-I-10 is not seeking privileged information which is beyond the scope of permissible discovery.

21. However, to the extent that OCA's objection is with respect to RFA-I-10 as-written, PPL Electric believes that would be addressed by rewording the request as such:

Please reference OCA Statement 1, pp. 3, 9-11, 17-21, and/or OCA Statement 2, pp. 5, 13, 27-28, 40, 42, 46, 62, 66-71, 73-76, 79-80, 91, 97-98. With respect to the statements and recommendations of OCA's witnesses, admit when the Commission approves the siting and construction of a proposed HV transmission line under 52. Pa. Code Ch. 57, Subch. G, it does not make any finding or determination regarding the reasonableness or prudence of the costs associated with the HV transmission line.

22. For these reasons, the ALJs should determine that OCA's Objections are without merit and are insufficient, and direct OCA to fully answer PPL Electric to OCA RFA I-10. Alternatively, the ALJs should direct OCA to answer RFA-I-10 as modified in Paragraph 21 above.

B. PPL ELECTRIC RFA-I-11

23. PPL Electric to OCA RFA-I-11 requests that OCA admit or deny the truth of the following:

11. Admit the Public Utility Code does not authorize the Commission to regulate the reasonableness or prudence of the costs associated with the HV transmission line.

24. RFA Set I No. 11 simply asks OCA to admit the application of the Public Utility Code to the Commission's consideration of facts and evidence – more specifically, cost – in an LON proceeding.

25. Indeed, the cost of the Project is a pervasive aspect of the direct testimony of OCA Witness Felder and OCA Witness Konidena. (*See*, OCA Statement 1, pp. 3, 9-11, 17-21; *See also*, OCA Statement 2, pp. 5, 13, 27-28, 40, 42, 46, 62, 66-71, 73-76, 79-80, 91, 97-98.)

26. While OCA submits that RFA-I-11 is a question of law, this argument similarly ignores that OCA's witnesses have advanced specific opinions regarding the cost of the Project, as well as recommendations regarding findings and determinations the Commission should make regarding the Project, as described with respect to RFA-I-10 in Paragraphs 13-22 above. These arguments equally apply to RFA-I-11, with the only difference being that OCA is being asked to admit the truth of the application of the Public Utility Code, to which the OCA has provided extensive direct testimony.

27. Moreover, RFA-I-11 does not seek privileged information or attorney work product. To the extent that the only basis by which OCA and its witnesses have advanced recommendations related to the costs of the Project are based upon privileged legal analysis or the work product of OCA's attorneys, then OCA is entitled to respond to RFA-I-11 to that effect.

28. Therefore, RFA-I-11 is not seeking privileged information which is beyond the scope of permissible discovery.

29. However, to the extent that OCA's objection is with respect to RFA-I-11 as-written, PPL Electric believes that would be addressed by rewording the request as such:

Please reference OCA Statement 1, pp. 3, 9-11, 17-21, and/or OCA Statement 2, pp. 5, 13, 27-28, 40, 42, 46, 62, 66-71, 73-76, 79-80, 91, 97-98. With respect to the statements and recommendations of OCA's witnesses, admit that the Public Utility Code does not authorize the Commission to regulate the reasonableness or prudence of the costs associated with the HV transmission line.

30. For these reasons, the ALJs should determine that OCA's Objections are without merit and are insufficient, and direct OCA to fully answer PPL Electric to OCA RFA I-11.

Alternatively, the ALJs should direct OCA to answer RFA-I-11 as modified in Paragraph 29, above.

C. PPL ELECTRIC RFA-I-12

31. PPL Electric to OCA RFA-I-12 requests that OCA admit or deny the truth of the following:

12. Admit when the Commission approves the siting and construction of a proposed HV transmission line under 52. Pa. Code Ch. 57, Subch. G, it does not make any finding or determination regarding the allocation of the costs associated with the HV transmission line.

32. RFA Set I No. 12 simply asks OCA to admit the application of the Commission's regulations at Ch. 57, Subch. G to the facts and evidence – more specifically, cost allocation – considered in an LON proceeding. In other words, this RFA asks OCA to make an admission of the truth of a matter relating to the application of law to fact.

33. OCA argues that RFA-I-12 makes no reference to factual material. Yet, RFA-I-10 makes direct reference to the costs associated with the HV transmission line, and merely asks that the OCA make an admission related to the application of the Commission's regulations to the facts of the case as they relate to costs.

34. Indeed, the cost allocation of the costs of the Project is a pervasive aspect of the direct testimony of OCA Witness Felder and of OCA Witness Konidena. (*See*, OCA Statement 1, pp. 4, 9-11, 13-16, 20-22, 25-26, 28-31; *See also*, OCA Statement 2, pp. 5, 13, 23-26, 31-32, 40-42, 45, 47, 49-50, 54-57, 62, 72-73, 77-78, 83, 87-111.) OCA Witness Konidena even goes so far as to recommend that the Commission:

“[D]irect PPL to reallocate to the customer all costs currently assigned to ratepayers that are attributable to Phase 2-driven design features”

and

“[B]efore approving any ratepayer allocation, the Commission should require PPL to perform and file a forward-looking quantitative analysis demonstrating that ratepayer benefits equal or exceed the amount allocated to them,”

and

“[R]equire PPL to submit its Policy on Cost Allocation for Large Customer Interconnections for formal Commission review and approval before it is applied to any future project in PPL’s interconnection queue.”

(OCA Statement 2, p. 111.) Such recommendations are opinions of the application of law to fact, i.e., the Commission should adopt make specific determinations regarding the cost allocation of the Project because it is proper to do so under its regulations and/or statute. Section 5.350(a) permits a party to request an admission regarding the truth of such matters.

35. Moreover, RFA-I-12 does not seek privileged information or attorney work product. To the extent that the only basis by which OCA and its witnesses have advanced recommendations related to the costs of the Project are based upon privileged legal analysis or the work product of OCA’s attorneys, then OCA is entitled to respond to RFA-I-12 to that effect.

36. OCA also argues that, because “there is *no* factual information included” within RFA-I-12, the RFA is impermissibly requesting information protected by the attorney work product privilege.⁴

37. However, as explained above, RFA-I-12 is seeking an admission as to the application of law (i.e., 52 Pa. Code Ch. 57, Subch. G) to facts (i.e., Project cost allocation) and opinions by OCA’s witnesses regarding the application of such law to those facts and opinions (i.e., recommendations that the Commission make specific findings and determinations regarding Project cost allocation), to which the OCA has provided extensive direct testimony. OCA cannot

⁴ Objections, pp. 7-9.

advance the testimony of a witness that advances specific opinions and recommendations regarding actions the Commission should take in the context of a siting determination under Ch. 57, Subch. G, and then shield such opinion from discovery.

38. Therefore, RFA-I-12 is not seeking privileged information which is beyond the scope of permissible discovery.

39. However, to the extent that OCA's objection is with respect to RFA-I-12 as-written, PPL Electric believes that would be addressed by rewording the request as such:

Please reference OCA Statement 1, pp. 4, 9-11, 13-16, 20-22, 25-26, 28-31, and/or OCA Statement 2, pp. 5, 13, 23-26, 31-32, 40-42, 45, 47, 49-50, 54-57, 62, 72-73, 77-78, 83, 87-111. With respect to the statements and recommendations of OCA's witnesses, admit when the Commission approves the siting and construction of a proposed HV transmission line under 52. Pa. Code Ch. 57, Subch. G, it does not make any finding or determination regarding the allocation of the costs associated with the HV transmission line.

40. For these reasons, the ALJs should determine that OCA's Objections are without merit and are insufficient, and direct OCA to fully answer PPL Electric to OCA RFA I-12. Alternatively, the ALJs should direct OCA to answer RFA-I-12 as modified in Paragraph 39, above.

D. PPL ELECTRIC RFA-I-13

41. PPL Electric to OCA RFA-I-13 requests that OCA admit or deny the truth of the following:

13. Admit the Public Utility Code does not authorize the Commission to regulate the allocation of the costs of electric transmission facilities.

42. RFA Set I No. 13 simply asks OCA to admit the application of the Public Utility Code to the Commission's consideration of facts and evidence – more specifically, cost allocation – in an LON proceeding.

43. Indeed, the cost allocation of the costs of the Project is a pervasive aspect of the direct testimony of OCA Witness Felder and of OCA Witness Konidena. (See, OCA Statement 1, pp. 4, 9-11, 13-16, 20-22, 25-26, 28-31; *See also*, OCA Statement 2, pp. 5, 13, 23-26, 31-32, 40-42, 45, 47, 49-50, 54-57, 62, 72-73, 77-78, 83, 87-111.)

44. While OCA submits that RFA-I-13 is a question of law, this argument similarly ignores that OCA's witnesses have advanced specific opinions regarding the cost allocation of the Project, as well as recommendations regarding findings and determinations the Commission should make regarding the Project, as described with respect to RFA-I-12 in Paragraphs 31-40 above. These arguments equally apply to RFA-I-13, with the only difference being that OCA is being asked to admit the truth of the application of the Public Utility Code, to which the OCA has provided extensive direct testimony.

45. Moreover, RFA-I-13 does not seek privileged information or attorney work product. To the extent that the only basis by which OCA and its witnesses have advanced recommendations related to the costs of the Project are based upon privileged legal analysis or the work product of OCA's attorneys, then OCA is entitled to respond to RFA-I-13 to that effect.

46. Therefore, RFA-I-13 is not seeking privileged information which is beyond the scope of permissible discovery.

47. However, to the extent that OCA's objection is with respect to RFA-I-11 as-written, PPL Electric believes that would be addressed by rewording the request as such:

Please reference OCA Statement 1, pp. 4, 9-11, 13-16, 20-22, 25-26, 28-31, and/or OCA Statement 2, pp. 5, 13, 23-26, 31-32, 40-42, 45, 47, 49-50, 54-57, 62, 72-73, 77-78, 83, 87-111. With respect to the statements and recommendations of OCA's witnesses, admit that the Public Utility Code does not authorize the Commission to regulate the allocation of the costs of electric transmission facilities.

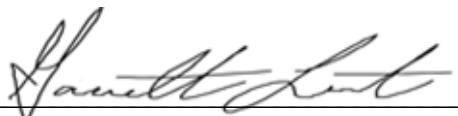
48. For these reasons, the ALJs should determine that OCA's Objections are without merit and are insufficient, and direct OCA to fully answer PPL Electric to OCA RFA I-13. Alternatively, the ALJs should direct OCA to answer RFA-I-11 as modified in Paragraph 47, above.

III. CONCLUSION

For the reasons set forth above, PPL Electric Utilities Corporation respectfully requests that Administrative Law Judges Erin L. Gannon and John M. Coogan grant this Motion to Dismiss Objections and Compel Responses to Discovery and direct the Office of Consumer Advocate to answer fully PPL Electric to OCA RFA Nos. 10-13 as described above within five (5) days from the date of the order.

Respectfully submitted,

Michael J. Shafer (ID # 205681)
PPL Services Corporation
645 Hamilton Street, Suite 700
Allentown, PA 18101
Phone: 610-774-2599
Fax: 610-774-4102
E-mail: mjshafer@pplweb.com



David B. MacGregor (I.D. # 28804)
Garrett P. Lent (I.D. # 321566)
Lindsay A. Berkstresser (I.D. # 318370)
Megan E. Rulli (I.D. # 331981)
Hayley E. Wilburn (I.D. # 336055)
Post & Schell, P.C.
17 North Second Street
12th Floor
Harrisburg, PA 17101-1601
Voice: 717-731-1970
Fax: 717-731-1985
E-mail: dmacgregor@postschell.com
E-mail: glent@postschell.com
E-mail: lberkstresser@postschell.com
E-mail: mrulli@postschell.com
E-mail: hwilburn@postschell.com

Dated: August 6, 2026

Attorneys for PPL Electric Utilities Corp.

Appendix A

**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 : Docket No. A-2025-3059443
Approval to Build Approximately 1.1 :
Miles of New Parallel Double Circuit 230 :
kV Transmission Taps that are Needed to :
Connect the Existing Susquehanna :
Harwood #1 & #2 Transmission Lines on :
the New Tomhicken 230 kV Switchyard :
that are Respectively Located in Luzerne :
County, Pennsylvania :

**REQUESTS FOR ADMISSION PROPOUNDED BY
PPL ELECTRIC UTILITIES CORPORATION ON
THE OFFICE OF CONSUMER ADVOCATE – SET I**

Pursuant to 66 Pa.C.S. § 333(e) and 52 Pa. Code §§ 5.350, PPL Electric Utilities Corporation (“PPL Electric” or “Company”) propounds the following Requests for Admission on the Office of Consumer Advocate (“OCA”) – Set I.

INSTRUCTIONS

1. Each request for admission shall be accorded a separate answer on a separate piece of paper, and each subpart shall be accorded a separate answer. Each request for admission or subpart thereof shall be specifically admitted or denied.
2. Please restate the request for admission immediately preceding each response.
3. Please identify the name, title, and business address of each person(s) providing each response and provide the date the response was created.
4. Any denial of a request for admission shall specify as much of the request for admission as is true and shall only qualify or deny the remainder.

5. Any denial of a request for admission shall specify the reasons why for the denial.

REQUESTS FOR ADMISSION
ON OCA – SET I

OCA is requested to admit or deny the truth of the following:

1. Admit OCA's testimony requests that the Commission make specific findings and determinations regarding the allocation of transmission costs that were not advanced by PPL Electric in its letter of notification.
2. Admit neither OCA Statement 1 nor OCA Statement 2 disputes that there is a need for the Project.
3. Admit there is a need for the Project.
4. Admit neither OCA Statement 1 nor OCA Statement 2 references 52 Pa. Code 57.76(a)(2).
5. Admit the Project will not create an unreasonable risk of danger to the health and safety of the public.
6. Admit neither OCA Statement 1 nor OCA Statement 2 references 52 Pa. Code 57.76(a)(3).
7. Admit the Project is in compliance with applicable statutes and regulations providing for the protection of the natural resources of this Commonwealth.
8. Admit neither OCA Statement 1 nor OCA Statement 2 references 52 Pa. Code 57.76(a)(4).
9. Admit the Project will have minimum adverse environmental impact, considering the electric power needs of the public, the state of available technology and the available alternatives.
10. Admit when the Commission approves the siting and construction of a proposed HV transmission line under 52 Pa. Code Ch. 57, Subch. G, it does not make any finding or determination regarding the reasonableness or prudence of the costs associated with the HV transmission line.
11. Admit the Public Utility Code does not authorize the Commission to regulate the reasonableness or prudence of the costs of electric transmission facilities.

12. Admit when the Commission approves the siting and construction of a proposed HV transmission line under 52 Pa. Code Ch. 57, Subch. G, it does not make any finding or determination regarding the allocation of the costs associated with the HV transmission line.
13. Admit the Public Utility Code does not authorize the Commission to regulate the allocation of the costs of electric transmission facilities.

Frank A. Felder is requested to admit or deny the truth of the following:

14. Admit Mr. Felder does not recommend that the Commission deny the Project based upon any of the criteria set forth in 52 Pa. Code 57.76(a).
15. Admit Mr. Felder does not recommend that the Commission deny the Project because there is not a need for it.
16. Admit Mr. Felder does not recommend that the Commission deny the Project because the Project will create an unreasonable risk of danger to the health and safety of the public.
17. Admit Mr. Felder does not recommend that the Commission deny the Project because the Project is not in compliance with applicable statutes and regulations providing for the protection of the natural resources of this Commonwealth.
18. Admit Mr. Felder does not recommend that the Commission deny the Project because the Project will not have minimum adverse environmental impact, considering the electric power needs of the public, the state of available technology and the available alternatives.
19. Admit Mr. Felder's testimony in OCA Statement 1, page 20, lines 18-20 is based solely upon the advice of counsel.
20. Admit Mr. Fedler's testimony at OCA Statement 1, page 20, line 16 through page 21, line 15 relates to an active and ongoing rulemaking proceeding before FERC.

Rao Konidena is requested to admit or deny the truth of the following:

21. Admit Mr. Konidena does not recommend that the Commission deny the Project based upon any of the criteria set forth in 52 Pa. Code 57.76(a).
22. Admit Mr. Konidena does not recommend that the Commission deny the Project because there is not a need for it.
23. Admit Mr. Konidena testified that there is a need for the Project.

24. Admit Mr. Konidena does not recommend that the Commission deny the Project because the Project will create an unreasonable risk of danger to the health and safety of the public.
25. Admit Mr. Konidena does not recommend that the Commission deny the Project because the Project is not in compliance with applicable statutes and regulations providing for the protection of the natural resources of this Commonwealth.
26. Admit Mr. Konidena does not recommend that the Commission deny the Project because the Project will not have minimum adverse environmental impact, considering the electric power needs of the public, the state of available technology and the available alternatives.

Appendix B

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 : Docket No. A-2025-3059443
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 :

OBJECTIONS OF THE OFFICE OF CONSUMER ADVOCATE
TO PPL ELECTRIC UTILITIES CORPORATION'S
SET I REQUESTS FOR ADMISSION TO THE OCA

Pursuant to 66 Pa. C.S. Section 333(d) and 52 Pa. Code Section 5.350(d)(3), the Office of Consumer Advocate (OCA) hereby objects to the Requests for Admission (RFA), Set I, Request Numbers 10-13 propounded on the OCA by PPL Electric Utilities Corporation (PPL or the Company) on July 16, 2026. A copy of the PPL Set I RFAs, which consists of 26 requests for admission directed to the OCA and its witnesses, is attached to these Objections as Appendix A.

As explained below, the OCA objects to Request Numbers 10-13. Request Numbers 10-13 request the OCA to admit or deny the truth of a particular interpretation of the regulations of the Pennsylvania Public Utility Commission (Commission) and the Public Utility Code, and how the Commission's regulations and Public Utility Code have been interpreted and applied by the Commission and Pennsylvania appellate courts. As a result, these requests for admission do not relate to statements or opinions of fact or of the application of law to fact and/or seek the mental impressions of the OCA's attorneys or the attorneys' conclusions, opinions, memoranda, notes,

summaries, legal research or legal theories, and/or are not reasonably calculated to lead to the production of admissible evidence as they are privileged and confidential, thus violating Sections 5.321(c), 5.350(a), and 5.361(a) of the Commission's regulations.¹ Specifically, these Requests contain no statement of fact to the truth of which the OCA can attest, or to which the OCA can apply law, and, therefore, are beyond the scope of admissions that can be requested under the Commission's regulations and outside the scope of discovery.

I. INTRODUCTION

On July 16, 2026, PPL served discovery, including PPL Set I RFAs on the OCA. The OCA orally communicated its objections to PPL Set I RFAs to counsel for PPL on July 21, 2026. The OCA and PPL were unable to resolve the discovery dispute informally.

In proceedings before the Commission, a participant may obtain discovery regarding any matter, not privileged, which is relevant to the subject matter involved in the pending action, whether it relates to the claim or defense of the party seeking discovery or to the claim or defense of another party or participant.² Section 5.321 outlines the scope of discovery as follows:

Scope. Subject to this subchapter, a party may obtain discovery regarding any matter, not privileged, which is relevant to the subject matter involved in the pending action, whether it relates to the claim or defense of the party seeking discovery or to the claim or defense of another party, including the existence, description, nature, content, custody, condition and location of any books, documents, or other tangible things and the identity and location of persons having knowledge of a discoverable matter. It is not ground for objection that the information sought will be inadmissible at hearing if the information sought appears reasonably calculated to lead to the discovery of admissible evidence.³

Section 5.350(a) of the Commission's regulations provides the scope of requests for admission:

¹ 52 Pa. Code §§ 5.321(c), 5.350(a), 5.361(a).

² 52 Pa. Code § 5.321(c).

³ 52 Pa. Code § 5.321(c).

A party may serve upon another party a written request for the admission of the truth of any matters, within the scope of § § 5.321—5.324 (relating to general discovery), set forth in the request, *that relate to statements or opinions of fact or of the application of law to fact*, including the genuineness, authenticity, correctness, execution, signing, delivery, mailing or receipt of a document described in the request. Copies of documents shall be served with the request unless they have been or are otherwise furnished or available for inspection and copying.⁴

Section 5.350(d)(3) further provides the scope of objections to requests for admission: “Grounds for objections must be specifically stated. A party who considers that a matter of which an admission has been requested presents a genuine issue for hearing may not, on that ground alone, object to the request.”⁵

Further, Section 5.361 of the Pennsylvania Code specifically limits the scope of discovery in proceedings before the Commission. In particular, Section 5.361(a) provides the following:

No discovery or deposition is permitted which:

- (1) Is sought in bad faith.
- (2) Would cause unreasonable annoyance, embarrassment, oppression, burden or expense to the deponent, a person or participant.
- (3) Relates to a matter which is privileged.
- (4) Would require the making of an unreasonable investigation by the deponent, a participant or witness.⁶

The OCA asserts that PPL RFAs Set I to the OCA, Request Numbers 10-13 seek information that is not permitted because such information: is beyond the scope of matters for which admission may be requested because the information sought does not relate to statements or opinions of fact or of the application of law to fact; is privileged; and is beyond the scope of permissible discovery because it seeks attorney work product. As such, the OCA objects to PPL RFAs Set I to the OCA, Request Numbers 10-13, and the presiding officers should sustain the OCA’s objections.

⁴ 52 Pa. Code § 5.350(a) (emphasis added).

⁵ 52 Pa. Code § 5.350(d)(2).

⁶ 52 Pa. Code § 5.361(a).

II. OBJECTIONS

The OCA objects to PPL RFAs Set I to the OCA, Request Numbers 10-13 because Request Numbers 10-13 seek information which is (1) beyond the scope of matters for which admission may be requested because the information sought does not relate to statements or opinions of fact or of the application of law to fact; (2) privileged; and (3) is beyond the scope of permissible discovery because it seeks privileged attorney work product. As such, the OCA respectfully requests that PPL RFAs Set I to the OCA, Request Numbers 10-13 be stricken.

PPL RFAs Set I to the OCA, Request Numbers 10-13 state:

OCA is requested to admit or deny the truth of the following:

10. Admit when the Commission approves the siting and construction of a proposed HV transmission line under 52 Pa. Code Ch. 57, Subch. G, it does not make any finding or determination regarding the reasonableness or prudence of the costs associated with the HV transmission line.
11. Admit the Public Utility Code does not authorize the Commission to regulate the reasonableness or prudence of the costs of electric transmission facilities.
12. Admit when the Commission approves the siting and construction of a proposed HV transmission line under 52 Pa. Code Ch. 57, Subch. G, it does not make any finding or determination regarding the allocation of the costs associated with the HV transmission line.
13. Admit the Public Utility Code does not authorize the Commission to regulate the allocation of the costs of electric transmission facilities.

First, Request Numbers 10-13 are beyond the scope of matters on which the Commission's regulations permit a party to request an admission.⁷ These requests for admission directly and explicitly request the OCA's interpretation of the Commission's regulations and Public Utility Code. The OCA could not attest to the truth of these averments absent conducting legal research

⁷ 52 Pa. Code § 5.350(a) (emphasis added).

into how these regulations and the Public Utility Code have been interpreted in prior Commission orders and by Pennsylvania appellate courts.

It is well established that “conclusions of law are not within the permissible scope of requests for admissions under [Pa. R.Civ.P.] 4014,”⁸ the Pennsylvania Rule of Civil Procedure which governs requests for admission before Pennsylvania civil courts.⁹ Pa. R.Civ.P. 4014(a), pertaining specifically to the scope of requests for admission, is worded nearly identically to the Commission’s regulations regarding the scope of requests for admission.¹⁰ Namely, both Pa. R.Civ.P. 4014(a) and 52 Pa. Code Section 5.350(a) provide that requests for admission may only request admissions “that relate to statements or opinions of fact or of the application of law to fact.” The OCA submits that the decisions of the Pennsylvania appellate courts interpreting and applying R.Civ.P. 4014(a) are instructive as to how the Commission has and should interpret 52 Pa. Code Section 5.350(a) with regard to determining the appropriate matters for which a party may request admission. Under either provision, a party may not request admissions that relate to statements or opinions of law.

Request Numbers 10-13 contain no reference to factual matter – such as testimony, discovery responses, or other factual materials – to the truth of which a representative for the OCA could attest, or attest to the application of law to such factual matter. Specifically, Request Number

⁸ *Dwight v. Girard Medical Ctr.*, 623 A.2d 913, 916 (Pa. Cmwlth. 1993) (citing *Commonwealth v. Diamond Shamrock Chemical Co.*, 391 A.2d 1333 (1978)).

⁹ Pa. R.Civ.P. 4014(a).

¹⁰ Compare Pa. R.Civ.P. 4014(a) (“A party may serve upon any other party a written request for the admission, for purposes of the pending action only, of the truth of any matters within the scope of Rules 4003.1 through 4003.5 inclusive set forth in the request that relate to statements or opinions of fact or of the application of law to fact, including the genuineness, authenticity, correctness, execution, signing, delivery, mailing or receipt of any document described in the request...”) (emphasis added) with 52 Pa. Code § 5.350(a) “A party may serve upon another party a written request for the admission of the truth of any matters, within the scope of § § 5.321—5.324 (relating to general discovery), set forth in the request, that relate to statements or opinions of fact or of the application of law to fact, including the genuineness, authenticity, correctness, execution, signing, delivery, mailing or receipt of a document described in the request...” (emphasis added).

10 would require the OCA to review the Commission's regulations and prior Commission orders in order to determine how the Commission applies 52 Pa. Code Ch. 57, Subch. G, and if such application includes whether the Commission makes "any finding or determination regarding the reasonableness or prudence of the costs associated with the HV transmission line." Absent reviewing and interpreting the Commission's regulations and prior Commission orders, the OCA cannot attest to the truth of whether or not the Commission makes such findings or determinations when it "approves the siting and construction of a proposed HV transmission line under 52 Pa. Code Ch. 57, Subch. G." The same principle applies to Request Number 12 as to whether the Commission, in its prior orders, "does not make any finding or determination regarding the allocation of the costs associated with the HV transmission line." Similarly, Request Numbers 11 and 13 ask the OCA to admit to the truth of averments regarding the scope of the Commission's regulatory authority as indicated by the Public Utility Code. Absent reviewing, applying, and interpreting the Public Utility Code, the OCA cannot attest to the truth of these averments. The interpretation of statutes, regulations, prior Commission orders, and caselaw interpreting the Public Utility Code and Commission regulations is clearly a question of law.

The OCA will present its legal analysis and conclusions in its Briefs. Requiring the OCA's attorneys to present legal opinions in the discovery phase mandates the OCA's counsel to sponsor discovery responses drafted by its attorneys and would require the OCA to provide its attorneys' legal opinions in advance of Briefs. The OCA's attorneys would, thereby, be required to sponsor and verify the responses to these RFAs and be subject to further discovery – or even cross-examination at hearings – regarding the veracity of the responses. This practice would set an untenable precedent going forward in which parties could require opposing counsel to perform burdensome legal research to respond to discovery.

As a result, these RFAs are beyond the scope of information that can be procured through a request for admission under the Commission's regulations, and the presiding officers should sustain the OCA's objections to Request Numbers 10-13.¹¹

Second, the information that PPL seeks is attorney work product, which is beyond the scope of permissible discovery. Section 5.323(a) of the Commission's regulations is consistent with Pa. R.C.P. 4003.3, which codifies the attorney work product privilege and provides:

The discovery shall not include disclosure of the mental impressions of a party's attorney or his or her conclusions, opinions, memoranda, notes or summaries, legal research or legal theories. With respect to the representative of a party other than the party's attorney, discovery shall not include disclosure of his or her mental impressions, conclusions or opinions respecting the value or merit of a claim or defense or respecting strategy or tactics.¹²

Similarly, the Commission's regulations prohibit discovery that would "include disclosure of the mental impressions of a party's attorney or his conclusions, opinions, memoranda, notes, summaries, legal research or legal theories," "consistent with Pa. R.C[iv].P. 4003.3."¹³

In Pennsylvania, it is well established that the attorney work product privilege attaches when attorneys act in their professional capacity on behalf of governmental agencies.¹⁴ To allow a party conducting discovery to access to such privileged information would allow them to "gain insight into the agency's legal and factual research and reasoning, enabling [them] to litigate 'on wits borrowed from the adversary.' Worse yet, [they] could gain insight into the agency's general strategic and tactical approach to deciding when suits are brought, how they are conducted, and on what terms they may be settled."¹⁵ As the Pennsylvania Supreme Court observed:

[T]he work product protection supports our judicial system, based on the adversarial process by allowing counsel privacy to develop ideas, test theories, and

¹¹ 52 Pa. Code § 5.350(a).

¹² Pa. R.Civ.P. 4003.3.

¹³ 52 Pa. Code § 5.323(a).

¹⁴ See, e.g., *Sedat, Inc. v. Pa. Dep't of Envtl. Res.*, 641 A.2d 1243, 1244 (1994) (citing *Okum v. Unemp. Compensation Bd. of Rev.*, 465 A.2d 1324 (1983)).

¹⁵ *Sedat*, 641 A.2d at 1245 (quoting *F.T.C. v. Grolier*, 462 U.S. 19, 30-31, (1983) (Brennan, J., concurring)).

explore strategies in support of the client's interest, without fear that the documents in which the ideas, theories and strategies are written will be revealed to the opposing counsel. Allowing counsel to document legal theories without concern of disclosure encourages better representation of clients, which in turn benefits justice.¹⁶

As described *supra*, there is *no* factual information included in Request Numbers 10-13 to the truth of which the OCA could attest or otherwise apply law: Request Numbers 10-13 contain purely questions of law. While the OCA recognizes that evidentiary privileges are not favored in Pennsylvania¹⁷, the OCA submits that the integrity of its attorneys' development of ideas, theories and strategies would be compromised by requiring the OCA's attorneys to sponsor discovery responses regarding questions of law, as would be required to produce a response to Request Numbers 10-13. Further, as the OCA is an agency of the Commonwealth of Pennsylvania, permitting discovery into its attorneys' legal theories would impact the OCA's ability – as attorney representative of the Consumer Advocate – to carry out the direction of the Consumer Advocate in representing “the interest of consumers as a party”¹⁸ by requiring the OCA to disclose its legal thinking in high voltage transmission line siting proceedings in advance of the submission of Briefs. If the OCA is compelled to respond to Request Numbers 10-13, its ability to effectively represent the Consumer Advocate and, thereby, the interests of consumers, may be impaired.

The information requested in Request Numbers 10-13 falls squarely within the attorney work product of the OCA and, therefore, is privileged. Because privileged matter is beyond the

¹⁶ *Barrick v. Holy Spirit Hosp. of the Sisters of Christian Charity*, 91 A.3d 680, 686 (Pa. 2014) (Baer, J., Opinion in Support of Affirmance) (citing *Hickman v. Taylor*, 329 U.S. 495, 511 (1947)). The OCA notes that the Opinion in Support of Reversal in the *Barrick* case was limited to disagreeing with Justice Baer's interpretation of Pa. R.Civ.P. 4003.3 as it applied to communications between an attorney and an expert witness. See *Barrick*, 91 A.3d 680 (Saylor, J., Opinion in Support of Reversal),

¹⁷ *Bousamra v. Excelsa Health*, 210 A.3d 967, n. 15 (Pa. 2019) (citing *Commonwealth v. Stewart*, 690 A.2d 195, 197 (Pa. 1997)).

¹⁸ 71 P.S. § 309-4(a).

scope of discovery, PPL's RFA Set I to OCA, Request Numbers 10-13 are improper and the presiding officers should sustain the OCA's objections to Request Numbers 10-13.¹⁹

III. CONCLUSION

The Office of Consumer Advocate objects to PPL Electric Utility Corporation's Set I Requests for Admission to the OCA, Request Numbers 10-13. Request Numbers 10-13 request that the OCA admit to the truth of averments of law, which are devoid of any reference to matters of fact, and, as a result, (1) exceed the scope of the information for which a party can request admission and (2) exceed the scope of discovery before the Commission by requesting information protected by the attorney work product privilege. The OCA will supply its legal positions in its Briefs and cannot be compelled to provide such information in advance of the submission of its Briefs. Therefore, for the reasons set forth in full above, the OCA respectfully requests that the presiding officers sustain its objections to Request Numbers 10-13.

Respectfully submitted,

/s/ Jacob Guthrie

Jacob Guthrie, Esq.

Assistant Consumer Advocate

PA Attorney I.D. # 334367

Email: JGuthrie@paoca.org

Counsel for:
Darryl A. Lawrence
Consumer Advocate

Office of Consumer Advocate
555 Walnut Street
5th Floor, Forum Place
Harrisburg, PA 17101-1923
Phone: 717-783-5048
Fax: 717-783-7152

Dated: July 27, 2026

Olivia M. Spergel, Esq.

Assistant Consumer Advocate

PA Attorney I.D. # 337929

Email: OSpergel@paoca.org

Melanie Joy El Atieh, Esq.

Deputy Assistant Consumer Advocate

PA Attorney I.D. # 209323

Email: MElatieh@paoca.org

¹⁹ 52 Pa. Code §§5.321(c), 5.361(a)(3).

Appendix A

Requests for Admission Propounded by PPL Electric Utilities
Corporation on the Office of Consumer Advocate – Set I

**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 : Docket No. A-2025-3059443
Approval to Build Approximately 1.1 :
Miles of New Parallel Double Circuit 230 :
kV Transmission Taps that are Needed to :
Connect the Existing Susquehanna :
Harwood #1 & #2 Transmission Lines on :
the New Tomhicken 230 kV Switchyard :
that are Respectively Located in Luzerne :
County, Pennsylvania :

**REQUESTS FOR ADMISSION PROPOUNDED BY
PPL ELECTRIC UTILITIES CORPORATION ON
THE OFFICE OF CONSUMER ADVOCATE – SET I**

Pursuant to 66 Pa.C.S. § 333(e) and 52 Pa. Code §§ 5.350, PPL Electric Utilities Corporation (“PPL Electric” or “Company”) propounds the following Requests for Admission on the Office of Consumer Advocate (“OCA”) – Set I.

INSTRUCTIONS

1. Each request for admission shall be accorded a separate answer on a separate piece of paper, and each subpart shall be accorded a separate answer. Each request for admission or subpart thereof shall be specifically admitted or denied.
2. Please restate the request for admission immediately preceding each response.
3. Please identify the name, title, and business address of each person(s) providing each response and provide the date the response was created.
4. Any denial of a request for admission shall specify as much of the request for admission as is true and shall only qualify or deny the remainder.

5. Any denial of a request for admission shall specify the reasons why for the denial.

REQUESTS FOR ADMISSION
ON OCA – SET I

OCA is requested to admit or deny the truth of the following:

1. Admit OCA's testimony requests that the Commission make specific findings and determinations regarding the allocation of transmission costs that were not advanced by PPL Electric in its letter of notification.
2. Admit neither OCA Statement 1 nor OCA Statement 2 disputes that there is a need for the Project.
3. Admit there is a need for the Project.
4. Admit neither OCA Statement 1 nor OCA Statement 2 references 52 Pa. Code 57.76(a)(2).
5. Admit the Project will not create an unreasonable risk of danger to the health and safety of the public.
6. Admit neither OCA Statement 1 nor OCA Statement 2 references 52 Pa. Code 57.76(a)(3).
7. Admit the Project is in compliance with applicable statutes and regulations providing for the protection of the natural resources of this Commonwealth.
8. Admit neither OCA Statement 1 nor OCA Statement 2 references 52 Pa. Code 57.76(a)(4).
9. Admit the Project will have minimum adverse environmental impact, considering the electric power needs of the public, the state of available technology and the available alternatives.
10. Admit when the Commission approves the siting and construction of a proposed HV transmission line under 52 Pa. Code Ch. 57, Subch. G, it does not make any finding or determination regarding the reasonableness or prudence of the costs associated with the HV transmission line.
11. Admit the Public Utility Code does not authorize the Commission to regulate the reasonableness or prudence of the costs of electric transmission facilities.

12. Admit when the Commission approves the siting and construction of a proposed HV transmission line under 52 Pa. Code Ch. 57, Subch. G, it does not make any finding or determination regarding the allocation of the costs associated with the HV transmission line.
13. Admit the Public Utility Code does not authorize the Commission to regulate the allocation of the costs of electric transmission facilities.

Frank A. Felder is requested to admit or deny the truth of the following:

14. Admit Mr. Felder does not recommend that the Commission deny the Project based upon any of the criteria set forth in 52 Pa. Code 57.76(a).
15. Admit Mr. Felder does not recommend that the Commission deny the Project because there is not a need for it.
16. Admit Mr. Felder does not recommend that the Commission deny the Project because the Project will create an unreasonable risk of danger to the health and safety of the public.
17. Admit Mr. Felder does not recommend that the Commission deny the Project because the Project is not in compliance with applicable statutes and regulations providing for the protection of the natural resources of this Commonwealth.
18. Admit Mr. Felder does not recommend that the Commission deny the Project because the Project will not have minimum adverse environmental impact, considering the electric power needs of the public, the state of available technology and the available alternatives.
19. Admit Mr. Felder's testimony in OCA Statement 1, page 20, lines 18-20 is based solely upon the advice of counsel.
20. Admit Mr. Fedler's testimony at OCA Statement 1, page 20, line 16 through page 21, line 15 relates to an active and ongoing rulemaking proceeding before FERC.

Rao Konidena is requested to admit or deny the truth of the following:

21. Admit Mr. Konidena does not recommend that the Commission deny the Project based upon any of the criteria set forth in 52 Pa. Code 57.76(a).
22. Admit Mr. Konidena does not recommend that the Commission deny the Project because there is not a need for it.
23. Admit Mr. Konidena testified that there is a need for the Project.

24. Admit Mr. Konidena does not recommend that the Commission deny the Project because the Project will create an unreasonable risk of danger to the health and safety of the public.
25. Admit Mr. Konidena does not recommend that the Commission deny the Project because the Project is not in compliance with applicable statutes and regulations providing for the protection of the natural resources of this Commonwealth.
26. Admit Mr. Konidena does not recommend that the Commission deny the Project because the Project will not have minimum adverse environmental impact, considering the electric power needs of the public, the state of available technology and the available alternatives.