
Garrett P. Lent

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

May 27, 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**

**Application of PPL Electric Utilities Corporation, Filed Pursuant to 52 Pa. Code Chapter 57 Subchapter G, for Approval to (1) Bifurcate and Rebuild 4.4 Miles of the Existing Sunbury-Susquehanna #1 230 kV Transmission Line; (2) Construct 0.9 Miles of New Transmission Line Tap for Future 230 kV Double-Circuit Operation; (3) Raise Approximately 0.5 Miles of the Sunbury-Susquehanna 500 kV Transmission Line; and (4) Construct 11.2 Miles of New Double-Circuit 230 kV Transmission Line for Future Double-Circuit 500 kV Capacity, Located in Black Creek, Conyngham, Hazle, Hollenback, Nescopeck, and Sugarloaf, Townships in Luzerne County, Pennsylvania
Docket No. A-2026-3061547**

Dear Secretary Homsher:

Attached for filing is the Answer of PPL Electric Utilities Corporation ("PPL Electric") to the Renewed Motion for Consolidation of Dockets A-2025-3059443 and A-2026-3061547 of the Office of Consumer Advocate ("OCA") in the above-referenced proceeding. Copies will be provided as indicated on the Certificate of Service.

Matthew Homsher, Secretary
May 27, 2026
Page 2

Very truly yours,


Garrett P. Lent

GPL/bfc
Attachment

cc: The Honorable Emily A. Farren (*via email; w/attachment*)
The Honorable Steven K. Haas (*via email; w/attachment*)
Certificate of Service

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Application has been served upon the following persons, in the manner indicated, in accordance with the requirements of 52 Pa. Code § 57.74(b).

VIA EMAIL:

Jacob Guthrie, Esquire
Olivia M. Spergel, Esquire
Melanie Joy El Atieh, Esquire
PA Office of Consumer Advocate
555 Walnut Street, 5th Floor, Forum Place
Harrisburg, PA 17101-1923
jguthrie@paoca.org
ospergel@paoca.org
melatieh@paoca.org
OCASugarloaf2026@paoca.org

John G. Dean, Esquire
Elliott Greenleaf, P.C.
15 Public Square, Suite 210
Wilkes-Barre, PA 18701
jgd@elliottgreenleaf.com
*Attorney for John F. Zola and Jill M. Zola
and Richard Caputo and Bridget Caputo*

Maryrose E. Babyak, Esquire
Elliott Greenleaf, P.C.
15 Public Square, Suite 210
Wilkes-Barre, PA 18701
meb@elliottgreenleaf.com
*Attorney for John F. and Jill M. Zola and
Richard and Bridget Caputo*

Louise A. Knight, Esquire
3610 Logan Ct., Unit 3B
Camp Hill, PA 17011
attylnknight@gmail.com
*Attorney for John F. and Jill M. Zola and
Richard and Bridget Caputo*

Justin P. Richards, Esquire
Elliott Greenleaf, P.C.
15 Public Square, Suite 210
Wilkes-Barre, PA 18701
jpr@elliottgreenleaf.com
*Attorney for Robert J. Pope, Michael F.
Dunleavy, Erika L. and Anthony J. Cook,
Jill Groce, Michael and Deena Bereznak,
Mark L. Clark, William J. and Cynthia A.
Tressler, Wendy Larock and Patricia
Kisenwether, Jason and Melissa Ritz, Sugar
Maple Trails, LLC, John G. and Melissa
Kramer, Paul and Mary Malone, Erik D.
and Tiffany M. Sharkey, Jason D. and
Daniel E. Zola, George LaRock and Jane A.
Reakes*

Joel D. and Victoria A. Butala
260 Mountain Road
Drums, PA 18222
Butala.joel@yahoo.com
Victoria.butala@gmail.com

VIA FIRST-CLASS MAIL:

Mark L. Clark
80 Red Rock Road
Sugarloaf, PA 18249

Sugar Maple Trails LLC
38 Red Rock Road
Sugarloaf, PA 18249

Anthony J. and Erika L. Cook
38 Red Rock Rd.
Sugarloaf, PA 18249-3333

William John and Cynthia A. Tressler
Tressler Family Living Trust
29 Sugarloaf Mountain Dr.
Sugarloaf, PA 18249-3215

Michael Dunleavy
P.O. Box 334
Nescopeck, PA 18635-1809

Jane A. Reakes
196 Sugarloaf Mountain Dr.
Sugarloaf, PA 18249

Jill Groce
478 West County Rd.
Sugarloaf, PA 18249

Michael and Deena Bereznak
6 2nd Street
Sugarloaf, PA 18249

John G. and Melissa Kramer
122 Sugarloaf Mountain Dr.
Sugarloaf, PA 18249-3220

Jason and Melissa Ritz
3 North Prospect Park Drive
Sugarloaf, PA 18249

George LaRock
101 Church Road
Sugarloaf, PA 18249

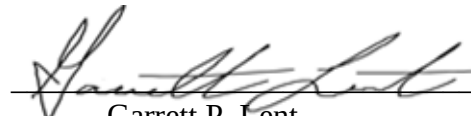
Paul and Mary Malone
1 North Prospect Park Drive
Sugarloaf, PA 18249

Wendy LaRock and Patricia Kisenwether
96 Mt. Laurel Trail
Sugarloaf, PA 18249

Jason D. and Daniel E. Zola
P.O. Box 466
Conyngham, PA 18219

Erik D. and Tiffany M. Sharkey
477 W. County Rd.
Sugarloaf, PA 18249

Date: August 27, 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 :

Application of PPL Electric Utilities :
Corporation, Filed Pursuant to 52 Pa. Code :
Chapter 57 Subchapter G, for Approval to :
(1) Bifurcate and Rebuild 4.4 Miles of the : Docket No. A-2026-3061547
Existing Sunbury-Susquehanna #1 230 kV :
Transmission Line; (2) Construct 0.9 Miles :
of New Transmission Line Tap for Future :
230 kV Double-Circuit Operation; (3) Raise :
Approximately 0.5 Miles of the Sunbury- :
Susquehanna 500 kV Transmission Line; :
and (4) Construct 11.2 Miles of New :
Double-Circuit 230 kV Transmission Line :
for Future Double-Circuit 500 kV Capacity, :
Located in Black Creek, Conyngham, :
Hazle, Hollenback, Nescopeck, and :
Sugarloaf, Townships in Luzerne County, :
Pennsylvania :

Petition of PPL Electric Utilities :
Corporation For Findings that A Structure :
To Shelter Electrical and Control :
Equipment At The Proposed Nescopeck : Docket No. P-2026-3061609
Switchyard in Nescopeck Township, :
Luzerne County, Pennsylvania Is :
Reasonably Necessary For The :
Convenience Or Welfare Of The Public :

Application Of PPL Electric Utilities Corporation Under 15 Pa.C.S. § 1511(C) For A Finding And Determination That The Service To Be Furnished By The Applicant Through Its Proposed Exercise Of The Power Of Eminent Domain To Acquire Certain Portions Of Lands In Hazle Township, Luzerne County, Pennsylvania For The Sugarloaf 500/230 kV Transmission Line Associated With The Proposed Sugarloaf 500/230 kV Transmission Line Project Is Necessary Or Proper For The Service, Accommodation, Convenience, Or Safety Of The Public	:	
	:	
	:	
	:	
	:	Docket Nos. A-2026-3061549, <i>et al.</i>
	:	
	:	
	:	
	:	
	:	
	:	
	:	

ANSWER OF PPL ELECTRIC UTILITIES CORPORATION TO THE RENEWED MOTION TO CONSOLIDATE OF THE OFFICE OF CONSUMER ADVOCATE

TO THE PENNSYLVANIA PUBLIC UTILITY COMMISSION:

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 Renewed Motion for Consolidation of Docket Nos. A-2025-3059443 and A-2026-3061547 (“Renewed Motion to Consolidate” or “Renewed Motion”) of the Office of Consumer Advocate (“OCA”) dated August 7, 2026. In its Renewed Motion to Consolidate, OCA avers that the above-captioned proceedings should be consolidated because of common questions of law and fact, reduction in public confusion regarding the proceedings, and promotion of judicial economy.

PPL Electric submits, as it did in response to OCA’s May 7, 2026 Motion to Consolidate, that consolidation of these proceedings is neither necessary nor proper under the circumstances.

¹ 52 Pa. Code § 5.61

While these proceedings involve certain similar facts and legal principles, OCA's request would combine dissimilar requests for approval to site and construct high-voltage ("HV") transmission line facilities: one letter of notification that is an abbreviated request for such approval because the subject HV lines are less than 2 miles in length and located entirely within existing right-of-way ("ROW") or property owned by the customer to be served, and one full siting application that involves, *inter alia*, the construction of different, new HV transmission lines where none presently exist. The nature and content of the letter of notification and full siting application give rise to distinct considerations that are not suited for consolidation, would result in the confusion of issues distinct to each proceeding, and would unduly delay the resolution of the letter of notification proceeding. Additionally, OCA's Renewed Motion appears to be a procedurally improper attempt to circumvent its failure to properly seek interlocutory review of the Commission's denial of its first Motion to Consolidate.

Finally, contrary to OCA's claims, PPL Electric would be substantially prejudiced by consolidation of these matters at this juncture. PPL Electric has already submitted rebuttal testimony in the letter of notification proceeding, and evidentiary hearings are set to occur in less than 20 days. Consolidation at this stage would, effectively, allow OCA a second bite at the apple to challenge the letter of notification under the guise of challenging the full siting application, by intertwining its direct case in the latter proceeding with the former.

The Renewed Motion should be denied. In support thereof, PPL Electric states as follows:

I. INTRODUCTION

A. TOMHICKEN 230 KV SWITCHYARD PROJECT

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

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

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

6. On March 13, 2026, John Zola filed a Protest.
7. On March 20, 2026, a Scheduling Order was issued, which, in part, adopted a procedural schedule for the Letter of Notification proceeding.
8. On March 24, 2026, an In-Person Evidentiary Hearing Notice was issued, setting the hearing in the above-captioned matter for Thursday, September 17 and Friday, September 18, 2026 at 10:00 AM.
9. On May 7, 2026, OCA filed its first Motion to Consolidate.
10. 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.
11. On May 19, 2026, Erika Cook filed a Motion to Deny the Pending Applications and Zoning Exemption Petition Submitted by PPL Electric Without Prejudice.
12. On May 27, 2026, PPL Electric filed its Answer to OCA's first Motion to Consolidate.
13. On June 8, 2026, PPL Electric filed its Answer to Erika Cook's Motion to Deny Applications/Petition Without Prejudice.
14. On June 18, 2026, OCA's first Motion to Consolidate was denied.
15. OCA did not seek interlocutory review of the denial of its first Motion to Consolidate.
16. On June 23, 2026, Erika Cook's Motion to Deny Applications/Petition Without Prejudice was denied.
17. On June 30, 2026, public input hearings were held in Hazleton, PA.
18. On July 8, 2026, the active parties submitted their Direct Testimony.

19. On July 15, 2026, OCA submitted Supplemental Direct Testimony pertaining to public input hearing testimony.

20. On August 7, 2026, PPL Electric submitted its Rebuttal Testimony.

21. Also on August 7, 2026, OCA filed its Renewed Motion for Consolidation.

22. On August 12, 2026, Erika Cook submitted a Renewed Motion to Deny the Application (LON) Without Prejudice or Stay the Application (LON).²

23. OCA has also issued several sets of interrogatories throughout the course of the Letter of Notification proceeding, most recently serving its Set XIV Interrogatories on August 11, 2026.

24. 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.

B. SUGARLOAF 500/230 KV TRANSMISSION LINE PROJECT

25. The proceeding at Docket No. A-2026-3061547 (“Full Siting Application”) was initiated on April 6, 2026, when PPL Electric filed an Application with the Commission for approval to (1) rebuild approximately 4.4 miles of the existing single-circuit Sunbury-Susquehanna #1 230 kilovolt (“kV”) Transmission Line for double-circuit 230 kV operation (“Susquehanna-Nescopeck #1 and #2 230 kV Transmission Lines”) from the existing Susquehanna Switchyard to the proposed Nescopeck 230 kV Switchyard (“Nescopeck Switchyard”); (2)

² PPL Electric continues to review Ms. Cook’s Renewed Motion to Deny the Application (LN) Without Prejudice or Stay the Application (LON) and reserves all rights to respond to the same in accordance with the Commission’s regulations at 52 Pa. Code, Ch. 5.

construct a new approximately 0.9-mile-long 230 kV transmission line tap for future 230 kV double-circuit operation (“Sunbury-Nescopeck #1 230 kV Transmission Line” or “Tap Line”) from the existing single-circuit Sunbury-Susquehanna #1 230 kV Transmission Line to the new Nescopeck Switchyard; (3) raise approximately 0.5 miles of the Sunbury-Susquehanna 500 kV Transmission Line to accommodate the undercrossing of the proposed Susquehanna-Nescopeck #1 and #2 230 kV Transmission Lines and the proposed Sunbury-Nescopeck #1 230 kV Transmission Line; and (4) construct a new 11.2-mile-long 230 kV transmission line (“Sugarloaf 500/230 kV Transmission Line”) for future double-circuit 500 kV capacity between the proposed Nescopeck Switchyard, new Tomhicken Switchyard, and the existing Harwood 230/69 kV Substation (“Harwood Substation”). Collectively, the new and rebuilt transmission lines are referred to in the Full Siting Application as the “Sugarloaf 500/230 kV Transmission Line Project”.

26. On May 7, 2026, OCA filed a Protest and Public Statement.

27. Also on May 7, 2026, OCA filed its first Motion to Consolidate.

28. On May 19, 2026, Erika Cook filed a Motion to Deny the Pending Applications and Zoning Exemption Petition Submitted by PPL Electric Without Prejudice.

29. On May 27, 2026, PPL Electric filed its Answer to OCA’s first Motion to Consolidate.

30. On June 8, 2026, PPL Electric filed its Answer to Erika Cook’s Motion to Deny Applications/Petition Without Prejudice.

31. On June 18, 2026, a Telephonic Prehearing Conference Notice was issued, scheduling a telephonic prehearing conference on Friday, July 10, 2026 at 10:00 AM and assigning Administrative Law Judges Emily A. Farren and Steven K. Haas to preside over the Full Siting Application proceeding.

32. On June 23, 2026, the ALJs issued an Order denying Erika Cook's Motion to Deny Applications/Petition Without Prejudice.

33. On June 24, 2026, the ALJs issued a Prehearing Conference Order providing, inter alia, the date for the Telephonic Prehearing Conference and stating that formal protests or petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before Friday, July 3, 2026

34. On June 24, 2026, OCA's first Motion to Consolidate was denied.

35. OCA did not seek interlocutory review of the denial of its first Motion to Consolidate.

36. Protests to the Full Siting Application were filed by: John and Jill Zola and Richard and Bridget Caputo, Michael F. Dunleavy, Erika L. and Anthony J. Cook, Jill Groce, Michael and Deena Bereznak, Mark Clark, William John and Cynthia A. Tressler, Wendy LaRock and Patricia Kisenwether, Jason and Melissa Ritz, Sugar Maple Trails LLC, Robert J. Pope, John G. and Melissa Kramer, Paul and Mary Malone, Erik D. and Tiffany M. Sharkey, Jason D. and Daniel E. Zola, Joel D. and Victoria A. Butala, George LaRock, and Jane A. Reakes.

37. On July 8, 2026, the prehearing conference for the Full Siting Application was held as scheduled, at which time the parties agreed on a litigation schedule, which includes multiple rounds of written testimony beginning with the service of other parties' direct testimony on October 9, 2026, public input hearings and site visits to be held in October 2026, evidentiary hearings in March 2027, and briefing concluding in April 2027.

38. On August 7, 2026, OCA filed its Renewed Motion for Consolidation.

39. Several rounds of discovery have also been engaged in throughout the course of the Full Siting Application proceeding. Most recently, OCA served its Set VI Interrogatories on August 12, 2026.

40. The Sugarloaf 500/230 kV Transmission Line Project is the second project of two that will be needed to serve new and future load within the area in which it will be constructed. The Sugarloaf 500/230 kV Transmission Line Project is referred to as “Phase 2” of these two projects. It is needed to serve the customer that will be served through Phase 1 of the projects, whose load will increase in stages to approximately 965 MW by 2033. It is also needed to serve additional customers in the area who have applied for service, with a combined requested load of over 5,000 MW by 2033. The Sugarloaf 500/230 kV Transmission Line Project will resolve projected load violations created by these load additions.

II. LEGAL STANDARD

41. Section 5.81 of the Commission’s regulations allows for the consolidation of one or more proceedings if they share sufficient common questions of law or fact and where a joint proceeding would avoid unnecessary costs or delay:

(a) The Commission or presiding officer, with or without motion, may order proceedings involving a common question of law or fact to be consolidated. The Commission or presiding officer may make orders concerning the conduct of the proceeding as may avoid unnecessary costs or delay.

52 Pa. Code. § 5.81.

42. There are other considerations that must be evaluated in ruling on a motion for consolidation, which are:

- Will the presence of additional issues cloud a determination of the common issues?
- Will consolidation result in reduced cost of litigation and decision-making for the parties and the Commission?

- Do issues in one proceeding go to the heart of an issue in the other proceeding?
- Will consolidation unduly protract the hearing, or produce a disorderly and unwieldy record?
- Will different statutory and legal issues be involved?
- Does the party with the burden of proof differ in the proceedings?
- Will consolidation unduly delay the resolution of one of the proceedings?
- Will supporting data in both proceedings be repetitive?³

43. In ruling on a Motion to Consolidate, each factor must be evaluated and balanced against one another; although no one consideration “is dispositive of a consolidation, any more so than the presence of a common question of law or fact.”⁴

44. In addition, 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). The Commission has an extensive history of approving these “abbreviated” letters of notification where the project that is the subject of the letters complies with 52 Pa. Code § 57.72(d)(1)(iii) and (vi), wherein the transmission line project is located entirely within existing ROW and property owned by the customer to be served and will not substantially alter the ROW, and where the transmission line project has a proposed route of two miles or less, respectively.⁵

³ *Catherine A. Mishler v. The Peoples Natural Gas Company*, 2008 Pa. PUC LEXIS 1094, **9-10, Docket Nos. C-2008-2041160 and C-2008-2038933 (Order entered Dec. 1, 2008).

⁴ *Id.* at *10.

⁵ See, e.g., *Letter of Notification of Mid-Atlantic Interstate Transmission, LLC for approval to construct the Farmers Valley-Ridgway 115 kV Interconnection Project in Sergeant Township, McKean County, Pennsylvania*, Docket No. A-2026-3060524, 2026 Pa. PUC LEXIS 89, at *5 (Opinion and Order entered March 26, 2026) (“*Farmers Valley-Ridgway LON*”); *Letter of Notification of Mid-Atlantic Interstate Transmission, LLC for approval to construct the Middletown Junction – Smith Street 115 kV Transmission Line Tap located in East Manchester Township, York County, Pennsylvania*, Docket No. A-2023-3043841, 2024 Pa. PUC LEXIS 8, at **4-5 (Opinion and Order entered

45. Relatedly, 52 Pa. Code § 57.72(d)(5) states the action that the Commission is permitted to take with respect to a letter of notification, which is distinct from the actions that it may take with respect to a full siting application.⁶ Where the Commission approves a letter of notification, “the HV line shall be located and constructed without the application process set forth in [Ch. 57, Subch. G].”⁷ Where the Commission does not approve of a letter of notification, “it shall direct the applicant to comply with the application process set forth in [Ch. 57, Subch. G].”⁸ However, with respect to a full siting application, the Commission must issue an order “either granting or denying the application, in whole or in part, as fed or upon the terms, conditions or modifications, or the location, construction, operation, or maintenance of the line as the Commission may deem appropriate.”⁹

III. ARGUMENT

46. PPL Electric maintains that consolidation of the proceedings would be improper. OCA is raising the same arguments in support of consolidation that it did in its first Motion to Consolidate, which was properly denied by the ALJs. While OCA attempts to rely upon additional discovery and/or testimony advanced in the Letter of Notification proceeding, its reliance upon

January 18, 2024) (“*Middletown Junction – Smith Street LON*”) ; *Letter of Notification of PECO Energy Company filed Pursuant to 52 Pa. Code Chapter 57 Subchapter G, with respect to the Reconductoring and Reconfiguration of the Island Road-Penrose-Grays Ferry 230 kV Transmission Line located in the City of Philadelphia, Philadelphia County, PA*, Docket No. A-2010-2205696, 2011 Pa. PUC LEXIS 685, at *6 (Opinion and Order entered February 25, 2011) (“*Island Road-Penrose-Grays Ferry LON*”) ; *Letter of Notification of West Penn Power Company filed pursuant to 52 Pa. Code Chapter 57 for construction of the Northpointe Loop 138 kV Transmission Line in South Buffalo Township, Armstrong County, Pennsylvania*, Docket No. A-111250F0104, 2005 Pa. PUC LEXIS 327, at **2 and 5 (Opinion and Order entered August 25, 2005) (“*Northpointe Loop LON*”).

⁶ 52 Pa. Code § 57.72(d)(5).

⁷ *Energy Conservation Council of Pa. v. PUC*, 995 A.2d 465, 482 (Pa. Cmwlth. 2010) (emphasis added).

⁸ 52 Pa. Code § 57.72(d)(5). See also *Letter of Notification of PPL Electric Utilities Corporation, Filed Pursuant to 52 Pa. Code Chapter 57 Subchapter G, for Approval to Rebuild the Existing Breinigsville-Alburtis 500 kV Transmission Line in Lehigh County, Pennsylvania*, Docket No. A-2017-2635709 (Order entered August 3, 2018) (“Given PPL Electric’s failure to demonstrate the need for the proposed project and examine available alternatives, we must deny PPL Electric’s LON and direct PPL Electric to comply with the application process set forth in 52 Pa. Code § 57.72,” (emphasis added).

⁹ 52 Pa. Code § 57.76(a).

this testimony adds nothing new to its prior arguments. In addition, if OCA had desired to challenge the order denying its Motion to Consolidate, it could have and should have sought interlocutory review. It did not do so, and its Renewed Motion to Consolidate is an attempt to re-litigate that prior order in a procedurally improper and untimely manner. Finally, OCA's claim that consolidation will not prejudice PPL Electric is incorrect. The substantial development of the record in the Letter of Notification proceeding, and current procedural posture make clear that consolidation would be highly disruptive. If granted, it would allow OCA a second bite at the apple to raise substantive challenges to the HV lines that are the subject of the Letter of Notification under 52 Pa. Code § 57.76(a), which it did not raise in its direct testimony regarding the Letter of Notification, through the direct testimony PPL Electric anticipates OCA will submit regarding the Full Siting Application.

A. OCA'S RENEWED MOTION IS IMPROPER

47. The ALJs issued an Order denying the OCA's first Motion to Consolidate on June 18, 2026.

48. OCA did not seek interlocutory review of the ALJs' June 18, 2026 Order.

49. The Renewed Motion appears to be a procedurally improper attempt to circumvent OCA's own failure to properly seek interlocutory review of the June 18, 2026 Order when it was issued.

50. The issue of consolidation ultimately has the effect of dictating the scope of the proceedings, and therefore the scope of the information that other parties can seek in discovery.

51. Thus, because consolidation would materially impact the scope of discovery, OCA should have treated the issue as a discovery matter subject to the Commission’s regulations at Section 5.304.¹⁰

52. Under Section 5.304(a), petitions for interlocutory review of a presiding officer’s ruling on discovery must be filed within three days of the ruling.¹¹ OCA did not file the instant Renewed Motion, which effectively seeks interlocutory review, within three days of the ALJs’ June 18, 2026 Order.

53. Further, even if it is found that consolidation of the instant proceedings should not be treated as a discovery matter subject to Section 5.304, it is still the case that Section 5.302 requires a party to submit timely petitions for interlocutory review.¹²

54. Here, OCA’s Renewed Motion is not timely.

55. By June 30, 2026, OCA had access to all of the “additional facts [that] have emerged through discovery and public input hearing testimony” relied on in the Renewed Motion. (OCA Renewed Motion at 9.) Specifically, OCA relies on public input hearing testimony provided on June 30, 2026 and discovery responses served by PPL Electric between April 21 and June 30, 2026. (*See id.* at 12-19.)¹³

56. Timely submission would have been before OCA submitted its Direct Testimony on July 8, 2026, or very shortly thereafter, in order to avoid prejudice to PPL Electric in the development of its rebuttal case.

¹⁰ 52 Pa. Code § 5.304.

¹¹ *Id.*

¹² 52 Pa. Code §§ 5.302 and 5.304.

¹³ OCA cites to PPL Electric’s responses to its discovery sets 1, 3, 5, 6, and 11. PPL Electric served answers to OCA Set 1 on April 21 and May 5, 2026, answers to OCA Set 3 on May 12, 15, and 18, 2026, answers to OCA Set 5 on May 22, 2026, OCA Set 6 on June 5, 2026, and OCA Set 11 on June 30, 2026.

57. OCA's decision to file its Renewed Motion on August 7, 2026, the same day the Company's Rebuttal Testimony was due, was far too late.

58. Moreover, OCA has provided no explanation for delaying its filing, particularly considering that hearings in the Tomhicken proceeding are only three weeks away.

59. OCA spends a substantial portion of its Renewed Motion citing to additional information gleaned over a month ago from public input hearing testimony, discovery, and its own Direct Testimony as support for the arguments laid out in its Renewed Motion.¹⁴

60. Yet, OCA does not acknowledge that it has a large portion of this information only because its first Motion to Consolidate was denied and the Tomhicken 230 kV Switchyard Project proceeding was allowed to continue.

61. OCA has essentially used this information to renew the same arguments from its first Motion to Consolidate, which were previously rejected by the ALJs, and were subsequently uncontested by OCA.

62. The ALJs considered OCA's arguments and the factors favoring and disfavoring consolidation, and found that on balance, "the factors disfavoring consolidation outweigh those favoring consolidation."¹⁵

63. OCA's arguments were rejected by the ALJs once and should be rejected again for the same reasons.

¹⁴ See, e.g., OCA Renewed Motion, pp. 12-18.

¹⁵ Order Denying Motion for Consolidation, Docket No. A-2025-3059443, at 7 (Order entered June 18, 2026).

B. THE PROCEEDINGS CONTAIN DISTINCT EVIDENTIARY CONSIDERATIONS, AND CONSOLIDATION OF THE PROCEEDINGS MAY RESULT IN CONFUSION AND AN UNWIELDY RECORD

64. The two proceedings concern separate questions of law and fact involved that should remain separate.

65. The Letter of Notification was filed pursuant to 52 Pa. Code § 57.72(d), in lieu of a full siting application. The filing of a letter of notification does not require the submission of the same amount of evidence as a full siting application.¹⁶ So, while certain similar questions of law are present, there are significant differences in the evidentiary submissions required in each proceeding.

66. The differences between the evidence and data to be submitted in support of the Letter of Notification means that consolidation with a Full Siting Application will cloud the determination of issues regarding the Letter of Notification. In addition, data supporting the Letter of Notification will be distinct from and not duplicative of data supporting the Full Siting Application. These distinct evidentiary issues demonstrate that consolidation is not warranted under several of the factors the Commission considers.

67. By way of further explanation, the evidence submitted as part of the Letter of Notification includes, similarly to the Full Siting Application:

- 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 received notice and communications with respect to the application, if this is 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

¹⁶ Compare 52 Pa. Code § 57.72(d)(4) to 52 Pa. Code § 57.72(c).

- A statement of safety considerations to be incorporated into the design, construction, and maintenance of the proposed HV line.

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

68. However, the evidence which is not required to be submitted as part of the Letter of Notification, but was required as part of the Full Siting Application, includes:

- The names and addresses of known persons, corporations and other entities of record owning property within the proposed ROW, together with an indication of HV line ROWs acquired by the applicant;
- A description of studies which had been made as to the projected environmental impact of the HV line as proposed and of the efforts which have been and which will be made to minimize the impact of the HV line upon the environment and upon scenic and historic areas;
- A description of the efforts of the applicant to locate and identify archaeological, geologic, historic, scenic or wilderness areas of significance within 2 miles of the proposed ROW and the location and identity of the areas discovered by the applicant;
- The location and identity of airports within 2 miles of the nearest limit of the ROW of the proposed HV line;
- A general description of reasonable alternative routes to the proposed HV line;
- A list of the local, State and Federal governmental agencies which have requirements which shall be met in connection with the construction or maintenance of the proposed HV line and a list of documents which have been or are required to be filed with those agencies in connection with the siting and construction of the proposed HV line;
- The estimated cost of construction of the proposed HV line, and the projected date for completion;
- An exhibit depicting the proposed route on aerial photographs and topographic maps of suitable detail;
- An exhibit describing the proposed HV line, including the length of the line, the design voltage, the size, number and materials of the conductors, the design of the supporting structures and their height, configuration and materials of construction, the average distance between supporting structures, the number of supporting structures, the line to structure clearances and the minimum conductor to ground clearance at mid-span under normal load and average weather conditions and under predicted extreme load and weather conditions;

- An exhibit including a simple drawing of a cross section of the proposed ROW of the HV line and any adjoining ROWs showing the placement of the supporting structures at typical locations, with the height and width of the structures, the width of the ROW and the lateral distance between the conductors and the edge of the ROW indicated;
- An exhibit including a system map which shows in suitable detail the location and voltage of existing transmission lines and substations of the applicant and the location and voltage of the proposed HV line and associated substations; and
- An exhibit stating any identified litigation which has been concluded or is in progress which concerns property or matter relating to the proposed HV line, ROW route, or environmental matters.

52 Pa. Code § 57.72(c)(4) and (7)-(14).

69. This comparison shows the substantially more limited record that the Letter of Notification proceeding will produce with respect to the transmission lines that are the subject of the Letter of Notification.

70. OCA argues that consolidation of the proceedings “would not alter the applicable burden of proof for either project, nor would it require PPL Electric to submit the additional evidence required for a full transmission line siting application under Section 57.72(c).”¹⁷

71. PPL Electric submits that this point is a non-sequitur. As explained in Section D., consolidation of these proceedings would present OCA with a second opportunity to submit direct testimony regarding the Letter of Notification and the Full Siting Application, after it has already submitted such direct testimony regarding the Letter of Notification and PPL Electric has submitted its rebuttal. The scope of the Letter of Notification proceeding is, therefore, fixed by the testimony submitted by the parties. Consolidation as sought by the OCA, however, would expand that scope and provide OCA a second bite at the apple with respect to the Letter of Notification.

¹⁷ OCA Renewed Motion, p. 10; 52 Pa. Code § 57.72(c).

72. Further, OCA fails to acknowledge that the consolidation of the proceedings would still certainly delay the Letter of Notification proceeding, as is discussed in greater detail below in Subsection E.

73. Additionally, the evidence related to HV transmission lines and facilities presented in these proceedings will not be repetitive, because each of the projects involves the siting and construction of different HV transmission line facilities. OCA does not, and cannot, dispute this fact.

74. Consolidation of the proceedings would produce a more disorderly and unwieldy record than if the proceedings had been kept separate, because of the volume of evidence provided in each proceeding, regarding the separate transmission lines and facilities that are the subject of those proceedings, which must be kept separate.

75. OCA's arguments that consolidation is warranted due to public confusion at the public input hearings are unpersuasive. The excerpted testimony appears to show that three members of the public believe the two projects are interrelated and should be considered together, and that one member of the public had trouble understanding the scope of the projects due to the use of technical terms related to transmission line siting. (OCA Renewed Motion at 12-13.)¹⁸ This limited testimony does not overcome the evidentiary hurdles that PPL Electric has identified above or the prejudice to the Company described in the sections that follow. The public will have additional opportunities to testify regarding the Full Siting Application at the *four* public input hearings scheduled for that project.

¹⁸ The first three individuals seem to understand that the two projects are being considered in two separate proceedings before the Commission. The confusion expressed in the final excerpt seems to be due to the use of technical terms in a complex siting proceeding, not consolidation ("I have no idea what that is, because you're using terms that people are not understanding . . ."). (OCA Renewed Motion at 13) (quoting Tr. at 299-300).

76. OCA has not shown that the public interest would be prejudiced by continuing the status quo and did not address the public confusion that consolidating at this late stage could cause. For example, consolidating the proceedings now could confuse individuals who already provided testimony in the Letter of Notification proceeding, as they may be unsure whether they can also testify at the upcoming public input hearings for the Full Siting Application. Keeping the proceedings separate would avoid this confusion.

C. THE PROCEEDINGS ARE NOT INTERDEPENDENT SUCH THAT THEY MUST BE CONSIDERED TOGETHER

77. OCA describes the ALJs' discussion regarding the independent need for Phase 1 by the requesting customer ("Customer").¹⁹

78. This remains true. The construction of Phase 1 of the project will be required regardless of the construction of Phase 2. The Customer independently requires Phase 1 to interconnect to the transmission grid, regardless of the outcome of the Full Siting Application.

79. Yet, OCA improperly conflates this fact with its assertion that the design of the two projects is "inextricably interdependent."²⁰

80. Further, OCA's evidentiary arguments in support of this contention are fully reliant on acceptance of OCA witness Konidena's testimony regarding network benefits and cost allocation as between the two projects and OCA's interpretations of PPL Electric's discovery responses. (OCA Renewed Motion at 13-19.) OCA is making substantive arguments about material facts at issue in this case, to which PPL Electric has not conceded and about which no findings have been made. Determining the outcome of these factual issues through a procedural motion would be improper.

¹⁹ OCA Renewed Motion, p. 13.

²⁰ OCA Renewed Motion, p. 13.

81. The engineering and design aspects of each of the separate projects has naught to do with the fact that the Customer is dependent on the completion of the Tomhicken 230 kV Switchyard in order to interconnect to the transmission grid, regardless of the outcome of the Full Siting Application.

D. CONSOLIDATION OF THE PROCEEDINGS WOULD SUBSTANTIALLY PREJUDICE PPL ELECTRIC

82. As argued in PPL Electric's Answer to OCA's first Motion to Consolidate, and as acknowledged by the ALJs,²¹ a letter of notification is meant to be an abbreviated form of siting application.

83. Consolidation of the instant proceedings would directly conflict with PPL Electric's right to engage in this abbreviated letter of notification process.

84. Moreover, as stated above, the scope of the Letter of Notification has been fixed by the parties' testimony, because all direct and rebuttal testimony has been submitted.

85. Consolidation of the proceedings would expand the scope of each of the proceedings, and would allow OCA to include arguments related to the Letter of Notification within its direct testimony in the Full Siting Application proceeding.

86. PPL Electric's Rebuttal Testimony made it clear that OCA failed to make sufficient evidentiary showings related to Section 57.76, and consolidation of the proceedings would provide OCA with a second chance to contest the criteria set forth in Section 57.76.²²

87. Further, OCA does not contest the need for the Tomhicken 230 kV Switchyard Project, and OCA's witness conceded that the Customer's load could not be accommodated under normal and emergency ambient adjusted ratings ("AAR") for the existing Susquehanna-Harwood

²¹ Order Denying Motion for Consolidation, Docket No. A-2025-3059443, at 8 (Order entered June 18, 2026).

²² 52 Pa. Code § 57.76.

double-circuit 230 kV transmission lines, confirmed that the conductors proposed in the Tomhicken 230 kV Switchyard Project will satisfy normal and emergency AAR, and agrees with the “greater operational reliability” that the proposed Tomhicken 230 kV Switchyard configuration would allow.²³

88. PPL Electric has submitted its Rebuttal Testimony in which it responds to the scope of OCA’s Direct Testimony.

89. It would be highly prejudicial to afford OCA a second chance to refine or add to the arguments it could have or should have made within its Direct Testimony, in particular after it has seen PPL Electric’s Rebuttal Testimony. OCA has already defined the scope of its challenge to the Letter of Notification proceeding, and consolidation would allow them to broaden this.

90. OCA also does not address the fact that the parties in the two proceedings are not identical. Consolidation would unilaterally join 17 additional parties from the Full Siting Application proceeding to the Letter of Notification proceeding. These 17 represented landowner parties have not served discovery or testimony regarding the Letter of Notification. Under the status quo, the parties in each proceeding chose to and had the opportunity to fully participate.

91. Further, if OCA’s Renewed Motion is successful, consolidation would occur less than 20 days before the hearings.

92. The timing of consolidation would be highly disruptive to the Letter of Notification proceeding and would substantially delay the procedural schedule, as discussed in Subsection E.

²³ See, OCA Statement 2, pp. 17-30.

E. CONSOLIDATION OF THE PROCEEDINGS WOULD RESULT IN UNNECESSARY DELAY

93. The consolidation of the proceedings will necessitate an unnecessary delay in the Letter of Notification proceeding, which was initiated nearly four months before the Full Siting Application.

94. Because of the gap between filings in these separate proceedings, prehearing conferences have already been held, procedural schedules and active parties have already been set, and parties have engaged in substantial discovery within the respective proceedings.

95. Indeed, the hearings in the Letter of Notification proceeding are scheduled to take place on Thursday and Friday, September 17-18, 2026. That is exactly three weeks from the due date and filing date of this instant Answer.

96. OCA's Renewed Motion has been made with little consideration for the hearing preparation and travel planning required of all parties to the Letter of Notification proceeding, and the consolidation of the proceedings would be contrary to the well-founded value of judicial efficiency.

97. OCA avers that a "modest delay" would result from the consolidation of the proceedings, but fails to acknowledge that the hearings in the proceedings have been proposed to take place almost exactly five months apart.²⁴

98. Regardless, the resulting delay would be unnecessary. Testimony in the Letter of Notification proceeding has been submitted and is underway, along with hearing preparations. OCA has not demonstrated why it is otherwise logical to delay the Letter of Notification proceeding, the hearing for which is quickly approaching.

²⁴ OCA Renewed Motion, p. 10.

F. DELAY OF THE LETTER OF NOTIFICATION PROCEEDING IS NOT NECESSARY TO PREVENT REGULATORY CONFLICT

99. OCA avers that it is unclear whether ongoing land-use litigation which is currently before the Commonwealth Court “can or will be resolved by the close of the record in the Phase 1 LON proceeding.”²⁵

100. However, the existence of ongoing land-use and zoning litigation is not sufficient to justify a delay in the instant Letter of Notification proceeding.

101. 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,²⁶ and it is not unusual that other regulatory approvals may be pending at the time a letter of notification is filed.

102. Importantly, in the ALJs’ denial of Ms. Cook’s Motion to Deny the Pending Applications and Zoning Exemption Petition Submitted by PPL Electric Without Prejudice, in the Letter of Notification proceeding, the ALJs agreed with PPL Electric’s assertion “that the existence of pending litigation in other forums does not require these proceedings to stop.”²⁷

103. PPL Electric submits that a more efficient, and equally effective, vehicle by which to ensure the obtainment of all local approvals 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.

104. PPL Electric submits that, for the reasons provided above, a consolidation of the above-captioned proceedings is neither necessary or proper. Rather, consolidation of these

²⁵ OCA Renewed Motion, p. 11.

²⁶ *Re: Interim Guidelines for the Filing of Electric Transmission Line Siting Applications*, 2010 Pa. PUC LEXIS 2069, *56 (Order entered Nov. 5, 2010).

²⁷ Order Denying Motion to Deny Applications/Petition, Docket No. A-2025-3059443, at 9 (Order entered June 23, 2026).

proceedings will confuse distinct evidentiary issues, confuse distinct legal issues, and would result in the undue delay of a properly-initiated Letter of Notification proceeding.

IV. CONCLUSION

WHEREFORE, PPL Electric Utilities Corporation respectfully requests that the Renewed Motion for Consolidation of Dockets A-2025-3059443 and A-2026-3061547 of the Office of Consumer Advocate be denied.

Respectfully submitted,

Michael J. Shafer (I.D. # 205681)
PPL Services Corporation
645 Hamilton Street, Suite 700
Allentown, PA 18101
Voice: 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

Date: August 27, 2026

Attorneys for PPL Electric Utilities Corporation