

**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 of New Parallel Double	:	A-2025-3059443
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	:	

ORDER DENYING RENEWED MOTION TO CONSOLIDATE

On December 19, 2025, PPL Electric Utilities Corporation (PPL) filed a Letter of Notification with the Pennsylvania Public Utility Commission pursuant to 52 Pa. Code Sections 57.72(d)(1)(iii) and (vi), to build approximately 1.1 miles of new double-circuit 230 kilovolt (kV) transmission taps (Tap Lines). PPL states that the Tap Lines are needed to connect the existing Susquehanna-Harwood #1 & #2 230 kV Transmission Lines to the new Tomhicken 230 kV Switchyard (Project). 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 Connecting Lines, Tap Lines and Tomhicken 230 kV Switchyard are located in Hazle Township, Luzerne County, Pennsylvania.

A Prehearing Conference Order was issued on January 14, 2026. A Telephonic Prehearing Conference Notice was issued on January 15, 2026. Notice of the prehearing conference was also published in the *Pennsylvania Bulletin* on January 31, 2026 (56 Pa.B. 736). The order and notices advised that protests and petitions to intervene must be filed on or before March 13, 2026 and provided information for joining the prehearing conference.

In addition, on February 19, 2026, PPL filed affidavits stating that the protest deadline and conference participation information were published in the Wilkes Barre Citizens' Voice and Wilkes Barre Times Leader on January 28, 2026 and February 4, 2026.

Three protests were timely filed by: the Office of Consumer Advocate (OCA), on January 7, 2026; Erika Cook, on March 13, 2026; and John Zola, on March 13, 2026.

In response to the Prehearing Conference Order, PPL and OCA submitted prehearing memoranda outlining their respective positions on various procedural matters. The prehearing conference convened on March 18, 2026, as scheduled. Counsel for PPL and OCA appeared, as well as Erika Cook and John Zola.

On March 20, 2026, we issued a Scheduling Order, setting forth the procedural matters addressed during the prehearing conference.

On March 26, 2026, we issued Prehearing Order #1, memorializing Erika Cook and John Zola's status in this proceeding as active parties.

On April 2, 2026, PPL filed preliminary objections to the protests of Erika Cook and John Zola.

On April 6, 2026, Erika Cook and John Zola filed answers to PPL's preliminary objections.

On April 13, 2026, OCA filed answers to PPL's preliminary objections.

On April 14, 2026, we issued Prehearing Order #2, denying PPL's preliminary objections.

On April 16, 2026, OCA filed a Motion to Dismiss Objections and to Compel Answers to Interrogatories of the Office of Consumer Advocate (OCA Motion to Compel).

On April 21, 2026, PPL filed its Answer to OCA Motion to Compel.

On April 29, 2026, we issued Prehearing Order #3, granting OCA Motion to Compel.

On May 5, 2026, the Commission issued a Public Input Hearing Notice, scheduling In-Person Public Input Hearings for June 30, 2026 in Hazleton, PA.

On May 7, 2026, OCA filed a Motion for Consolidation of Dockets A-2025-3059443 and A-2026-3061547 (Consolidation Motion).

On May 19, 2026, Erika Cook filed a Motion to Deny Applications/Petition Without Prejudice (Cook Motion).

On May 27, 2026, PPL filed an Answer to the Consolidation Motion.

On June 8, 2026, PPL filed an Answer to the Cook Motion.

On June 16, 2026, PPL filed a Motion for Protective Order.

On June 18, 2026, an Order Denying Motion for Consolidation was issued regarding OCA's Consolidation Motion (Order Denying Consolidation).

Also on June 18, 2026, we issued an Order granting the Motion for Protective Order.

On June 23, 2026, we issued an Order denying the Cook Motion.

On June 30, 2026, the In-Person Public Input Hearings were convened, as scheduled.

On July 6, 2026, OCA filed a Motion for Leave to Submit Supplemental Direct Testimony of the Office of Consumer Advocate (Motion to Supplement).

Also on July 6, 2026, PPL filed an Answer to OCA's Motion to Supplement.

On July 10, 2026, we issued an Order granting OCA's Motion to Supplement.

On August 6, 2026, PPL filed a Motion to Dismiss Objections and Compel Responses to Requests for Admission Propounded on the Office of Consumer Advocate – Set I, Nos. 10 through 13 (PPL Motion to Compel).

On August 7, 2026, OCA filed a Renewed Motion for Consolidation of Dockets A-2025-3059443 and A-2026-3061547 (Renewed Consolidation Motion).

On August 11, 2026, OCA filed an Answer to the PPL Motion to Compel.

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

On August 21, 2026, we issued Prehearing Order #4, denying the PPL Motion to Compel.

On August 27, 2026, PPL filed an Answer to the Renewed Consolidation Motion.

On September 1, 2026, PPL filed an Answer to the Renewed Cook Motion.

For the reasons discussed below, the Renewed Consolidation Motion will be denied.

DISCUSSION

The Commission's regulation pertaining to consolidation states in relevant part:

§ 5.81. Consolidation

(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(a).

In addition to considering whether proceedings involve a common question of law or fact, Administrative Law Judges customarily consider the following factors:

1. Will the presence of additional issues cloud a determination of the common issues?
2. Will consolidation result in reduced costs of litigation and decision-making for the parties and the Commission?
3. Do issues in one proceeding go to the heart of an issue in the other proceeding?
4. Will consolidation unduly protract the hearing, or produce a disorderly and unwieldy record?
5. Will different statutory and legal issues be involved?
6. Does the party with the burden of proof differ in the proceedings?
7. Will consolidation unduly delay the resolution of one of the proceedings?
8. Will supporting data in all proceedings be repetitive?

Matterns Floral c/o Michelle Valentino Bedford v. UGI Utils., Inc., Docket No. C-2025-3056200 (Interim Order issued Oct. 16, 2025); *Thomas v. Phila. Gas Works*, Docket No. C-2017-2621275

(Order Consolidating the Complaints issued Feb. 6, 2018); *Yaglidereliler Corp., LLC v. Blue Pilot Energy, LLC*, Docket No. C-2014-2413732 (Order Consolidating Proceedings issued Feb. 17, 2015); *Holloway v. PECO Energy Co.*, Docket No. C-2010-2182180 (Ordering Consolidation Proceedings issued May 19, 2011); *Application of PPL Electric Utilities Corporation Filed Pursuant to 52 Pa. Code Chapter 57, Subchapter G, For Approval of the Siting and Construction of the Effort Mountain #1 and #2 138 kV Taps in Chestnuthill and Polk Townships, Monroe County, Pennsylvania*, Docket No. A-2010-2152104 (Order Consolidating Proceedings issued Mar. 11, 2010).

No single consideration, nor group of these considerations, is dispositive of a consolidation, any more so than the presence of a common question of law or fact. Rather, the evaluation of all of them and a balancing of those favoring and disfavoring consolidation is required. *Id.*

We denied OCA's previous Consolidation Motion in our Order Denying Consolidation. Although we acknowledged that OCA presented credible arguments favoring consolidation, on balance, we found that the factors disfavoring consolidation outweigh those favoring consolidation. Specifically, consolidating the proceedings would eliminate the abbreviated LON process; it is not clear that evidence over both proceedings will be unduly repetitive; combining the LON proceeding into Phase 2 risks producing a disorderly and unwieldy record where Phase 2 already contains a number of distinct issues to be evaluated; consolidating proceedings would delay Phase 1 for an undetermined amount of time; and PPL avers the Phase 1 customer will independently require Phase 1 regardless of the outcome of Phase 2.

OCA filed its Renewed Consolidation Motion, averring that additional facts supporting consolidation have emerged since its Consolidation Motion was denied.

OCA states that consolidation of Phase 1 and Phase 2 proceedings would not alter the applicable burden of proof for either project, nor would it require PPL to submit additional evidence, and the Commission could consider both projects in a single consolidation proceeding

under separate standards. OCA also notes that land-use litigation remains ongoing regarding the project to be served by Phase 1. Renewed Consolidation Motion at 9-11.

OCA also avers that public input testimony demonstrates that maintaining separate Phase 1 and Phase 2 proceedings has created confusion, caused distrust of the Commission's review process, and shows that the two Phases cannot be meaningfully evaluated separately. Renewed Consolidation Motion at 12-13.

Finally, OCA avers that discovery confirms that Phase 1 and Phase 2 projects are inextricably interdependent and should be considered together. OCA states that, although PPL does not directly admit that it designed Phase 1 and Phase 2 concurrently, multiple admissions from PPL's own discovery responses establish such a conclusion as outlined by OCA witness Konidena. Renewed Consolidation Motion at 13-19.

PPL opposes OCA's Renewed Consolidation Motion. PPL avers that OCA is raising the same arguments in support of consolidation that it did in its Consolidation Motion, and additional discovery or testimony adds nothing new to its prior arguments. PPL also avers that the Renewed Consolidation Motion is a procedurally improper attempt to circumvent its failure to seek interlocutory review of our Order Denying Consolidation.

We again acknowledge that OCA presents valid arguments in support of consolidation. However, we again confirm that, on balance, the factors disfavoring consolidation outweigh those factors that favor consolidation.

OCA's Renewed Consolidation Motion responds to several of the factors we cited in our Order Denying Consolidation disfavoring consolidation. Regarding eliminating the abbreviated LON process, OCA did not cite any new factors not already considered in our Order Denying Consolidation. We maintain that a LON proceeding is designed to provide an abbreviated process in comparison to a full siting application. Positioning the Commission to consider both projects in a single proceeding does not address the delay that consolidation would cause to evaluating the LON.

Regarding pending land-use litigation, as we stated in our separate Order denying the Cook Motion, in establishing its Interim Guidelines for the Filing of Electric Transmission Line Siting Applications, the Commission previously considered similar circumstances where a project is seeking various permits and approvals, and there was no indication that the siting process should stop pending other approvals. *Re: Interim Guidelines for the Filing of Electric Transmission Line Siting Applications*, Docket No. M-2009-2141293 (Final Order Establishing Interim Guidelines entered Nov. 5, 2010).

We acknowledged in our Order Denying Consolidation that a factor favoring consolidation was that the public may be confused about the scope of each phase of the larger project. We also acknowledge that the public input testimony demonstrates that some members of the public expressed skepticism or confusion about the distinction between Phase 1 and Phase 2. However, we do not find that this testimony requires consolidation of the proceedings. As we stated in our Order Denying Consolidation, although both phases concern a larger project, the two phases also represent distinct proposals for siting and construction of transmission line facilities. PPL's LON defines the Phase 1 project, and the active parties to the LON proceeding have already submitted pre-served written testimony addressing Phase 1. There is no indication Phase 1 cannot be evaluated on its merits separately.

Although OCA presents a proposal for how the proceedings could be consolidated,¹ we cannot ignore that evidentiary hearings are set to begin in Phase 1 in a matter of days. To consolidate the proceedings now would disrupt the Phase 1 proceeding far along in the litigation schedule without answering thorny questions as to how the materials developed in Phase 1 to this point, including pre-served testimony and discovery, would be incorporated into the Phase 2 proceeding. For instance, as PPL alludes to in its Answer to the Renewed Consolidation Motion, we would need to decide whether Phase 1 parties would be allowed to provide additional testimony regarding Phase 1 in a consolidated proceeding pursuant to the Phase 2 procedural schedule. Although some issues could be untangled, we would only do so after soliciting feedback from participants in Phase 1 and Phase 2, which would create further

¹ OCA suggests suspending the remainder to the Phase 1 procedural schedule until Phase 2 rebuttal testimony is submitted and aligning the remaining litigation deadlines. Renewed Consolidation Motion at 10.

delay. Adding these complications also goes to our finding in the Order Denying Consolidation that consolidating these proceedings risks producing a disorderly and unwieldy record.

Finally, regarding OCA's contention that the phases are inextricably interdependent, PPL maintains that construction of Phase 1 will be required regardless of the construction of Phase 2. Answer to Renewed Consolidation Motion at ¶ 78. Whether or not Phase 1 and Phase 2 are inextricably interdependent is a factual dispute among the parties, and we agree with PPL that determining the outcome of this factual dispute through a procedural motion prior to an evidentiary hearing would be improper.

THEREFORE,

IT IS ORDERED:

1. That the Office of Consumer Advocate's Renewed Motion for Consolidation of Dockets A-2025-3059443 and A-2026-3061547 is denied.

Date: September 8, 2026

/s/
John M. Coogan
Administrative Law Judge

/s/
Erin L. Gannon
Administrative Law Judge

**A-2025-3059443 - LETTER OF NOTIFICATION OF PPL ELECTRIC UTILITIES
CORPORATION FOR SUSQUEHANNA - HARWOOD 230 KV TRANSMISSION LINE
TAPS**

Revised 8/24/2026

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