

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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, Hazle, Hollenback, Nescopeck, and Sugarloaf Townships in Luzerne County, Pennsylvania	A-2026-3061547
Petition of PPL Electric Utilities Corporation For Findings That A Structure To Shelter Electrical And Control Equipment At The Proposed Nescopeck Switchyard In Nescopeck Township, Luzerne County, Pennsylvania Is Reasonably Necessary For The Convenience Or Welfare Of The Public	P-2026-3061609
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	A-2026-3061549, A-2026-3061550 A-2026-3061551, A-2026-3061552 A-2026-3061553, A-2026-3061554 A-2026-3061555, A-2026-3061556 A-2026-3061557, A-2026-3061560 A-2026-3061561, A-2026-3061562 A-2026-3061564, A-2026-3061566 A-2026-3061567, A-2026-3061568 A-2026-3061569, A-2026-3061570 A-2026-3061571, A-2026-3061572 A-2026-3061573, A-2026-3061576 A-2026-3061577, A-2026-3061578 A-2026-3061579, A-2026-3061581 A-2026-3061582, A-2026-3061583 A-2026-3061584, A-2026-3061585

ORDER
DENYING RENEWED MOTION FOR CONSOLIDATION AND
STAYING THE PROCEEDING

This Order denies the Office of Consumer Advocate's Renewed Motion for Consolidation of Dockets A-2025-3059443 and A-2026-3061547. This Order also stays the proceedings at Docket Nos. A-2026-3061547, P-2026-3061609, and A-2026-3061549 *et al.*

RELEVANT HISTORY OF THE PROCEEDING

A-2026-3061547, P-2026-3061609, A-2026-3061549 et al

On April 6, 2026, PPL filed an Application with the Commission for approval to: (1) rebuild approximately 4.4 miles of the existing single-circuit Sunbury-Susquehanna #1 230 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) 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) 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.

Also on April 6, 2026, PPL filed: (1) a Petition for findings that a structure to shelter electrical and control equipment at the proposed Nescopeck Switchyard in Nescopeck Township, Luzerne County, Pennsylvania is reasonably necessary for the convenience or welfare of the public, at Docket No. P-2026-3061609; and (2) 30 Applications 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 a certain portion of the lands of various entities in Hazle Township, Luzerne County, Pennsylvania, for the Sugarloaf 500/230 kV Transmission Line project 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, at Docket Nos. A-2026-3061549, A-2026-3061550, A-2026-3061551, A-2026-3061552, A-2026-3061553, A-2026-3061554, A-2026-3061555, A-2026-3061556, A-2026-3061557, A-2026-3061560, A-2026-3061561, A-2026-3061562, A-2026-3061564, A-2026-3061566, A-2026-3061567, A-2026-3061568, A-2026-3061569, A-2026-3061570, A-2026-3061571, A-2026-3061572, A-2026-3061573, A-2026-3061576, A-2026-3061577, A-2026-3061578, A-2026-3061579, A-2026-3061581, A-2026-3061582, A-2026-3061583, A-2026-3061584, and A-2026-3061585.

Motion for Consolidation

On May 7, 2026, the OCA filed a Motion for Consolidation of Dockets A-2025-3059443¹ and A-2026-3061547 (Consolidation Motion) at Docket Nos. A-2025-3059443, A-2026-3061547, P-2026-3061609, and A-2026-3061549.

On May 27, 2026, PPL filed an Answer to the Consolidation Motion at Docket Nos. A-2025-3059443 and A-2026-3061547.

The OCA's Consolidation Motion was denied by orders entered on June 18, 2026, and June 24, 2026, respectively.

¹ On December 19, 2025, PPL filed a Letter of Notification (LON) 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.

Motion to Deny Applications/Petition Without Prejudice

On May 19, 2026, Erika Cook filed a Motion to Deny Applications/Petition Without Prejudice (Cook Motion) at Docket Nos. A-2025-3059443, A-2026-3061547, P-2026-3061609, and A-2026-3061549.²

On June 8, 2026, PPL filed an Answer to the Cook Motion at Docket No. A-2025-3059443.

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

Prehearing Conference

On June 18, 2026, the Commission issued a Telephonic Prehearing Conference Notice, which set the Prehearing Conference to be held on July 10, 2026.

On June 24, 2026, we issued a Prehearing Conference Order.

On July 10, 2026, the Prehearing Conference convened as scheduled.

On July 15, 2026, we issued a Scheduling Order.

Renewed Motion for Consolidation

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

² Ms. Cook is a named party in one of thirty Eminent Domain Applications PPL filed on April 6, 2026, at Docket No. A-2026-3061557, respectively.

OCA's Renewed Consolidation Motion is now ripe for discussion and disposition.

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 showed 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.

Although OCA presents a proposal for how the proceedings could be consolidated,³ we cannot ignore that evidentiary hearings in Phase 1 were held on September 17 and 18, 2026. To consolidate the proceedings now would disrupt the Phase 1 proceeding without a clear path as to how pre-served testimony, discovery and the evidentiary hearing happenings would be incorporated into the Phase 2 proceeding. Adding these complications also goes to our finding in the Order Denying Consolidation that consolidating these proceedings risks producing a disorderly and unwieldy record.

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. The Administrative Law Judges (ALJs) presiding over the LON docket determined that whether or not Phase 1 and Phase 2 are inextricably interdependent is a factual dispute among the parties, and the ALJs agreed with PPL that determining the outcome of this factual dispute through a procedural motion prior to the Phase 1 evidentiary hearing would be improper.

For these reasons, we deny the OCA's Consolidation Motion; however, it is appropriate now to stay the proceeding until a final Commission order is entered in the Phase 1 LON proceeding *and* the land-use litigation appeal before the Commonwealth Court involving PPL's prospective single large load customer is resolved as more fully discussed below.

On June 24, 2026, we issued an Order Denying Motion to Deny the Applications and Petition Without Prejudice, citing, in part, the Commission's Interim Guidelines for the Filing of Electric Transmission Line Siting Applications. That was because the Phase 2 proceeding was in its infancy. For example, it was not until July 10, 2026, that we held the

³ 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.

Prehearing Conference here. At the Prehearing Conference, the parties worked tirelessly to craft an agreeable procedural schedule, to include requests for multiple days of site visits and public input hearings. Following the Prehearing Conference, many of the parties submitted legal memoranda regarding their respective positions on whether we should allow site visits to take place at properties other than those PPL's proposed HV line would traverse.

Additionally, we are also the assigned presiding officers for a water territory expansion application filed by Greater Hazleton Community Area New Development Organization Inc. t/a CAN DO, INC. (CAN DO), at Docket No. A-2026-3059809.

On August 11, 2026, following the submission of multiple rounds of pre-served testimony and public input hearings, we issued an order staying that proceeding and suspending that litigation schedule. That was, in part, because we became aware – and took judicial notice – of the Notice of Appeal filed by NP Hazleton Holdings 1, LLC v. Hazle Township Board of Supervisors, in the Commonwealth Court, at Docket No. 827 CD 2026, filed on June 10, 2026.

Stated differently, CAN DO's application was proposing to provide water service to a singular customer who was no longer merely awaiting perfunctory permit approvals, but rather, is actively litigating an appeal to overturn the *denial* of NP Hazleton's land development plan. The lack of approval of NP Hazleton's land development plan is at issue in the instant case as well, since it is that land development plan that contemplates the erection of a data center by the single large-load customer PPL seeks to serve, in part, by its Phase 2 proceeding.

Here, the *denial* of NP Hazleton's land development plan, *plus* the uncertainty of the outcome of the Phase 1 LON proceeding, *plus* the cost the Commission and the parties would bear to continue forward with the standing Phase 2 procedural schedule, would be an imprudent result. As such, we find it prudent to stay the instant proceeding and suspend the procedural schedule.

Additionally, we will hold our ruling on whether properties other than those in which the proposed HV line would traverse may request a site visit, in abeyance until litigation at these dockets resume.

PPL is directed to file a status report, either: after a final Commission order is entered in the Phase 1 LON proceeding, or six months from the date of this Order, whichever occurs first. After receiving a status report, a status conference and/or further prehearing conference may be scheduled, and a procedural schedule may be reestablished, if necessary. Any request to resume litigation at these dockets shall include a proposed procedural schedule.

ORDER

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.
2. That the procedural schedule established by the scheduling order is suspended immediately upon the entry of this Order.
3. That the Applicant is directed to file a status report after a final Commission order is entered in the Phase 1 LON proceeding, or six months from the date of this Order, whichever occurs first.
4. That a status conference and/or further prehearing conference may be scheduled, if necessary.

Date: September 22, 2026

/s/

Emily A. Farren
Administrative Law Judge

/s/

Steven K. Haas
Administrative Law Judge

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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, Hazle, Hollenback, Nescopeck, and Sugarloaf Townships in Luzerne County, Pennsylvania, Docket No. A-2026-3061547

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

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 A Certain Portion Of The 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, A-2026-3061550, A-2026-3061551, A-2026-3061552, A-2026-3061553, A-2026-3061554, A-2026-3061555, A-2026-3061556, A-2026-3061557, A-2026-3061560, A-2026-3061561, A-2026-3061562, A-2026-3061564, A-2026-3061566, A-2026-3061567, A-2026-3061568, A-2026-3061569, A-2026-3061570, A-2026-3061571, A-2026-3061572, A-2026-3061573, A-2026-3061576, A-2026-3061577, A-2026-3061578, A-2026-3061579, A-2026-3061581, A-2026-3061582, A-2026-3061583, A-2026-3061584, and A-2026-3061585

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