**BEFORE THE**

**PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application of PPL Electric Utilities Corporation :

filed pursuant to 52 Pa. Code Chapter 57, :

Subchapter G, for approval of the siting and :

construction of transmission lines associated : A-2012-2340872

with the Northeast-Pocono Reliability Project :

in portions of Luzerne, Lackawanna, Monroe, :

and Wayne Counties, Pennsylvania :

:

Petition of PPL Electric Utilities Corporation :

for a finding that a building to shelter control :

equipment at the North Pocono 230-69 kV :

Substation in Covington Township, : P-2012-2340871

Lackawanna County, Pennsylvania is :

reasonably necessary for the convenience :

or welfare of the public :

:

Petition of PPL Electric Utilities Corporation :

for a finding that a building to shelter control :

equipment at the West Pocono 230-69 kV :

Substation in Buck Township, Luzerne : P-2012-2341105

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 a certain :

portion of the lands of the property owners listed :

below for siting and construction of transmission :

lines associated with the proposed :

Northeast-Pocono Reliability Project in portions of :

Luzerne, Lackawanna, Monroe, and Wayne :

Counties, Pennsylvania is necessary or proper :

for the service, accommodation, convenience :

or safety of the public :

:

:

John C. Justice and Linda S. Justice : A-2012-2341107

:

Three Griffins Enterprises, Inc. : A-2012-2341114

:

Margaret G. Arthur and Barbara A. Saurman :

Trustees of the Residuary Trust of : A-2012-2341115

James C. Arthur :

:

Anthony J. Lupas, Jr. and Lillian Lupas :

John Lupas and Judy Lupas, : A-2012-2341118

Grace Lupas, Eugene A. Bartoli and :

Robert J. Fankelli :

:

Ronald G. Sidovar and Gloria J. Sidovar : A-2012-2341120

:

FR First Avenue Property Holding, LP : A-2012-2341123

:

Transcontinental Gas Pipe Line Corporation : A-2013-2341208

:

William Petrouleas and Joanna Petrouleas : A-2013-2341209

:

Peter Palermo and Francine Palermo : A-2013-2341211

:

Dianne L. Doss : A-2013-2341214

:

Doanld Januszewski : A-2013-2341215

:

International Consolidated Investment :

Company : A-2013-2341216

:

Bradley D. Hummel : A-2013-2341220

:

Michael Palermo and Joanne Palermo : A-2013-2341221

:

Roberta Searfoss a/k/a Judy Searfoss :

Executrix of the Estate of Euylla Hughes : A-2013-2341232

a/k/a Eylla Hughes :

:

John F. and Veronica Iskra : A-2013-2341233

:

Michael A. Mitch and Sue K. Mitch : A-2013-2341234

:

Clifton Acres, Inc. : A-2013-2341236

:

Dietrich Hunting Club : A-2013-2341237

:

NLMS, Inc. : A-2013-2341239

:

US Industrial Reit II : A-2013-2341241

:

Ronald Solt : A-2013-2341249

:

Edward R. Schultz : A-2013-2341253

:

Donald W. Henderson and Louis Bellucci : A-2013-2341262

:

Fr E2 Property Holding LP : A-2013-2341263

:

Sylvester J. Coccia : A-2013-2341267

:

Lawrence Duda : A-2013-2341271

:

Blue Ridge Real Estate : A-2013-2341277

:

James L. and Michaelene J. Butler : A-2013-2344353

:

Susan Butler Reigeluth Living Trust : A-2013-2344604

:

Blueberry Mountain Realty, LLC : A-2013-2344605

:

Grumble Knot, LLC : A-2013-2344612

:

Pennsylvania Glacial Till, LLC : A-2013-2344616

:

:

Joe and Vanessa Caparo :

:

v. : C-2012-2276731

:

PPL Electric Utilities Corporation :

**PREHEARING ORDER #10**

**Granting Request of US Industrial REIT II to Extend Time for Duke Realty Limited Partnership to Substitute as a Party and to Serve Testimony**

On June 5, 2013, counsel for US Industrial REIT II (US REIT) contacted me by e-mail to inform me that she had been contacted on June 4, 2013 by a representative of Duke Realty Limited Partnership (Duke) to inform her that it had purchased the property of US REIT on May 31, 2013. US REIT’s property is the subject of PPL Electric Utilities Corporation’s (PPL’s) eminent domain application at A-2013-2341241. Counsel for US REIT indicated that Duke was in the process of engaging her to represent it.

I issued Prehearing Order #3 on March 13, 2013, establishing litigation and briefing schedules. Paragraph 8 of Prehearing Order #3 directed parties, including US REIT, to serve their direct testimony on or before June 5, 2013 and their surrebuttal testimony on or before July 17, 2013. Paragraph 8 required PPL to serve its rebuttal testimony on or before July 8, 2013. Counsel for US REIT stated that she had informed Duke of the June 5, 2013 deadline for serving written testimony.

According to counsel for US REIT, Duke has not had the opportunity to speak to PPL regarding the proceeding or had the opportunity to evaluate PPL’s offer regarding an easement on the property. Given these facts, Counsel for US REIT states it is impossible for Duke to formulate a position by the June 5, 2013 deadline for serving written testimony.

Counsel for US REIT requests that I grant Duke the opportunity to file a petition to intervene or substitute parties on or before June 14, 2013, that I extend the time for Duke to serve direct testimony on or before June 14, 2013 and surrebuttal testimony on or before July 22, 2012 and that I extend the time for PPL to serve rebuttal testimony in response to Duke’s direct testimony to July 15, 2013.

PPL indicated by email on June 5, 2013, that it agreed to the modifications for service of testimony suggested in US REIT’s email, provided that Duke’s witnesses were available for cross examination on July 29-30, 2013. Counsel for US REIT responded that representatives of Duke advised her that it would make its witnesses available on those days.

Counsel for US REIT’s allegations in her email constitute good cause for modifying Prehearing Order #3, pursuant to 52 Pa. Code §1.15. I granted US REIT’s request by email on June 5, 2013, due to its time sensitive nature. This order memorializes the email extensions of time previously granted.

In addition, Duke shall file a motion, pursuant to 52 Pa. Code §5.103, requesting that the Commission substitute it as a party for US REIT in the proceeding at A-2013-2341241 and requesting that the Commission modify the caption in that proceeding to indicate the substitution of parties.

THEREFORE,

IT IS ORDERED:

1. That US Industrial REIT II’s request to extend the time for Duke Realty Limited Partnership to serve testimony is granted.

2. That Paragraph 8 of Prehearing Order #3, issued March 13, 2013, is modified so that Duke Realty Limited Partnership serve its direct testimony on or before June 14, 2013 and its surrebuttal testimony on or before July 22, 2013 and PPL Electric Utilities Corporation serve its rebuttal testimony in response to Duke Realty Limited Partnership’s direct testimony on or before July 15, 2013.

3. That on or before June 14, 2013, Duke Realty Limited Partnership shall file with the Pennsylvania Public Utility Commission a motion requesting that the Pennsylvania Public Utility Commisison substitute it as a party for US Industrial REIT II in the proceeding at A-2013-2341241 and modify the caption accordingly.

3. That except as modified in paragraphs 2 and 3 above, Prehearing Order #3, issued March 13, 2013, as previously modified, remains in full force and effect.

Date: June 6, 2013 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

David A. Salapa

Administrative Law Judge

**A-2012-2340872 FOR APPROVAL OF THE SITING AND CONSTRUCTION OF TRANSMISSION LINES ASSOCIATED WITH THE NORTHEAST-POCONO RELIABILITY PROJECT IN PORTIONS OF LUZERNE, LACKAWANNA, MONROE, AND WAYNE COUNTIES, PENNSYLVANIA**

**P-2012-2340871 - FOR A FINDING THAT A BUILDING TO SHELTER CONTROL EQUIPMENT AT THE NORTH POCONO 230-69 KV SUBSTATION IN COVINGTON TOWNSHIP, LACKAWANNA COUNTY, PENNSYLVANIA IS REASONABLY NECESSARY FOR THE CONVENIENCE OR WELFARE OF THE PUBLIC**

**P-2012-2341105 - FOR A FINDING THAT A BUILDING TO SHELTER CONTROL EQUIPMENT AT THE WEST POCONO 230-69 KV SUBSTATION IN BUCK TOWNSHIP, LUZERNE COUNTY, PENNSYLVANIA IS REASONABLY NECESSARY FOR THE CONVENIENCE OR WELFARE OF THE PUBLIC**

***REVISED 6/7/13*** –EMINENT DOMAIN DOCKETS LISTED WITH PROPERTY OWNER’S ADDRESS

JOHN H ISOM ESQUIRE

CHRISTOPHER T WRIGHT ESQUIRE

POST & SCHELL PC

17 NORTH SECOND STREET

12TH FLOOR

HARRISBURG PA 17101-1601

***eServe***

PAUL E RUSSELL ESQUIRE

ASSOCIATE GENERAL COUNSEL

PPL SERVICES CORPORATION

TWO NORTH NINTH STREET

ALLENTOWN PA 18101

***eServe***

DAVID B MACGREGOR ESQUIRE

POST & SCHELL PC

FOUR PENN CENTER

1600 JOHN F KENNEDY BOULEVARD

PHILADELPHIA PA 19103-2808

DARYL A LAWRENCE ESQUIRE

OFFICE OF CONSUMER ADVOCATE

555 WALNUT STREET

5TH FLOOR FORUM PLACE

HARRISBURG PA 17101-1925

BRIAN YEAGER ESQUIRE

116 N WASHINGTON AVE

SUITE 400

PO BOX 234

SCRANTON PA 18501-0234

*(FOR COVINGTON TOWNSHIP)*

MARGARET A MORRIS ESQUIRE

MARLANE R CHESTNUT ESQUIRE

REGER RIZZO & DARNALL LLP

CIRA CENTRE 13TH FLOOR

2929 ARCH STREET

PHILADELPHIA PA 19104

*(FOR BLUE RIDGE REAL ESTATE COMPANY)*

**A-2013-2341277**

R ANTHONY WALDRON ESQUIRE

8 SILK MILL DRIVE SUITE 215

HAWLEY PA 18428

*(FOR JOHN C JUSTICE AND LINDA S JUSTICE* ***A-2012-2341107*** *&*

*RONALD G SIDOVAR AND GLORIA SIDOVAR* ***A-2012-2341120)***

ELIZABETH U WITMER ESQUIRE

SAUL EWING LLP

1200 LIBERTY RIDGE DRIVE

SUITE 200

WAYNE PA 19087-5569

*(FOR FR FIRST AVENUE PROPERTY HOLDING LP* ***A-2012-2341123,***

*FR E2 PROPERTY HOLDING LP* ***A‑2013‑2341263,***

*US INDUSTRIAL REIT II* ***A-2013-2341241,***

*TRANSCONTINENTAL GAS PIPELINE COMPANY LLC* ***A-2013-2341208)***

SCOTT H DEBROFF ESQUIRE

ALICIA R DUKE ESQUIRE

RHOADS & SINON LLP

ONE SOUTH MARKET SQUARE

12TH FLOOR

PO BOX 1146

HARRISBURG PA 17108-1146

*(FOR PENNSYLVANIA GLACIAL TILL LLC)*

***A-20132344616***

THREE GRIFFINS ENTERPRISES INC

PO BOX 136

HAMLIN PA 18427-0136

**A-2012-2341114**

MARGARET G ARTHUR (DECEASED)

AND BARBARA A SAURMAN TRUSTEES OF THE RESIDUARY TRUST OF

JAMES C ARTHUR

11 BROWNSTONE DRIVE

HORSHAM PA 19044

**A-2012-2341115**

MICHAEL & JOANNE PALERMO

52 ROWAN AVE

STATEN ISLAND NY 10306-5273

**A-2013-2341121**

WILLIAM PETROULEAS &

JOANNA PETROULEAS

5 HELENA ROAD

STATEN ISLAND NY 10304

**A-2013-2341209**

PETER & FRANCINE PALERMO

36 ROWAN AVENUE

STATEN ISLAND NY 10306-5273

**A-2013-2341211**

DIANNE L DOSS

390 NELSON ROAD

MONROE NY 10950-4248

**A-2013-2341214**

DONALD JANUSZEWSKI

517 LEDGEDALE ROAD

LAKE ARIEL PA 18436-5571

**A-2013-2341215**

BRADLEY D HUMMEL

PO BOX 216

CLIFFORD PA 18413

**A-2012-2341220**

EYLLA HUGHES EST

C/O JUDY SEARFOSS

38 BUCK BLVD

WHITE HAVEN PA 18661-2130

**A-2013-2341232**

MICHAEL A & SUE K MITCH

PO BOX 428

TREICHLERS PA 18086-0428

**A-2013-2341234**

CLIFTON ACRES INC

C/O WAYNE MOORE

159 EAST WALTON PLACE APT 23

CHICAGO IL 60611

**A-2013-2341236**

DIETRICK HUNTING CLUB

PO BOX 39 HOOPER JOHN

CLIFFORD PA 18413

**A-2013-2341237**

NLMS INC

1170 WINOLA RD

CLARKS SUMMIT PA 18411

**A-2013-2341239**

RONALD SOLT

1200 THORNHURST ROAD

BEAR CREEK TWP PA 18702-8212

**A-2013-2341249**

MEREL J & ARLENE J SWINGLE

51 SWINGLE LANE

LAKE ARIEL PA 18436

**A-2013-2341250**

EDWARD R SCHULTZ

RR 1 BOX 1360

GOULDSBORO PA 18424

**A-2013-2341253**

SYLVESTER J COCCIA

310 W MARY ST

OLD FORGE PA 18518

**A-2013-2341267**

JAMES L & MICHAELENE J BUTLER

9414 SOUTH GARY AVENUE

TULSA OK 74137

**A-2013-2344353**

SUSAN BUTLER REIGELUTH

AVENUE DES CHASSEURS 20

WATERLOO 1410

BELGIUM

**A-2013-2344604**

GRUMBLE KNOT LLC

2642 ROUTE 940

POCONO SUMMIT PA 18346

**A-2013-2344612**

BLUEBERRY MOUNTAIN REALTY LLC

57 SEAVIEW BLVD

PORT WASHINGTON NY 11050

**A-2013-2344605**

JOE & VANESSA CAPARO

12 LANGAN ROAD

COVINGTON TOWNSHIP PA 18444

**C-2011-2276731**

CHRIS & MELINDA MAROS

586 TWIN ROCKS ROAD

NEWFOUNDLAND PA 18445

**C-2012-2305047**

PAUL M SCHMIDT ESQUIRE

ZARWIN BAUM DEVITO KAPLAN SCHAER & TODDY PC

1818 MARKET STREET 13TH FLOOR

PHILADELPHIA PA 19102-1981

*(FOR NORTH POCONO CITIZENS ALERT REGARDING THE ENVIRONMENT)*

MICHAEL F FAHERTY ESQUIRE

LAVERTY FAHERTY & PATTERSON

225 MARKET STREET SUITE 304

PO BOX 1245

HARRISBURG PA 17108-1245

*(FOR LAWRENCE DUDA* ***A-2013-2341271 &***

*JOHN F AND VERONICA ISKRA* ***A‑2013‑2341233)***

JOSEPH M BLAZOSEK ESQUIRE

341 WYOMING AVENUE SUITE 9

WEST PITTSTON PA 18643

*(FOR ANTHONY LUPAS JR)*

***A-2012-2341118)***

Lillian Lupas

5A Lenape Court

Wilkes Barre PA 18702-7833

**A-2012-2341118**

John and Judy Lupas

1148 Kessler Road

Pottstown PA 19464

**A-2012-2341118**

Grace Lupas

292 Grand Manor Drive

Marietta GA 30068

**A-2012-2341118**

EUGENE A BARTOLI

A J LUPAS INSURANCE

220 S RIVER STREET

WILKES BARRE PA 18705

**A-2012-2341118**

ROBERT J FRANKELLI

711 PITTSTON BOULEVARD

WILKES BARRE PA 18705

**A-2012-2341118**

JOHN LASAK ESQUIRE

KANIA LINDNER LASAK AND FEENEY

560 E LANCASTER AVE STE 108

ST DAVIDS PA 19087

*(FOR INTERNATIONAL CONSOLIDATED*

*INVESTMENT COMPANY)*

**A-2013-2341216**

JEFFREY J NORTON ESQUIRE

ECKERT SEAMANS CHERIN

& MELLOTT LLC

213 MARKET ST 8TH FLOOR

HARRISBURG PA 17101

*(FOR INTERNATIONAL CONSOLIDATED*

*INVESTMENT COMPANY)*

**A-2013-2341216**

JOSEPH R RYDZEWSKI ESQUIRE

SPALL RYDZEWSKI ANDERSON LALLEY & TUNIS PC

2573 ROUTE 6

HAWLEY PA 18428

*(FOR DONALD W HENDERSON AND LOUIS BELLUCCI)*

**A-2013-2341262**