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Writer's Direct Access
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February 19, 2019

Via ECFS

Marlene J. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street SW
Washington, DC 20554

**Re: PPL Electric Utilities Corporation's Objections to Complainant's First
Set of Interrogatories (Proceeding Number 19-29; Bureau ID Number
EB-19-MD-001)**

Ms. Dortch:

Please find attached defendant PPL Electric Utilities Corporation's Objections to
Complainant MAW Communications, Inc.'s First Set of Interrogatories in Proceeding Number
19-29; Bureau ID Number EB-19-MD-001.

Sincerely,



Timothy A. Doughty
Attorney for PPL Electric Utilities Corporation

Enclosure

cc: Lisa Saks, Enforcement Bureau
Adam Suppes, Enforcement Bureau

)	
)	
MAW Communications, Inc.,)	
<i>Complainant,</i>)	
)	Proceeding Number 19-29
v.)	Bureau ID Number EB-19-MD-001
)	
PPL Electric Utilities Corporation,)	
<i>Defendant</i>)	
)	

Defendant PPL Electric Utilities Corporation (“PPL”), pursuant to the Notice of Formal Complaint issued February 14, 2019 by the FCC Enforcement Bureau in this proceeding and pursuant to Section 1.730 of the Commission’s Rules, 47 C.F.R. §1.730, submits the following objections to the First Set of Interrogatories of Complainant MAW Communications, Inc. (“MAW”) to PPL.

Because MAW's Interrogatories specify that all of the information requested pertains to the denial of access claimed by MAW in its Complaint, PPL objects to the Interrogatories to the extent they do not pertain to that claim.

Because MAW's Interrogatories specify that MAW is not seeking information that is available from any source other than PPL, PPL objects to the Interrogatories to the extent they seek information that is available from a source other than PPL.

PPL objects to the definition of “Document” as being overly broad and unduly burdensome. For instance, the definition would require the production of all copies of a document even if the copies were not different in any way.

PPL objects to the definition of “Relating to” as being overly broad and unduly burdensome. For instance, the definition includes “concerning” which could be construed broadly to mean almost anything. In addition, the following phrase is unreasonably vague: “anything pertaining to negotiations leading to the creation or execution of any indicated document or parties’ later performance pursuant to the terms of any indicated document.”

PPL objects to item 11 in the definitions section as overly broad and unduly burdensome, to the extent that it includes individuals associated with PPL but at times when they are not acting for PPL. PPL also objects to the inclusion of “stockholders” and “subcontractors” as overly broad and unduly burdensome. PPL objects as vague, overly broad and unduly burdensome the inclusion of “representatives.”

PPL objects to subsections 2), 3) and 4) to the definition of “identify” as being overly broad and unduly burdensome, and in any event only appropriate to a request for production of documents.

PPL objects to Instruction 3 as overly broad and unduly burdensome, and only appropriate to a request for production of documents.

INTERROGATORIES

INTERROGATORY NO. 1:

Identify any and all documents in your possession created on or after June 1, 2015 relating to the removal of MAW facilities attached to PPL poles.

OBJECTION: PPL relies on its general objections set out above.

INTERROGATORY NO. 2:

Identify any and all documents in your possession created on or after June 1, 2015 relating to requests made by MAW to access facilities attached to PPL poles, including any decisions by PPL to deny such requests.

OBJECTION: In addition to its general objections set out above, then to the extent MAW seeks documents “relating to” any MAW request to attach to PPL poles, PPL objects to this Interrogatory as being overly broad and unduly burdensome. It could be construed that every document “relating to” MAW is a document “relating to” a MAW attachment request.

INTERROGATORY NO. 3:

Identify any and all documents in your possession created on or after June 1, 2015 relating to MAW lines or equipment with recorded conditions or defects that would reasonably be expected to endanger human life or property.

OBJECTION: In addition to its general objections set out above, PPL objects to this Interrogatory because PPL does not understand what MAW means by the phrase, “would reasonably be expected to endanger human life or property.” PPL objects to this Interrogatory because it does not understand the phrase, “MAW lines or equipment with recorded conditions or defects.” PPL objects to this Interrogatory as being overly broad and unduly burdensome to the extent it seeks documents that do not relate to PPL poles.

INTERROGATORY NO. 4:

Identify any and all documents in your possession relating to the Engineer's Report of the Safety of MAW Communications Fiber Optic Cable Installations prepared by Daryl L. Ebersole, P.E., and Jeffrey M. Kobilka, P.E., Robson Forensic — The Experts, dated January 7, 2018.

OBJECTION: PPL relies on its general objections set out above.

INTERROGATORY NO. 5:

Identify any internal documents and or studies created by PPL or at the direction of PPL or consulted by PPL on or after June 1, 2015 concerning all-dielectric self-supporting ("ADSS") cable and or fiber service drop cable and or ADSS service drop cable as it relates to the National Electric Safety Code ("NESC") and or PPL's service drop attachment policy and procedures.

OBJECTION: In addition to its general objections set out above, PPL objects to counting this Interrogatory as one instead of as six interrogatories. PPL objects to this Interrogatory because it not clear what is meant by the phrases, "fiber service drop cable", "ADSS service drop cable", and "as it relates to".

INTERROGATORY NO. 6:

Identify any and all documents in your possession created on or after June 1, 2015, pertaining to NESC Rule 238, Table 238-2, as it related to MAW's attachments.

OBJECTION: In addition to its general objections set out above, PPL objects to this Interrogatory because it is not clear what is meant by the phrase, "as it related to".

INTERROGATORY NO. 7:

Identify all documents pertaining to the definition of "Service Drop Attachment" as that term is used in the parties' Pole Attachment Agreement.

OBJECTION: In addition to its general objections set out above, PPL objects to this Interrogatory as unspecific and vague, as it is not clear what a document “pertaining to the definition of ‘Service Drop Attachment’” is. PPL further objects to this Interrogatory as being overly broad and unduly burdensome, since it could be construed to include any document PPL has ever had in its possession regarding any service drop by any attaching entity ever since PPL has been in existence.

INTERROGATORY NO. 8:

If it is your contention that PPL only removed MAW attachments that would reasonably be expected to endanger human life or property, identify all facts and assumptions on which you rely to support such contention.

OBJECTION: PPL relies on its general objections set out above.

INTERROGATORY NO. 9:

Identify any and all Persons having knowledge of the facts supporting your answer to Interrogatory No. 8.

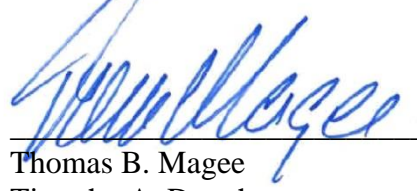
OBJECTION: PPL relies on its general objections set out above.

INTERROGATORY NO. 10:

Identify each person who furnished information used to respond to these interrogatories, stating, with respect to each person, the interrogatories for which he or she provided information.

OBJECTION: PPL relies on its general objections set out above.

Respectfully submitted,



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Attorneys for PPL Electric Utilities Corporation

February 19, 2019

CERTIFICATE OF SERVICE

I, Timothy A. Doughty, hereby certify that on this 19th day of February 2019, a true and authorized copy of PPL Electric Utilities Corporation's Objections to Complainant's First Set of Interrogatories was served on the parties listed below via electronic mail, unless noted otherwise, and was filed with the Commission via ECFS.

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/s/

Timothy A. Doughty