



# Transmission Line Siting, the PUC and the Role of Residents

## Regulation

The state's Public Utility Code requires its public utilities to furnish and maintain adequate, efficient, safe and reasonably priced utility service and facilities. It also allows utilities to make the changes necessary to ensure the quality and safety of that service. The Public Utility Commission (PUC) is the agency charged with ensuring that the public utilities are living up to those obligations. That includes oversight of the siting and construction of electric transmission lines.

Transmission line siting cases present two distinct issues: whether the need for the line exists; and, whether the proposed route is the best of all alternatives considered.

## Transmission Line Siting Applications

When an electric company wants to build high-voltage transmission lines, it must file an application with the PUC that includes the proposal's costs and route.

The proposed route must be established as the best out of other alternatives considering safety; environmental impacts; impacts on scenic and historic sights; existing land use; soil and sedimentation; plant and wildlife habitats; terrain; hydrology; and landscape. Factors such as location of airports and archeological sights are also considered.

The application also must include information on the landowners, safety considerations and a statement of need. Need may be established by showing public benefits such as improved reliability, increased economic development, reduced consumer costs, and an increased demand. Needs of the regional system and the local area around the line also may be considered.

## Hearings and Recommendations

When the application is contested, the PUC assigns the proceeding to an Administrative Law Judge (ALJ) who fulfills a judicial role by presiding at formal hearings, which are open to the public and conducted like a court proceeding.

The PUC process consists of formal evidentiary proceedings and public input hearings. During the evidentiary hearings, the company and other formal parties, such as the PUC's Bureau of Investigation and Enforcement and the state's Office of Consumer Advocate and Office of Small Business Advocate, present their cases.

Evidentiary hearings are specifically designed for the receipt of expert testimony and cross examination of expert witnesses from all active formal parties to the case. The entity proposing the line has the burden of proof to show a need and that the proposed route is appropriate.

Residents affected by the application may become formal protestants or parties in an evidentiary hearing by applying in writing. They may speak for themselves or be represented by an attorney. Residents also may testify at public input hearings, which are conducted by the ALJ in the affected areas. This testimony becomes part of the record on which the PUC will base its decision. Residents also may comment informally in writing by sending comments to the PUC.

After weighing the evidence and hearing the arguments, the ALJ writes a recommended decision that addresses each issue in the case within limits set by law. The recommended decision may approve, deny or modify the application. Parties, including residents, may file exceptions to the ALJ's decision and reply exceptions. The entire matter is then sent to the Commissioners for a vote. The Commissioners may accept, reject or modify the judge's decision.

## Final Order

The Commissioners make the final decision during a public meeting in Harrisburg. The Order has the weight of law unless the PUC changes it in response to a petition for reconsideration, or it is successfully challenged in court or before the Federal Energy Regulatory Commission (FERC).

## How Long Does It Take?

Pennsylvania laws and regulations establish no statutory deadline for the consideration of transmission line siting applications.

## Role of Residents

While the transmission siting process is complex, residents have the right to be informed about the process, receive an explanation of the company's plan and have an opportunity to share their views on the proposal. Residents have the right to participate in this process and can do so by filing an informal complaint, by attending and testifying at a public input hearing or by filing a formal protest.



## Formal Protest

Residents filing a formal protest may wish to become full parties to the extensive litigation which will occur. This is accomplished by filing a formal protest within the time set forth in the Notice of the Application, which will be published in the *Pennsylvania Bulletin*. Even if the deadline has passed, residents still have time to participate in the proceeding through public input hearings.

## Public Input Hearings

In addition to a series of formal evidentiary hearings, the ALJ will conduct public input hearings, which are generally held in the area affected by the application. By attending a public input hearing and providing testimony, residents place their views in the official record on which the PUC will base its decision. Residents do not have to formally intervene to participate in a public input hearing.

## Informal Objections/Comments

Residents may file informal comments in writing with the Secretary of the Commission, which will be placed in a Public Comment Folder and reviewed by the Commission. Residents can file informal comments in writing with the PUC by:

**Mail:** Pennsylvania Public Utility Commission  
Secretary's Bureau  
400 North Street  
Harrisburg, PA 17120

**Phone:** 717-772-7777

**Online:** [www.puc.pa.gov](http://www.puc.pa.gov) – Click on “Filing & Resources” at the top of the page, then click on “File Complaints” to learn more.