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July 6, 2018

Via Electronic Filing

Rosemary Chiavetta, Secretary
PA Public Utility Commission
Commonwealth Keystone Bldg.
400 North Street
Harrisburg, PA 17120

**Re: Application of Transource Pennsylvania, LLC
for approval of the Siting and Construction of the
230 kV Transmission Line Associated with the
Independence Energy Connection - East and West Projects
in portions of York and Franklin Counties, Pennsylvania.**

**A-2017-2640195
A-2017-2640200**

**Petition of Transource Pennsylvania, LLC
for a finding that a building to shelter control equipment
at the Rice Substation in Franklin County, Pennsylvania
is reasonably necessary for the convenience or welfare of the public.**

P-2018-3001878

**Petition of Transource Pennsylvania, LLC
for a finding that a building to shelter control equipment
at the Furnace Run Substation in York County, Pennsylvania
is reasonably necessary for the convenience or welfare of the public.**

P-2018-3001883

**Application of Transource Pennsylvania, LLC
for approval to acquire a certain portion of the lands of
various landowners in York and Franklin Counties, Pennsylvania
for the siting and construction of the 230 kV Transmission Line
associated with the Independence Energy Connection –
East and West Projects as necessary or proper for the service,
accommodation, convenience or safety of the public.**

**A-2018-3001881,
*et al.***

Dear Secretary Chiavetta:

Attached for electronic filing please find a Petition to Intervene and Protest in connection with the above-referenced proceeding.

Rosemary Chiavetta, Secretary
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July 6, 2018

Copies have been served per the attached Certificate of Service.

Respectfully Submitted,

CURTIN & HEEFNER LLP



BY: _____

Jordan B. Yeager (Pa. I.D. No. 72947)
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Counsel for:
Stop Transource Franklin County

Enclosure

cc: Honorable Elizabeth H. Barnes
Honorable Andrew M. Calvelli
Certificate of Service

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application of Transource Pennsylvania, LLC
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A-2018-3001881,
et al.

**STOP TRANSOURCE FRANKLIN COUNTY’S
PETITION TO INTERVENE AND PROTEST TO
THE SHELTER PETITIONS AND THE EMINENT
DOMAIN APPLICATIONS IN THE
CONSOLIDATED PROCEEDINGS**

Pursuant to 52 Pa. Code § 5.71, *et seq.*, and the Pennsylvania Public Utility Commission
 (“PUC” or “Commission”) notice published on June 16, 2018, 48 Pa.B. 3679, STFC hereby

petitions to intervene in, and protests the above-captioned newly consolidated proceeding. In support thereof, STFC submits as follows:

1. The name and contact information of the Petitioner is as follows:

Stop Transource Franklin County
c/o Franklin County Visitor's Bureau
37 South Main Street, # 100
Chambersburg, PA 17201

2. Stop Transource Franklin County's attorneys in this matter, and all documents should be served upon:

Jordan B. Yeager, Esq.
Mark L. Freed, Esq.
Joanna A. Waldron, Esq.
Curtin & Heefner LLP
2005 S. Easton Road, Suite 100
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3. Pursuant to 52 Pa. Code § 1.54(b)(3), the undersigned counsel consent to the electronic service of all documents at the email addresses shown above.

4. On December 27, 2017, Transource Pennsylvania, LLC ("Transource") filed two Applications for siting electric transmission lines, one proposed line for Franklin County, which is the subject of Transource's Application filed Pursuant to 52 Pa. Code Chapter 57, Subchapter G, for Approval of the Siting and Construction of the 230 kV Transmission Line Associated with the Independence Energy Connection West Project in Portions of Franklin County, Pennsylvania, docketed at A-2018-2640200 and one proposed line in York County, which is the subject of the Application filed Pursuant to 52 Pa. Code Chapter 57, Subchapter G, for Approval of the Siting

and Construction of the 230 kV Transmission Line Associated with the Independence Energy Connection East Project in Portions of York County, Pennsylvania, docketed at A-2018-2640195 (hereinafter, collectively, “Siting Applications”).

5. On May 15, 2018, Transource Pennsylvania, LLC (“Transource” or “Company”) filed 133 eminent domain applications (“Eminent Domain Applications”), and two Petitions for findings that building to shelter control equipment at the proposed Rice Substation in Franklin County (Docket No. 2018-3001878, hereinafter “Franklin County Shelter Petition”), and for the Furnace Run Substation in York County (Docket No. 2018-3001883, hereinafter “York County Shelter Petition”) (collectively, “Shelter Petitions”).

6. Transource’s previously-filed Siting Applications seek the Commission’s approval to construct the Pennsylvania portion of the Independence Energy Connection Project (“IEC Project”) proposed extra-high voltage (“EHV”) electric transmission line, which includes a 130-foot wide right-of-way, and lattice towers that are 135 feet high and 30 feet wide, connecting the existing Ringgold Substation in Maryland to a proposed new Rice Substation in Franklin County, Pennsylvania. (Siting Application (West) at 3-4) and the existing Conastone Substation in Maryland to the proposed new Furnace-Run Substation in York County, Pennsylvania. (Siting Application (East) at 3.

7. Transource’s late-filed Eminent Domain Applications and Shelter Petitions prompted the Commission to issue the Second Prehearing Order in the ongoing case.

8. Prior to Transource filing its Siting Applications, on December 23, 2017, the Commission approved a settlement of Transource’s application for certification under Docket Nos. A-2017-2587821 and G-2017-2587822. Transource alleged that it sought approval of the

settlement and certification prior to filing the Siting Applications so that it could “avoid potential environmental and engineering/constructability issues, to the extent possible, when developing and evaluating alternative transmission line routes.” *See* Transource Pennsylvania LLC Statement in Support of Joint Petition for Stipulation and Settlement of All Issues at 6; *see also*, Initial Decision on Application of Transource Pennsylvania, LLC for all of the Necessary Authority, Approval and Certificates of Public Convenience: (1) to Begin to Furnish and Supply Electric Transmission Service in Franklin and York Counties, Pennsylvania; (2) for Approval of Certain Affiliated Interest Agreements; and (3) for Any Other Approvals Necessary to Complete the Contemplated Transactions, (Docket No. A-2017-2587821 and G-2017-2587822) (August 3, 2017) at p. 16.

9. On January 23, 2018, the Commission issued an order on the settlement it had approved at the December 2017 meeting. *See* PUC Opinion and Order, Docket A-2017-2587821, Jan. 23, 2018 (“Settlement Order”). The Settlement Order approved a settlement agreement for issuance of the certificate of public convenience to Transource, but specifically did not find that there was need for the IEC Project. *See* Settlement Order at 8. The Commission specifically removed language from the Initial Order and Recommendation on Transource’s Application for Certificate of Public Convenience, to avoid any “predetermination of need.” *Id.*

10. On February 20, 2018, STFC filed its Petition to Intervene and Protest opposing the Company’s above-referenced Application in Franklin County, after which the proceeding was consolidated. STFC’s Petition to Intervene was granted on March 28, 2018. *See* Procedural Order, Docket Nos. 2017-2640195, 2017-2640200, March 28, 2018.

11. On June 26, 2018, a Third Prehearing Order was entered, consolidating the cases, and amending a portion of the procedural schedule for direct intervenor testimony in anticipation of the Second Prehearing Conference scheduled for July 9, 2018. *See* Third Procedural Order, Docket Nos. 2017-2640195, 2017-2640200, P-2018-3001878, P-2018-3001883, A-2018-3001881, *et al.*, June 26, 2018.

12. STFC files this Petition and Protest consistent with its February 20, 2018 Petition to Intervene and Protest and incorporates by reference the paragraphs therein as if set forth in their entirety here.

13. STFC protests and petitions to intervene in the following Franklin County eminent domain application Docket Nos.: A-2018-3001987, A-2018-3001996, A-2018-3001999, A-2018-3002000, A-2018-3002001, A-2018-3002012, A-2018-3002013, A-2018-3002016, A-2018-3002019, A-2018-3002020, A-2018-3002021, A-2018-3002022, A-2018-3002028, A-2018-3002029, A-2018-3002030, A-2018-3002031, A-2018-3002032, A-2018-3002035, A-2018-3002037, A-2018-3002038, A-2018-3002039, A-2018-3002040, A-2018-3002041, A-2018-3002043, A-2018-3002046, A-2018-3002047, A-2018-3002048, A-2018-3002049, A-2018-3002051, A-2018-3002052, A-2018-3002053, A-2018-3002054, A-2018-3002055, A-2018-3002057, A-2018-3002061, A-2018-3002064, A-2018-3002065, A-2018-3002066, A-2018-3002067, A-2018-3002068, A-2018-3002069, A-2018-3002070, A-2018-3002071, A-2018-3002072, A-2018-3002074, A-2018-3002075, A-2018-3002099, A-2018-3002103, A-2018-3002104, A-2018-3002105, A-2018-3002107, A-2018-3002108, A-2018-3002111, A-2018-3002118, A-2018-3002119, A-2018-3002120, A-2018-3002124, A-2018-3002125, A-2018-3002128, A-2018-3002129, A-2018-3002137, A-2018-3002140, A-2018-3002141, A-2018-

3002147, A-2018-3002162, A-2018-3002163, A-2018-3002167, A-2018-3002168, A-2018-3002169, A-2018-3002170, A-2018-3002172, A-2018-3002173, A-2018-3002189, A-2018-3002204, A-2018-3002207, A-2018-3002222, A-2018-3002232, A-2018-3002238, A-2018-3002240, A-2018-3002251, A-2018-3002255, A-2018-3002310, A-2018-3002311, A-2018-3002312, A-2018-3002332, A-2018-3002334, A-2018-3002346, A-2018-3002348, A-2018-3002352, and the following York County eminent domain application Docket Nos.: A-2018-3001881, A-2018-3001886, A-2018-3001887, A-2018-3001898, A-2018-3001902, A-2018-3001904, A-2018-3001906, A-2018-3001907, A-2018-3001914, A-2018-3001922, A-2018-3001923, A-2018-3001925, A-2018-3001929, A-2018-3001932, A-2018-3001933, A-2018-3001936, A-2018-3001943, A-2018-3001944, A-2018-3001954, A-2018-3001957, A-2018-3001960, A-2018-3001961, A-2018-3001962, A-2018-3001963, A-2018-3001964, A-2018-3001965, A-2018-3001966, A-2018-3001969, A-2018-3001970, A-2018-3001971, A-2018-3001982, A-2018-3001984, A-2018-3001985, A-2018-3001986, A-2018-3001988, A-2018-3001989, (hereinafter, collectively “Eminent Domain Applications”) and in the two Shelter Petitions, Docket Nos. P-2018-3001878, P-2018-3001883.

14. STFC opposes the Transource IEC Project because it does not benefit and will be destructive to the people of Franklin County, the people of York County, and to those in Maryland as well.

15. STFC is an association of Franklin County residents and business owners whose purpose is to stop the IEC Project. STFC represents its members’ property rights, consumer rights, and environmental rights, and seeks to preserve the agricultural character of Franklin County, and the County’s other local natural, scenic, and historic resources. The siting and

construction of the proposed EHV transmission lines and substations and the taking of property through eminent domain threatens these interests.

16. STFC members own land in and around the proposed right-of-way, and live, work and operate businesses, including agricultural businesses, in and near the proposed right-of-way. Members include persons served with Eminent Domain Applications. Members of STFC enjoy the benefits of living and working in Franklin County's rural landscape and preserved agricultural character, which has been facilitated, in part, through the purchase of agricultural conservation easements that are intended to preserve farmlands for future generations. Members also include affected ratepayers.

17. Based on the Public Input Hearings that occurred on May 9 and May 14, 2018, in York County, as well as the Site Visits conducted on June 1, 2018 in York County, and the newly filed Petition for a Substation at Furnace Run in York County, STFC continues to oppose the IEC Project, including the Shelter Petitions and the Eminent Domain Applications.

18. STFC is already a party to this consolidated proceeding, having been granted party status on March 23, 2018. STFC members have a direct interest in the outcome of Transource's Petitions and the Eminent Domain Applications.

19. A petition to intervene in this proceeding is permitted by a group representing "an interest which may be directly affected and which is not adequately represented by existing participants, and as to which the petitioner may be bound by the action of the Commission in the proceeding." 52 Pa. Code § 5.72(a)(2). *See also Energy Conservation Council of Pennsylvania v. PUC*, 995 A.2d 465 (Pa. Commw. Ct. 2010) (association has standing as long as an association has at least one member who has or will suffer a direct, immediate and substantial injury to an

interest as a result of a challenged action).

20. Intervention by community groups is appropriate where those groups represent “interests of such a nature that participation of the petitioner may be in the public interest.” 52 Pa. Code §5.72(c).

21. STFC advocates to preserve the agricultural character of Franklin County, and the County’s other local natural, scenic, and historic resources, and works on behalf of its members’ property rights, consumer rights, and environmental rights.

22. Members of STFC may be harmed by the approval of the Shelter Petitions and Applications for Eminent Domain. Members are (among other things) landowners in and near the right-of -way, business owners and participants in the Franklin County economy, and ratepayers who may be asked to pay a calculated fair share of any transmission upgrade.

23. STFC, on behalf of its members and the public, has an interest in ensuring the proposed siting and construction of these EHV electric transmission lines are a necessity to furnish service to the public and result in benefits to Franklin County, such as reliability or lower prices. 66 Pa.C.S. § 1501 and 52 Pa. Code §57.75(e)(1) (*See, e.g., Hess v. Pennsylvania PUC*, 107 A.3d 246, 260 (Pa. Commw. Ct. 2014)(courts have found necessity wherever a project resulted in an improvement to the reliability of service or lower prices).

24. STFC represents the interests of its members to ensure that the proposed siting and construction, including any buildings alleged to be exempt from local zoning, and any applications for eminent domain is in compliance with the applicable Constitutional requirements, as well as the statutes and regulations providing for the protection of the natural resources of the Commonwealth under 52 Pa. Code § 57.76(a)(3).

25. Further, STFC also has an interest in ensuring that the Siting Application represents the minimum adverse environmental impact on Franklin County land use, soil and sedimentation, plant and wildlife habitats, terrain, hydrology, landscape, archeologic areas, historic areas, and scenic areas.

26. Based on the foregoing, STFC represents the public interest.

27. STFC's interests in this proceeding are direct, immediate and substantial and are not adequately represented by any other parties that may seek to intervene.

28. Consequently, STFC continues to satisfy the standards for intervention under Section 5.72 of the Commission's regulations with respect to the Shelter Petitions and the Eminent Domain Applications. 52 Pa. Code § 5.72.

STFC Opposes the Shelter Petitions

29. A substantial portion of the facilities and the associated construction and operational impacts resulting therefrom, are proposed to be within Franklin County, including the proposed Rice Substation in Southampton Township, where STFC has members.

30. STFC is concerned that if the substations are exempt from local zoning ordinances the construction and operation of the facilities will result in substantial and irreparable harm to the health and quality of impacted streams, wetlands and water supplies, to human health, the environmental and the aesthetic values of the community, including the viable farming operations.

31. Exemption from local zoning violates the members' individual rights to the existing rural, agricultural aesthetic of Franklin County. In Franklin County, Transource seeks to fence in approximately eight (8) acres of land, with a seven (7) foot tall chain link fence, topped with another foot of barbed wire fencing. Within the fenced area, Transource proposes to build a

control equipment building, 60 x 16 x 10 foot high. Any other structures that Transource intends for the 8 acres are not detailed in the Shelter Petitions, likely because Transource does not allege that they are buildings subject to the MPC. The control equipment building and transmission line structures are not compatible with existing agricultural landscapes.

32. In Lower Chanceford Township, the purpose of the Agricultural District includes, “maintain[ing] agricultural parcels or farm in sizes which will permit efficient agricultural operations.” Lower Chanceford Zoning Ordinance No. 71-2, § 202.1

33. In Southampton Township, in the Agricultural/Woodland Conservation District (A), Transource would need conditional use approval for any public utility facility if not exempt from local zoning. Southampton Township Code, § 39-702(a).

34. Transource has failed to adequately evaluate the effect of the towers and the new substation and control equipment buildings, on the view and context of the landscape.

35. Transource has not adequately evaluated the effect that the siting and construction of the substations on over 8 acres of land in Southampton Township, Franklin County and York Counties on over 7 acres will have on the natural resources that the PUC holds in trust.

36. Transource does not meet the legal standard for classification as a public utility corporation, and therefore is not exempt from Section 619 of the Pennsylvania Municipalities Planning Code (“MPC”). 53 P.S. § 10619.

37. A grant of Transource’s Shelter Petitions is prohibited by Article I, Section 27 of the Pennsylvania Constitution (“Section 27” and “the Environmental Rights Amendment”).

38. In *Pennsylvania Env’tl. Def. Found. v. Com.*, 161 A.3d 911 (Pa. 2017) (“*PEDF*”), the Pennsylvania Supreme Court made clear that the Environmental Rights Amendment protects

two sets of enforceable environmental rights. *PEDF*, 161 A.3d at 931. The first is the individual environmental rights clause, which is the “prohibitory clause declaring the right of citizens to clean air and pure water, and to the preservation of the natural, scenic, historic and esthetic values of the environment.” *PEDF*, at 931 (quoting *Robinson Twp, Delaware Riverkeeper Network et al. v. Com*, 83 A.3d 901, 951 (Pa. 2013) (“*Robinson I*”). The second set of rights is considered the “public trust clause,” which is contained in the second and third sentences of Section 27, and affirmed in *PEDF*:

The second right reserved by Section 27...is the common ownership by the people, including future generations, of Pennsylvania’s public natural resources...The third clause of Section 27 establishes a public trust, pursuant to which the natural resources are the corpus of the trust, the Commonwealth is the trustee and the people are named beneficiaries.

PEDF, at 931 (quoting *Robinson II*, (Baer, J. concurring)).

39. *PEDF* determined that the Constitutional provision confers rights and duties on municipalities, under the public trust clauses of Section 27.

40. The Commission cannot grant Transource’s Petitions without jeopardizing the local municipalities’ (including Southampton and Lower Chanceford Township’s) duties to protect public natural resources and prevent degradation; moreover, the Commission may be unable to fulfill its own duties to the citizens if the Shelter Petitions are granted.

41. In the alternative, even if Transource is a public utility corporation, and its proposed structures are not Constitutionally barred, Transource’s Shelter Petitions should be denied because the proposed structures themselves are not reasonably necessary for the convenience or welfare of the public, nor has or can Transource demonstrate the requisite need for the IEC Project.

42. Transource’s Application for Certification was a unique filing that represented “a

new type of entity to the Commonwealth, as electric facilities have been owned and operated by the electric distribution companies or their transmission affiliates.” Settlement Order at 7-8. With the Transource certification Application in 2017, the Commission was “asked to grant a certificate to a company as a public utility as a necessary step to consideration of the siting and construction of the project this company was formed to carry out,” meaning that Transource was created, and only exists, for the purpose of the IEC Project. *Id.*

43. The Commission did not determine that the service that Transource proposes is “necessary or proper;” rather, the Commission merely approved a settlement agreement between parties as to the technical and financial fitness of Transource Pennsylvania LLC to operate as a public utility, saving any consideration of need to an application for siting. Settlement Order at 8.

44. Transource has never operated as a public utility anywhere, within Pennsylvania or elsewhere, and was only “formed to construct, own operate, and maintain electric transmission facilities and equipment in Pennsylvania” for PJM Project 9A, the IEC Project.

STFC Opposes the Eminent Domain Applications

45. STFC opposes the Commission granting approval of the Eminent Domain Applications to Transource.

46. The right to eminent domain exists for certain public utilities only in order to allow them to fulfill their statutory obligations to provide safe and reliable service to their customers. *Hess v. Pa. P.U.C.*, 107 A.3d 246, 249 (Pa. Commw. Ct. 2014).

47. Here, Transource does not have a statutory obligation to provide transmission service. Rather Transource exists only because of and is limited to the provision of service through PJM’s Project 9A, and, only if the Commission determines that there is a need in the

context of reviewing the Siting Applications.

48. Section 1511(c) of the Business Corporation Law sets forth the requirements for eminent domain:

(c) the powers conferred by subsection (a) [for the running of aerial electric facilities] may be exercised to condemn property...on after the Pennsylvania Public Utility Commission upon application of the public utility corporation, has found and determined...that the service to be furnished through the exercise of those powers is necessary or proper for the service, accommodation, convenience or safety of the public.

15 Pa. C.S. §1511(c).

49. The standard for eminent domain is described in *Pennsylvania Dept. of Env'tl Resources, v. Pa. PUC*, 335 A.2d 860 (Pa. Commw. Ct. 1975). The Commonwealth Court explained: "Under a delegation of the power of eminent domain the grantee of the power, *in the absence of legislative restriction*, may determine the location of the land [to be] acquired, and such determination will not be interfered with by the courts if it is *made in good faith* and is *not capricious or wantonly injurious*, or in some respect *beyond the privilege conferred by the charter or statute*." *Pa. DER*, 335 A.2d at 863.

50. Applications to the Commission for eminent domain must be made in good faith, must be neither capricious, nor wantonly injurious," and must not be beyond the privilege conferred by the charter or statute, and there must be no legislative restrictions on the power of eminent domain. *Pa. DER*, 335 A.2d at 863. Where the General Assembly has enacted a legislative restriction on eminent domain, those restrictions govern the Commission's ability to approve eminent domain.

51. Public Input testimony suggests that Transource did not act in good faith, nor did it

act without capriciousness or wanton injury. *See, e.g.*, N.T. May 23, 2018, p. 1062-63 (Clark) (testifying regarding Mennonite and German Baptists);

52. Even if Transource did act in good faith, and not capriciously, nor in a wantonly injurious manner, the eminent domain it seeks here has been restricted due to the lands it seeks to condemn.

53. Here, there are at least two legislative restrictions on the operation of eminent domain with respect to Transource’s Eminent Domain Applications: the Agricultural Area Security Law, applicable to lands within Agricultural Security Areas (“ASAs”) and the newly enacted Act 45 of 2018, which amends Title 26, the Eminent Domain Code, with respect to condemnation of lands subject to conservation easements.

54. All parties that intend to condemn land within an ASA must receive approval by ALCAB, and the governing bodies of the county, municipality and agricultural committees in which the proposed condemnation is to occur. 3 P.S. § 913(b).¹ ALCAB and the other governing bodies “have a duty to reject all applications for condemnation in which the applicable basis for approval is not demonstrated by the evidence presented.” *Maryland and Pennsylvania R.R. Preservation Auth. v. Agricultural Lands Condemnation Approval Bd.*, 704 A.2d 1149 (Pa.

¹ Section 913(b) provides:

No political subdivision, authority, public utility or other body having or exercising power of eminent domain shall condemn any land within any agricultural security area for any purpose *unless prior approval has been obtained* from the Agricultural Lands Condemnation Approval Board and from each of the following bodies: the governing bodies of the local government unites encompassing the agricultural security are, the county governing body, and the Agricultural Security Area Advisory Committee. Review by the Agricultural Lands Condemnation Approval Board and the other indicated bodies shall be in accordance with the criteria and procedure established in this section.

Commw. Ct. 1998)(affirming ALCAB’s denial of application to condemn lands within the agricultural security area because the Authority did not meet its burden to show that the agricultural security area will not be substantially impacted).

55. Under the new Act 45, no eminent domain of lands subject to a conservation easement can occur without Orphan’s Court approval that there “is no reasonable and prudent alternative” to using land subject to a conservation easement. 26 P.S. § 208(d). Any entity seeking to condemn lands subject to conservation easements must obtain approval from the Orphan’s Court at least 30 day prior to taking such action. 26 P.S. § 208(c).

56. As set forth above, the Commission has yet to make a determination on the necessity of the proposed lines in furnishing service to the public. 52 Pa. Code § 57.75(e)(1). The Commission did not determine that there is a need for the IEC Project; rather, the Commission merely approved a settlement agreement between parties as to the technical and financial fitness of Transource Pennsylvania LLC to operate as a public utility, saving any determination of need to the current proceedings on the Siting Applications.

57. If approved, the use of eminent domain for the IEC Project will violate the members’ individual environmental rights, as set forth in the Pennsylvania Constitution, including the “right to clean air, pure water, and to the preservation of the natural, scenic, historic and aesthetic values of the environment.” Pa. Const. art. 1, § 27.

58. The environmental rights of Pennsylvanians are on par with all of the “most sacred political and individual rights” contained in Article 1 of the Pennsylvania constitution, *PEDF*, 161 A.3d at 916.

3 P.S. § 913(b) (emphasis added).

59. The Commission, like “all agencies and entities of the Commonwealth government, both statewide and local, [has] a fiduciary duty to act toward the corpus with prudence, loyalty, and impartiality.” PEDE, 161 A.3d at 932 n.23 (citing Robinson II, at 956-57).

60. Numerous individuals have testified over several days of public input hearings in both Franklin and York County about the negative impacts that the IEC Project will have on the above-enumerated factors. Additionally, the Commission has received testimony from over sixty five (65) individuals testifying during three (3) days of Site Views as to the negative impact from the IEC Project.

61. Stop Transource Franklin County reserves the right to raise other issues as necessary and appropriate during the course of the proceeding and to respond to issues raised by other parties.

WHEREFORE, Stop Transource Franklin County respectfully requests that the Commission grant this Petition to Intervene, affirming that STFC has full-party status with respect to all aspects of this Consolidated Proceeding; that the Public Utility Commission investigate and hold full evidentiary hearings on the Shelter Petitions and the Eminent Domain Applications; that the Commission deny the Siting Applications, the Shelter Petitions and the Eminent Domain Applications, and that the Commission take such other actions as are found to be appropriate under the circumstances.

Respectfully submitted,
CURTIN & HEEFNER LLP



By: _____
Jordan B. Yeager (Pa. I.D. No. 72947)
Mark L. Freed (Pa. I.D. No. 63860)
Joanna A. Waldron (Pa. I.D. No. 84768)
2005 South Easton Road, Suite 100
Doylestown, PA 18901

Dated: July 6, 2018

**CERTIFICATE OF
SERVICE**

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for the siting and construction of the 230 kV Transmission Line
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accommodation, convenience or safety of the public. *et al.*

I hereby certify that I have this day served a true copy of the foregoing Petition to
Intervene and Protest upon parties of record in this proceeding in accordance with the
requirements of 52 Pa. Code § 1.54 (relating to service by a participant), in the manner and upon
the persons listed below:

Dated: July 6, 2018

VIA E-MAIL & FIRST CLASS MAIL

Honorable Elizabeth Barnes
Honorable Andrew M. Calvelli
Administrative Law Judges
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Respectfully submitted,
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VERIFICATION

I, Lori Rice, am the President of Stop Transource Franklin County. I hereby state that the facts set forth herein are true and correct to the best of my knowledge, information and belief and that I expect to be able to prove the same at a hearing held in this matter. I understand that the statements made herein are subject to the penalties of 18 Pa.C.S. Section 4904 concerning unsworn falsification to authorities.

DATED: July 6, 2018

A handwritten signature in cursive script that reads "Lori Rice". The signature is written in black ink and is positioned above a solid horizontal line that serves as a signature line.