

COMMONWEALTH OF PENNSYLVANIA



OFFICE OF CONSUMER ADVOCATE

555 Walnut Street, 5th Floor, Forum Place  
Harrisburg, Pennsylvania 17101-1923  
(717) 783-5048  
800-684-6560

FAX (717) 783-7152  
consumer@paoca.org

February 11, 2019

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.

Docket Nos. A-2017-2640195 and 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.

Docket No. 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.

Docket No. 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.

Docket No. A-2018-3001881, *et al.*

Dear Secretary Chiavetta:

Attached for electronic filing please find the Office of Consumer Advocate's Brief In Opposition To The Petition Of Transource Pennsylvania, LLC For Interlocutory Review And Answer To A Material Question in the above-referenced proceeding.

Copies have been served per the attached Certificate of Service.

Respectfully Submitted,



Phillip D. Demanchick  
Assistant Consumer Advocate  
PA Attorney I.D. # 324761  
E-Mail: PDemanchick@paoca.org

Counsel for:  
Tanya J. McCloskey  
Acting Consumer Advocate

Office of Consumer Advocate  
555 Walnut Street 5th Floor, Forum Place  
Harrisburg, PA 17101-1923  
Phone: (717) 783-5048  
Fax: (717) 783-7152

Enclosure

cc: Honorable Elizabeth Barnes  
Honorable Andrew M. Calvelli  
Honorable Gladys M. Brown (*via Hand Delivery*)  
Honorable David W. Sweet (*via Hand Delivery*)  
Honorable Norman J. Kennard (*via Hand Delivery*)  
Honorable Andrew G. Place (*via Hand Delivery*)  
Honorable John F. Coleman, Jr. (*via Hand Delivery*)  
Bohdan Pankiw, Esquire  
Certificate of Service

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application of Transource Pennsylvania LLC	:	
for Approval of the Siting and Construction	:	
of the 230 kV Transmission Line Associated	:	Docket Nos. A-2017-2640195
with the Independence Energy Connection -	:	A-2017-2640200
East and West Project in Portions of York and	:	
Franklin Counties, Pennsylvania	:	

---

Petition of Transource Pennsylvania, LLC for	:	
a Finding that a Building to Shelter Control	:	
Equipment at the Rice Substation in Franklin	:	Docket No. P-2018-3001878
County, Pennsylvania is Reasonably Necessary	:	
For the Convenience or Welfare of the Public	:	

---

Petition of Transource Pennsylvania, LLC for	:	
a Finding that a Building to Shelter Control	:	
Equipment at the Furnace Run Substation in	:	Docket No. P-2018-3001883
York County, Pennsylvania is Reasonably	:	
Necessary For the Convenience or Welfare of	:	
the Public	:	

---

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	:	Docket No. A-2018-3001881,
Line Associated with the Independence Energy	:	<i>et al.</i>
Connection – East and West Projects as	:	
Necessary or Proper for the Service,	:	
Accommodation, Convenience or safety of the	:	
Public	:	

---

THE OFFICE OF CONSUMER ADVOCATE'S  
BRIEF IN OPPOSITION TO THE PETITION OF  
TRANSOURCE PENNSYLVANIA, LLC FOR INTERLOCUTORY  
REVIEW AND ANSWER TO A MATERIAL QUESTION

---

Pursuant to Section 5.302(b) of the Pennsylvania Public Utility Commission's (Commission) Regulations regarding Interlocutory Review, 52 Pa. Code Section 5.302(b), the Office of Consumer Advocate (OCA) provides the following Brief in Opposition to the Petition of Transource Pennsylvania, LLC (Transource, or Transource PA or Company) for Interlocutory Review and Answer to a Material Question (Petition) in the above-captioned proceeding.

On February 1, 2019, Transource filed its Petition seeking review of the following material questions:

Whether the ALJs erred by striking Transource PA's rebuttal testimony regarding the Project's reliability benefits, thereby violating 66 Pa. C.S. § 332(c) and denying Transource PA due process of law.

Whether the ALJs' error unreasonably prevents the development of a full and complete record and denies the PUC access to the most recent available information in determining the need for this transmission project.

Petition at ¶ 4-5.

The OCA submits that the Commission should answer the material questions in the negative. The Administrative Law Judges (ALJs) correctly determined that rebuttal testimony regarding potential future reliability violations was not in accordance with Section 5.243(e) of the Commission's Regulations, 52 Pa. Code Section 5.243(e). Moreover, Transource's due process rights were not infringed because the ALJs correctly found that Transource had knowledge of this information months before it submitted its rebuttal testimony and voluntarily chose not to utilize the procedures provided for in the Commission's Regulations. Rather, the Company waited until filing its rebuttal testimony to introduce new claims thereby infringing on the due process rights of the intervening parties. Sixth Prehearing Order at 4-5. In addition, the ALJs determination to preclude the testimony does not prevent the development of a full and complete record as information that is inconsistent with the Commission's Regulations is not a proper part of any record or determination.

## **I. BACKGROUND**

The OCA notes that the procedural history of this proceeding is lengthy and will continue to grow as the case progresses toward its conclusion. For a detailed summation of the procedural history, see prior documents that the OCA has filed. For the purposes of this Petition, the OCA will discuss the procedural history relevant to its disposition.

On December 27, 2017, Transource filed two applications, along with supporting information and direct testimony, seeking approval from the Commission to construct the Independence Energy Connection Project (IEC Project or Project), a set of two 230-kilovolt (kV) transmission lines spanning approximately 37 miles in portions of York and Franklin Counties (Applications). On May 15, 2018, the Company filed two additional shelter petitions to site and construct two new substations in portions of York and Franklin Counties as part of the IEC Project, and 133 eminent domain applications to acquire portions of Pennsylvania land to site and construct the two transmission lines. The ALJs issued the Third Prehearing Order consolidating these proceedings.

In its direct testimony, the Company, by and through its witnesses, asserted that the IEC Project is a market efficiency project approved by PJM Interconnection, LLC (PJM) to resolve congestion constraints on the AP South Reactive Interface, a set of four 500 kV lines that originate in West Virginia and terminate in Maryland. In other words, the Company attempted to justify the need for the IEC Project, as is required by Section 57.76 of the Commission's Regulations, 52 Pa. Code Section 57.76(a), based on the economic benefits of the project.

On September 13, 2018, PJM's Transmission Expansion Advisory Committee (TEAC), tasked with providing advice and recommendations to aid in the development of the Regional Transmission Expansion Plan (RTEP), released an updated analysis of the IEC Project. In this

update, PJM acknowledges that it specifically assessed for the first time the extent to which the IEC Project provides identifiable reliability benefits. As part of this analysis, PJM identified potential reliability violations that may or may not occur in 2023 at the earliest in the absence of the IEC Project.

On November 27, 2018, more than two months after the September 2018 TEAC Meeting, the Company served its rebuttal testimony identifying these potential future reliability violations on the bulk electric system that may result in the absence of the IEC Project.

These new claims introduced in rebuttal were the subject of various Motions submitted by the OCA, Citizens to Stop Transource – York County (Citizens), and Stop Transource – Franklin County (STFC) (collectively Movants). The Movants each argued that the introduction of this evidence at the rebuttal stage violated Section 5.243(e) of the Commission’s Regulations because this information could have been brought sooner and changed the Company’s case-in-chief. In particular, STFC requested that portions of the Company’s rebuttal testimony be struck to the extent it introduces direct as rebuttal in violation of Section 5.243(e).

On December 31, 2018, the ALJs issued the Sixth Prehearing Order wherein the ALJs agreed with the Movants that the introduction of this evidence by the Company was improper:

By introducing as a reason to approve the siting applications potential reliability violations that would occur without the construction of Project 9A, Transource PA has effectively altered the scope and complexity of issues that are to be addressed by intervening parties and landowners subject to the Applications for eminent domain. The IEC project was initially described as being necessary to relieve transmission congestion constraints, which are economic in nature. While vague references were made about Project 9A generally enhancing reliability of the transmission system, no references were specified to suggest the project is necessary to resolve potential reliability violations or to provide reliability benefits. Many Intervenors have already testified at the public input hearings and site views already held in this case in response to siting applications and eminent domain applications regarding a market efficiency project, not a reliability project.

Sixth Prehearing Order at 4-5. Accordingly, the ALJs ordered that the portions of the Company's Rebuttal Testimony identified in STFC's Motion should be struck from the Company's rebuttal testimony to the extent it introduced direct as rebuttal. Id., at 8.

Shortly after the disposition of the Movants' Motions, STFC filed an additional Motion to further clarify the portions of the rebuttal testimony that were stricken as a result of the Sixth Prehearing Order. On January 24, 2019, the Seventh Prehearing Order was issued setting forth the exact portions of the rebuttal testimony to be struck as a result of the Sixth Prehearing Order. Namely, all portions of the Company's testimony that references these potential future reliability violations are to be stricken from Transource's rebuttal testimony. Seventh Prehearing Order at 2. The Company was ordered to re-serve its rebuttal testimony in accordance with the line-by-line designation provided in the Seventh Prehearing Order. Id., at 3-4.

Transource then filed its Petition on February 1, 2019, which now sits before the Commission for a decision. The OCA sets forth the following in opposition to the Company's Petition.

## **II. DISCUSSION**

In its Petition, the Company sets forth two material questions for review before this Commission:

Whether the ALJs erred by striking Transource PA's rebuttal testimony regarding the Project's reliability benefits, thereby violating 66 Pa. C.S. § 332(c) and denying Transource PA due process of law.

Whether the ALJs' error unreasonably prevents the development of a full and complete record and denies the PUC access to the most recent available information in determining the need for this transmission project.

Petition at ¶ 4-5.

The Commission should answer both questions in the negative. The ALJs correctly found that Transource's rebuttal testimony altered the scope of the proceeding, varied from the case-in-

chief, and was not proper rebuttal. The ALJs' decision excluding the testimony from this proceeding does not prevent the development of a full and complete record as such evidence is not permissible under the Commission's Regulations. The OCA will address each point below.

- A. The ALJs correctly found that the rebuttal testimony of Transource regarding potential future reliability violations was improper under Section 5.243(e).

Section 332 of the Public Utility Code provides:

**§ 332. Procedures in general.**

(c) Submission of evidence. — Every party is entitled to present his case or defense by oral or documentary evidence, to submit rebuttal evidence and to conduct such cross-examination as may be required for a full and true disclosure of the facts. The commission may, by rule, adopt procedures for the submission of all or part of the evidence in written form.

66 Pa. C.S. § 332(c). The statute provides discretion to the Commission to promulgate procedures for the submission of evidence. Pursuant to the Commission's statutory authority, Section 5.243(e) of the Commission's Regulations states as follows:

**§ 5.243. Presentation by parties.**

\* \* \*

(e) A party will not be permitted to introduce evidence during a rebuttal phase which:

- (1) Is repetitive.
- (2) Should have been included in the party's case-in-chief.
- (3) Substantially varies from the party's case-in-chief.

52 Pa. Code § 5.243(e).

Section 5.243(e) sets forth several limitations for rebuttal testimony, two of which are relevant to the disposition of this Petition: rebuttal evidence will not be permitted if (1) the evidence should have been included in the party's case-in-chief, and/or (2) the evidence substantially varies from the party's case-in-chief. There are several Commission decisions that further elaborate.



In Pa. Pub. Util. Comm'n v. UGI Utilities, Inc. (Electric Division), UGI's witness submitted an additional line item for inclusion in operations and maintenance expense in rebuttal testimony after having overlooked the adjustments in the initial preparation for the utility's filing. Docket No. R-00932862, 1994 Pa. PUC LEXIS 137 at \*130-31 (Pa. PUC Jul. 27, 1994) (UGI 1994). The Commission agreed with the ALJ to strike the line item from the rebuttal testimony because this information should have been brought in the utility's direct case. Id., at \*133. The Commission reasoned that the clear purpose of Section 5.243(e) is to "avoid trial by ambush and the prevention of surprise." Id.

In Pa. Pub. Util. Comm'n v. Total Environmental Solutions, Inc. -- Treasure Lake Water Division, et al., the utility attempted to correct in rebuttal claimed increases to the utility's total salaries and wages expense after discovering it submitted incorrect information in direct. Docket No. R-00072493, 2008 Pa. PUC LEXIS 42 at \*110 (Pa. PUC May 23, 2008) (Treasure Lake 2008). The utility provided this information to the OCA and the Office of Trial Staff in a discovery response prior to including the corrected amount in rebuttal testimony. Id. The ALJ struck the evidence holding that this violated Section 5.243(e) of the Commission's Regulations because the information substantially varied from the utility's case-in-chief and the burden was on the utility to provide the correct data sooner than the rebuttal phase. Id., at \*114-115. The ALJ reasoned that "it is not equitable to permit TESI to take a second bite at direct testimony, or to allow it to shore-up inadequate direct at the rebuttal phase of this case." Id., at 115. The Commission affirmed the ALJ's ruling. Treasure Lake 2008, Docket No. R-00072493, 2008 Pa. PUC LEXIS 1227 at \*125-127 (Pa. PUC Jul. 30, 2008).<sup>1</sup>

---

<sup>1</sup> See also Application of LP Water & Sewer Company for Approval to Begin to Offer, Render, Furnish, of Supply Water Service to the Public in Portions of Middle Smithfield Township, Monroe County and Lehman Township, Pike County, et al., Docket No. A-211770, et al., 1993 Pa. PUC LEXIS 117 at \*26 (Pa. PUC Jul. 7, 1993)

In this proceeding, the ALJs correctly determined that portions of Transource's rebuttal testimony is impermissible pursuant to Section 5.243(e). As stated in the Sixth Prehearing Order, the IEC Project was initially described as being necessary to relieve transmission congestion constraints, which are economic in nature. Furthermore, as stated by the ALJs, as this case has progressed many intervenors and affected landowners have already testified in response to the Company's Applications regarding a market efficiency project. By now including reference to potential future reliability violations in the rebuttal phase, the ALJs properly found that Transource effectively altered the scope and complexity of issues to be addressed in this proceeding. Accordingly, similar to the above cases, this rebuttal testimony is not permissible under Section 5.243(e) of the Commission's Regulations.

B. By excluding this evidence, the ALJs are not denying Transource due process of the law.

The Company next argues that by excluding portions of the Company's rebuttal testimony concerning potential future reliability violations, the ALJs are denying Transource due process of the law. Transource, however, had the opportunity to supplement its direct testimony prior to the submission of its rebuttal testimony to ensure its case-in-chief reflected its reliability claims.

As stated by the Commonwealth Court of Pennsylvania, the fundamental requirement of due process is the opportunity to be heard at a meaningful time and in a meaningful manner. Montefiore Hospital Assoc. v. Pa. Pub. Util. Comm'n, 421 A.2d 481, 484 (1980) (emphasis added). Moreover, in the ordinary course of practice before the Commission, it is commonly accepted that a party to a proceeding may serve supplemental direct testimony where new

---

(upheld the ALJs ruling striking rebuttal testimony that claimed a 40 percent increase to plant additions because it substantially changed the utility's direct position) (LP Water & Sewer 1993).

developments have arisen.<sup>2</sup> The option of serving supplemental direct testimony was also discussed before the ALJs at a prehearing conference convened on July 9, 2018.<sup>3</sup> Transcript at 1610-1612. Accordingly, Transource had the opportunity to introduce this evidence in accordance with the Regulations, similar to Treasure Lake 2008.

Any suggestion by the Company that intervenors' knowledge of the potential future reliability violations prior to the submission of the Company's rebuttal testimony cures the issue before the Commission is improper. The Company attempts to shift the burden and fault on the intervening parties for failure to investigate these potential reliability issues prior to its inclusion in this proceeding. The intervening parties have no prior knowledge of how the Company intends to support its case. The intervening parties cannot be expected or obligated to anticipate changes in the Company's position. Rather, the intervening parties addressed market efficiency claims in their direct testimony to which proper rebuttal should have been directed.

In conclusion, contrary to Transource's claims, its due process rights have not been infringed. The Company was provided the opportunity to be heard and had avenues of relief.

---

<sup>2</sup> See e.g. 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 Pennsylvania Portion of the Proposed Susquehanna-Roseland 500 kV Transmission Line in Portions of Lackawanna, Luzerne, Monroe, Pike and Wayne Counties, Pennsylvania, et al., Docket No. A-2009-2082652, et al., 2009 Pa. PUC LEXIS 2323 at \*7 (Pa. PUC Nov. 12, 2009), In Re: Application of Trans-Allegheny Interstate Line Company (TrAILCo) For approval: 1) for a certificate of public convenience to offer, render, furnish or supply transmission service in the Commonwealth of Pennsylvania; 2) authorization and to locate, construct, operate and maintain certain high-voltage electric substation facilities; 3) authority to exercise the power of eminent domain for the construction and installation of aerial electric transmission facilities along the proposed transmission line routes in Pennsylvania; 4) approval of an exemption from municipal zoning regulation with respect to the construction of buildings; and 5) approval of certain related affiliated interest arrangements, Docket No. A-110172, 2008 Pa. PUC LEXIS 60 at \*177 (Pa. PUC Aug. 15, 2008) (submission of supplemental direct by Applicant regarding certain cost allocation changes resulting from a FERC Order); Application of Laser Northeast Gathering Company, LLC for Approval to Begin to Offer, Render, Furnish, or Supply Natural Gas Gathering and Transporting or Conveying Service by Pipeline to the Public in Certain Townships of Susquehanna County, Pennsylvania, Docket No. A-2010-2153371, 2010 Pa. PUC LEXIS 1114 at \*8 (Pa. PUC Nov. 22, 2010).

<sup>3</sup> During the prehearing conference, the parties were discussing an update to the economic benefits of the IEC Project. Supplemental direct testimony was discussed as an option to provide the update to the intervening parties sooner. The potential future reliability violations introduced in rebuttal, however, were not contemplated at the time of the prehearing conference, nor was it a part of the Company's case-in-chief. Indeed, the Company's rebuttal testimony still states that the basis of the IEC Project is market efficiency.

Moreover, preclusion of testimony in violation of Commission Regulations is appropriate and does not prevent the development of a full and complete record. Accordingly, the ALJs did not infringe the Company's due process rights.

- C. The Company's alternative request that if the Commission answers the material questions in the affirmative, a hearing must be convened no later than March 31, 2019, must be rejected.

The Company requests that if the Commission answers the material questions in the affirmative, that the procedural schedule remain the same and that a separate hearing be held by March 31, 2019, on the narrow issue of reliability. In effect, the company claims a violation of its due process rights only to request the same for intervening parties. The request by Transource is improper and impossible to accommodate.

Basic tenets of due process demand that the intervening parties must have a reasonable amount of time to conduct discovery and formulate written testimony responding to the new testimony of Transource. As stated by the Pennsylvania Superior Court:

The commission, as an administrative body, is bound by the due process provisions of constitutional law and by the principles of common fairness. Among the requirements of due process are notice and an opportunity to be heard on the issues, to be apprised of the evidence submitted, to cross-examine witnesses, to inspect documents, and to offer evidence in explanation or rebuttal.

Smith v. Pa. Pub. Util. Comm'n, 162 A.2d 80, 83 (Pa. Super. 1960). A hearing held by March 31, 2019, as the Company requests, will impede the ability of the intervening parties to issue discovery concerning the alleged potential future reliability violations, conduct proper analyses, formulate its position, and present its position in the record for the Commission as required by 66 Pa. C.S. Section 332.

If the Commission were to answer the material questions in the affirmative, the OCA submits that the procedural schedule must reflect additional time for the submission of written testimony for the intervening parties to respond to the allegations of Transource. Accordingly, if

the Commission answers in the affirmative, the Commission should direct the parties to confer with the ALJs to develop an appropriate procedural schedule based on all the evidence.

Any further extension of the procedural schedule should not substantially impair the rights of Transource because it voluntarily delayed the in-service date of the IEC Project by five months, from June 2020 to November 2020, and evidentiary hearings are not scheduled to occur in the Maryland proceeding until June 2019.

### III. CONCLUSION

The OCA requests that the Commission answer the material questions in the negative. The ALJs correctly determined that the Company's rebuttal testimony concerning potential future reliability violations was not in accordance with Section 5.243(e) of the Commission's Regulations. The Company's due process rights were not infringed as there is no right to include information in the record that is precluded by the Regulations. If the Commission answers the material questions in the affirmative, due process demands that the intervening parties have the opportunity to conduct discovery and respond via written testimony.

Office of Consumer Advocate  
555 Walnut Street, 5<sup>th</sup> Floor  
Harrisburg, PA 17101-1923  
Phone: (717) 783-5048  
Fax: (717) 783-7152

Respectfully Submitted,



Phillip D. Demanchick  
Assistant Consumer Advocate  
PA Attorney I.D. # 324761  
E-Mail: [PDemanchick@paoca.org](mailto:PDemanchick@paoca.org)

David T. Evrard  
Assistant Consumer Advocate  
PA Attorney I.D. # 33870  
E-Mail: [DEvrard@paoca.org](mailto:DEvrard@paoca.org)

Dianne E. Dusman  
Senior Assistant Consumer Advocate  
PA Attorney I.D. # 38308  
E-Mail: [DDusman@paoca.org](mailto:DDusman@paoca.org)

Darryl A. Lawrence  
Senior Assistant Consumer Advocate  
PA Attorney I.D. # 93682  
E-Mail: [DLawrence@paoca.org](mailto:DLawrence@paoca.org)

Dated: February 11, 2019  
266200-6

Counsel for:  
Tanya J. McCloskey  
Acting Consumer Advocate

CERTIFICATE OF SERVICE

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.*

I hereby certify that I have this day served a true copy of the foregoing document, the Office of Consumer Advocate's Brief In Opposition To The Petition of Transource Pennsylvania, LLC For Interlocutory Review And Answer To A Material Question, 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 this 11<sup>th</sup> day of February 2019.

SERVICE BY E-MAIL and FIRST CLASS MAIL

Anthony D. Kanagy, Esq.  
Lindsay Berkstresser, Esq.  
David B. MacGregor, Esq.  
Post & Schell PC  
17 North Second Street  
12<sup>th</sup> Floor  
Harrisburg, PA 17101-1601

Amanda Riggs Conner, Esq.  
Antonio Smyth, Esq.  
Hector Garcia, Esq.  
American Electric Power Service  
1 Riverside Plaza  
29<sup>th</sup> Floor  
Columbus, OH 43215

Thomas J. Sniscak  
Whitney E. Snyder  
Hawke McKeon & Sniscak LLP  
100 North Tenth Street  
Harrisburg, PA 17101

Teresa K. Harrold, Esq.  
Tori L. Giesler, Esq.  
First Energy  
2800 Pottsville Pike  
P.O. Box 16001  
Reading, PA 19612

Linus E. Fenicle, Esq.  
Reager & Adler, P.C.  
2331 Market Street  
Camp Hill, PA 17011

Jordan B. Yeager, Esq.  
Mark L. Freed, Esq.  
Joanna A. Waldron, Esq.  
Curtain & Heefner LLP  
2005 S. Easton Road  
Suite 100  
Doylestown, PA 18901

Karen O. Maury  
Eckert, Seamans, Cherin, & Mellott, LLC  
213 8<sup>th</sup> Floor  
Harrisburg, PA 17101

Sharon E. Webb, Esq.  
Assistant Small Business Advocate  
PA Office of Small Business Advocate  
300 North Second Street, Suite 202  
Harrisburg, PA 17101

Kimberly A. Klock, Esq.  
Michael J. Shafer, Esq.  
PPL Electric Utilities Corporation  
Two North Ninth Street  
Allentown, PA 18101

Romula L. Diaz, Jr., Esq.  
Jack R. Garfinkle, Esq.  
Jennedy S. Johnson, Esq.  
PECO Energy Company  
2301 Market Street  
Philadelphia, PA 19103

J. Ross McGinnis, Esq.  
41 W. Main Street  
Fawn Grove, PA 17321

Barron Shaw  
Jana Shaw  
445 Salt Lake Rd  
Fawn Grove, PA 17321

#### SERVICE BY FIRST CLASS MAIL

Byron Jess Boyd  
831 New Park Road  
New Park, PA 17352

Fred Byers  
1863 Coldsmith Rd  
Shippensburg, PA 17257

Roy Cordell  
Emma Cordell  
4690 Fetterhoff Chapel Road  
Chambersburg, PA 17202

Aaron Kauffman  
Melinda Kauffman  
4220 Old Scotland Rd  
Chambersburg, PA 17202

Colt Martin  
Kristyn Martin  
8020 Hidden Valley Rd  
Waynesboro, PA 17268

Leonard Kauffman  
Mary Kauffman  
4297 Olde Scotland Rd  
Chambersburg, PA 17202



Allen Rice  
Lori Rice  
1430 Henry Lane  
Chambersburg, PA 17202

Lois White  
1406 Walker Road  
Chambersburg, PA 17202

Willa Weller Kaal  
67 Summer Breeze Lane  
Chambersburg, PA 17202

Allan Stine  
Heather Stine  
867 Cider Press Road  
Chambersburg, PA 17202

Karen Benedict  
Rodney Myer  
5413 Manheim Rd  
Waynesboro, PA 17268

Lantz Sourbier  
Laura Sourbier  
64 Edgewood Cir  
Chambersburg, PA 17202

Ashley Hospelhorn  
8010 Hidden Valley Ln  
Waynesboro, PA 17268

Ashley Hospelhorn  
116 West 3<sup>rd</sup> Street  
Waynesboro, PA 17268

Danielle Bernecker  
1827 Wood Duck Dr E  
Chambersburg, PA 17202

Derek Dettinger  
24 Chanceford Rd  
Brogue, PA 17309

James McGinnis Jr  
290 Woolen Mill Road  
New Park, PA 17352

Hugh McPherson  
2885 New Park Road  
New Park, PA 17352

Michael Cordell  
4219 Altenwald Rd  
Waynesboro, PA 17268

Darwyn Benedict  
410 N. Grant Street  
Waynesboro, PA 17268

Jan & Georgina Horst  
826 New Franklin Road  
Chambersburg, PA 17202

Dolores Krick  
S. J. Krick & Co. Inc.  
Krick's Apartments  
Muddy Creek Meadows Riding Stable  
699 Frosty Hill Rd  
Airville PA 17302

/s/ Phillip D. Demanchick  
Phillip D. Demanchick  
Assistant Consumer Advocate  
PA Attorney I.D. # 324761  
E-Mail: [PDemanchick@paoca.org](mailto:PDemanchick@paoca.org)

Darryl A. Lawrence  
Senior Assistant Consumer Advocate  
PA Attorney I.D. # 93682  
E-Mail: [DLawrence@paoca.org](mailto:DLawrence@paoca.org)

David T. Evrard  
Assistant Consumer Advocate  
PA Attorney I.D. # 33870  
E-Mail: [DEvrard@paoca.org](mailto:DEvrard@paoca.org)

Dianne E. Dusman  
Senior Assistant Consumer Advocate  
PA Attorney I.D. #38308  
E-Mail: [DDusman@paoca.org](mailto:DDusman@paoca.org)

Counsel for:  
the Office of Consumer Advocate  
555 Walnut Street  
5<sup>th</sup> Floor, Forum Place  
Harrisburg, PA 17101-1923  
Phone: (717) 783-5048  
Fax: (717) 783-7152  
\*266435