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File #: 166570

March 12, 2020

***VIA ELECTRONIC FILING***

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street, 2nd Floor North  
P.O. Box 3265  
Harrisburg, PA 17105-3265

**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 Franklin and York Counties, Pennsylvania - Docket No. A-2017-2640195 & A-2017-2640200**

**Petitions of Transource Pennsylvania, LLC for a finding that a building to shelter control equipment at the Rice Substation in Franklin County, Pennsylvania and the Furnace Run Substation in York County, Pennsylvania are reasonably necessary for the convenience or welfare of the public - Docket Nos. P-2018-3001878 & 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 Lines 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 Nos. A-2018-3001881, et al.**

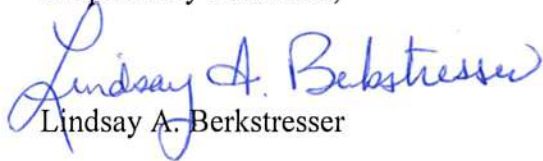
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Dear Secretary Chiavetta:

Enclosed for filing is the Prehearing Memorandum of Transource Pennsylvania, LLC and PPL Electric Utilities Corporation, in the above-referenced proceeding. Copies will be provided as indicated on the Certificate of Service.

Rosemary Chiavetta, Secretary  
March 12, 2020  
Page 2

Respectfully submitted,

  
Lindsay A. Berkstresser

LAB/jl  
Enclosures

cc: Honorable Elizabeth Barnes  
Certificate of Service

**CERTIFICATE OF SERVICE**  
**Docket Nos. A-2017-2640195 & A-2017-2640200, et al.**

I hereby certify that a true and correct copy of the foregoing has been served upon the following persons, in the manner indicated, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

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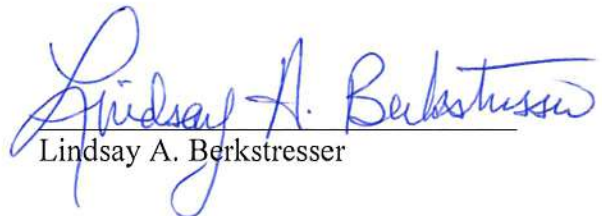
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Date: March 12, 2020



Lindsay A. Berkstresser



**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 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.*

**PREHEARING MEMORANDUM OF  
TRANSOURCE PENNSYLVANIA, LLC AND  
PPL ELECTRIC UTILITIES CORPORATION**

**TO ADMINISTRATIVE LAW JUDGE ELIZABETH H. BARNES:**

Transource Pennsylvania, LLC (“Transource PA”) and PPL Electric Utilities Corporation (“PPL Electric”), pursuant to the Fourteenth Prehearing Order issued on January 21, 2020, hereby file this Prehearing Memorandum in the above-captioned proceedings, and state as follows:

## **I. PROCEDURAL HISTORY**

1. On December 27, 2017, Transource PA filed two Applications for the siting of electric transmission lines related to a project known as the Independence Energy Connection Project (“IEC Project”). The IEC Project consists of two segments—the “East Portion” in portions of York County, Pennsylvania, and the “West Portion” in portions of Franklin County, Pennsylvania. As explained in the December 27, 2017 Siting Applications and testimony of Transource PA witnesses, the East and West Portions of the IEC Project were proposed to alleviate transmission congestion constraints and provide reliability benefits in Pennsylvania, Maryland, West Virginia, and Virginia.

2. The matter was assigned to Administrative Law Judges Elizabeth H. Barnes and Andrew Calvelli (the “ALJs”) to conduct evidentiary hearings and issue a recommended decision.

3. Notice of the Applications appeared in the Pennsylvania Bulletin on January 20, 2018.

4. Various parties have intervened in this proceeding, including but not limited to the Office of Consumer Advocate (“OCA”); Stop Transource Franklin County (“STFC”); Citizens to Stop Transource York County, Maple Lawn Farms, Barron Shaw and Shaw Orchards (collectively, “York County Citizens”); West Penn Power & Mid-Atlantic Interstate Transmission, LLC; PECO Energy Company; PPL Electric; and York County Planning Commission (“YCPC”). Numerous other individuals and organizations have filed Protests and Petitions to Intervene.

5. A Notice of Prehearing Conference was issued on January 4, 2018, scheduling the Initial Prehearing Conference in both dockets for March 13, 2018. On February 28, 2018, the

ALJs issued a Prehearing Conference Order directing that the parties submit prehearing conference memoranda by March 8, 2018.

6. The ALJs issued a Protective Order on March 14, 2018. The parties have engaged in extensive discovery throughout the course of this proceeding, some of which has been the subject of various motions filed by the parties and discovery orders issued by the ALJs.

7. On March 28, 2018, the ALJs issued a Procedural Order adopting a litigation schedule and consolidating the Applications.

8. On May 15, 2018, Transource PA filed two Petitions for findings that a building to shelter control equipment at the proposed Rice Substation in Franklin County and a building to shelter control equipment at the proposed Furnace Run Substation in York County are reasonably necessary for the convenience or welfare of the public (“Zoning Petitions”).

9. Also on May 15, 2018, Transource PA filed 133 eminent domain applications in connection with both the East and West segments of the IEC Project (“Condemnation Applications”), some of which were later withdrawn due to progressions in the engineering and design of the IEC Project and subsequent agreements with certain landowners.

10. Public input hearings were conducted in Franklin County on May 22 and 23, 2018, and in York County on May 9 and 14, 2018. Additional public input hearings in Franklin County were held on September 18, 2018. Additional public input hearings in York County were held on September 20, 2018. Multiple site views were also held in both Franklin County and York County.

11. A second prehearing conference was held on July 9, 2018.

12. On September 25, 2018, other parties, except STFC, submitted their direct testimony. STFC submitted its direct testimony on October 11, 2018.



13. Transource PA submitted its rebuttal testimony on November 27, 2018.

14. Also on November 27, 2018, Transource PA amended the Siting Application and submitted revised aerial mapbooks to reflect a minor proposed route adjustment, which maintained the original 1,000 foot corridor consisting of 500 feet on each side of the centerline.

15. Following the submission of Transource PA's rebuttal testimony, York County Citizens and Maple Lawn Farms, OCA, and STFC filed motions requesting that the procedural schedule be amended. STFC also requested that certain of Transource PA's rebuttal testimony regarding reliability benefits be stricken.

16. Transource PA filed Answers to the OCA's and York County Citizens' Motions on December 13, 2018. Transource PA filed an Answer to STFC's Motion on December 17, 2018.

17. On December 28, 2018, the ALJs issued an Order striking certain portions of Transource PA's rebuttal testimony regarding reliability benefits and amending the procedural schedule.

18. The OCA, York County Citizens, STFC, Barron Shaw, YCPC, and PPL Electric submitted surrebuttal testimony on January 30, 2019.

19. On February 1, 2019, Transource PA filed a Petition for Interlocutory Review and Answer to Material Question requesting that the Commission grant interlocutory review of the ALJs' Order striking Transource PA's testimony regarding reliability benefits.

20. On February 11, 2019, Transource PA filed a Brief in support of its Petition for Interlocutory Review. Also on February 11, 2019, the OCA, STFC, and York County Citizens filed Briefs in opposition to Transource PA's Petition for Interlocutory Review.

21. On February 11, 2019, Transource PA served its rejoinder testimony.

22. On February 14, 2019, the OCA and STFC filed Motions to Strike portions of Transource PA's rejoinder testimony. Citizens York County filed a letter in support of the Motions to Strike.

23. Evidentiary hearings were held on February 21-22, and 25-27, 2019.

24. On March 20, 2019, the Commission issued an Order granting Transource PA's Petition for Interlocutory Review, answering the material questions in the affirmative, and returning the matter to the ALJs for further proceedings consistent with the Commission's Order.

25. On April 2, 2019, the ALJs issued an Order scheduling further evidentiary hearings for June 27-28, 2019.

26. Transource PA submitted supplemental testimony on May 14, 2019 to provide an update regarding Conceptual Alternative 3A.

27. On May 29, 2019, the OCA served supplemental surrebuttal testimony. On June 3, 2019, STFC served supplemental surrebuttal testimony.

28. On June 17, 2019, Transource PA served supplemental rejoinder testimony.

29. On June 18, 2019, Transource PA filed a Motion to Suspend the Procedural Schedule in order to allow the parties additional time to engage in settlement discussions.

30. On June 21, 2019, the ALJs issued an Order granting Transource PA's Motion to Suspend the Procedural Schedule and rescheduling the further evidentiary hearings regarding reliability for August 7 and 8, 2019.

31. On July 26, 2019, counsel for Transource PA informed the ALJs that the parties are continuing to engage in settlement discussions and requested that the further hearing be rescheduled. The ALJs canceled the further hearing scheduled for August 7 and 8, 2019.

32. The parties continued to engage in settlement discussions, which resulted in Transource PA executing settlement agreements with PPL Electric, YCPC, and York County Citizens. The settlement agreements provided that Transource PA would present the Commission with an alternative route for the East Portion of the IEC Project, the “Alternative IEC East Portion.”

33. On October 17, 2019, Transource filed the settlement agreements with the Commission.

34. On January 29, 2020, Transource PA and PPL Electric filed the Joint Amended Application in accordance with the settlement agreements.

35. Notice of the Amended Application appeared in the Pennsylvania Bulletin on February 8, 2020.

36. On February 19, 2020, STFC filed an Answer to the Amended Application.

37. On February 28, 2020, the OCA filed a Protest to the Amended Application.

38. On March 10, 2020, Transource PA and PPL Electric filed a joint reply to STFC’s Answer.

## **II. WITNESSES AND ISSUES**

39. In the Amended Application, Transource PA and PPL Electric request the Commission’s approval for siting an alternative route for the East Portion (“Alternative IEC East Portion”) of the IEC Project. The alternative route will utilize existing PPL Electric right-of-way and transmission infrastructure in York County to the extent reasonably possible. Various parties in Pennsylvania and in the related proceeding in Maryland<sup>1</sup> supported using the PPL Electric right-of-way and existing infrastructure as an alternative to Transource PA’s original

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<sup>1</sup> On December 27, 2017, Transource also filed an Application before the Maryland Public Service Commission (“MD PSC”) requesting approval for the portion of the IEC Project located in portions of Harford and Washington Counties, Maryland. The Application was docketed at Case No. 9471.



configuration. The reconfigurations described in the Amended Application and Attachments pertain to the East Portion of the IEC Project and are contingent upon the both the East Portion of the IEC Project being approved, as amended, and the West Portion of the IEC Project be approved without modification.

40. Transource PA and PPL Electric presented the following statements in support of the Amended Application:

<b>Witness</b>	<b>Address</b>	<b>Issues</b>
Transource PA Statement No. AA-1, the Supplemental testimony of Brian D. Weber	1 Riverside Plaza Columbus, OH 43215	Overview of the Amended Application; continued need for the IEC Project with the Alternative IEC East Portion; description of Transource PA-owned facilities; updated project costs.
Transource PA Statement No. AA-2, the Supplemental testimony of Steven R. Herling	2750 Monroe Boulevard Audubon, Pennsylvania 19403	PJM support for the Amended Application; updated benefits and cost analysis; ability of Alternative IEC East Portion to meet PJM's regional transmission planning needs
Transource PA Statement No. AA-3, the Supplemental testimony of Timothy J. Horger	2750 Monroe Boulevard Audubon, Pennsylvania 19403	PJM's recent market efficiency analyses of the IEC Project, including the Alternative IEC East Portion
PPL Electric Statement No. AA-1, the Supplemental testimony of Douglas J. Grossman	Two North Ninth Street Allentown, PA 18101	Overview of the Alternative IEC East Project; process employed by PPL Electric and Transource PA in filing the Amended Application; overview of siting process for Alternative IEC East Portion; PPL Electric's policy on measures to mitigate the impacts of transmission lines; PPL Electric's public outreach efforts
PPL Electric Statement No. AA-2, the Supplemental testimony of Matthew Baranoski	Two North Ninth Street Allentown, PA 18101	Project cost and proposed Project schedule.
PPL Electric Statement No. AA-3, the Supplemental testimony of Kyle Swartzentruber	Two North Ninth Street Allentown, PA 18101	Major design features of the Project; safety features; PPL Electric's Magnetic Field Management Program; existing PPL Electric



		system and how Project will be added to existing facilities.
PPL Electric Statement No. AA-4, the Supplemental testimony of Austin K. Weseloh	Two North Ninth Street Allentown, PA 18101	PPL Electric's policies regarding landowner interactions; existing right-of-way for the Project; identification of additional right-of-way needed
PPL Electric Statement No. AA-5, the Supplemental testimony of Barry A. Baker	625 West Ridge Pike. Suite E-100, Conshohocken, PA 19428	Siting analysis for the Alternative IEC East Portion

### **III. PROCEDURAL SCHEDULE**

41. Transource PA has received one set of discovery pertaining to the Amended Application from the OCA. Transource PA served timely answers to the OCA's discovery on March 6, 2020.

42. Transource PA and PPL Electric propose the following procedural schedule for the remainder of this proceeding:

Evidentiary Hearing on Amended Application and Reliability Issues	April 16 and 17, 2020
Main Briefs	May 15, 2020
Reply Briefs	June 12, 2020

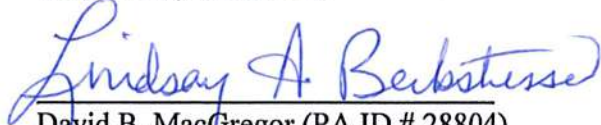
43. In the OCA's January 31, 2020 status update, OCA stated that it consulted with STFC and proposes that the further evidentiary hearing be held on May 19 and 20, 2020. There is no reason to wait until May to conduct the hearing. The hearing is limited in scope to the Alternative IEC East Portion as proposed in the Amended Application and reliability issues. Parties have been aware of the reliability issues since Transource PA submitted its rebuttal testimony on November 27, 2018. Thus, there has been ample time to conduct discovery on

these issues. In addition, Transource PA has provided timely responses to all discovery requests that it received regarding the Amended Application and has not received any additional discovery requests regarding the Amended Application. On March 11, 2020, the OCA served discovery on PPL Electric, PECO Energy Company, and Mid-Atlantic Interstate Transmission, LLC. Waiting approximately six weeks after the Amended Application was filed to submit this discovery does not justify waiting until May to hold the further hearing. Finally, the OCA indicated that it does not anticipate submitting any additional testimony pertaining to the Amended Application. Transource PA's proposed hearing dates are nearly three months after the parties received the Amended Application, which provides more than sufficient time to prepare for the limited hearing. For these reasons, Transource PA and PPL Electric request that the hearing be held no later than April 2020.

#### IV. SETTLEMENT

44. Transource PA remains open and available for settlement discussions with the OCA and STFC.


Respectfully submitted,



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Date: March 12, 2020