

BRIAN YEAGER, ESQUIRE
SOLICITOR, COVINGTON TOWNSHIP
116 N. WASHINGTON AVENUE, SUITE 400
P.O. BOX 234
SCRANTON, PA 18501-0234
888-536-2426 570-346-1174(fax)
by@lenahandempsey.com

RECEIVED
2013 FEB 22 AM 9:56
PA.P.U.C.
SECRETARY'S BUREAU

February 20, 2013

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Post Office Box 3265
Harrisburg, Pennsylvania 17105-3265

RE: Application of PPL Electric Utilities Corporation Pursuant to 52 Pa. Code Chapter 57, Subchapter G, for Approval of the Siting and Construction of Transmission Lines Associated with the Northeast-Pocono Reliability Project in Portions of Luzerne, Lackawanna, Monroe and Wayne Counties, Pennsylvania
Docket No. A-2012-2340872

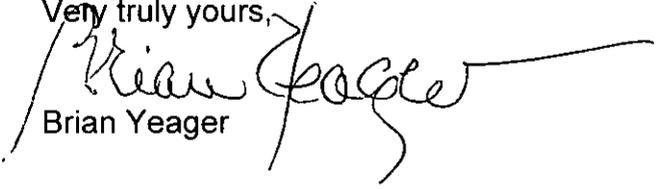
Dear Secretary Chiavetta:

Enclosed for filing in the above matter are the original and three (3) copies of a Petition to Intervene of the Township of Covington, Lackawanna County, PA.

Copies of the Petition to Intervene are being served by first class mail upon the persons indicated in the certificate of service.

Please contact me if there are any questions on this filing.

Very truly yours,


Brian Yeager

BY/

Enclosures

Cc: Honorable David A. Salapa
Board of Supervisors, Township of Covington
Certificate of Service

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Application of PPL Electric Utilities Corporation :
filed pursuant to 52 Pa. Code Chapter 57 :
Subchapter G, for approval of the siting and :
construction of transmission lines associated :
with the Northeast-Pocono reliability project :
in Portions of Luzerne, Lackawanna, Monroe, :
and Wayne Counties, Pennsylvania :

Docket No. A-2012-2340872

Petition of PPL Electric Utilities Corporation :
for a finding that a building to shelter control :
equipment at the North Pocono 230'69 kV :
substation in Covington Township, Lackawanna :
County, Pennsylvania is reasonably necessary :
for the convenience or welfare of the public :

Docket No. P-2012-2340871

Petition of PPL Electric Utilities Corporation :
for a finding that a building to shelter control :
equipment at the West Pocono 230-69 kV :
substation in Buck Township, Luzerne :
County, Pennsylvania is reasonably necessary :
for the convenience or welfare of the public :

Docket No. P-2012-2341105

Application of PPL Electric Utilities Corporation :
under 15 Pa.C.S. §1511(c) for a finding and :
determination that the service to be furnished :
by the applicant through its proposed exercise :
of the power of eminent domain to acquire a :
certain portion of the lands of the property :
owners listed below for siting and construction :
of transmission lines associated with the :
proposed Northeast-Pocono Reliability Project :
in portions of Luzerne, Lackawanna, Monroe, :
and Wayne Counties, Pennsylvania is necessary :
or proper for the service, accommodation, :
convenience or safety of the public :

RECEIVED
2013 FEB 22 AM 9:57
PA.P.U.C.
SECRETARY'S BUREAU

John C. Justice and Linda S. Justice	A-2012-2341107
Three Griffins Enterprises, Inc.	A-2012-2341114
Margaret G. Arthur and Barbara A. Saurman Trustees of the Residuary Trust of James C. Arthur	A-2012-2341115
Anthony J. Lupas, Jr. and Lillian Lupas John Lupas and Judy Lupas, Grace Lupas, Eugene A. Bartoli and Robert J. Fankelli	A-2012-2341118
Ronald G. Sidovar and Gloria J. Sidovar	A-2012-2341120
FR First Avenue Property Holding, LP	A-2012-2341123
Transcontinental Gas Pipe Line Corporation	A-2013-2341208
William Petrouleas and Joanna Petrouleas	A-2013-2341209
Peter Palermo and Francine Palermo	A-2013-2341211
Christopher Maros and Melinda Maros	A-2013-2341213
Dianne L. Doss	A-2013-2341214
Doanld Januszewsk	A-2013-2341215
International Consolidated Investment Company	A-2013-2341216
Bradley D. Hummel	A-2013-2341220
Michael Palermo and Joanne Palermo	A-2013-2341221
Roberta Searfoss a/k/a Judy Searfoss Executrix of the Estate of Euylla Hughes a/k/a Eylla Hughes	A-2013-2341232
John F. and Veronica Iskra	A-2013-2341233
Michael A. Mitch and Sue K. Mitch	A-2013-2341234
Clifton Acres, Inc.	A-2013-2341236

Dietrich Hunting Club	:	A-2013-2341237
Art Borrower Propco 2010-5 LLC	:	A-2013-2341238
NLMS, Inc.	:	A-2013-2341239
US Industrial Reit II	:	A-2013-2341241
Ronald Solt	:	A-2013-2341249
Merel J. and Arlene J. Swingle	:	A-2013-2341250
Edward R. Schultz	:	A-2013-2341253
Donald W. Henderson and Louis Bellucci	:	A-2013-2341262
Fr E2 Property Holding LP	:	A-2013-2341263
Sylvester J. Coccia	:	A-2013-2341267
Lawrence Duda	:	A-2013-2341271
Mark M. Mack, J. Dean Mack and Heather K. Mack	:	A-2013-2341272
Blue Ridge Real Estate	:	A-2013-2341277
James L. and Michaelene J. Butler	:	A-2013-2344353
Susan Butler Reigeluth Living Trust	:	A2013-2344604
Blueberry Mountain Realty, LLC	:	A-2013-2344605
Grumble Knot, LLC	:	A-2013-2344612
Pennsylvania Glacial Till, LLC	:	A-2013-2344616
Chris and Melinda Maros	:	
v.	:	C-2012-2305047
PPL Electric Utilities Corporation	:	

Joe and Vanessa Caparo

v.

PPL Electric Utilities Corporation

C-2012-2276713

PA.P.U.C.
SECRETARY'S BUREAU

2013 FEB 22 AM 9:57

RECEIVED

PETITION TO INTERVENE
OF THE
TOWNSHIP OF COVINGTON, LACKAWANNA COUNTY, PA

TO THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

The Township of Covington, Lackawanna County, PA ("Covington") hereby petitions the Pennsylvania Public Utility Commission ("Commission") to intervene in this matter pursuant to 52 Pa. Code §§5.71 – 5.76 and in support thereof states the following.

1. The Township of Covington is a Second Class Township in Lackawanna County, PA.

2. PPL Electric Utilities Corporation ("PPL") has filed an application with the Commission for authority to construct new transmission lines through Covington as proposed in the Northeast-Pocono Reliability Project ("Project").

3. PPL has also filed with the Commission a Zoning Petition requesting that a control equipment building, to be constructed in Covington as part of the Project, be exempt from the Covington Township Zoning Ordinance ("Zoning Ordinance").

4. The control equipment building ("Building"), described in the filings of PPL as being included in the North Pocono 230-69 kV Substation, will be constructed to house switching equipment as part of the Project.

5. In accordance with the Pennsylvania Municipalities Planning Code ("MPC") Covington has enacted the following documents.

- A. a Comprehensive Plan, dated July 31, 2007¹;
- B. a Zoning Ordinance, dated February 6, 2007², as amended; and
- C. a Subdivision and Land Development Ordinance, Compilation – 1998³.

6. Covington has elected to administer and enforce the provisions of the Pennsylvania Construction Code Act of 1999, 35 P.S. §§7210.101 – 7210.1103, as amended from time to time, and the regulations in support thereof. This was done by *Ordinance 2004-05, dated June 1, 2004 (Exhibit A attached)*.

7. The Project does not comport with the Comprehensive Plan as follows.

A. The Comprehensive Plan describes Covington as rural-residential community with limited heavy commercial development (Goals and Objectives-3). The Project infuses heavy commercial development through the heart of Covington.

B. An Objective in maintaining the rural-residential character of Covington is to limit heavy commercial uses and industrial uses (Goals and Objectives-4). Until this time, heavy industrial and commercial uses have been limited to certain areas in Covington. The Project pushes these heavy industrial uses through the heart of Covington.

¹ The Covington Township Comprehensive Plan is on the Township's website at <http://www.covingtontwp.org/documents-ordinances>.

² On the Township's website.

³ On the Township's website.

C. A goal of the Comprehensive Plan is to maintain open space to the greatest extent possible. The Project goes through the heart of Covington and takes away considerable open space.

D. An Objective is to have industrial development to areas of existing similar development, so that development is compatible with existing land use and community character (Goals and Objectives-5). The Project runs through residential and open space areas of Covington, and it is directly opposed to the existing land use and community character.

E. Covington is described as an area with an attractive rural/residential character (Plans-2). The addition of a right-of-way two-hundred feet wide; maintained by chemical spraying; and with steel structures of an average height of 110 feet; materially detracts from this rural/residential character.

8. The Building violates the Zoning Ordinance in the following ways.

A. The Building is proposed for a location in a Special Conservation District, per the filing by PPL. The intent of this district is to protect special natural areas, open space and environmentally sensitive areas from over development (Zoning Ordinance, page IV-3). The Building does not meet any of the uses permitted, either outright, by conditional use or by special exception, in a Special Conservation District (Zoning Ordinance, page IV-13).

B. Because the Building is not a use permitted in the Special Conservation District, PPL will have to obtain a variance to locate the Building.

C. The Control Equipment Building at the proposed new North Pocono 230-69 kV Substation should be required to meet the provisions of the Covington Township Zoning Ordinance that enable Covington to promote, protect and facilitate the public health, safety, morals, general welfare, coordinated and practical community development, transportation, natural resources, agricultural land and uses, reliable and safe and adequate water supplies, sewerage and other public requirements and other purposes set forth in the Pennsylvania Municipalities Planning Code, all of which are purposes of the Zoning Ordinance (Zoning Ordinance, p. I-1).

9. Under the provisions of 52 Pa. Code §69.1101, the Commission will consider the impact of its decisions upon local comprehensive plans and zoning ordinances. The Commission needs to consider the impact of the Project on the Comprehensive Plan and the Zoning Ordinance of Covington.

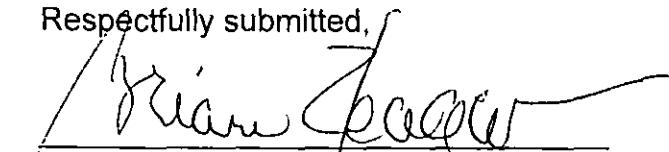
10. The Building must be constructed in accordance with the requirements of the Uniform Construction Code as inspected by the Building Inspector of Covington.

A. 35 P.S. §7210.501 specifically states that enforcement is done by a municipality that enacts an ordinance adopting the Uniform Construction Code, which Covington has done.

B. The Uniform Construction Code applies to the construction of all buildings in the Commonwealth (35 P.S. §7210.104(a)).

WHEREFORE, the Township of Covington, Lackawanna County, respectfully requests that the Public Utility Commission: (1) find that the Northeast-Pocono Reliability Project violates the Covington Comprehensive Plan; (2) find that the control equipment building ("Building"), of the North Pocono 230-69 kV Substation is subject to the Covington Zoning Ordinance; (3) find that the control equipment building ("Building"), of the North Pocono 230-69 kV Substation is subject to the Covington Subdivision and Land Development Ordinance; and (4) find that the construction of the control equipment building ("Building") of the North Pocono 230-69 kV Substation is to be built in accordance with the requirements of the Uniform Construction Code with inspections by the Building Inspector of Covington.

Respectfully submitted,



Brian Yeager (ID # 58020)
Solicitor of the Township of Covington
Lenahan & Dempsey, P.C.
116 N. Washington Avenue, Suite 400
P.O. Box 234
Scranton, PA 18501-0234
Phone: 888-536-2426
Fax: 570-346-1174
E-mail: by@lenahandempsey.com

VERIFICATION

I, David J. Petrosky, Chairman of the Board of Supervisors of the Township of Covington, Lackawanna County, Pennsylvania, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Township of Covington will be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. §4904 relating to unsworn falsification to authorities.

Date: Feb. 18-2013



David J. Petrosky
Chairman

RECEIVED
2013 FEB 22 AM 9:57
PA.P.U.C.
SECRETARY'S BUREAU

CERTIFICATE OF SERVICE

I hereby certify that I have this day served, via first class mail, a true copy of the foregoing Petition to Intervene upon the parties listed below in accordance with the requirements of 52 Pa. Code §1.54 (relating to service by a party).

John H. Isom, Esquire
Christopher T. Wright, Esquire
Post & Schell, P.C.
17 North Second Street, 12th Floor
Harrisburg, PA 17101-1601

Paul E. Russell, Esquire
Associate General Counsel
PPL Services Corporation
Two North Ninth Street
Allentown, PA 18101

David B. MacGregor, Esquire
Post & Schell, P.C.
Four Penn Center
1600 John F. Kennedy Boulevard
Philadelphia, PA 19103-2808

Pennsylvania Department of
Environmental Protection
P.O. Box 2063
Market Street State Office Building
Harrisburg, PA 17105-2063
Attn: Office of Field Operations

Office of Small Business Advocate
Commerce Building
300 North Street, Suite 1102
Harrisburg, PA 17101

Lackawanna County Commissioners
Lackawanna County Administration Bldg.
200 Adams Avenue, 6th Floor
Scranton, PA 18503

Lackawanna County Planning
Commission
135 Jefferson Avenue, 2nd Floor
Scranton, PA 18503

Honorable Barry J. Schoch, PE,
Secretary
Pennsylvania Department of
Transportation
Commonwealth Keystone Building
400 North Street, 9th Floor
Harrisburg, PA 17120
Attn: William J. Cressler, Chief Counsel

Mr. Douglas C. McLearn, Chief
Pennsylvania Historical and
Museum Commission
Bureau for Historic Preservation
Commonwealth Keystone Building
400 North Street, 2nd Floor
Harrisburg, PA 17120-0053

Luzerne County Council
Luzerne County Courthouse
200 N River Street
Wilkes-Barre, PA 18711

Luzerne County Planning Commission
20 N. Pennsylvania Avenue
Wilkes-Barre, PA 18711

Bureau of Investigation and Enforcement
Pennsylvania Public Utility Commission
P.O. Box 3265
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17105-3265

Monroe County Commissioners
1Quaker Plaza, Room 201
Stroudsburg, PA 18360-2141

Monroe County Planning Commission
1Quaker Plaza, Room 106
Stroudsburg, PA 18360-2169

RECEIVED
2013 FEB 22 AM 9:57
P.A.P.U.C.
SECRETARY'S BUREAU

Office of Consumer Advocate
555 Walnut Street
5th Floor, Forum Place
Harrisburg, PA 17101-1925

Wayne County Commissioners
Wayne County Courthouse
925 Court Street
Honesdale, PA 18431

Wayne County Planning Department
925 Court Street
Honesdale, PA 18431

Bear Creek Township Board of
Supervisors
3333 Bear Creek Boulevard
Bear Creek Township, PA 18702

Bear Creek Township Planning
Commission
3333 Bear Creek Boulevard
Bear Creek Township, PA 18702

Paupack Township Board of Supervisors
25 Daniels Road
Lakeville, PA 18438

Paupack Township Planning Commission
25 Daniels Road
Lakeville, PA 18438

Buck Township Board of
Supervisors/Planning Commission
114 Buck Boulevard
Bear Creek, PA 18602

Plains Township Board of Supervisors
126 North Main Street
Plains, PA 18705

Plains Township Planning Commission
126 North Main Street
Plains, PA 18705

Clifton Township Board of Supervisors
361 State Route 435
Clifton Township, PA 18424

Clifton Township Planning Commission
361 State Route 435
Clifton Township, PA 18424

Salem Township Board of Supervisors
PO Box 278
Hamlin, PA 18427

Salem Township Planning Commission
PO Box 278
Hamlin, PA 18427

Covington Township Board of
Supervisors
20 Moffat Drive
Covington Township, PA 18444

Covington Township Planning
Commission
20 Moffat Drive
Covington Township, PA 18444

Sterling Township Board of Supervisors
PO Box 100
Sterling, PA 18463

Sterling Township Planning Commission
PO Box 100
Sterling, PA 18463

Lehigh Township Board of Supervisors
32 Second Street
PO Box 651
Gouldsboro, PA 18424

Lehigh Township Planning Commission
32 Second Street
PO Box 651
Gouldsboro, PA 18424

Thornhurst Township Board of Supervisors
HCI Box 238-B, River Road
Thornhurst, PA 18424-9313

Thornhurst Township Planning Commission
HCI Box 238-8, River Road
Thornhurst, PA 18424-9313

Madison Township Board of Supervisors
3200 Madisonville Road
Madison Township, PA 18444

Madison Township Planning Commission
3200 Madisonville Road
Madison Township, PA 18444

Tobyhanna Township Board of Supervisors
105 Government Center Way
Pocono Pines, PA 18350

Tobyhanna Township Planning Commission
105 Government Center Way
Pocono Pines, PA 18350

International Consolidated Investment Company
C/O Arthur Kania
560 E Lancaster Ave, Ste 108
St. Davids, PA 19087

Sylvester J. Coccia
310 W Mary St.
Old Forge, PA 18518

Ronald Solt
1200 Thornhurst Rd.
Bear Creek Twp, PA 18702-8212

William Petrouleas & Joanna Petrouleas
5 Helena Road
Staten Island, NY 10304

NLMS Inc
1170 Winola Rd
Clarks Summit, PA 18411

Atty: Thomas E., Mark M., and J. Dean Mack
C/O Heather K
281 Pierce Street
Kingston, PA 18704

Anthony Jr. and Lillian Lupas et al
702 Wildflower Drive
Wilkes Barre, PA 18702

Anthony Jr. and Lillian Lupas et al
17 Dogwood Drive
Lafin, PA 18702

Clifton Acres Inc
C/O Wayne Moore
159 East Walton Place, Apt.23
Chicago, IL 60611

John F. and Veronica Iskra
11 Green Arrow Trail
White Haven, PA 18661

Art Mrtg Borrower Propc 2010-5
10 Glenlake Pkwy S Twr, Ste 800
Atlanta, GA 30328

Eylla Hughes Est
C/O Judy Searfoss
38 Buck Blvd.
White Haven, PA 18661-2130

Fr First Ave Prop Holding LP
311 S Wacker Drive Ste 4000
Chicago, IL 60606

Transcontinental Gas Pipeline Co
PO Box 2400 Md 46-4
Tulsa, OK 74102-2400

US Industrial Reit II
9830 Colonnade Blvd, Ste 600
San Antonio, TX 78230

Blue Ridge Real Estate Company
PO Box 707
Blakeslee, PA 18610-0707

Fr E2 Property Holding LP
311 S Wacker Dr Ste 4000
Chicago, IL 60606

Dietrick Hunting Club
PO Box 39 Hooper John
Clifford, PA 18413

John Edward R Schultz
RR 1 Box 1360
Gouldsboro, PA 18424

Christopher & Melinda Maros
586 Twin Rocks Rd
Newfoundland, PA 18445-2156

Three Griffins Enterprises Inc
PO Box 136
Hamlin, PA 18427-0136

Margaret G. Arthur (Deceased)
and Barbara A. Saurman, Trustees of the
Residuary Trust of James C. Arthur
11 Brownstone Dr.
Horsham, PA 19044

Lawrence Duda
30 Wilan Ln
Albany, NY 12203-4431

Michael A. & Sue K. Mitch
PO Box 428
Treichlers, PA 18086-0428

Merel J. & Arlene J. Swingle
51 Swingle Lane
Lake Ariel, PA 18436

Donald W. Henderson & Louis V. Bellucci
7044 SC Harbor Circle
Stuart, FL 34996

Bradley D. Hummel
PO Box 733
Hamlin, PA 18427-0733

Dianne L. Doss
390 Nelson Rd
Monroe, NY 10950-4248

Donald Januszewski
517 Ledgedale Rd.
Lake Ariel, PA 18436-5571

James L & Michaelene J Butler
9414 South Gary Avenue
Tulsa, OK 74137

Michael & Joanne Palermo
52 Rowan Ave
Staten Island, NY 10306-5273

Susan Butler Reigeluth
Avenue Des Chasseurs 20
Waterloo 1410
Belgium

Peter & Francine Palermo
36 Rowan Ave
Staten Island, NY 10306-5273

Grumble Knot LLC
2642 Route 940
Pocono Summit, PA 18346

Ronald G. & Gloria Sidovar
318 Polk Township Road
Kunkletown, PA 18058

Pennsylvania Glacial Till LLC
PO Box 900
Blakeslee, PA 18610

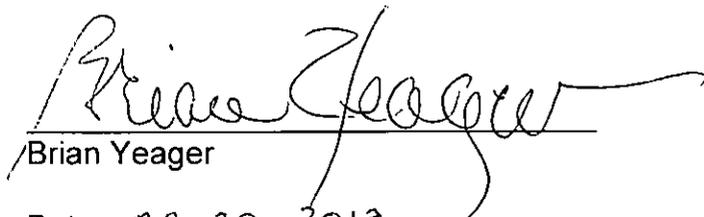
John C. & Linda S. Justice
Biskyn National Park
9700 SW 328th Street
Homestead, FL 33033

Blueberry Mountain Realty LLC
57 Seaview Blvd
Port Washington, NY 11050

William E. Newcomer Intervivos Trust
c/o Susan Arzamendi, Executrix
74 Church Road
Swanton, VT 05488-8056

James J. Bender
97 Bender Drive
Covington Township, PA 18424

Joe & Vanessa Caparo
12 Langan Road
Covington Township, PA 18444



Brian Yeager
Date: 02-20-2013