

**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	:	A-2012-2340872
with the Northeast-Pocono Reliability Project	:	
in portions of Luzerne, Lackawanna, Monroe,	:	
and Wayne Counties, Pennsylvania	:	
	:	
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,	:	P-2012-2340871
Lackawanna County, Pennsylvania is	:	
reasonably necessary for the convenience	:	
or welfare of the public	:	
	:	
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	:	P-2012-2341105
County, Pennsylvania is reasonably necessary	:	
for the convenience or welfare of the public	:	
	:	
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	:	
	:	
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	:	A-2012-2341115

James C. Arthur	:	
	:	
Anthony J. Lupas, Jr. and Lillian Lupas	:	
John Lupas and Judy Lupas,	:	A-2012-2341118
Grace Lupas, Eugene A. Bartoli and	:	
Robert J. Fankelli	:	
	:	
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 Januszewski	:	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	:	A-2013-2344604
	:	
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.	:	C-2012-227 6713
	:	
PPL Electric Utilities Corporation	:	

PETITION TO INTERVENE AND PROTEST OF
NORTH POCONO CITIZENS ALERT REGARDING THE ENVIRONMENT

North Pocono Citizens Alert Regarding the Environment (“NP CARE”), through its counsel Zarwin Baum DeVito Kaplan Schaer Toddy PC, hereby files the within Petition to Intervene and Protest of the above-referenced application and petitions, pursuant to the Rules of Practice and Procedure of the Pennsylvania Utility Commission (“PUC” or “Commission”) at 52 Pa. Code Sections 5.51 to 5.54 and 5.71 to 5.76, and in accordance with the January 8, 2013, Prehearing Order No. 1 in this matter. NP CARE seeks full party status in this application proceeding.

On December 28, 2012, PPL Electric Utilities Corporation (“PPL”) filed its application with the Commission for authority to construct a new 230 kV transmission line approximately 58 miles in length through portions of Luzerne, Lackawanna, Monroe, and Wayne Counties. In conjunction with its application, by petition, PPL requests authority to construct two new substations, the North Pocono Substation and the West Pocono Substation, in Covington Township, Lackawanna County and Buck Township, Luzerne County respectively. These two substations will be connected to the existing 230 kV transmission system by the new 58 mile long 230 kV transmission line. By petition, PPL also requests authority to construct five new 138/69 kV lines totaling approximately 11.3 miles to connect the new North Pocono and West Pocono Substations to the existing 138/69 kV transmission system. Collectively, PPL’s planned

activities pursuant to the above application and petitions (collectively referred to herein as the “Applications”) are referred to herein as the “Project.” By way of Prehearing Order # 1, the above matters were consolidated for the purposes of discovery, litigation and decision at **A-2012-2340872**.

NP CARE now files this Petition to Intervene and Protest to the Applications, and in support thereof NP CARE provides the following additional information:

1. NP CARE, is a 501(c)(3) non-profit organization incorporated under Pennsylvania law as North Pocono C.A.R.E., with an address of HC 2 Box 179A, Thornhurst, PA 18424.
2. NP CARE is dedicated to preserving the environment in the North Pocono area.
3. NP CARE’s counsel for purposes of appearing in this matter and receiving all documents is the undersigned counsel, at its address indicated below.
4. NP CARE members consist of approximately 100 individuals who own property or reside in the area, a property owners association, and visitors who enjoy the public lands and waters in the area of the proposed Project. NP CARE also has numerous members who live in the PPL’s service territory, are customers of PPL, and receive electrical service from PPL, including within the area of the Project.
5. NP CARE members have the right to protest the Application on the basis of factors which PPL is mandated to assess and the PUC is mandated to consider under 66 Pa.C.S. Part I, and under 52 Pa. Code §§ 57.71, *et seq.*, and on the basis of the rights and harms identified herein.
6. As proposed, PPL’s Project will cause the following harms important to the members and mission of NP CARE:

(a) Destruction of Exceptional Value and High Quality waterways through herbicide contamination, thermal pollution, sedimentation, altered flow and other impacts;

(b) Degradation, both in quality and quantity, of drinking water supplies both locally and downstream;

(c) Significant harm to threatened, endangered, and other species, both locally and downstream;

(d) Significant harm to wild trout and wild trout streams highly sensitive to pollution, including two Class A wild brook trout streams;

(e) Destruction of scenic vistas and scenic forested trails in popular public recreational areas;

(f) Destruction of natural areas and preserves; and

(g) Exposure of the public and environment to high electromagnetic fields.

7. PPL has not sufficiently assessed the environmental impacts of the proposed Project, which will have more than minimum adverse environmental impact, considering the electric power needs of the public, the state of available technology and the available alternatives.

8. PPL has not sufficiently identified the impacts of the proposed Project upon the environment, including its impact on the headwaters of the Lehigh River and its watershed, land uses, soil, sedimentation, plant and wildlife habitats, terrain, hydrology and landscape or sufficiently minimized those impacts.

9. PPL has not sufficiently located and identified scenic and wilderness areas of significance within 2 miles of the Project or taken steps to minimize the impact on those areas.

10. PPL has failed to provide adequate protection for Exceptional Value and High Quality waterways during construction and maintenance of the project.

11. PPL's Application contains insufficient identification of reasonable alternative routes, including a flawed comparison of the merits and detriments of each route, and improper reasons for selecting the proposed line route.

12. PPL has failed to evaluate alternative engineering in order to minimize many of the negative impacts identified in this Protest.

13. PPL has failed to provide an accurate estimated cost of construction of the proposed Project.

14. PPL has failed to establish the need for each segment of the proposed Project.

15. NP CARE reserves the right to supplement this Petition to Intervene and Protest as additional issues are identified during the course of this proceeding, including discovery.

16. The PUC has jurisdiction over the Application and the siting of the Project pursuant to 52 Pa. Code §§ 57.71, *et seq.*

17. NP CARE submits that the PUC should examine the Application pursuant to pursuant to 66 Pa.C.S. §§ 1102-1103, make a determination as to whether PPL has satisfied its burden of proof that the Application and proposed Project satisfy the requirements enumerated at 52 Pa. Code § 57.76, and deny the Application or impose such conditions as the PUC determines are just and reasonable pursuant to 66 PA. C.S. § 1103.

WHEREFORE, North Pocono Citizens Alert Regarding the Environment requests that the Public Utility Commission examine the Application, make a determination as to whether PPL has satisfied its burden of proof that the Application and proposed Project satisfy the

requirements enumerated at 52 Pa. Code § 57.76, deny the Application or impose such conditions as the PUC determines are just and reasonable, and take such other actions as the Commission determines are appropriate.

Respectfully submitted,

**NORTH POCONO CITIZENS ALERT
REGARDING THE ENVIRONMENT**

By: /s/ Paul M. Schmidt
Paul M. Schmidt, Esquire
Pa. Attorney ID No. 81464
ZARWIN BAUM DeVITO KAPLAN
SCHAER & TODDY P.C.
1818 Market Street, 13th Floor
Philadelphia, PA 19102-1981
Phone: (215) 569-2800
Fax: (215) 569-1606
pmschmidt@zarwin.com

Dated: February 26, 2013