

February 27, 2013

VIA ELECTRONIC FILING

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

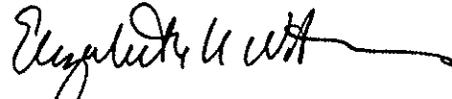
Re: FR First Avenue Property Holding, LP ✓
Docket No. A-2012-2341123
FR E2 Property Holding, LP
Docket No. A-2013-2341263

Dear Secretary Chiavetta:

Enclosed for filing in the above-referenced proceedings please find the Petitions to Intervene of FR First Avenue Property Holding, LP and FR E2 Property Holding, LP.

Copies will be provided to the persons as indicated on the enclosed Certificate of Service.

Respectfully submitted,



Elizabeth U. Witmer

EUW/llg
Enclosure
cc(w/encls): Honorable David A. Salapa
PPL Electric Utilities Corporation
Certificate of Service

| | | |
|--|---|----------------|
| Trustee of the Residuary Trust of James C. Arthur | : | |
| | : | |
| | : | |
| Anthony J. Lupas, Jr. and Lillian Lupas | : | A-2012-2341118 |
| John Lupas and Judy Lupas, | : | |
| 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 |
| | : | |
| Dianna L. Doss | : | A-2013-2341214 |
| | : | |
| Donald 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 | : | A-2013-2341232 |
| Executrix of the Estate of Euylla Hughes | : | |
| a/k/a Eylla Hughes | : | |
| | : | |
| 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 |
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| 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-2012-2276713 |
| | : | |
| PPL Electric Utilities Corporation | : | |

**PETITION TO INTERVENE
FR FIRST AVENUE PROPERTY HOLDING, LP**

FR First Avenue Property Holding, LP (“FR First”), by and through its undersigned attorneys, SAUL EWING LLP, hereby files this Petition to Intervene in the above-captioned proceedings pursuant to the Rules of Practice and Procedure promulgated by the Pennsylvania Public Utility Commission, 52 Pa. Code §§5.71-76, and in accordance with the Notice published in the *Pennsylvania Bulletin* at 43 Pa. B. 397 (January 19, 2013) and Prehearing Order #1 issued by Administrative Law Judge David A. Salapa on January 8, 2013 and Prehearing Order #2 issued on January 29, 2013.

I. INTRODUCTION

On December 28, 2012, PPL Electric Utilities Corporation (“PPL” or “applicant”) filed an Application at Docket No. A-2012-2340872 (the “Siting Application”) with the Pennsylvania Public Utility Commission (the “Commission”) requesting authority to locate and construct the Pennsylvania portion of transmission lines associated with the proposed Northeast-Pocono Reliability Project (“Northeast Pocono Line”). PPL asserts that the Northeast Pocono Line is needed to resolve reliability and planning violations and to reinforce the 69 kV systems serving the Northeast Pocono region by bringing a new 230 kV supply source closer to the growing load centers. As part of the Application, PPL proposed three new transmission lines: (1) Jenkins-West Pocono Line; (2) West Pocono-North Pocono Line; and (3) North Pocono-Paupack Line.

Separately, also on December 28, 2012, PPL filed two Petitions (the “Substation Petitions”) at Docket Nos. P-2012-2340871 and P-2012-2341105 requesting that the Commission approve the construction of buildings to shelter control equipment associated with the West Pocono and North Pocono substations, respectively.

Also, PPL filed 37 separate Applications (the “Eminent Domain Applications”) relating to the proposed exercise of the power of eminent domain arising from the project. Specifically, the Application at Docket No. A-2013-2341123 seeks authorization to utilize eminent domain to take property rights regarding properties owned by FR First.

II. FR FIRST’S INTEREST AND STANDING

In support of this Petition to Intervene, FR First provides the following additional information:

1. The instant intervenor is FR First Avenue Property Holding, LP, with a business address at 311 S. Wacker Drive, Suite 3900, Chicago, IL 60606.
2. The intervenor’s attorneys for the purpose of receiving service of all documents in this proceeding are:

Elizabeth U. Witmer, Esquire
SAUL EWING LLP
1200 Liberty Ridge Drive, Suite 200
Wayne, PA 19087-5569
(610) 251-5062
(610) 408-4400 (fax)
ewitmer@saul.com

3. Counsel for intervenor is authorized to accept service on behalf of FR First in this proceeding. FR First requests that the Commission and all parties of record serve copies of all documents (including, but not limited to, correspondence, discovery requests and answers, commission orders, pleadings and testimony) electronically on its counsel of record as well as by hard copy.

4. FR First is the owner of real property in Covington Township, Lackawanna County, being PIN Nos. 2270301000805 and 2270301000806 and 2270301000807 described as First Avenue, First Avenue Extension and Legal Right of Way on the Covington Industrial Park Subdivision Plan, Lots 4 & 5 (the "FR First Property").

5. A portion of the FR First Property is proposed to be condemned as described in the Eminent Domain Application by PPL.

6. As a result of PPL's decision to locate an electric line across FR First's property, FR First's property rights are adversely affected in that it may be unable to use and/or develop its property appropriately. FR First believes other feasible routes may be available for the proposed project. The FR First Property is primarily a road right of way, and the plats attached to the Eminent Domain Application appear to show PPL taking a significant portion of the roadway.

7. FR First is an affected property owner whose rights will be adversely affected if the Commission grants PPL authority to locate, construct and operate the electric lines proposed in this action. FR First may be directly affected by the outcome of this proceeding and its interests are not adequately represented by existing participants. FR First therefore satisfies the standards for intervention established by the Commission. 52 Pa. Code §5.72(a).

8. In addition, pursuant to 52 Pa. Code §57.75(i)(3), as the owner of property which is the subject of the Eminent Domain Application at Docket No. A-2013-2341123, FR First has automatic standing to participate as a party with regard to the Application.

9. FR First's position in this proceeding is to ensure that PPL's proposed construction has no adverse impact on FR First's property rights, and on FR First's use, operation, maintenance or future development of the FR First Property, which is already developed with a road. Due to the early state of the proceeding, FR First reserves the right to finalize its position after it has had an opportunity to further evaluate PPL's filings, conduct discovery and review additional information that be provided, and to raise and/or address additional issues that may be identified by other parties.

III. CONCLUSION

WHEREFORE, FR First respectfully requests that the Commission and the presiding Administrative Law Judge grant its Petition to Intervene with full party status in this proceeding.

Respectfully submitted,

SAUL EWING LLP

Dated: February 27, 2013



Elizabeth U. Witmer, Esquire
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ewitmer@saul.com

VERIFICATION

I, Peter Schultz, state that the facts set forth in the foregoing Petition to Intervene are true and correct to the best of my knowledge, information, and belief. I understand that this Verification is made subject to the penalties of 18 Pa.C.S.A. § 4904 relating to unsworn falsification to authorities.

DATE: February 27, 2013

FR First Avenue Property Holding, L.P., a Delaware limited partnership

By: FR First Avenue General Partner, L.P., a Delaware limited partnership, its sole general partner

By: FR First Avenue Second, LLC, a Delaware limited liability company, its sole general partner

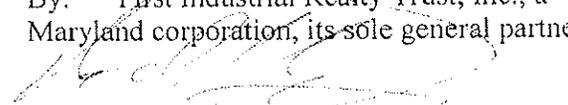
By: FR First Avenue, LLC, a Delaware limited liability company, its sole member

By: FR Investment Properties, LLC, a Delaware limited liability company, its sole member

By: First Industrial Investment II, LLC, a Delaware limited liability company, its managing member

By: First Industrial, L.P., a Delaware limited partnership, its sole member

By: First Industrial Realty Trust, Inc., a Maryland corporation, its sole general partner

By: 

Name: Peter Schultz

Its: Executive Vice President - East

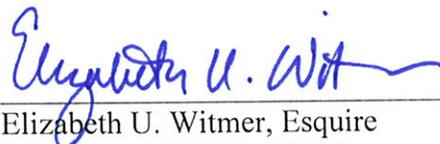
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| Anthony J. Lupas, Jr. and Lillian Lupas John Lupas and Judy Lupas, Grace Lupas, Eugene A. Bartoli and Robert J. Fankelli | : A-2012-2341118 : : : : : : |
| Ronald G. Sidovar and Gloria J. Sidovar | : A-2012-2341120 : : |
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| 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 : : |
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| James L. and Michaelene J. Butler | : A-2013-2344353 |
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| Pennsylvania Glacial Till, LLC | : A-2013-2344616 |
| Chris and Melinda Maros | : C-2012-2305047 |
| v. | |
| PPL Electric Utilities Corporation | |
| Joe and Vanessa Caparo | |
| v. | |
| PPL Electric Utilities Corporation | : C-2012-2276713 |

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the Petition to Intervene of FR First Avenue Property Holding, LP has been served upon the following persons on the attached service list by First-Class Mail, postage prepaid, in accordance with the requirements of §1.54 (relating to service by a participant).

Dated: February 27, 2013



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Attn. Office of Field Operations

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Attn. William J. Cressler, Chief Counsel

Pennsylvania Historical and
Museum Commission
Bureau for Historic Preservation
Commonwealth Keystone Building
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Attn. Mr. Douglas C. McLearn, Chief

Bureau of Investigation and Enforcement
Pennsylvania Public Utility Commission
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Lackawanna County Administration Bldg.
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Scranton, PA 18503

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

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200 N. River Street
Wilkes-Barre, PA 18911

Luzerne County Planning Commission
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Bear Creek Township, PA 19702

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Clifton Township, PA 18424

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