

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 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 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	:	

PREHEARING MEMORANDUM OF
NORTH POCONO CITIZENS ALERT REGARDING THE ENVIRONMENT

Pursuant to the January 8, 2013, First Prehearing Order and the Rules of Practice and Procedure of the Pennsylvania Utility Commission (“PUC” or “Commission”) at 52 Pa. Code Section 5.222(d)(1), Protestant North Pocono Citizens Alert Regarding the Environment (“NP CARE”), through its undersigned counsel, Zarwin Baum DeVito Kaplan Schaer Toddy PC, hereby files the within Prehearing Memorandum.

I. BACKGROUND

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.”

II. SERVICE ON NP CARE

NP CARE is represented by the undersigned counsel. Service of all papers upon NP CARE in this matter shall be made by making service upon the undersigned counsel.

III. DISCOVERY

Discovery has not commenced in the Application *sub judice*. NP CARE is in receipt of proposed discovery terms prepared by the Office of Consumer Advocate, and agrees to those proposed terms.

IV. ISSUES

A. NP CARE requests modification to the proposed case schedule to generally add two (2) months to each event identified in Pre-Hearing Order # 1 (except the public input hearing dates), resulting in the schedule indicated below. The reasons are that a number of outcome-determinative plant and animal species, habitats, and conditions which may exist along the route of the proposed line will not be observable until late June, 2013, because they will be under snow cover and/or hibernating. Additionally, some outcome-determinative plant species will not grow identifying characteristics until late June. NP CARE therefore proposes the following schedule:

Testimony of parties Other than the PPL	July 12, 2013
Public input hearings	April 29-June 28, 2013
Rebuttal testimony	August 9, 2013
Surrebuttal testimony	August 19, 2013
Evidentiary hearings	August 26-30, 2013
Initial briefs	September 23, 2013
Reply briefs	October 7, 2013

Recommended decision	November 18, 2013
Exceptions	December 2, 2013
Reply Exceptions	December 10, 2013
Commission Order	February 2014

B. NP CARE has identified the following potential issues to be addressed in this proceeding:

1. 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.

2. 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.

3. 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.

4. 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.

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

6. 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.

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

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

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

NP CARE reserves the right to supplement this Prehearing Memorandum as additional issues are identified during the course of this proceeding, including during discovery.

V. WITNESSES

NP CARE anticipates that it will present direct, rebuttal, and surrebuttal testimony of lay and expert witnesses on various topics as may be necessary. NP CARE will present lay and expert testimony in written form with relevant attached exhibits, documents, and explanatory information. NP CARE has been communicating with a number of potential lay and expert witnesses to provide testimony in this matter. Presently, NP CARE's lay and expert witnesses in this proceeding will be as follows:

1. Harms from PPL's Project:

(a) Destruction of Exceptional Value and High Quality waterways through herbicide contamination, thermal pollution, sedimentation, altered flow and other impacts – Dr. Louis Kaplan.

(b) Degradation, both in quality and quantity, of drinking water supplies both locally and downstream – Dr. Louis Kaplan.

(c) Significant harm to threatened, endangered, and other species, both locally and downstream – Dr. Louis Kaplan, Richard Koval.

(d) Significant harm to wild trout and wild trout streams highly sensitive to pollution, including two Class A wild brook trout streams – Dr. Louis Kaplan and others to be identified.

(e) Destruction of scenic vistas and scenic forested trails in popular public recreational areas – Richard Koval, Barbara L. Smith.

(f) Destruction of natural areas and preserves – Richard Koval, Barbara L. Smith.

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

2. PPL's failure to sufficiently assess 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 – Dr. Louis Kaplan, Richard Koval, and others to be identified.

3. PPL's failure to sufficiently identify 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 – Dr. Louis Kaplan, Richard Koval, and others to be identified.

4. PPL's failure to sufficiently locate and identify scenic and wilderness areas of significance within 2 miles of the Project or taken steps to minimize the impact on those areas – Richard Koval and others to be identified.

5. PPL's failure to sufficiently provide adequate protection for Exceptional Value and High Quality waterways during construction and maintenance of the project – Dr. Louis Kaplan and others to be identified.

6. PPL's 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 – Dr. Louis Kaplan, Richard Koval and others to be identified.

7. PPL's failure to sufficiently evaluate alternative engineering in order to minimize many of the negative impacts identified in this Protest – Dr. Louis Kaplan, Richard Koval, and others to be identified.

8. PPL's failure to sufficiently provide an accurate estimated cost of construction of the proposed Project – to be identified.

9. PPL's failure to sufficiently establish the need for each segment of the proposed Project – to be identified.

NP CARE specifically reserves the right to name additional expert witnesses as necessary. NP CARE will immediately notify all parties of record as soon as it identifies additional witnesses.

VI. PUBLIC INPUT HEARINGS

NP CARE requests public input hearings in two locations:

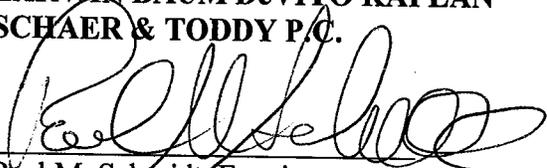
Thornhurst Township, in the Thornhurst Fire Hall. This would provide a hearing location for residents of Thornhurst Township, Buck Township, and Clifton Township.

Covington Township, at a specific location to be determined. This would provide a hearing location for residents of Covington Township.

Respectfully submitted,

North Pocono Citizens Alert Regarding the Environment

**ZARWIN BAUM DeVITO KAPLAN
SCHAER & TODDY P.C.**

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Dated: March 5, 2013