

March 5, 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

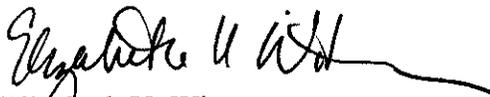
**Re: Transcontinental Gas Pipe Line Corporation  
Docket No. A-2013-2341208**

Dear Secretary Chiavetta:

Enclosed for filing in the above-referenced proceeding please find the Prehearing Memorandum of Transcontinental Gas Pipe Line Company, LLC.

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/encl): 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 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
	:	
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 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	: C-2012-2305047
v.	
PPL Electric Utilities Corporation	
Joe and Vanessa Caparo	
v.	
PPL Electric Utilities Corporation	: C-2012-2276713

**PREHEARING MEMORANDUM OF  
TRANSCONTINENTAL GAS PIPE LINE COMPANY**

Pursuant to 52 Pa. Code § 5.222(d), Transcontinental Gas Pipe Line Company (“Transco”) hereby submits this Prehearing Memorandum in the above-captioned proceedings. Transco intends to participate in this proceeding as an active party.

**1. HISTORY OF THE PROCEEDINGS**

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 (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-2013-2341208 seeks authorization to utilize eminent domain to take property rights regarding property owned by Transco.

Notice of the Applications and Petitions were published in the *Pennsylvania Bulletin* at 43 Pa. B. 397 (January 19, 2013).

Prehearing Order #1 was issued by Administrative Law Judge David A. Salapa on

January 8, 2013 consolidated the Application and two Petitions for the purposes of discovery, litigation and discussion. Prehearing Order #2 granting the consolidation of the Eminent Domain Applications and was issued by Administrative Law Judge Salapa on January 29, 2013.

Transco filed its Petition to Intervene on February 27, 2013.

## **2. PETITION TO INTERVENE OF TRANSCO**

Transco 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. Transco may be directly affected by the outcome of this proceeding and its interests are not adequately represented by existing participants. Transco therefore seeks intervention pursuant to 52 Pa. Code §5.72(a). 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-2013-2341208, Transco has automatic standing to participate as a party.

Transco respectfully request that its Petition to Intervene be granted and that Transco be granted full party status.

## **3. SERVICE ON TRANSCO**

Transco is represented by the undersigned counsel who are authorized to accept service on behalf of Transco in this proceeding. Transco requests that the Commission and all parties of record serve copies of all documents electronically on its counsel of record, as well as by hard copy.

#### **4. ANTICIPATED ISSUES AND SUB-ISSUES**

Transco's property rights are adversely affected by the proposed taking in that it may be unable to use and/or develop its property appropriately. The facilities on the Transco Property are also subject to the exclusive jurisdiction and regulation of the Federal Energy Regulatory Commission ("FERC") and the United States Department of Transportation ("USDOT"), specifically the Pipeline and Hazardous Materials Safety Administration ("PHMSA"). Due to the early stages of the proceeding, Transco 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 will be provided, and to raise and/or address additional issues that may be identified by other parties.

#### **5. PROPOSED WITNESSES**

Transco is in the process of evaluating whether it will sponsor testimony in this proceeding. In the event Transco decides to sponsor testimony, it will inform the parties and Administrative Law Judge Salapa as soon as possible of the intended witness(es) and topic of testimony.

Transco further reserves the right to participate in this proceeding through the submission of discovery, cross-examination of the parties' witnesses, and the submission of briefs, reply briefs, exceptions and reply exceptions, if necessary.

#### **6. PROPOSED SCHEDULE AND DISCOVERY RULES**

Transco joins in the OCA's request for an abbreviated caption in this matter.

Transco is willing to accept whatever schedule the other parties to this proceeding are willing to arrange, or Administrative Law Judge Salapa otherwise directs. Transco has reviewed and has no objection to the proposed schedule as set forth in Prehearing Order No. 1.

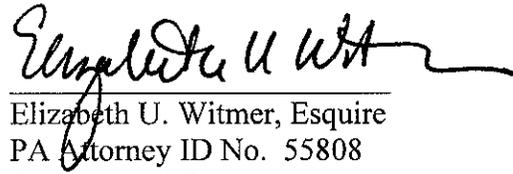
Transco requests that all parties of record serve copies of all discovery requests and answers electronically on its counsel of record as well as by hard copy.

7. **POSSIBILITY OF SETTLEMENT**

Transco generally believes that most, if not all, issues in this proceeding relevant to it are reasonably susceptible to mutual resolution and agrees to participate in any process designed to achieve that goal.

Respectfully submitted,

**SAUL EWING LLP**



Elizabeth U. Witmer, Esquire

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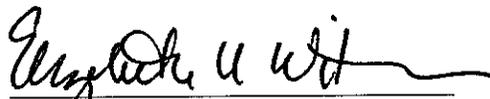
[ewitmer@saul.com](mailto:ewitmer@saul.com)

Dated: March 5, 2013

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the Prehearing Memorandum of Transcontinental Gas Pipe Line Company 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: March 5, 2013



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