

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application of Transource Pennsylvania, LLC for All of the Necessary Authority, Approvals, and Certificates of Public Convenience: (1) to Begin to Furnish and Supply Electric Transmission Service in Franklin and York Counties, Pennsylvania; (2) for Approval of Certain Affiliated Interest Agreements; and (3) for Any Other Approvals Necessary to Complete the Contemplated Transactions

A-2017-2587821
G-2017-2587822

PROCEDURAL ORDER

On February 2, 2017, at Docket No. G-2017-2587822, Transource Pennsylvania, LLC, (Transource PA) filed for approval affiliated interest agreements including: (1) Transource Energy Capital Call Notice; (2) Short-term debt affiliate agreements; (3) Transource PA Services Agreement with Transource Energy, LLC; (4) Transource Energy, LLC Services Agreement with American Electric Power Service Corporation, and (5) Transource Services Agreement with Kansas City Power & Light Company. Shortly thereafter, at Docket No. A-2017-2587821, on February 7, 2017, Transource PA filed the above-captioned Application seeking a Certificate of Public Convenience evidencing Commission approval to begin to furnish and supply electric transmission service in Franklin and York Counties, Pennsylvania. The Application seeks consolidation of Docket Nos. G-2017-2587822 and A-2017-2587821. The Application was filed pursuant to Section 1102(a)(1) of the Public Utility Code, 66 Pa.C.S. §1102(a)(1).

Notice of the filing of this Application was published in *The Public Opinion*, *The York Dispatch/York Sunday News*, and *York Daily Record* on February 20, 2017, and in *The Record Herald* on February 22, 2017. Proof of publication was furnished to the Commission on February 27, 2017. Notice of the filing of this Application was also published in the *Pennsylvania Bulletin* on February 18, 2017. 47 Pa. B. 1109. On March 6, 2017, the Office of Consumer Advocate filed a Notice of Intervention and Protest. Also, on March 6, 2017, Mid-

Atlantic Interstate Transmission, LLC petitioned to intervene. On April 14, 2017, PECO Energy Company filed a Petition to Intervene. On April 25, 2017, a Notice of Prehearing Conference was issued and this case was assigned to me. On May 8, 2017, I issued a Prehearing Conference Order. On May 19, 2017, Transource PA filed motions for admission *pro hac vice* for Amanda Riggs Connor, Esquire and Hector Garcia, Esquire.

On May 22, 2017, a prehearing conference was held in the above-captioned matter. Appearing for Applicant Transource Pennsylvania, LLC were: Anthony D. Kanagy, Esquire, and Hector Garcia, Esquire. Appearing for Intervenor PECO Energy Company was Jennedy Johnson, Esquire. Appearing for Intervenor Mid-Atlantic Interstate Transmission, LLC was Teresa Schmittberger, Esquire and Tori Giesler, Esquire. Appearing for Protestant/Intervenor the Office of Consumer Advocate (OCA) was Darryl Lawrence, Senior Assistant Consumer Advocate and Kristine Marsilio, Assistant Consumer Advocate. This order sets forth the procedural matters addressed at the prehearing conference.

THEREFORE,

IT IS ORDERED:

1. That Docket Nos. A-2016-2571918 and G-2017-2587822 are hereby consolidated for purposes of hearing and decision.
2. That PECO Energy Company's Petition to Intervene filed on April 14, 2017, is granted.
3. That Mid-Atlantic Interstate Transmission, LLC's Petition to Intervene filed on March 6, 2017, is granted.
4. That Amanda Riggs Conner, Esquire is admitted *pro hac vice* to represent Transource Pennsylvania, LLC.

5. That Hector Garcia, Esquire is admitted *pro hac vice* to represent Transource Pennsylvania, LLC.

6. That pursuant to 52 Pa. Code §1.55, the service list is as attached to this order.

7. That the following procedural schedule is adopted.

Transource's Direct Testimony	June 6, 2017
Settlement Conference	June 20, 2017
Other Parties' Direct Testimony	July 14, 2017
Hearings/oral rebuttal	July 26 and 28, 2017
Main Briefs	August 11, 2017
Reply Briefs	August 25, 2017

8. That the evidentiary hearing will be held in Harrisburg in an available hearing room in the Commonwealth Keystone Building and will begin at 10:00 a.m. on July 26, 2017.

9. That the transcript turnaround time for the evidentiary hearing shall be five (5) days.

10. That the parties are encouraged to discuss settlement negotiations and in the event that an amicable agreement is reached prior to the hearing, the parties are given leave to file a Joint Petition for Approval of Settlement with attached statements in support.

11. That counsel for Transource Pennsylvania, LLC shall coordinate the order of witnesses and estimated time for cross-examination by each party, and will supply a copy of the witness order to the presiding officer at least one (1) day prior to the hearing.

12. That motions or objections with respect to written testimony must be presented in writing and provided to the parties and the presiding officer no later than close of business on Monday, July 24, 2017.

13. That the parties shall conduct discovery, attend hearings, or present or cross-examine witnesses, as appropriate. The parties shall serve the documents listed above so that the documents are received in-hand by the parties and presiding officer no later than 4:30 p.m. on the dates listed, unless otherwise indicated. Parties may serve the documents listed in Ordering Paragraph No. 7 via e-mail to meet this requirement, with hard copy to follow by regular first class mail, so long as the electronic version is Microsoft Word compatible. Parties shall not file testimony with the Commission, but shall file a certificate of service.

14. That written testimony shall comply with the requirements of 52 Pa.Code § 5.412 and shall be marked with numerical, sequential statement numbers. Parties serving preserved testimony pursuant to 52 Pa.Code § 5.412(f) are required, within thirty (30) days after the final hearing, to either eFile with or provide to the Secretary's Bureau a Compact Disc (CD) containing all testimony furnished to the court reporter during the proceeding, consistent with the Commission's Implementation Order, dated January 10, 2013, at Docket No. M-2012-2331973.

15. That the parties shall conduct discovery pursuant to 52 Pa.Code §§5.321-5.373 subject to the following agreed upon modifications to the Commission's discovery rules, as set forth below:

- A. Answers to written interrogatories shall be served in-hand within ten (10) calendar days of service.
- B. Responses to requests for document production and entry for inspection or other purposes must be served in-hand within ten (10) calendar days.


- C. Requests for admissions will be deemed admitted unless answered within ten (10) calendar days or objected to within five (5) calendar days of service.
- D. Objections to interrogatories shall be communicated orally within three (3) calendar days of service of the interrogatories; unresolved objections shall be served to the ALJ in writing within five (5) days of service of the interrogatories. Objections to interrogatories served on a Friday shall be communicated orally within four (4) calendar days, and unresolved objections shall be served to the ALJ in writing within six (6) days of service of the interrogatories.
- E. Motions to dismiss objections and/or direct the answering of interrogatories shall be filed within three (3) calendar days of service of the written objections.
- F. Answers to motions to dismiss objections and/or direct the answering of interrogatories shall be filed within three (3) calendar days of service of such motions.
- G. Discovery and discovery-related pleadings propounded after 12:00 noon on a Friday or after 12:00 noon on any business day immediately preceding a state holiday will be deemed served on the next business day for purposes of determining the due date of the responses and responsive pleadings.

16. That the parties shall stipulate to any matters they reasonably can to expedite this proceeding, lessen the burden of time and expenses in litigation on all parties and conserve administrative hearing resources. 52 Pa.Code §§ 5.232 and 5.234.

17. That the evidentiary hearings in this matter constitute a formal legal proceeding and will be conducted in accordance with the Commission's Rules of Administrative Practice and Procedure, as well as the rules of evidence as applied to administrative hearings.

18. That any provision of this Order may be modified upon motion and good cause shown by any party in interest in accordance with 52 Pa.Code § 5.223(a).

Date: May 22, 2017


Elizabeth H. Barnes
Elizabeth H. Barnes
Administrative Law Judge

A-2017-2587821 & G-2017-2587822 - APPLICATION OF TRANSOURCE PENNSYLVANIA LLC

Revised 5/8/17

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