



BURNS LAW FIRM, LLC

December 14, 2009

James J. McNulty
Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor North
P.O. Box 3265
Harrisburg, PA 17105-3265

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RE: Application of PPL Electric Utilities Corporation Filed Pursuant to 52 Pa. Code Chapter 57, Subchapter G, for Approval of the Siting and Construction of the Pennsylvania Portion of the Proposed Susquehanna-Roseland 500 kV Transmission Line in Portions of Lackawanna, Luzerne, Monroe, Pike and Wayne Counties, Pennsylvania, Docket No. A-2009-2082652, A-2009-2082832, al.

Dear Mr. McNulty:

On this date the Energy Conservation Council of Pennsylvania ("ECC") is electronically filing its Reply Exceptions in the above-referenced matter. The Reply Exceptions and cover letter are contemporaneously being served on all parties per the attached certificate of service.

Very truly yours,



Willard R. Burns

WRB/bw
Enclosure
cc: Certificate of Service

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

In Re: Application of PPL Electric Utilities Corporation for
Approval of the Siting and Construction of the Pennsylvania
Portion of the Proposed Susquehanna-Roseland 500 kV
Transmission Line

Docket Nos.
A-2009-2082652
A-2009-2082832

CERTIFICATE OF SERVICE

I hereby certify that on this day I have caused to be served true copies of the foregoing cover letter transmitting the Energy Conservation Council of Pennsylvania ("ECC") Reply Exceptions, this Certificate of Service, and the ECC's Reply Exceptions upon the parties of record in this proceeding in accordance with the requirements of 52 Pa. Code Section 1.54 (relating to service by a participant) in the manner and upon the persons listed on the attached Service List.



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Attorneys for:
Energy Conservation Council

Dated: December 14, 2009

SERVICE LIST

Via Hand Delivery and First Class Mail of Letter, Certificate and Exceptions

Honorable Susan D. Colwell, ALJ Office of Administrative Law Judge Pennsylvania Public Utility Commission Commonwealth Keystone Building 400 North Street Harrisburg, PA 17120	
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Via Email and First Class Mail of Letter, Certificate, and Exceptions

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**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application of PPL Electric Utilities Corporation	:	
Filed Pursuant to 52 Pa. Code Chapter 57,	:	Docket Nos. A-2009-2082652;
Subchapter G, for Approval of the Siting and	:	A-2009-2082832; A-2009-2088297;
Construction of the Pennsylvania Portion of	:	A-2009-2088337; A-2009-2088327;
The Proposed Susquehanna-Roseland 500 kV	:	A-2009-2088340; A-2009-2088359;
Transmission Line in Portions of Lackawanna,	:	A-2009-2088312; A-2009-2088360
Luzerne, Monroe, Pike and Wayne Counties,	:	
Pennsylvania	:	

**REPLY EXCEPTIONS OF
THE ENERGY CONSERVATION COUNCIL OF PENNSYLVANIA**

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Dated: December 14, 2009

The Energy Conservation Council of Pennsylvania (“Energy Conservation Council” or “ECC”) hereby files its Reply Exceptions to the Exceptions of PPL Electric Utilities Corporation (“PPL”).

I. REPLY EXCEPTIONS

The Energy Conservation Council adopts, and incorporates herein by reference, the Reply Exceptions of the Pennsylvania Consumer Advocate (“OCA”) *except* as discussed in section C below.

Three of PPL’s exceptions focus on the conditions in the Administrative Law Judge’s Recommended Decision (“R.D.”) that PPL must secure required permits before beginning construction of any part of the line. These conditions must be retained. PPL should not be given permission to start construction (which will be funded by the ratepayers) on proposed facilities that cannot be built without the necessary permits. All of PPL’s Exceptions should be denied.

A. PPL Exceptions 1-3

The ALJ was correct in recommending that “the Commission make the necessary findings to approve this project *after* all necessary permits have been obtained for the entire line.” R.D. at 288 (emphasis supplied). However, PPL asks the Commission to allow PPL to begin construction *before* PPL learns if (or where) its proposed transmission line can be built.

The outcome of the federal permitting process for the segments of the proposed facilities that run through the Delaware Water Gap National Recreation Area will determine whether – and where – the line can be constructed. As the ALJ suggested

in the Recommended Decision, the Commission should require final approval of all federal permits prior to commencement of construction.

If the Delaware Water Gap National Recreation Area permits are *not* obtained, (1) the route of the Susquehanna to Roseland transmission line will need to change, or (2) PPL will need to propose a completely different project. And, if the Commission allows construction to start immediately, and the federal permits are not procured, PPL will have started construction of a \$1.2 billion line that cannot be completed.

And, as Judge Cowell recognized in her Recommended Decision, the costs of starting construction on these proposed facilities are shouldered by the ratepayers, not by PPL. R.D. at 278. Subjecting the ratepayers to the economic risk of a huge \$1.2 billion transmission line - which cannot be completed without the federal permits - is unacceptable. R.D. at 278.

For these reasons, and the reasons set forth in the Pennsylvania Consumer Advocate's Reply Exceptions, PPL's Exceptions 1-3 should be denied.

B. PPL Exception 4

PPL claims that the Commission should not adopt the ALJ's recommendation that Commission approvals expire within two years of the entry date of the Commission's Order unless construction commences within that two year period. PPL Exc. at 32-34. However, this recommendation should be adopted. The Commission's order should not remain in effect indefinitely. In addition, PPL's justification for the proposed facilities is based on load flow studies and computer

modeling that will become more outdated as time goes by (because assumptions about load growth, demand response, and generation availability will have changed).

However, the ECC does not oppose PPL's suggestion in its Exception No. 4 that the Commission could, instead, impose a condition that the Commission's approvals would expire unless construction begins six months after final approval (1) from the Pennsylvania Commission, (2) from the New Jersey authorities that must approve the New Jersey portions of the line, and (3) for construction of the portions of the line in the Delaware Water Gap National Recreation Area. Approval is considered final if no one has appealed the decision or if the appellate process has been completed.

C. PPL Exception 5

PPL argues that Findings of Fact numbers 112 and 113 in the Recommended Decision are not accurate, and should be changed. PPL Exc. at 36. Findings of Fact 112 and 113 provide:

112. NERC standards do not permit firm loads and firm power transfers to be curtailed under normal conditions and single contingencies (except in certain circumstances), but NERC standards do permit firm load and firm power transfer curtailment under double contingencies. OCA St. 1-S at 3.

113. The Company does not allow for any firm load or firm power transfer curtailment for its double contingencies in the updated list of violations, resulting in use of a standard more stringent than the NERC standard. OCA St. 1-S at 4.

R.D. at 25. These two findings of fact are accurate, and supported by the record, as the OCA explains in its Reply Exceptions. However, the ECC disagrees with one apparent statement in the OCA's Reply Exceptions.

The OCA states that "load shedding in response to a Category C5 event would be 'planned' and also would be 'controlled' as the NERC standard for Category C5 events

provides”. If the OCA is suggesting that NERC standards for Category C5 events require load shedding to be planned, the ECC disagrees. For Category C5 events, such as those found in PPL Exhibit PFM-3, the NERC reliability standards require that load shedding be “controlled” (not “planned”):

Depending on system design and expected impacts, the *controlled* interruption of electric supply to customers (*load shedding*), the planned removal from service of certain generators, and/or the curtailment of contracted Firm (non-recallable reserved) electric power transfers may be necessary to maintain the overall reliability of the interconnected transmission systems.

See OCA St. 1-S at 3-4, 6-7; Exhibit PJL-4 (emphasis supplied).

Because the applicable standard provides for *controlled* load shedding – and does not say that load shedding must be “planned” – the word “planned” should *not* be inserted into Finding of Fact 112. *See* PPL Exc. At 38.¹

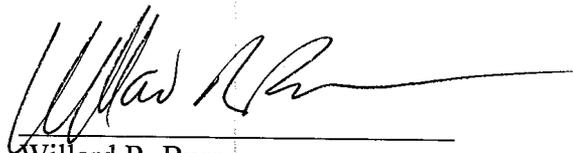
The ECC incorporates by reference the remaining arguments advanced by the OCA in its Reply Exceptions regarding Findings of Fact 112 and 113.

¹ The OCA agrees that the wording in Finding of Fact 112 should not be changed, and that PPL’s Exceptions should all be denied.

II. CONCLUSION

For the above reasons, the ECC respectfully submits that PPL's Exceptions should be denied.

Respectfully Submitted,



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