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October 31, 2012

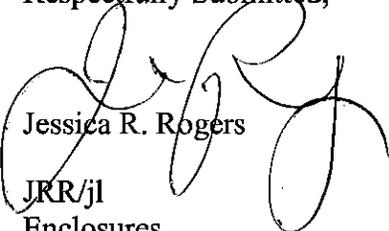
Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor North
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RE: Application Of PPL Electric Utilities Corporation Under 15 Pa. C.S. §1511(c) For A Finding And Determination That The Service To Be Furnished By The Applicant Through Its Proposed Exercise Of The Power Of Eminent Domain To Acquire A Right-Of-Way And Easement Over And Across The Lands Of The Property Owners For The Proposed Richfield-Dalmatia 69 kV Transmission Tie Line In Portions of Snyder, Northumberland, and Juniata Counties, Pennsylvania Is Necessary Or Proper For The Service, Accommodation, Convenience Or Safety Of The Public - Docket Nos. A-2011-2267349, etc.

Dear Secretary Chiavetta:

Enclosed for electronic filing is the Reply Brief of PPL Electric Utilities Corporation for the above-referenced proceeding. Copies have been provided to the persons as indicated on the Certificate of Service.

Respectfully Submitted,


Jessica R. Rogers

JRR/jl

Enclosures

cc: Certificate of Service
Honorable Joel H. Cheskis
Honorable David A. Salapa

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing **Reply Brief of PPL Electric Utilities Corporation** has been served upon the following persons, in the manner indicated, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

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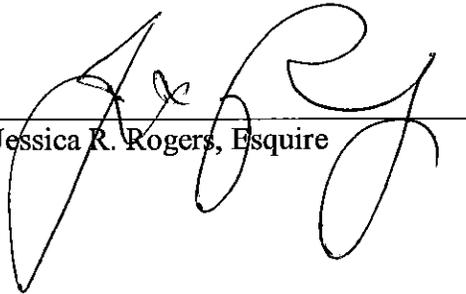
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**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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 Right-Of-Way :
And Easement Over And Across The Lands Of : Docket Nos. A-2011-2267349, etc
The Property Owners For The Proposed :
Richfield-Dalmatia 69 kV Transmission Tie :
Line In Portions of Snyder, Northumberland, :
and Juniata Counties, Pennsylvania Is :
Necessary Or Proper For The Service, :
Accommodation, Convenience Or Safety Of :
The Public :

**REPLY BRIEF OF
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I. INTRODUCTION

On October 17, 2012, pursuant to the schedule established by Administrative Law Judges David A. Salapa and Joel H. Cheskis (“ALJs”), PPL Electric Utilities Corporation (“PPL Electric” or the “Company”) and a group of property owners (the “Protestants”)¹ filed main briefs in these consolidated proceedings. PPL Electric, in its Main Brief, explained its positions on the issues pending before the ALJs. In so doing, PPL Electric anticipated, and as a practical matter responded to, many of the arguments raised by the Protestants. Nevertheless, it is appropriate for PPL Electric to respond to certain contentions advanced by the Protestants in their Main Brief. In responding to the Protestants, PPL Electric will minimize repetition of explanations provided in its Main Brief.

II. SUMMARY OF ARGUMENT

PPL Electric has demonstrated that the Richfield – Dalmatia Project, which includes the construction of the 69 kV Richfield – Dalmatia transmission line (“Richfield – Dalmatia Transmission Line”) and the Meiserville Substation and associated distribution facilities, is needed to provide reliable service. PPL Electric has also demonstrated that it has chosen a reasonable route for the line. The second of these points, that the route chosen by PPL Electric is a reasonable one, has gone largely uncontested in this proceeding. With regard to necessity, however, the Protestants have argued that neither component of the Project is necessary.

PPL Electric has shown that this Project is necessary in order to meet its requirement to provide reliable service pursuant to 66 Pa. C.S. § 1501. Protestants have attempted to define necessity in a vacuum, however, § 1501 provides important context in determining necessity, and utilizes the same language as 15 Pa. C.S. § 1511(c). Section 1501 provides that service must be

¹ The Protestants include the Hesses, Maurers, Maces, and the Shoop Family Trust.

“reasonably continuous and without unreasonable interruption or delay.” Protestants argue that PPL Electric must prove that this Project is absolutely necessary to the function of the electric system. That is not the legal standard required by § 1501 that applies to this proceeding, nor should it be. PPL Electric’s legal burden is to show that this Project is necessary to provide reliable service to its customers. Protestants’ burden would prohibit utilities from taking the steps necessary to ensure that service to customers is reasonably continuous, which is what utilities are required to provide by § 1501.

Looking first at the need for the distribution portion of the project, which includes the Meiserville Substation and associated distribution facilities, the uncontested evidence shows that the Dalmatia 36-02 distribution circuit is a “Worst Performing Circuit” as identified by the Commission’s regulations at 52 Pa. Code § 57.195. Further, the evidence shows that the existing Dalmatia 36-02 distribution line greatly exceeds PPL Electric’s Reliability Principles & Practices (“RP&P”) guidelines for customers per circuit and miles per circuit. In order to address the reliability concerns on the Dalmatia 36-02, PPL Electric planned a project that will reduce the number of customers per circuit and miles per circuit. Reductions in these two elements will significantly improve reliability of service in the project area. PPL Electric’s distribution planning group determined that the preferred and most cost-effective project would involve the construction of a substation and associated distribution circuits in the project area. Although Protestants argue in their Main Brief that PPL Electric should address the reliability concerns with a different project from the existing Dalmatia Substation, they have provided no evidence to support their proposal. Further, PPL Electric has explained that Protestants’ alternative proposal would not be as beneficial to PPL Electric’s customers.

PPL Electric demonstrated that the transmission portion of this project is required to resolve the significant customer load that would be left without service if an outage were to occur on the Juniata – Richfield 69 kV Transmission Line. When such outages occur, approximately 44 MW of load would remain interrupted for an extended period of time until repairs could be made. Interruptions of this magnitude and duration exceed PPL Electric’s RP&P guidelines for transmission system planning. Protestants did not contest this information, and instead argued that PPL Electric could accomplish its stated transmission goals by reconductoring an existing transmission line, the Sunbury – Middleburg 69 kV Transmission Line. PPL Electric considered and rejected the proposed reconductoring project, as it has numerous significant problems that would substantially impact the human environment, engineering considerations, and total cost.

Regarding siting, although Protestants did not generally contest the siting analysis during the evidentiary portion of this proceeding, they have raised siting and environmental concerns in their Main Brief. PPL Electric has presented a detailed siting analysis which carefully considered three alternative routes and concluded that proposed Route A was the best available siting alternative and that Route A minimized impacts on the environment to the extent practicable. Protestants raised concerns specific to the safety of the proposed Richfield – Dalmatia transmission line on the Hess property, and PPL Electric has fully responded to each of these concerns. PPL Electric has demonstrated that the Protestants’ safety concerns are greatly exaggerated and that PPL Electric’s proposed facilities will not pose any unreasonable risk of harm to the public or property. In their Main Brief, Protestants claim that PPL Electric has not met its burden of proof regarding the environmental concerns associated with crossing the Susquehanna River. The evidence in this proceeding does not support the environmental claims

made by the Protestants. In fact, PPL Electric gave substantial consideration to the impact of the Project on the Susquehanna River and sited the Richfield – Dalmatia transmission line to minimize these impacts.

For these reasons, and as more fully explained below and in PPL Electric’s Main Brief, the Richfield – Dalmatia Project should be approved.

III. ARGUMENT

A. PROTESTANTS HAVE APPLIED INCORRECT LEGAL STANDARDS AND HAVE MISINTERPRETED LEGAL STANDARDS IN THESE PROCEEDINGS.

The Protestants have applied incorrect legal standards to certain issues and have applied legal standards in an incorrect manner to other issues in this proceeding. In deciding these proceedings, the ALJs and the Commission should apply the proper legal standards in an appropriate manner as set forth in PPL Electric’s Main Brief, pp. 8-14.

Protestants contend that the Commission’s regulations at 52 Pa. Code §§ 57.71 to 57.77 apply to this proceeding. Protestants are incorrect. These apply only to “high voltage” or “HV” transmission lines. 52 Pa. Code § 57.71. “High voltage” or “HV” lines for the purposes of the Commission’s regulations are defined as transmission lines with a design voltage greater than 100,000 volts, or 100 kilovolts (“kV”). 52. Pa. Code. § 57.1. The proposed Richfield – Dalmatia transmission line is designed for 69 kV, PPL Electric Ex. 1, pp. 4-5, and therefore the siting regulations do not apply. However, as described in PPL Electric’s Main Brief on pages 39 through 45, PPL Electric has utilized the Commission’s regulations as guidelines in siting this Project and has provided extensive record evidence showing that it conducted a wide variety of environmental studies to support its route selection analysis. PPL Electric’s analysis, based on

reference to the Commission's regulations, is contained in PPL Electric Ex. 1, Attachments 2 and 3.

Protestants have repeatedly mischaracterized the concept of necessity for the purposes of this proceeding. For example, on page 15 of their Main Brief, they describe necessity as "proving that the transmission line is itself absolutely necessary for the operation of the PPL transmission system." Although PPL Electric is uncertain what Protestants' statement means, it clearly overstates the applicable legal standard. In order to support its use of the power of eminent domain, PPL Electric is required to show that the project is "necessary for the service, accommodation, convenience or safety of the public." 15 Pa.C.S. § 1511(c). By this very language, PPL Electric is not required to show that this project is "absolutely necessary for the basic operation of the PPL transmission system". Protestants M.B., p. 15. Necessity, rather, refers to the quality of service and whether service is reasonably reliable and is provided without unreasonable interruptions.

The quality of service that PPL Electric is required to provide is defined by 66 Pa. C.S. § 1501. Specifically the statute provides as follows:

Every public utility shall furnish and maintain adequate, efficient, safe and reasonable service and facilities, and shall make all such repairs, changes, alterations, substitutions, extensions, and improvements in or to such service and facilities as shall be necessary or proper for the accommodation, convenience, and safety of its patrons, employees, and the public. Such service also shall be reasonably continuous and without unreasonable interruptions or delay. Such service and facilities shall be in conformity with the regulations and orders of the commission. Subject to the provisions of this part and the regulations or orders of the commission, every public utility may have reasonable rules and regulations governing the conditions under which it shall be required to render service....

66 Pa. C.S. § 1501. Based on this statutory language, it is not enough for PPL Electric merely to maintain facilities that will enable the basic operation of the transmission and distribution

systems under some circumstances. Instead, PPL Electric is required to provide reasonably reliable service without unreasonable interruptions. PPL Electric has shown that the Project is necessary to provide *reliable* service in the area, and therefore, it has met the legal standard. In addition, as clearly provided for in § 1501, PPL Electric is allowed to adopt internal guidelines for determining how to render the quality of service required by § 1501.

Further, the results of the policy that Protestants advocate, where the basic operation of the system must be at stake before PPL Electric could reinforce its system, would require PPL Electric to wait until its system was in a dangerous state of disrepair before obtaining Commission approval for reinforcement projects. Such a policy would prohibit the Company from reinforcing its system in a way that will prevent or reduce outages. Under Protestants' definition of "necessity," system interconnections to ensure load transfer capability would almost never be "necessary," even though they are one of the primary ways that PPL Electric provides reliable service to its customers. Protestants' definition of necessity is not only incorrect but also would present a dangerous precedent for service in the future.

In claiming that there is no necessity for the Richfield – Dalmatia Project, the Protestants have mischaracterized PPL Electric's RP&P, and completely ignore the Commission's regulations. Protestants have argued generally that compliance with the RP&P does not create a "necessity" for the Project. Protestants misunderstand the RP&P and its role in enabling PPL Electric to provide reliable and reasonably continuous service as required by Section 1501 of the Public Utility Code, 66 Pa. C. S. § 1501. Further, Protestants ignore the Commission's regulations at 52 Pa. Code § 57.195(b)(5), which require that an EDC with more than 100,000 customers report: "A list of the major remedial efforts taken to date and planned for circuits that have been on the worst performing 5% of circuits list for a year or more." PPL Electric is

required by the Commission's regulations to identify and take remedial efforts to improve service on its Worst Performing Circuits. The Dalmatia 36-02 distribution line is a chronic Worst Performing Circuit, and has been on the list for 16 out of the last 31 quarters. PPL Electric St. No. 5-R, pp. 3-4. Based on the Commission's regulations mandating reliability improvements on Worst Performing Circuits, the distribution portion of this project is necessary.

PPL Electric has proposed the Richfield-Dalmatia Project to address reliability concerns in the project area. In addition to the Commission's Worst Performing Circuits list, one mechanism which the Company uses to identify reliability concerns is its RP&P guidelines. The RP&P guidelines are an important mechanism for helping to ensure that PPL Electric develops its system in a way that assures adequate and appropriate levels of service consistent with good utility practices. PPL Electric St. No. 4-R, p. 4. PPL Electric recognized, in developing the RP&P guidelines, that in order to achieve its goal of reasonably reliable service, long-term or frequent interruptions should be avoided. *Id.* Thus the RP&P provides standards for both transmission and distribution planning that are reasonably calculated to reduce the duration of outages and the number of customers who experience an outage. *Id.* at 2; PPL Electric St. No. 5-R, p. 4.

Although PPL Electric adopted the RP&P voluntarily, the practice of setting clear and objective criteria for determining where the system should be reinforced is clearly an essential part of providing reasonable service to customers, is consistent with the practices of other utilities, and plays an important role in PPL Electric's participation in the PJM. PJM monitors the planning of the Non-BES² system reinforcements, such as the Richfield – Dalmatia 69kV

² NERC has defined the Bulk Electric System ("BES") as all Transmission Elements operated at 100 kV or higher and Real Power and Reactive Power resources connected at 100 kV or higher. Thus, the Non-BES system is composed of the local transmission and distribution systems below 100kV. PPL Electric St. No. 7-R, p. 4, footnotes 2 and 3.

project, as part of the PJM RTEP Process.³ PPL Electric St. No. 7-R, p. 9. The PJM RTEP Process includes plans developed by local transmission operators, such as PPL Electric, that are developed to comply with the individual transmission operators' planning reliability criteria. *Id.* PPL Electric's planning process, which relies on its RP&P to identify reliability concerns, utilizes good utility practices in evaluating its system. *Id.* at 18. As a direct consequence of maintaining a proper balance between service reliability and the costs of providing service, PPL Electric utilizes different reliability criteria for each of the various segments of the transmission and distribution delivery system. *Id.* at 21. That is, there are stricter criteria to prevent outages that would affect more customers. As stated by Mr. Wodyka, "the fundamental purpose of the RP&P is to provide the PPL Electric planning engineers with a comprehensive set of planning guidelines and criteria that enable them to plan for a reliable transmission and distribution system for PPL Electric customers." *Id.* PPL Electric's practice of maintaining internal planning guidelines is a critical and essential part of providing reasonable and reliable service to customers and is consistent with PJM policies, with the practices of other utilities in Pennsylvania, and with good utility practices, generally. *Id.* at 22-23.

Protestants contend that the distribution portion of the Project is not necessary because it will not bring the system in the area into complete compliance with the RP&P guidelines with regard to miles per circuit. It is correct that the distribution portion of this Project will not completely bring the distribution system within the RP&P guidelines, although the Project will bring the distribution system much closer to meeting the RP&P. Nevertheless, the Project is needed based on the principles driving the RP&P guidelines. Denying that a need exists because a single project cannot entirely resolve all violations, while at the same time acknowledging that

³ The RTEP Process is the regional transmission planning process used by the PJM. This process is described in greater detail by Mr. Wodyka in pages 6 through 11 of his testimony.

those violations do in fact exist, is logically inconsistent. The Protestants do not deny that the Dalmatia 36-02 is a Worst Performing Circuit. They do not deny that if the Juniata – Richfield transmission line were to experience an outage, 44 MW of customer load would be left without service for an extended period of time until repairs are made. These are meaningful reliability concerns, and it is necessary that PPL Electric address them in order to provide reliable service to the public.

PPL Electric’s RP&P guidelines incorporate both Principles and Practices that assist PPL Electric in identifying the need for reinforcements to its transmission and distribution system and provide standards for how to resolve reliability concerns in a manner that is equitable to all customers. Under the RP&P, reliability concerns are resolved by maintaining the proper balance between service reliability and the costs of providing service. Although it may not be practical to fully resolve every reliability concern to meet the PPL Electric RP&P guidelines, the Richfield – Dalmatia Project is the best solution to maximize reliability improvements to both the transmission and distribution system, to significantly improve service to the project area, to resolve as many violations of the RP&P as practicable, and to use the most cost-effective project for accomplishing both transmission and distribution reliability improvements.

B. NEED FOR THE DISTRIBUTION SOLUTION

PPL Electric has shown that there is a reliability concern on the Dalmatia 36-02 which needs to be addressed and that the Meiserville substation and the associated 12 kV distribution lines proposed as part of this Project will significantly improve reliability of service in the project area.

Protestants argue that there is no “independent reason” for the Meiserville Substation to exist. They contend that the Meiserville Substation is nothing more than an attempt to justify the Richfield – Dalmatia Transmission Line. Protestants M.B., pp. 14-15. Their argument, however,

is incorrect. As explained by Mr. Slugocki, the distribution planning group had considered a substation the preferred solution to resolve reliability concerns in the project area since 2006. Tr. 153. However, before building a substation, PPL Electric first exhausted less expensive but less effective solutions, such as the installation of reclosers and lightning arrestors, prior to making the determination that the only alternative that would provide the significant improvements necessary was a new substation. PPL Electric St. No. 5-RJ, pp. 3, 7. PPL Electric's distribution planners concluded, after this analysis, that a substation was necessary to improve reliability in the project area. It is correct that the Richfield – Dalmatia Line will make the Meiserville Substation more economically feasible by creating a nearby source of supply, but the Meiserville Substation is needed regardless of the Richfield – Dalmatia Transmission Line.

Protestants argue that PPL Electric should not be allowed to undertake any substantial project unless it perfectly meets the Company's RP&P guidelines, even if there are substantial reliability concerns and significant improvement could be accomplished. Protestants M.B., p. 19. Protestants' argument should be rejected. Initially, it should be noted that Protestants' contention is inconsistent with another of their arguments, which is that the RP&P does not have to be followed. As noted by Mr. Slugocki, the RP&P was adopted to give PPL Electric a consistent approach to maintaining and improving service to its customers throughout its service territory. Tr. 184. Although the Project will bring PPL Electric's distribution system closer to full compliance with the RP&P, its purpose is to improve service to customers. PPL Electric has shown that the Project will significantly improve service to customers. PPL Electric St. No. 5-R, p. 5. Protestants' argument that no substantial project should be undertaken unless it will bring the PPL Electric system completely into compliance with the RP&P would prevent PPL Electric

from implementing the most effective projects to improve service to customers. Protestants argument is contrary to the public interest and should be rejected.

In contending that the distribution portion of the Richfield – Dalmatia Project is not necessary, the Protestants consistently ignore the role of the Worst Performing Circuits list and the Company’s obligation to improve performance on those circuits. PPL Electric St. No. 5-R, p. 3. Under the Commission’s regulations at 52 Pa. Code § 57.195, PPL Electric is required to identify the worst performing 5% of distribution circuits on its system. The Company must describe specific remedial efforts taken and planned for its worst performing circuits. 52 Pa. Code § 57.195(b)(5). As was previously noted in this brief, PPL Electric is required by § 1501 to provide service in conformity with the Commission’s regulations, which includes addressing the 5% of circuits on its system that are the worst performing. Therefore, it is necessary for PPL Electric to undertake a project to improve service on the Dalmatia 36-02 distribution line, in order to comply with the Commission’s regulations.

Although PPL Electric utilized its RP&P guidelines in determining the best solution for the project area, the Dalmatia 36-02’s consistent appearance on the Worst Performing Circuits list has been a driving factor in the distribution planning department’s effort to improve reliability of service in the project area. *Id.* at p. 4. This Project does not completely cure the violations of the distribution RP&P regarding the length of distribution circuits, but it does completely resolve the RP&P violation relating to customer count per feeder and dramatically reduces the miles per circuit. Overall, this solution is considered by PPL Electric’s distribution planning department as the best solution for addressing the reliability issues in the project area. *Id.* at pp. 6-7, Tr. 166.

The solution selected by PPL Electric is not only the best engineering solution for addressing the reliability concerns in the area in the long term, but it is also the least-cost solution. Tr. 149. The Project provides necessary improvements to the reliability of service in the area as required by the Commission's regulations at 52 Pa. Code § 57.195, as well as PPL Electric's distribution RP&P guidelines.

Protestants, in their Main Brief, have proposed a third circuit from the Dalmatia Substation as an alternative solution to the distribution issues. Protestants M.B., pp. 19-20. Protestants, however, produced no evidence to support their proposal – their witness never mentioned it. Apparently, this proposal would entail a third circuit from the Dalmatia Substation in addition to the existing Dalmatia 36-02 and 36-01 circuits. The new circuit would share structures with the 36-02 circuit across the Susquehanna River to some unidentified location where it would split an unidentified portion of the 36-02 circuit into two segments. The only record evidence on this issue is the testimony of Mr. Slugoeki on cross examination, where Mr. Slugoeki explained that the proposal to add a third circuit would be impractical.⁴ Tr. 182.

Mr. Slugoeki explained that, for the length that the 36-02 distribution line would share with the new circuit on the same structures, the outage concerns would be exactly the same as they are currently, so that a single outage event would cause all customers served by both lines to experience an outage. Tr. 174-5. Therefore, for that portion of the line, there would be absolutely no improvement in reliability as a result of the Protestants' solution, and the project would in fact be a "waste of the money" charged to PPL Electric customers. Tr. 175; 182. It is not possible to know how long that portion of the distribution line would be because the Protestants did not provide any details for the third circuit proposal. In addition, as Mr. Slugoeki

⁴ On this third circuit proposal Mr. Slugoeki stated specifically, "I don't think it would solve the problem and it would be a waste of money that we charge our customers." Tr. 182.

noted, double circuit distribution lines may be more expensive to construct than the proposed single circuit distribution lines. Tr. 178. Of course, the Company cannot give a detailed cost estimate, because the proposal to add a third circuit was not made prior to cross examination.

Finally, without any cite to the record, the Protestants claim that their third circuit alternative would “cut nearly in half the miles per circuit.” Protestants M.B., p. 19. This unsupported claim is flatly contradicted by Mr. Slugocki, the only witness who testified on the subject. Mr. Slugocki stated in his testimony on the proposed third circuit that, “It would cut the number of customers, but it would also increase the number of circuit miles because you’re adding more circuit.” Tr. 176. Thus, not only did Protestants fail to fully develop this alternative in their testimony in this proceeding, but also they have also failed to show that it would even provide an adequate solution to the identified reliability concerns on the Dalmatia 36-02. PPL Electric’s proposal would split the existing Dalmatia 36-02 distribution circuit into three separate circuits; Protestants’ proposal would split it into only two circuits, and a portion of the two lines would run on the same poles. It is not clear that Protestants’ proposal would resolve the RP&P violation regarding the number of customers per circuit because, as Mr. Slugocki noted in his testimony on the Dalmatia 36-01, geography plays a significant role in dividing up customers. Tr. 156. Further, Protestants’ solution clearly would provide less improvement with regard to the length of the circuit than PPL Electric’s proposal. It is possible, therefore, that Protestants’ alternative would not address either of the RP&P violations, and it is certainly clear that it will address them less effectively than PPL Electric’s proposed Project. It also would not introduce a new source of supply into the area that would enable PPL Electric to restore service quickly to many customers by transferring load in the event of an outage. The proposal to add a third circuit should be rejected by the ALJs and the Commission as unsupported by and contrary to the

evidence in this proceeding. Although Protestants proclaim that “substantial benefits” would accrue to the distribution system by avoiding PPL Electric’s Project, they failed to cite any evidence as to what those benefits would be because there is no record evidence on the alleged benefits. Protestants’ third circuit proposal, and the entirety of their claims regarding the distribution component of PPL Electric’s Project, should be rejected.

Protestants have not produced any credible evidence that the distribution portion of the Project is not needed. Instead, they have attacked the method PPL Electric has chosen for resolving the uncontested reliability concerns. In particular, Protestants argue that the distribution RP&P metrics should be treated as entirely discretionary and should be generally ignored in favor of a project that would not require a new substation and which would have longer distribution circuits.⁵ Protestants support this contention by referring to a previous PPL Electric project which added a second circuit, the Dalmatia 36-01, to the Dalmatia Substation. While the Protestants claim that PPL Electric installed the Dalmatia 36-01 even though “*at the time of installation* it violated RP&P requirements,” and that Mr. Slugocki “testified unequivocally” that the Dalmatia 36-01 was not built in compliance with RP&P standards, Protestants M.B., p. 12, those claims are factually incorrect and without merit. Instead, Mr. Slugocki stated in his testimony that PPL Electric added a second circuit to the Dalmatia Substation in 2008, and moved a portion of the customer load from the Dalmatia 36-02 distribution line to the new Dalmatia 36-01 circuit.⁶ Tr. 149-150. Mr. Slugocki stated repeatedly that the RP&P guidelines for customers per circuit and miles per circuit were adopted in 2009.

⁵ This contention contradicts the acknowledgment by Protestants’ expert witness that limiting the number of circuit miles will have a positive impact on exposure of a distribution line to outages, and therefore on reliability of service. P-McGavran-D1, p. 20.

⁶ For a portion of their Main Brief, Protestants have confused the names of the two distribution lines. Protestants M.B., p. 19. To clarify, the Dalmatia 36-02 distribution line was the first line installed at the Dalmatia Substation, and is the distribution line that is the subject of this proceeding. The Dalmatia 36-01 was constructed in 2008, and a portion of the customer load from the Dalmatia 36-02 was transferred to the Dalmatia 36-01.

Tr. 147; 149. Thus, the guidelines were not in existence when the Dalmatia 36-01 was constructed, and PPL Electric therefore could not have installed the 36-01 in violation of the guidelines.⁷ PPL Electric does its best to plan its system to meet the RP&P guidelines. Tr. 156. Further, from a practical standpoint, completely disregarding the RP&P guidelines would leave PPL Electric without a meaningful method for planning its system.

C. NEED FOR THE TRANSMISSION SOLUTION

PPL Electric presented the distribution and transmission components of the Richfield-Dalmatia Project together because the single Project provides the best solution for both the transmission and distribution reliability concerns in the area. PPL Electric's witnesses, however, noted that the individual distribution and transmission components of the Project were planned separately and the preferred solutions were determined independently. Tr. 162. Although Protestants argue that the transmission portion of this project is justified only by the proposed Meiserville Substation, Protestants M.B., pp. 14-15, the testimony in this proceeding contradicts that conclusion. PPL Electric has shown that there is an RP&P reliability violation on the Juniata – Richfield Transmission Line that was identified through load flow analyses performed in 2008 and again in 2009. The transmission component of this Project is necessary to provide reasonably reliable service on the Juniata – Richfield transmission line. Tr. 201; PPL Electric St. No. 4-R, p. 2; PPL Electric St. No. 4-RJ, p. 3. The transmission component of this Project is not driven by load growth in the area but rather by the concern that the current configuration of the

⁷ Further, counsel for the Protestants had the following exchange with Mr. Slugoeki:

- Q. So what you're saying is that when this 36-1, 36-2 project was identified and performed in 2008, it wasn't to satisfy an RP&P guideline because that circuit mile customer –
- A. No. It was to satisfy the Commission that we were doing some work; we were doing our best to try and improve the reliability on the circuit.

Tr. 151.

transmission system exposes thousands of PPL Electric customers to prolonged outages. PPL Electric St. No. 4-R, pp. 14 and 19.

No party has contested PPL Electric's evidence that an outage on the Juniata – Richfield 69 kV transmission line, as it is currently configured, will leave 44 MW of customer load interrupted. Further, PPL Electric's witness, Ms. Krizenoskas, testified unequivocally that the Project is necessary to reduce the significant amount of load that will be interrupted in an outage event on the Juniata – Richfield 69 kV transmission line. PPL Electric St. No. 4-R, p. 19; PPL Electric St. No. 4-RJ, p. 3; Tr. 249. Further, Ms. Krizenoskas stated repeatedly that: (1) there is a reliability concern on the Juniata – Richfield, (2) that the concern involved the potential for a prolonged loss of 44 MW of customer load, and (3) that the reliability problems cannot be addressed by a reconductoring project. PPL Electric St. No. 4-R, pp. 15-16; PPL Electric St. No. 4-RJ, p. 4; Tr. 215-16; Tr. 226.

Protestants have argued that PPL Electric should utilize the same solution it is using on the Sunbury – Dauphin rebuild, which involves upgrading an older, smaller capacity conductor to 556 ACSR⁸ transmission line with initial single circuit operation.⁹ Protestants M.B., pp. 15, 17. The Sunbury – Dauphin Project, however, was planned strictly to address a normal overload condition where summer peaks could cause the conductor to anneal and possibly fail. Tr. 200. This purpose is entirely different from the one that is driving the Richfield – Dalmatia Project. Protestants, however, offer the same solution for a different reliability concern, despite the fact that doing the exact same reconductoring project as the one being undertaken on the Sunbury – Dauphin would not be practical. Tr. 226.

⁸ ACSR stands for aluminum conductor steel reinforced.

⁹ The line is being constructed to support eventual double circuit operation, when load growth in the area makes the addition of a second circuit appropriate. PPL Electric St. No. 4-RJ, pp. 6-7.

PPL Electric has stated that an alternative project proposed by the Protestants, that would be viable from an engineering perspective, would involve a reconstruction of the Sunbury – Middleburg 69 kV Transmission Line as a double circuit line with heavier conductors. Tr. 235. However, PPL Electric has shown that this alternative is fraught with significant problems that, based on even a cursory review, would substantially impact the human environment, engineering considerations, and total cost. First, this alternative would be a longer project, encumbering 12.5 miles, which would add additional engineering expense to the project.¹⁰ Tr. 211. Although there is existing right-of-way it traverses heavily populated areas, and would have to be widened in numerous areas, including 14 non-condemnable properties. *Id.* at. 16. If any of the owners of the 14 non-condemnable properties refused to widen the right-of-way, PPL Electric’s only option would be to redesign those portions of the line.¹¹ Redesigning the line to fit in a 50 foot right-of-way would add additional expense to the project. Tr. 253. In addition to the 14 properties that are non-condemnable, it is very likely that PPL Electric would have to reach an amicable agreement with other property owners in a heavily populated area in order to avoid the condemnation proceedings that would be necessary to acquire the additional right-of-way to allow design and construction costs equivalent to the Richfield – Dalmatia Transmission Line. If

¹⁰ PPL Electric notes that on page 18 of their Main Brief, Protestants state that their proposed project could achieve the same function “with fewer miles of transmission line.” This statement is, at best, a misleading claim that they attempt to support by erroneous cites to the record. Their proposed project involves construction of a longer transmission line. Their citation is to Ms. Krizenoskas’ description of the route that electricity would travel, the majority of which is on transmission lines that are already constructed. Further, Protestants’ characterization of Ms. Krizenoskas’ demeanor throughout their brief is unwarranted and inaccurate, given that the biggest hindrance on cross examination was their counsel’s lack of understanding of the electric system in the area and the specific map locations being referenced, and not any reticence on the part of the witness.

¹¹ A non-condemnable property is one where there is a house on the same property within 100 meters of the edge of the proposed right-of-way. Protestants clearly do not understand the significance of a non-condemnable property. When asked his understanding of non-condemnable property in Pennsylvania, Protestants’ expert witness stated: “My understanding of a non-condemnable property in Pennsylvania is one where the line was existing before an improvement was made around it.” Tr. 359. Further, with regard to the 14 non-condemnable properties, counsel for the Protestants asked PPL Electric’s witness, ‘So the idea is that you would have difficulty condemning, not acquiring right-of-way, but condemning adjacent property?’ Tr. 239. It is not “difficult” to condemn non-condemnable property; it is impossible.

PPL Electric cannot reach an amicable agreement with those property owners, then PPL Electric would be in exactly the same position as it is in this proceeding, where the Company would be required to condemn for the additional right-of-way necessary to complete the project.¹²

In addition, the dense population and significant customer load on the existing line presents serious concerns for PPL Electric about maintaining service to customers during reconstruction. Tr. 235. Reconstruction of the existing line would require PPL Electric to build temporary facilities to maintain service to customers, which would add still more costs above the cost of the Richfield – Dalmatia Project. PPL Electric St. No. 4-R, p. 16. Another significant drawback, particularly if PPL Electric cannot obtain the additional right-of-way, is that the confined space would create construction concerns associated with maneuverability within the more narrow right-of-way in densely populated areas. Tr. 253. In addition, the existing line would have to be removed and completely rebuilt, because the current structures would not support the heavier conductors. The removal of existing structures would add costs to the Protestants' alternative reconductoring project that will not be incurred in the Richfield – Dalmatia Project. PPL Electric St. No. 4-R, p. 15.

Finally, utilizing a double circuit design with heavier conductors would require, at a minimum, an additional breaker at the Sunbury Yard and may require a rearrangement of the yard at additional expense. Tr. 227. Ms. Krizenoskas testified definitively that this transmission option would be more expensive than the Richfield – Dalmatia Transmission Project. Overall,

¹² PPL Electric notes that in this proceeding, in order to construct the 11.54 mile long transmission line, the Company had to obtain property from 54 different property owners across 71 different properties. PPL Electric Ex. 1, Attachment 3, p. 23. It obtained agreements from 45 of those property owners. *Id.* Protestants repeatedly emphasize the total length of the transmission line, when only a tiny portion of it is at issue in these proceedings. It is entirely possible that a similar amount of the transmission line that Protestants argue should be reconducted may need to be condemned in order to accomplish their proposed alternative. Thus, it is not clear that the Protestants' project would have less cost to obtain property or less impact on property owners, but only that it would have less impact on the particular owners in this proceeding. The case law is clear that impacts on specific property owners to a proceeding are not the standard by which a condemnation application should be judged. *Paxtowne v. Pa. P.U.C.*, 398 A.2d 254, 256 (Pa. Cmwlth. 1979).

the reconductoring option would be longer than the Richfield – Dalmatia Project, would be more expensive than the Richfield – Dalmatia Project, would encumber more properties, would traverse more densely populated areas, would cross 14 non-condemnable properties where additional right-of-way would be needed for standard construction, would in all likelihood require that other properties will have to be condemned, and would not provide the additional benefit of a back-up source to the Sunbury – Dauphin Transmission Line. The alternative reconductoring project also would not provide the benefit of a new source of supply for the splitting of the Dalmatia 36-02 distribution circuit, which, as shown above, is necessary to address the Commission’s regulations on worst performing circuits.

Protestants claim erroneously that Ms. Krizenoskas’ “sole reason for avoiding the reconductoring” project was the non-condemnable properties where PPL Electric may not be able to acquire a 100 foot right-of-way. Protestants M.B., p. 17. Ms. Krizenoskas’ substantial testimony on this issue, as summarized above, clearly shows that there are numerous reasons why PPL Electric rejected the Protestants’ reconductoring option. Regarding the 100 foot right-of-way, however, Protestants have misstated the facts. Protestants focus on the fact that PPL Electric does have 69 kV transmission lines on its system that are constructed in 50 foot right-of-way, and conclude, therefore, that PPL Electric is “incorrect and inconsistent” in its policy to perfect the right-of-way and build in 100 foot corridors. Protestants M.B., p. 16. Ms. Krizenoskas and Mr. Braun, however, both noted that these 50 foot corridors are found on old transmission lines. Tr. 197; Tr. 294. PPL Electric’s current policy requires a 100 foot right-of-way where feasible, due to the size of the poles and length of spans currently employed in the construction of transmission lines. A 50 foot corridor requires redesigning the line to

accommodate the smaller space, which adds expense and is therefore avoided when practical. Tr. 197; Tr. 253.

Protestants have emphasized in their Main Brief the “enormous and expensive” undertaking of crossing the Susquehanna River as a basis for rejecting the Richfield – Dalmatia Project. Protestants M.B., p. 17. Protestants’ concern is greatly overstated. PPL Electric has 54 transmission lines that cross the Susquehanna River. Tr. 331. In addition, distribution lines like the Dalmatia 36-02 line cross the Susquehanna River. These facts show that PPL Electric has significant experience with designing, engineering, and building lines that cross the very body of water the Protestants claim to be concerned about. Further, under cross examination, PPL Electric’s siting coordinator Justin Wehr stated the following:

Q. What costs more, putting a half-a-mile of 69 kV line across an open farm field or across a river?

A. If it can be done in a single span, and it’s a standard span, it would be about equal.

Tr. 332. PPL Electric’s proposed route will cross the Susquehanna River with a single span. Ex. 1, Attachment 3, p. 18. Cost is not a substantial factor. Indeed, even with the river crossing, the cost of the Richfield – Dalmatia Transmission Line will be less than the cost of Protestants’ proposed reconductoring alternative. PPL Electric St. No. 4-R, p. 15. Protestants have greatly exaggerated the Susquehanna River crossing component of PPL Electric’s proposed project. Further, Protestants’ own “solution” to the distribution reliability concerns involves a proposed crossing of the Susquehanna River by the Dalmatia 36-02 line rebuild as a double circuit. Protestants M.B., p. 19. Thus, Protestants have argued both sides of this issue in their Main Brief, but the record evidence shows that constructing the transmission line across the Susquehanna River has at most only a small incremental impact to the cost and planning of this

Project and that PPL Electric has substantial experience in planning and constructing river crossings.

The fact that there is another engineering solution that could potentially resolve the transmission reliability concern in the project area does not show that the proposed Project is not necessary. PPL Electric has considered the Protestants' alternative and rejected it due to the significant issues identified by PPL Electric's witnesses. Tr. 240. PPL Electric has shown that there were many substantial reasons for rejecting the Protestants' alternative, including impact on residential communities, construction in densely populated areas, service issues, and significantly increased costs. In addition, engineering constraints that would further increase costs include adding a breaker to the Sunbury Yard, and potentially reconfiguring the Sunbury Yard and redesigning the transmission line for a 50 foot right-of-way. PPL Electric's proposed solution is the better transmission solution because it will fully resolve the RP&P violation on the Juniata – Richfield Transmission Line, and will also improve load restoration on the Sunbury – Dauphin. In addition, the Protestants' proposed transmission solution does nothing to improve the reliability of the distribution system in the project area. The combined improvements to transmission and distribution that will be achieved by PPL Electric's proposed Richfield – Dalmatia Project are vastly superior to the Protestants' proposals because they will provide greater increases in reliability to both systems at a lower total cost.

D. THE PROJECT DOES NOT PRESENT AN UNREASONABLE RISK TO THE HEALTH AND SAFETY OF THE PUBLIC

Protestants have objected to the proposed location of the Richfield – Dalmatia Transmission Line on the Hess property. In responding to these objections, PPL Electric emphasizes the fact that the proposed location of the Line on the Hess property was developed in consultation with the property owners. Tr. 335. While Troy Hess has testified throughout this

proceeding, he is not the owner of the property. No evidence has been produced to show that Mr. Hess resides at the property or has personally contributed any monetary investment toward the improvement of the property. The record evidence has shown, however, that a large industrial tire recycling facility is located on the property. Tr. 374.

Protestants assert that the Richfield –Dalmatia transmission line will pose a safety hazard and violate National Fire Protection Association Standards (“NFPA”). As explained in PPL Electric’s Main Brief, however, the NFPA Standards do not have any force or legal effect, because they have not been adopted by any governmental body having jurisdiction over the Hess property. PPL Electric M.B., p. 48. Further, Protestants have asserted that the NFPA Standards do not permit tires to be stored “where there is a source of ignition.” Protestants M.B., p. 20. Their interpretation of the NFPA Standards, however, is erroneous. Protestants have cited to NFPA 33.1.6.2, which states in its entirety: “Sources of ignition such as cutting and welding, heating devices, and open fires shall be prohibited within the tire storage area.” Transmission lines are addressed in NFPA 33.1.7, which states: “Piles of tires or altered tire material shall not be located beneath power lines or structures.” PPL Electric Cross-Hess 1, Tr. 373. Given that transmission lines are addressed in a separate provision, it is clear that the NFPA Standards did not incorporate transmission lines as a “source of ignition” under 33.1.6.2. The items listed as “sources of ignition” are readily distinguishable from a transmission line, as well.¹³

Even if the NFPA Standards applied in this case, which they do not, at most they prohibit the storage of tires directly underneath the transmission line. PPL Electric’s proposed right-of-

¹³ Protestants state that: “An electric arc coming from a power line is certainly a source of ignition that has been known to cause fires including tire fires.” They cite to page 367 of the transcript, which does not support that conclusion. The actual record evidence is as follows:

Q. Is an electric arc a source of ignition?

A. It can be.

Nowhere in the record does any witness state that power lines are a known source of ignition for tire fires.

way for the transmission line on the Hess property covers only 2.43% of the property. PPL Electric St. No. 3-RJ, p. 3. If the Protestants are concerned about the safety of storing tires under the transmission line, then they simply should not store tires there. They still have more than 97% of the property that can be used for tire storage.

Protestants also claim that PPL Electric “failed to consider the safety concerns” of the route it has selected. Protestants M.B., p. 20. Protestants’ claim is not correct. Rather, Mr. Jarrah testified at length on issues relating to fire safety on the Hess property. In fact, the only evidence Protestants have cited to support their claim that there is risk of fire or electrocution, aside from the NFPA, is Mr. McGavran’s statement that a high impedance fault may not cause a breaker to trip and de-energize the line. Protestants M.B., p. 20. This concern, however, was specifically addressed by Mr. Jarrah, where he stated that the system is both designed to detect such a high impedance fault and is designed to trip and interrupt the flow of electricity should a fault occur. PPL Electric St. No. 10-RJ, pp. 3-4.

Protestants have asserted that the hydrant and pump on the Hess property are used frequently that the fire trucks fill up “at all times of day and night.” Protestants M.B., p. 21. Protestants have not supported these claims with any evidence. However, PPL Electric has shown that fire hydrants located near transmission and distribution facilities are common in PPL Electric’s service territory, and the hydrant on the Hess property is actually 75 feet from the proposed Richfield – Dalmatia Transmission Line, which is farther from the power line than many other hydrants throughout PPL Electric’s service territory. PPL Electric St. No. 10-RJ, p. 4. Therefore, the proposed location of the Richfield – Dalmatia Transmission Line on the Hess property does not constitute an undue hazard. Tr. 329. Further, Protestants assert that trained fire fighters would find the proposed proximity of the Richfield – Dalmatia Transmission Line to

the hydrant unsafe, and that there is concern regarding fire hose malfunctions. Protestants M.B., p. 21. The concerns expressed by the Protestants are speculative and are not supported by scientific or expert evidence. Instead, they depend entirely on the testimony of Troy Hess, who has not been shown to have any training or experience in fire fighting. Such concerns are not well-founded. As explained above, it is common for fire hydrants to be directly below or near power lines.

PPL Electric's standard practice throughout its service territory regarding fire fighter safety is to defer to the fire fighters that are "on the ground." PPL Electric St. No. 10-RJ, p. 4. Trained professional fire fighters are in the best position to know what poses a safety risk, their own abilities, and the quality of their equipment. *Id.* PPL Electric's witness specifically addressed Mr. Hess' concern about having someone on-site to determine whether the line was de-energized. As Mr. Jarrah stated in his testimony, PPL Electric has troublemen on call in this portion of PPL Electric's service territory around the clock who are ready to respond to emergency situations. *Id.* at 6.

Although PPL Electric has sited the line over the Hess property based on input from the Hesses, they now claim that the route location that they were involved in selecting is unsafe. They have provided no meaningful evidence regarding the alleged unsafe conditions, and PPL Electric has fully addressed all of their concerns.

E. PPL ELECTRIC HAS SHOWN THAT THE PROJECT WILL HAVE LIMITED ENVIRONMENTAL IMPACTS

Protestants assert that PPL Electric's application failed to provide sufficient evidence to allow the Commission to consider environmental impacts, and particularly impacts on the Susquehanna River. Protestants M.B., p. 22. Protestants' claims are inaccurate and incorrect. As described in PPL Electric's Main Brief, with respect to environmental issues, the

Commission should consider the three-part test established in *Payne v. Kassab*, 312 A.2d 86 (Pa. Cmwlth. 1973) (“*Payne*”). The test requires the Commission to determine the following:

1. Was there compliance with all applicable statutes and regulations relevant to the protection of the Commonwealth’s environment?
2. Does the record demonstrate a reasonable effort to reduce the environmental incursion to a minimum?
3. Does the environmental harm which would result from the challenged decision or action so clearly outweigh the benefits to be derived there from that to proceed further would be an abuse of discretion?

Id. at 94. The Commission’s environmental review is properly limited to the impacts at the site of the proposed facilities. *See, e.g., Del-AWARE Unlimited Inc. v. Pa. P.U.C.*, 513 A.2d 593, 596 (Pa. Cmwlth. 1986); *Philadelphia Suburban Water Co.*, 54 Pa. PUC 127, 135 (1980).

As shown in PPL Electric’s Main Brief, PPL Electric has produced substantial evidence regarding the process it undertook to analyze the environmental impacts of the proposed Project and the alternative routes. Attachments 2 and 3 to PPL Electric Ex. 1 discuss the many environmental factors PPL Electric considered, including cultural and historic features, the different bodies of water that are in the project area, existing land use, and natural features in the project area. PPL Electric has shown that it is working with many state and federal agencies to ensure that the Richfield – Dalmatia Project complies with all applicable regulations relevant to the protection of the environment, and that the Company will acquire and comply with any and all permits that are necessary in order to complete the Project. PPL Electric Ex. 1, Attachment 3, p. 19. Thus, PPL Electric will comply with all appropriate environmental statutes and regulations.

As explained fully in Attachments 2 and 3, PPL Electric has made a reasonable effort to identify potential impacts to the environment and mitigate those impacts where practicable. PPL

Electric mitigate impacts in many ways, including identifying siting constraints that should be avoided, and incorporating significant environmental factors in its weighted route selection analysis. PPL Electric described this process in detail in its Main Brief, on pages 37 through 45. In addition, in Attachments 2 through 4 to Exhibit 1, PPL Electric provided a full description of the siting process, complete with the mathematical analysis techniques that led to the selection of Route A as the best alternative with the least overall impact. Further, PPL Electric produced the testimony of Richard Mellon on the impacts of the Project on species of concern including bald eagles and other birds, and PPL Electric's efforts to mitigate those impacts. *See* PPL Electric St. No. 8-R. Based on the entirety of its analysis, PPL Electric concluded that there would be limited environmental impacts from the proposed Project.

With regard to environmental impacts, Protestants correctly identify the standard; however, they fail to apply it appropriately. In *Philadelphia Suburban Water Co.*, 54 Pa. P.U.C. 127 (1980), the Commission held that only when an intervener raises a "substantial issue" will a utility be under an intensified burden to meet the three part test established in *Payne*, regarding environmental impact. The Commission stated clearly that "a mere recitation of threatened environmental harm" is insufficient. *Id.* Although Protestants concede that this applies only after a party raises the issue, Protestants M.B., p. 10, they provide no citation to record evidence where the issue was raised. In fact, Protestants offered no record evidence regarding adverse environmental impacts. Although their Main Brief focuses on the impacts to the Susquehanna River, Protestants M.B., p. 22, Protestants did not provide evidence on any specific adverse impacts.

To achieve its purpose, it is necessary for the Richfield – Dalmatia transmission line to cross the Susquehanna River. The purpose of the transmission project is to connect the Sunbury

– Dalmatia 69 kV transmission line, which is located primarily on the east side of the Susquehanna River, with the Juniata – Richfield 69 kV transmission line on the west side of the Susquehanna River. PPL Electric Ex. 1, Attachment 1, p. 11, Figure 2. Protestants are incorrect in stating that PPL Electric did not consider a transmission route that did not cross the Susquehanna River. Protestants M.B., p. 22. Alternative 2 in the Necessity Statement was an option that did not cross the Susquehanna River. PPL Electric rejected this option because it would be longer, would be more expensive, and offered less total system benefits than Alternative 1. PPL Electric Ex. 1, Attachment 1, p. 9. Once Alternative 1 was selected, it would not have been possible to connect a line on the east side of the Susquehanna River with a line on the west side of the Susquehanna River without crossing the river. Importantly, the fact that PPL Electric did not consider a route that did not cross the Susquehanna River is the only fact that Protestants have cited to the record in their argument on environmental impacts. Protestants M.B., p. 22. Such a limited statement, which is not even found in Protestants’ own testimony, does not raise a substantial issue or even a recitation of a threatened environmental harm to which PPL Electric must respond.

PPL Electric explained that it specifically considered the Susquehanna River and the impacts of crossing the river. In Ex. 1, Attachment 2, PPL Electric discussed the results of its environmental analysis of the portion of the Susquehanna River found in the project area. Ex. 1, Attachment 2, p. 22. In Ex. 1, Attachment 3, PPL Electric discussed its efforts to mitigate, to the extent practical, the impacts the proposed Project would have on the Susquehanna River. Ex. 1, Attachment 3, p. 19. Although Protestants now claim in their Main Brief that “the application is devoid of any discussion” of impacts to the Susquehanna River, “or efforts made by PPL to minimize the impacts” of the transmission line on the Susquehanna River (Protestants M.B., p.

22), this claim is without merit. For example, on page 19 of Ex.1, Attachment 3, PPL Electric states:

PPL Electric gave primary consideration to the following facts in selecting Alternative Route A:

All three alternatives cross the Susquehanna River. The preferred alternative river crossing is the shortest of the three alternatives. In addition, the preferred alternative crossing can be accomplished with a single span which does not require construction activities in the river, as compared to Alternative Route B. A single span crossing limits the impacts to the Susquehanna River....

Contrary to the Protestants' claims, PPL Electric both considered the impacts of the Project on the Susquehanna River and made reasonable efforts to minimize those environmental impacts by selecting the route that had the least impact to the river.

PPL Electric has provided substantial evidence in this proceeding to show that it has assessed the impact this project would have on the environment, and has mitigated environmental impacts where it is practical to do so. Protestants' claim that PPL Electric has not produced any evidence in this proceeding regarding the environmental impacts of the proposed Project or PPL Electric's efforts to mitigate those impacts is contradicted by the evidence in this proceeding. Therefore, Protestants' arguments should be rejected.

Under the *Payne* decision, the issue is whether the environmental harm from the Project so clearly outweighs the benefits that continuing the Project would be an abuse of discretion. In its Main Brief, and in the sections of this Reply Brief on the necessity of the transmission and distribution portions of the Project, PPL Electric has shown that this Project is needed to avoid prolonged outages to many customers and to substantially improve the reliability of service on the Dalmatia 36-02 distribution line, which is chronically one of PPL Electric's worst performing circuits. Here, the benefits of this Project to PPL Electric's customers outweigh the environmental harm.

IV. CONCLUSION

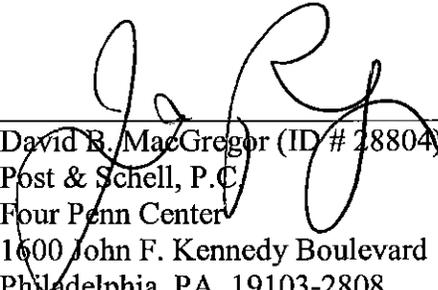
WHEREFORE, for all the foregoing reasons, PPL Electric Utilities Corporation respectfully requests that the contentions of the other parties be rejected. In addition, PPL Electric Utilities Corporation requests that the Administrative Law Judges and the Pennsylvania Public Utility Commission approve the following “Applications 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 Right-Of-Way And Easement Over And Across The Lands Of The Property Owners Listed Below For The Proposed Richfield – Dalmatia 69 kV Transmission Line In Portions Of Snyder, Northumberland, and Juniata Counties, Pennsylvania Is Necessary or Proper For The Service, Accommodation, Convenience Or Safety Of The Public:”

1. Michael and Logan Wendt, Doc. No. A-2011-2267349;
2. Randall Clark, Doc. No. A-2011-2267352;
3. John and Evelyn Zeiders, Doc. No. A-2011-2267353;
4. Roy and Cindy Maurer, Doc. No. A-2011-2267416;
5. Ronald and Dianne Mace, Doc. No. A-2011-2267418;
6. The Shoop Family Trust c/o Edwin and Denny Shoop, Doc. No. A-2011-2267426;
7. Gary and Dorene Lahr, Doc. No. A-2011-2267429;
8. Elijah and Faye Lahr, Doc. No. A-2011-2267446;
9. Marvin Roger Hess and Leona Hess, Doc. No. A-2011-2267448;

PPL Electric Utilities Corporation respectfully requests that the Administrative Law Judges and the Pennsylvania Public Utility Commission grant such other approvals as are necessary or appropriate under all of the circumstances.

Respectfully submitted,

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