



An Exelon Company

Legal Department
2301 Market Street / S23-1
Philadelphia, PA 19101-8699

Direct Dial: 215-841-6863

January 8, 2016

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, Second Floor
Harrisburg, PA 17120

**RE: Letter of Notification of PECO Energy Company Pursuant to 52 Pa. Code Chapter
57 Subchapter G to Construct the Linwood - - Chichester 230 kV Transmission
Line of Less Than Two Miles in Length**

Dear Ms. Chiavetta:

Enclosed for filing is a **Letter of Notification** with regard to the matter referenced above.

Very truly yours,

A handwritten signature in black ink, appearing to read "Ward Smith".

Ward Smith
Counsel for PECO Energy Company

WS/ab
Enclosure

cc: Certificate of Service

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Letter of Notification of PECO Energy :
Company Pursuant to 52 Pa. Code Chapter :
57 Subchapter G to Construct the Linwood -- : **Docket No. A-**_____
Chichester 230 kV Transmission Line of Less :
Than Two Miles in Length :
:

LETTER OF NOTIFICATION

I. INTRODUCTION AND OVERVIEW

1. This Letter of Notification is filed pursuant to 52 Pa. Code §57.72(d)(1) (vi) to request the approval of the Pennsylvania Public Utility Commission (“Commission”) to construct the Linwood-Chichester 230 kV transmission line located in Lower Chichester Township and Trainer Borough, Delaware County, Pennsylvania. The proposed Linwood-Chichester transmission line will be less than two miles in length (1.88 miles from substation fence to substation fence). As more fully described hereafter, this transmission line work is required by PJM Interconnection, LLC as a Regional Transmission Expansion Plan project. Subject to the Commission’s siting approval, construction of the proposed transmission line modifications described herein is scheduled to begin in late March 2016.¹ This Letter of Notification and the accompanying Exhibits, which are incorporated herein by reference, contain all of the information required by 52 Pa. Code § 57.72(d)(4) for the siting approval requested herein. In addition, this project has been the subject of extensive public outreach by PECO that resulted in a formal complaint being filed at the Commission by Lower Chichester Township. That complaint was resolved when PECO agreed to use the route for the Linwood-Chichester line that is described in this Letter of

¹ Key construction materials will be delivered to PECO on or about March 25, 2016. PECO therefore requests that the Commission approve this Letter of Notification on or before March 10, 2016.

Notification. The information required by 52 Pa. Code § 57.72(d)(4) is thus preceded by background information on the public outreach and prior Commission litigation.

2. PECO originally designed the Linwood-Chichester project to be constructed as an underground transmission line to be located under residential streets in Lower Chichester Township. In 2013, PECO began to conduct public outreach with respect to this project. That outreach included discussions with local government officials and public “open house” meetings in which PECO presented information about the proposed project to the public at public meetings in the local area. Although public reaction was mixed, PECO received significant feedback suggesting that underground construction through residential streets was not a preferred route of the local stakeholders. Instead, both the Township of Lower Chichester and local residents strongly suggested that PECO should evaluate an aerial route along Ridge Avenue, which is primarily a commercial area in the Township that already contains significant utility facilities. In response to that feedback, PECO agreed to evaluate the requested aerial route.

3. On July 24, 2014, PECO was served with a formal complaint in the matter of Lower Chichester Township v. PECO Energy Company, Docket No. C-2014-2433513. The complaint in that docket, which is attached to this Letter as Exhibit 1, specifically requested, on behalf of the Township and its residents, that PECO construct the Linwood-Chichester line along the Ridge Avenue route rather than as underground route through residential areas, as originally designed by PECO.

4. After the Complaint was filed, PECO continued its review of the aerial route along Ridge Avenue that had been proposed by the Township and its residents. Ultimately, PECO agreed to construct the Linwood-Chichester line using the aerial route along Ridge Avenue, as requested by the

Township and its residents. Consequently, the Township withdrew its complaint, stating (¶ 5) that: “PECO has informed the Township that it has adopted, and intends to build the Linwood-Chichester Line, along the route proposed by the Township, thus eliminating the basis for the Township’s complaint.” A copy of the Township’s Petition for Withdrawal is attached as Exhibit 2.

5. On May 18, 2015, presiding officer Administrative Law Judge David A. Salapa issued an Initial Decision in Docket No. C-2014-2433513. A copy of the Initial Decision is attached as Exhibit 3. ALJ Salapa allowed the complaint to be withdrawn, stating (emphasis added) that:

Turning finally to the public interest, the complaint does allege facts that would adversely impact the public interest. According to the complaint, Respondent’s route for the proposed transmission line is detrimental to the well-being of the Complainant’s residents. Therefore, the allegations in the complaint allege an adverse impact on the public interest. *However, the Respondent modified the route for the proposed transmission line and therefore addressed the proposed transmission line’s alleged adverse impact on the public interest.* It appears that the Respondent has addressed the alleged adverse impact on the public interest.

6. On July 29, 2015, the Commission issued its Final Order adopting the Initial Decision of ALJ Salapa as its own. A copy of the Final Order is attached as Exhibit D.

7. PECO intends to conduct an additional public outreach pre-construction open house in late February or early March 2016 to inform the public of its construction schedule and plans and to re-engage with the public prior to beginning construction. PECO will continue such public outreach, as needed, throughout the life of the construction project.²

II. THE APPLICANT AND ITS ATTORNEY
(52 Pa. Code § 52.72(c)(1) and (2))

8. The applicant is PECO Energy Company (“PECO” or the “Company”), 2301 Market Street, Philadelphia, Pennsylvania 19103. PECO is a public utility that supplies light, heat and power to the public, by means of electricity, in all or portions of five counties in southeastern Pennsylvania. PECO is a “public utility” and an Electric Distribution Company (“EDC”), as those terms are defined in Sections 102 and 2803 of the Public Utility Code (66 Pa. C.S. §§102 and 2803), and it is subject to the regulatory jurisdiction of the Commission.

9. PECO’s attorney is:

Ward L. Smith
Assistant General Counsel
PECO Energy Company
2301 Market Street, S23-1
Philadelphia, PA 19103
215 841-6863
ward.smith@exeloncorp.com

PECO’s attorney is authorized to receive all notices and communications regarding this Letter of Notification.

III. THE NEED FOR THE PROPOSED TRANSMISSION
LINE MODIFICATIONS
52 Pa. Code § 52.72 (c)(5)

10. The need for this project was identified through the Regional Transmission Expansion Plan “RTEP”) process conducted by PJM Interconnection, LLC (“PJM”). PJM is the regional transmission organization that coordinates the movement of wholesale electricity in all or parts of Delaware, Illinois,

² No other comments from state or local officials have been received to date.

Indiana, Kentucky, Maryland, Michigan, New Jersey, North Carolina, Pennsylvania, Tennessee, Virginia, West Virginia, and the District of Columbia. The RTEP process is an ongoing evaluation of the transmission system that identifies transmission system additions and improvements needed to keep electricity flowing to the millions of people throughout PJM's region. The need for the Linwood-Chichester project was identified through this process. The project was reviewed by PJM's Transmission Expansion Advisory Committee in September 2012, and was added to PJM RTEP as a required Baseline Upgrade (Baseline Load Growth/Deliverability and Reliability) in the 2012 RTEP. See PJMS 2012 RTEP, issued February 28, 2013, available on the PJM website. The Linwood-Chichester line is listed in the table found at Volume 5, page 369 of the 2012 RTEP, which is attached as Exhibit 5. The Linwood-Chichester project is designated as PJM Upgrade ID b1900.

11. The primary driver for the Linwood-Chichester project is the pending deactivation of generating stations in the northeast portion of the PJM service territory, and in New Jersey in particular. Those plants currently are a key source of supply to the PJM system, including PECO's customers, for the area that is electrically north of PECO's Chichester Substation. Once those generating stations are deactivated, areas north of Chichester that are currently served by them will need to have access to generating stations in the southern part of the PJM system. The existing transmission facilities between Linwood Substation and Chichester Substation do not have sufficient capacity to safely and reliably allow that access and transmission. Project b1900 will add additional capacity to that electrical path and allow the safe and reliable transmission of additional capacity from new generating sources to the area north of Chichester Substation.

IV. GENERAL DESCRIPTION OF THE LINE

52 Pa. Code § 52.72 (c)(3)

12. The general line construction needed for this project is to construct approximately 1.88 miles of new aerial transmission facilities, outside of the Linwood and Chichester substations, to electrically connect those substations. The route of the line is the route along Ridge Avenue that was identified by the Township and local residents as their preferred route. A detailed map of the line route, showing the location of each new structure, is attached as Exhibit 6. (This graphic is scalable in its native electronic format. PECO will provide Commission Staff with a copy of the graphic in its native electronic format through separate informal submission.) PECO's property right to build these facilities fits into three categories: (1) land owned in fee by PECO; (2) easements obtained by PECO, or (3) a lease from Amtrak to allow aerial overhang of the transmission line over Amtrak facilities. Exhibit 6 identifies the nature of PECO's property rights along each area of the route of the line.

V. SAFETY CONSIDERATIONS
52 Pa. Code § 52.72 (c)(6)

13. The design criteria used for the transmission line work described herein is set forth in PECO's standards for transmission line construction. These design criteria meet or exceed the requirements of the National Electrical Safety Code ("NESC"). Furthermore, PECO will construct, operate and maintain the transmission facilities in a manner that satisfies or surpasses NESC standards. The proposed project will not create an unreasonable risk of danger to the public health or safety.³

14. PECO has reviewed the electric and magnetic fields associated with this project. The subject transmission line will primarily be located on a roadside in an industrial/commercial area, largely immediately adjacent to the fenceline of a major oil refinery, on land owned by PECO or the refinery owner, Amtrak, or a local industrial concern, or on land owned by PECO immediately adjacent to the Chichester Substation, which is one of the largest utility distribution facilities in PECO's service territory. Most of the area next to this transmission line will therefore not be open to the public, and PECO does not expect changes to the public's magnetic field environment at those locations. For the area north of

³ PECO will separately submit materials that Commission Staff has requested in Data Requests in recent Letter of Notification proceedings. Specifically, PECO will separately submit materials to answer:

Q1 Please provide an engineering assessment of the project including information to address the following:

- a) Provide an analysis of minimum conductor clearances and conductor thermal ratings;
- b) Provide engineering design criteria and parameters such as vertical clearance to ground;
- c) Provide a demonstration of detailing how the project will be in compliance with the current NESC including information such as how the ROW will be adequate with NESC requirements;
- d) Please provide information describing how PECO's design specifications and safety rules meet or surpass the requirements specified by the NESC for transmission lines.

Q2 What is the height of the existing poles near the new poles or structures that will be installed? What is the height of the new poles or structures? Provide the location and footprint of the new structures.

Q3 Please provide the right-of-way width and the location of the proposed HV line within each city, borough, town and township traversed.

Ridge Avenue, public access along may occur in Ridge Avenue (on an intermittent basis while traveling along Ridge Avenue) or at properties on the north side of Ridge Avenue. PECO has calculated the that , when the line is loaded at a level expected to exist less than 10% of the time, magnetic fields on the north side of Ridge Avenue will be in the range of 27-65 milligauss (mg), depending upon the precise location along the line.

VI. SITING AND ENVIRONMENTAL AND LAND USE IMPACTS

15. The route chosen based on local input largely parallels a major roadway. This transmission line work will take place immediately adjacent to existing utility facilities along the roadway. Although the construction will be along an existing roadway, before it performs construction work, PECO will conduct an analysis of the presence/absence of wetlands for the project. Where wetlands are identified and access is required, they will be surveyed, marked in the field, and designated on drawings. Where access over wetlands is necessary to perform the construction work, PECO will utilize temporary mats or other approved or permitted methods to avoid damage. As a consequence of all of these factors, the transmission line modifications proposed for approval herein will create minimal new environmental and land use impacts.

16. No communications towers, pipelines or other utilities will be affected by the proposed transmission line modifications. Because the project involves construction immediately adjacent to existing aerial utility facilities, PECO has concluded that the proposed modifications will have no impact on any airports. However, PECO will perform all necessary notifications and obtain all necessary permits to comply with FAA and airport requirements.

17. The proposed transmission line modifications will have no significant environmental impacts. No unique geological, scenic or natural areas will be affected. All permits required for the construction and operation of this project will be obtained.

18. Because the project involves construction immediately adjacent to a major roadway and through a commercial/industrial area where there are existing utility facilities, PECO has concluded that no historical or archeological sites will be affected.

VII. COMMENCEMENT AND IN-SERVICE DATES
52 Pa. Code § 52.72(d)(4)(ii)

19. This project has a needed in-service date of June 1, 2018 in order to be available to serve peak load in the summer of 2018. In order to meet this in-service date, PECO needs to commence construction in late March 2016.

**VIII. THE SIZE, CHARACTER, DESIGN AND CONFIGURATION OF
THE TRANSMISSION LINE MODIFICATION WILL NOT
SUBSTANTIALLY ALTER THE RIGHTS-OF-WAY**
52 Pa. Code §52.72(d)(4)(iii)

20. This Letter of Notification is filed pursuant to 52 Pa. Code §57.72(d)(1)(vi). This requirement therefore does not apply to this Letter.⁴ With that said, PECO reiterates that this transmission line will largely be constructed on the side of a major roadway, in an industrial district alongside a major refinery and other industrial facilities and an existing major substation, in an area that is currently occupied by aerial utility facilities. The route was chosen because local stakeholders identified it as a route that “is more functional and efficient, in that it only impacts one Township Street,

⁴ 52 Pa. Code §57.72(d)(4)(iii). “A letter of notification shall contain: (iii) Evidence to show that the size, character, design, and configuration of the proposed HV line will not substantially alter its right-of-way *where the letter is filed under paragraph (1)(i)-(v)*. (emphasis added).

a few homes, and can be along a Commonwealth roadway. Thus, while this regulatory provision does not apply to this Letter, PECO submits that the line does not, in any event, substantially alter the right-of-way.

IX. FILING DATE AND PUC PROCEDURES
52 Pa. Code § 52.72(d)(4)(iv)

21. This Letter of Notification is being filed on the date shown next to the signature below. As provided in 52 Pa. Code § 57.72(d)(5), the Commission will review and, by order, approve or disapprove this Letter of Notification. If the Commission approves this Letter of Notification, PECO will be approved to perform the proposed transmission line construction as proposed herein without the formal application process set forth at 52 Pa. Code § 57.71 *et seq.* If the Commission does not approve this Letter of Notification, the Commission's Order shall direct PECO to file for approval to construct the proposed project pursuant to the Commission's certification regulations for a full application.

X. SERVICE AND PUBLICATION

22. Copies of the Letter of Notification or Notices of Filing of the Letter of Notification are being served in accordance with 52 Pa. Code § 57.72(d)(3), as evidenced by the Certificate of Service being filed along with this Letter of Notification. Due to the extensive public outreach already conducted by PECO on this project and the fact that the route for this project was selected at the request of local stakeholders, PECO does not believe that additional public notice is necessary. PECO reiterates that it intends to conduct a final pre-construction open house in late February or early March to inform and re-engage local stakeholders before construction begins.

WHEREFORE, PECO Energy Company respectfully requests that the Commission approve the transmission line construction as proposed and described herein and, for the reasons set forth above.

Respectfully submitted,



Walter S. H.
Attorney for PECO Energy Company

Dated: January 8, 2016

Exhibit 1

FRANCIS T. SBANDI
ATTORNEY-AT-LAW
JAMESTOWN BUILDING
102 CHESTLEY DRIVE
SUITE 1-A
MEDIA, PENNSYLVANIA 19063

FRANCIS T. SBANDI, ESQUIRE
FSBANDI@LABACKETTLLAW.COM

TELEPHONE: (610) 565-7700
FACSIMILE: (610) 566-4400

July 9, 2014

Pennsylvania Public Utility Commission
Secretary's Bureau
Commonwealth Keystone Building
400 North Street- 2nd Floor-Room N-201
Harrisburg, PA 17120

RECEIVED

JUL 09 2014

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

**In Re: PECO/Lower Chichester Township
Transmission Line Update**

Dear Commissioners:

I am the Solicitor for Lower Chichester Township, 1410 Market Street, Linwood, Delaware County, Pennsylvania 19061.

I am authorized to file this formal complaint against the Philadelphia Electric Company, PECO, as a result of PECO's failure to change the route of the intended project.

I enclose Resolution No. 2014-05, adopted by the Board of Commissioners of Lower Chichester Township on May 19, 2014.

The complaint is filed as a result of PECO's reluctance to change the route of the project, despite requests by the Township for a more efficient route.

The PECO route is detrimental to the well-being of the residents of Lower Chichester Township. The route impacts numerous homes and many streets of the Township needlessly.

The alternate route prepared by the Township is more functional and efficient, in that it only impacts one Township Street, a few homes, and can be along a Commonwealth roadway.

The Township has received a petition executed by numerous residents of the Township objecting to the PECO route.

Pennsylvania Public Utility Commission
Secretary's Bureau
Page 2

July 9, 2014

The representative of PECO is:

Ralph H. Brown, Jr.
PECO- Regional External Affairs Manager -Delaware County
1510 Chester Pike
Eddystone, PA 19022

The Township requests the Commission to issue a cease and desist order to PECO and its contractors, pending a hearing.

Very truly yours,


FRANCIS T. SBANDT
SOLICITOR
LOWER CHICHESTER TOWNSHIP

FTS
Encls.
Via Express Mail
C: Ralph H. Brown, Jr., PECO
Township Commissioners

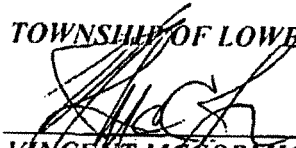
**TOWNSHIP OF LOWER CHICHESTER, LINWOOD,
DELAWARE COUNTY, PENNSYLVANIA
RESOLUTION NO: 2014-05**

BE IT RESOLVED, this 19th day of May, 2014,

THAT the Board of Commissioners of Lower Chichester Township, 1410 Market Street, Linwood, Delaware County, Pennsylvania, resolves as follows:


- (1) The Board of Commissioners objects to the PECO Linwood-Chichester Infrastructure Project to build a new aerial and underground transmission line between PECO's Chichester Substation and PECO's Linwood Substation.**
- (2) The Board of Commissioners objects to the route to be taken by PECO, since the project will cause much disrepair to the roads, streets, pavements, infrastructure, and underground utilities of the Township, as well as be disruptive to the health, safety, welfare and quiet enjoyment of life of the residents of the Township, and would be inefficient.**
- (3) The Board of Commissioners proposes an alternate route attached hereto that would be more efficient, less disruptive to the Township residents and less disruptive to the roads, streets, pavements, infrastructure, and underground utilities of the Township.**
- (4) The Solicitor of Lower Chichester Township is authorized to send a copy of this Resolution in objection to PECO's project, to the Pennsylvania Public Utility Commission and to PECO.**

TOWNSHIP OF LOWER CHICHESTER



VINCENT MCCORMICK, JR.
Vice-President of the Board of Commissioners

Attest:



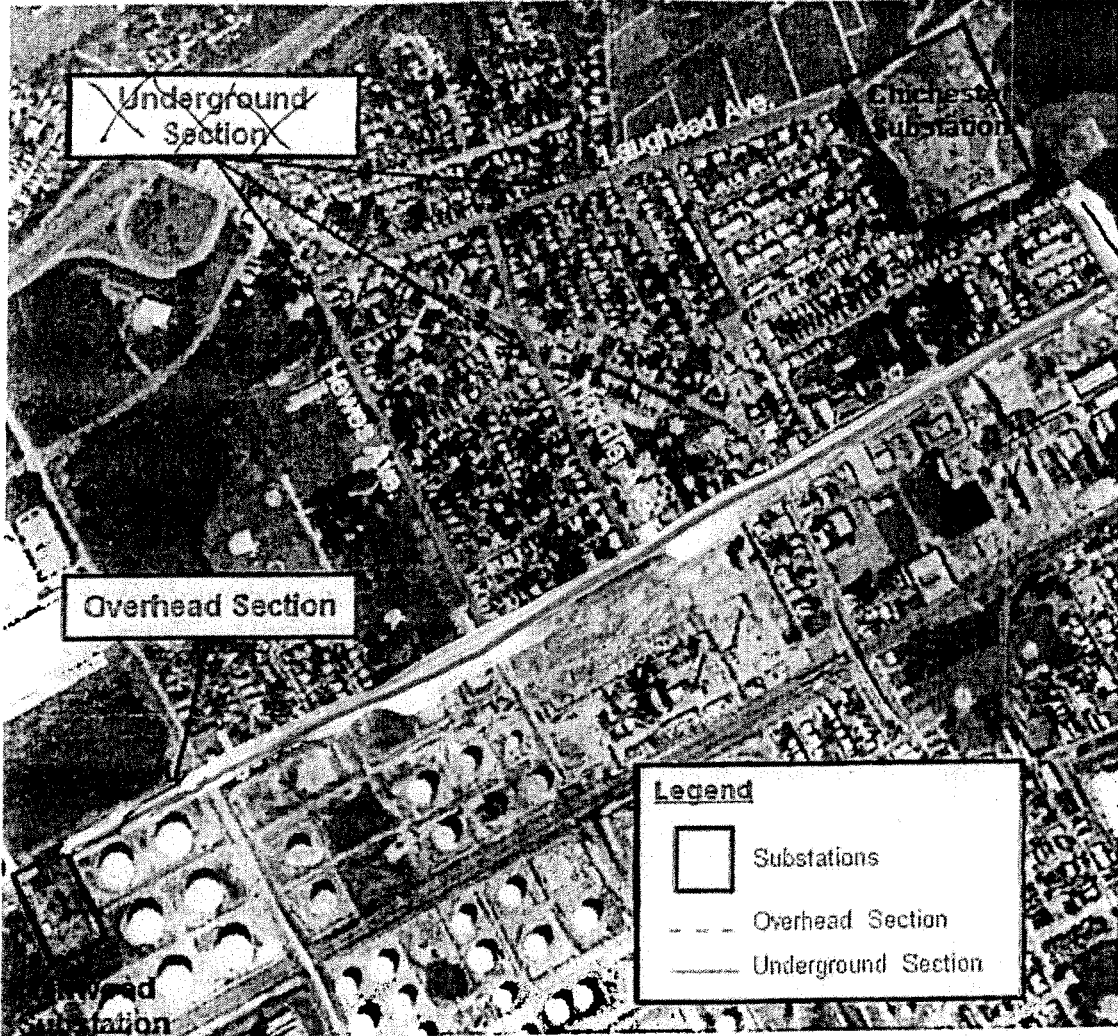
JOSEPH P. POSSENTI
Manager/Secretary

RECEIVED

JUL 09 2014

**PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU**

Map of Proposed Line Routes BY LOWER CINCINNATI COMMISSIONERS



required
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 MEDFIA MA 01063

PAYMENT BY ACCOUNT: (If applicable)

DELIVERY OPTIONS (Customer Use Only)

SIGNATURE REQUIRED (Note: The mailer must check the "Signature Required" box if the mailer: 1) Requires the addressee's signature; OR 2) Purchases additional insurance; OR 3) Purchases COD service; OR 4) Purchases Return Receipt service. If the box is not checked, the Postal Service will leave the mail in the addressee's mail receptacle or other secure location without attempting to obtain the addressee's signature on delivery.)

Delivery Options

No Saturday Delivery (delivered next business day)
 Sunday/Holiday Delivery Required (additional fee, where available)
 10:30 AM Delivery Required (additional fee, where available)
 *Refer to USPS.com® or local Post Office™ for availability.

TO: (PLEASE PRINT) **PHONE:** ()

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 100 CHELSEY DRIVE SA
 MEDFIA MA 01063

ZIP + 4® (U.S. ADDRESSES ONLY) 01063-1712

ORIGIN (POSTAL SERVICE USE ONLY)

1-Day 2-Day Military DPO

PO ZIP Code: 19063 **Schedule Delivery Date (MMDDYY):** 11/10/14 **Postage:** \$16.91

Date Accepted (MMDDYY): 7/9/14 **Schedule Delivery Time:** 10:30 AM 3:00 PM 12 NOON **Insurance Fee:** \$ **COD Fee:** \$

Time Accepted: 1:57 AM PM **10:30 AM Delivery Fee:** \$ **Return Receipt Fee:** \$ **Live Animal Transportation Fee:** \$

Weight: 2 lbs. 0 oz. Flat Rate Sunday/Holiday Premium Fee: \$ **Total Postage & Fees:** \$16.91

Acceptance Employee Initials: [Signature]

DELIVERY (POSTAL SERVICE USE ONLY)

Delivery Attempt (MMDDYY): Time: AM PM **Employee Signature:** [Signature]

Delivery Attempt (MMDDYY): Time: AM PM **Employee Signature:** [Signature]

■ For pickup or USPS Tracking™, visit USPS.com or call 800-222-1811.
 ■ \$100.00 insurance included.

Plat M

Exhibit 2

FRANCIS T. SBANDI
ATTORNEY-AT-LAW
JAMESTOWN BUILDING
102 CHESLEY DRIVE
SUITE 1-A
MEDIA, PENNSYLVANIA 19063

FRANCIS T. SBANDI, ESQUIRE
FSBANDI@LAHACKETTLAW.COM

TELEPHONE: (610) 565-7700
FACSIMILE: (610) 566-4400

May 6, 2015

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
2nd Floor, Room -N201
Harrisburg, PA 17120

Re: Docket C 2014-2433513

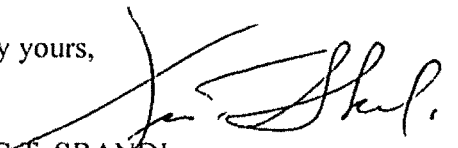
Dear Ms. Chiavetta:

I am the Solicitor of Lower Chichester Township, 1410 Market Street, Linwood, Delaware County, Pennsylvania 19061.

I enclose herewith Petition of Lower Chichester Township to Withdraw the Complaint filed against PECO Energy Company.

A copy of this request has been served upon all parties as indicated by the Certificate of Service.

Very truly yours,


FRANCIS T. SBANDI
Solicitor
Lower Chichester Township
Attorney I.D. No. 08670

Encls.
C: David A. Salapa, Administrative Law Judge
Ward Smith, Esquire

RECEIVED

MAY 7 2015

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Lower Chichester Township :
v. : **C-2014-2433513**
PECO Energy Company :

RECEIVED
MAY 7 2015
PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Petition of Lower Chichester Township to Withdraw Complaint

Lower Chichester Township hereby Petitions to Withdraw its Complaint in this matter, and in support thereof states as follows:

1. In 2013-14, PECO Energy Company (“PECO”) contacted Township officials to inform them that PECO needed to build a 230 kV transmission line, to be known as the Linwood-Chichester Line, that would traverse the Township.
2. PECO initially proposed to build the Linwood-Chichester Line as an underground line through residential areas of the Township.
3. The Township initially proposed an alternative aerial route for the Linwood-Chichester Line that effectively avoided the residential neighborhoods through which the underground line would be routed.
4. On July 9, 2014, the Township filed the instant complaint requesting that the Commission require additional evaluation of the Township’s proposed route.
5. Since that time, PECO has informed the Township that it has adopted, and intends to build the Linwood-Chichester Line, along the route proposed by the Township, thus eliminating the basis for the Township’s complaint.
6. PECO has further informed the Township that, pursuant to 52 Pa. Code §57.71 *et. seq.*, PECO will submit a Letter of Notification to the Commission

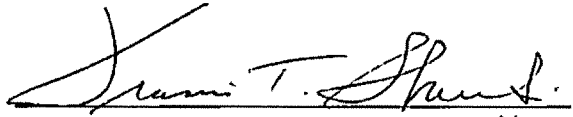
for construction of the Linwood-Chichester Line, and will serve a copy of that filing on the Township.

7. The Township therefore wishes to withdraw the instant complaint.
8. PECO has reviewed this Petition prior to filing, and has authorized the Township to state that PECO will file a "no objection" letter to this Petition shortly after the Petition is filed by the Township.

Conclusion

The Township respectfully requests that the Commission grant its Petition to withdraw its complaint in a contested proceeding.

Respectfully submitted,


FRANCIS T. SPANDI Name
SOLICITOR Title, etc. 08670
610 565 7700 phone
FSBANDI@LAHACKETTLAW.OH email

May 6, 2015

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

IN RE: C-2014-2433513

Lower Chichester Township v. PECO Energy Company

CERTIFICATE OF SERVICE

FRANCIS T. SBANDI, ESQUIRE, Solicitor for Lower Chichester Township, certifies that a true and correct copy of Petition to Withdraw Complaint filed against PECO Energy Company was served upon the parties listed below, by First Class Mail, Postage Prepaid, this 6th day of May, 2015.

Administrative Law Judge David A. Salapa
P. O. Box 3265
Harrisburg, PA 17105-3265

Ward L. Smith, Esquire
Exelon Business Services Corp
2301 Market Street S23-1
Philadelphia, PA 19103

RECEIVED

MAY 7 2015

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

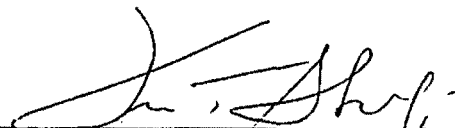

FRANCIS T. SBANDI, ESQUIRE
Solicitor
Lower Chichester Township
Attorney I.D. 08670

Exhibit 3



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P.O. BOX 3265, HARRISBURG, PA 17105-3265

IN REPLY PLEASE
REFER TO OUR FILE

June 4, 2015

C-2014-2433513

Lower Chichester Township

v.

PECO Energy Company

TO ALL PARTIES:

Enclosed is a copy of the Initial Decision of the Office of Administrative Law Judge.

If you do not agree with any part of this decision, you may send written comments (called Exceptions) to the Commission. Your signed Exceptions to the decision, if any, must be: 1) **filed** with the Secretary of the Commission, and 2) mailed or hand-delivered to each party of record, **within twenty (20) days** of the date of this letter.

To file Exceptions with the Secretary of the Commission, you must mail or hand-deliver them as follows:

If using U.S. Postal Service:

Secretary
Pa. Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

If using Overnight or Hand Delivery Service:

Secretary
Pa. Public Utility Commission
400 North Street
Commonwealth Keystone Building, 2nd Floor
Harrisburg, PA 17120

Or, instead of mailing or hand-delivering your Exceptions, you may electronically file them with the Secretary of the Commission. To do so, you need to establish an account on the Commission's eFiling system, which may be accessed at <http://www.puc.state.pa.us/efiling/default.aspx>. Please note that Exceptions sent to the Commission by fax or e-mail will **not** be accepted for filing.

In addition to filing your Exceptions with the Secretary of the Commission, a courtesy copy of your Exceptions should be e-mailed to the Commission's Office of Special Assistants (OSA) at ra-OSA@pa.gov. If the document is too large to e-mail, please mail or hand-deliver a copy on CD-ROM or DVD (or other data storage media), in Microsoft Word 2010 format or other compatible format to either address noted above.

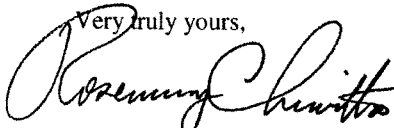
Replies to Exceptions, if any, must be **filed** with the Secretary of the Commission and **served** on each party of record and the Commission's OSA, in the manner described above. **They are due within ten (10) days of the date when Exceptions are due.**

It is your responsibility to serve all the parties with your Exceptions and Replies to Exceptions. Failure to do so may render your filing unacceptable. A certificate of service (see format in 52 Pa. Code §1.58) shall be attached to the filed Exceptions or Replies to Exceptions.

Exceptions and Replies to Exceptions shall follow 52 Pa. Code §§5.533 and 5.535 particularly the 40-page limit for Exceptions and the 25-page limit for Replies to Exceptions. Exceptions should clearly be labeled as "EXCEPTIONS OF (name of party) - (protestant, complainant, staff, etc.)". Any reference to specific sections of the Administrative Law Judge's Initial Decision shall include the page number(s) of the cited section of the decision.

If no Exceptions are received, the decision of the Administrative Law Judge could become final without further Commission action. You will receive written notification if this occurs. However, even if no exceptions are received, the Commission may review and change the decision pursuant to Section 332(h) of the Public Utility Code, 66 Pa. C.S. § 332(h).

NW
Enclosures
Certified Mail
Receipt Requested

Very truly yours,

Rosemary Chiavetta
Secretary

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Lower Chichester Township

v.

PECO Energy Company

:
:
:
:
:

C-2014-2433513

INITIAL DECISION
GRANTING REQUEST FOR LEAVE TO WITHDRAW COMPLAINT

Before
David A. Salapa
Administrative Law Judge

INTRODUCTION

A municipality filed this complaint alleging that an electric utility's proposed route for an electric transmission line is detrimental to the municipality's citizens. This decision grants the municipality's request to withdraw the complaint.

HISTORY OF THE PROCEEDING

On July 9, 2014, Lower Chichester Township (Complainant) filed a complaint with the Pennsylvania Public Utility Commission (Commission) against PECO Energy Company (Respondent). The complaint alleges that the Respondent is planning to construct a new transmission line within the Complainant's boundaries. The complaint asserts that the Respondent's route for the proposed transmission line is detrimental to the well-being of the Complainant's residents.

According to the complaint, the Respondent will not modify the route of the proposed transmission line to incorporate changes to the route suggested by the Complainant. The complaint claims that the Complainant's route for the proposed transmission line is more efficient and less detrimental to the Complainant's residents. Attached to the complaint is a resolution of the Complainant opposing the Respondent's route for the proposed transmission line and a map showing the Complainant's proposed route for the proposed transmission line. The complaint requests that the Commission issue a cease and desist order pending a hearing.

On August 14, 2014, the Respondent filed an answer with new matter. The answer admits that the Respondent is planning to construct a transmission line and has presented information on the project to the Complainant and its residents. The answer also admits that the Complainant has requested that the Respondent construct the proposed transmission line on a different route than what the Respondent has proposed. The answer asserts that the Respondent is evaluating the comments it has received from the Complainant.

The new matter reiterates the allegations in the answer. In addition, the new matter alleges that after it has evaluated the comments it has received from the Complainant and others, it will file an application with the Commission requesting that the Commission approve the construction of the proposed transmission line. The answer with new matter requests that the Commission dismiss the Complainant's complaint.

On September 2, 2014, the Complainant filed a reply to the Respondent's new matter. The reply reiterates the allegations in the Complainant's complaint. In addition, the reply asserts that the Respondent has not evaluated or considered any of the comments it has received. The reply requests that the Commission deny any application that the Respondent files for approval of its transmission line project.

By notice dated March 20, 2015, the Commission scheduled a telephonic prehearing conference for this matter on May 7, 2015 at 10:00 a.m. and assigned the matter to

me. I issued a prehearing conference order dated March 25, 2015 setting forth the procedural matters to be addressed at the telephonic prehearing conference.

The parties contacted me on May 5, 2015, stating that the Complainant was going to withdraw its complaint and requesting that I consider canceling the telephonic prehearing conference. I cancelled the May 7, 2015 telephonic prehearing conference.

On May 6, 2015, the Complainant filed a petition to withdraw its complaint. The petition states that after the Complainant filed its complaint, the Respondent informed the Complainant that it intends to construct the proposed transmission line along the route proposed by the Complainant. According to the petition, the Respondent has further informed the Complainant that the Respondent will file a letter of notification with the Commission requesting that the Commission approve the proposed transmission line and will serve a copy of the letter of notification on the Complainant. The petition asserts that the Respondent has reviewed a copy of the Complainant's petition prior to its filing with the Commission and has authorized the Complainant to represent that the Respondent will file a no objection letter to the petition with the Commission.

As of the date of this decision, the Respondent has not filed an answer objecting to the Complainant's petition. The petition to withdraw is ready for decision. For the reasons set forth below, I will grant the petition for leave to withdraw.

FINDINGS OF FACT

1. The Complainant in this case is Lower Chichester Township.
2. The Respondent in this case is PECO Energy Company.
3. On July 9, 2014, the Complainant filed a complaint with the Commission against the Respondent.

4. On August 14, 2014, the Respondent filed an answer with new matter.
5. On September 2, 2014, the Complainant filed a reply to the Respondent's new matter.
6. On May 6, 2015, the Complainant filed a petition to withdraw its complaint
7. The Respondent does not object to withdrawal of the complaint.

DISCUSSION

The Commission's Rules of Practice and Procedure at 52 Pa.Code § 5.94 permit parties to withdraw a pleading in a contested proceeding. The provision at 52 Pa.Code § 5.94(a) allows withdrawal of a pleading by a petition for leave to withdraw the pleading. The petition is granted only by permission of the presiding officer or the Commission. The presiding officer or Commission must consider the petition, any objections thereto and the public interest in determining whether to permit withdrawal of the pleading. 52 Pa.Code § 5.94(a).

Turning first to the Complainant's petition to withdraw its July 9, 2014 complaint, the petition states that the Respondent has decided to construct the proposed transmission line along the route proposed by the Complainant. The Respondent's decision resolves the issue that is the basis of the Complainant's complaint. Commission policy promotes settlements. 52 Pa.Code § 5.231. The Commission has no interest in mandating that the Complainant continue litigation where the parties have resolved the issue that gave rise to the litigation.

Turning next to any objections to the withdrawal of the July 9, 2014 complaint, the petition asserts that the Respondent has reviewed a copy of the Complainant's petition prior to its filing with the Commission and has authorized the Complainant to represent that the Respondent does not object to the petition. The Complainant and Respondent are the only parties involved in this proceeding. Therefore, there are no objections to the Complainant's withdrawal.

Turning finally to the public interest, the complaint does allege facts that would adversely impact the public interest. According to the complaint, the Respondent's route for the proposed transmission line is detrimental to the well-being of the Complainant's residents. Therefore, the allegations in the complaint allege an adverse impact on the public interest. However, the Respondent has modified the route for the proposed transmission line and therefore addressed the proposed transmission line's alleged adverse impact on the public interest. It appears that the Respondent has addressed the alleged adverse impact on the public interest.

Having reviewed the request to withdraw, any objections to the request and the public interest, I conclude that the request to withdraw should be granted. Granting the request to withdraw will terminate the litigation, saving the parties the costs in time and money they would otherwise incur litigating the case. Granting the request to withdraw will not impact the public interest and will conserve administrative hearing resources.

CONCLUSIONS OF LAW

1. The Commission has jurisdiction over the subject matter and the parties to this proceeding. 66 Pa.C.S. § 701.
2. The Commission's Rules of Practice and Procedure at 52 Pa.Code § 5.94 permit parties to withdraw a pleading in a contested proceeding by permission of the presiding officer or Commission.
3. In determining whether to permit withdrawal of the pleading, the presiding officer or Commission must consider the petition, any objections thereto and the public interest. 52 Pa.Code § 5.94(a).

Exhibit 4

PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17105-3265

Lower Chichester Township

v.

PECO Energy Company

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:

C-2014-2433513

FINAL ORDER

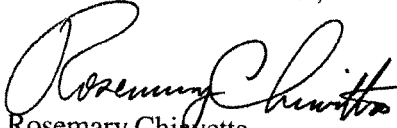
In accordance with the provisions of Section 332(h) of the Public Utility Code, 66 Pa. C.S. §332(h), the decision of Administrative Law Judge David A. Salapa dated May 18, 2015, has become final without further Commission action;

THEREFORE,

IT IS ORDERED:

1. That the petition for leave to withdraw the July 9, 2014 complaint of Lower Chichester Township filed at Docket No. C-2014-2433513 on May 6, 2015, is granted.
2. That the complaint of Lower Chichester Township at Docket No. C-2014-2433513, filed July 9, 2014, is withdrawn.
3. That the case at Docket No. C-2014-2433513 is marked closed.

BY THE COMMISSION,


Rosemary Chiavetta
Secretary

(SEAL)

ORDER ENTERED: July 29, 2015

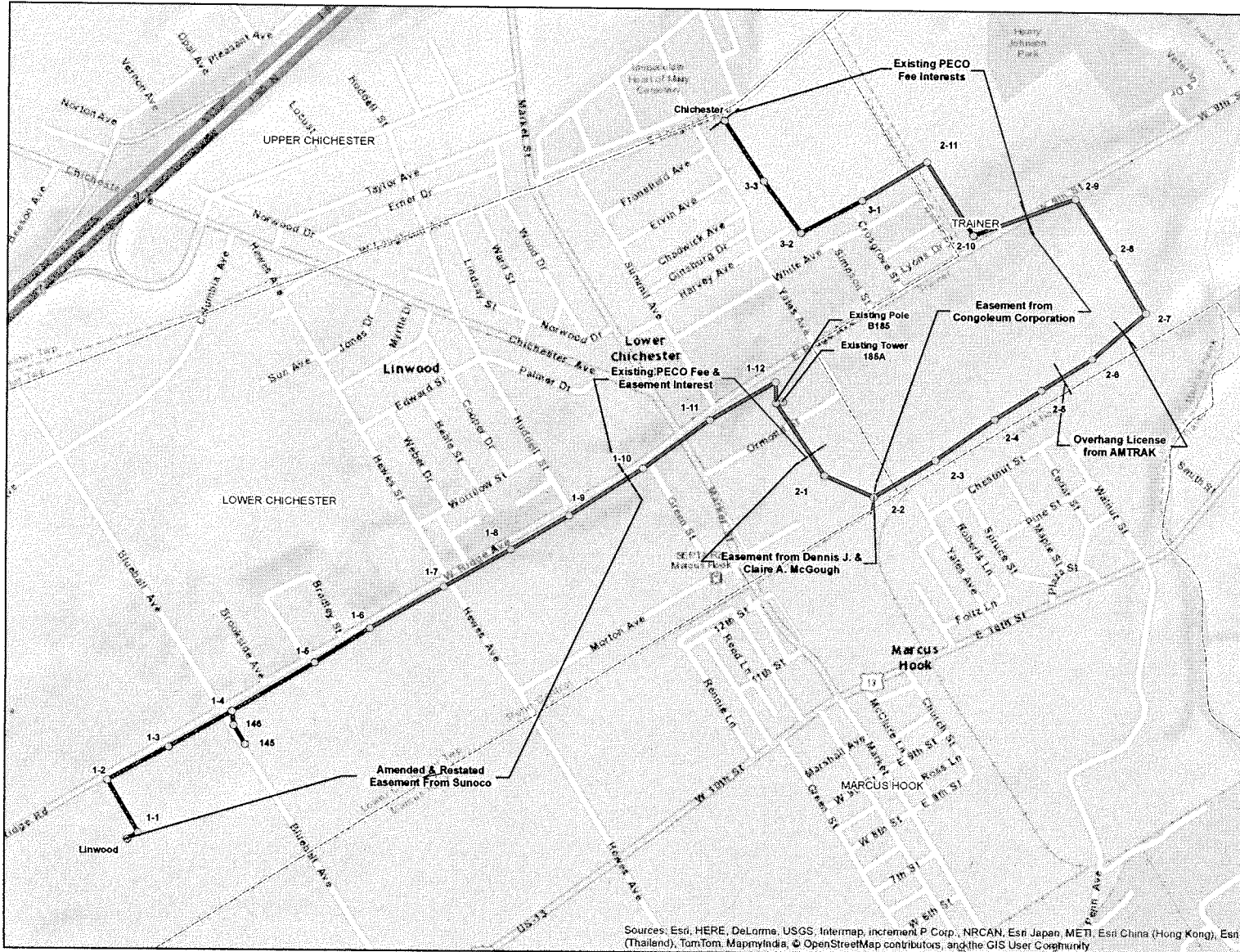
Exhibit 5

Table 11.12: Major 2012 RTEP Upgrades in Pennsylvania (greater than \$5 million) (Continued)

Upgrade	System Upgrade Drivers									Date	Cost (M)	TO Zone(s)	2012 TEAC Review
	Baseline Load Growth / Deliverability & Reliability	Congestion Relief - Economic	Operational Performance	Generator Deactivation	TO Criteria Violation	Generation Interconnection	Merchant Transmission Interconnection	Long-term Firm Transmission Service	Supplemental Upgrade				
16	Convert Lewis Run-Farmers Valley to 230 kV using 1033.5 ACSR conductor			▲						June 2015	46.8	PENELEC	4/27/2012
17	Install North Lancaster 500/230 kV substation (below 500 kV portion)			▲						June 2015	22	PPL	4/27/2012
18	Install North Lancaster 500/230 kV substation (500 kV portion)			▲						June 2015	20	PPL	4/27/2012
19	Install a 3rd Emilie 230/138 kV transformer	▲								June 2017	8	PECO	9/13/2012
20	Add 30 MVAR Statis VAR Compensator (SVC) at Niles Valley					T121				December 2009	11.991	PENELEC	11/5/2012
21	Shawville - Replace existing 230/115/17.2kV GSU No. 1A and 2A.					R92				July 2009	9.63	PENELEC	11/5/2012
22	Install new 230 kV 3 position ring substation as interconnection for W3-099 generation project.					W3-099				September 2014	5.48	PENELEC	11/5/2012
23	Convert to double breaker bus configuration by adding six new breakers.					X1-109				January 2015	6.39	PENELEC	11/5/2012
24	Reconductor approx. 21 miles with 1033 kcmil ACSS conductor, replacing the existing 1033 kcmil ACSR.					X1-109				January 2015	9.17	PENELEC	11/5/2012
25	Install new 345/500kV transformer and new 500kV 3 breaker ring bus					X2-023				October 2013	27.37	PENELEC	11/5/2012
26	Rebuild and Reconductor 21 Miles for PJM X3-039. Rebuild and reconductor approx. 21 miles for PJM X3-039. Remove existing H-frame structures, install new H-frame structures and reconductor with 1590 kcmil ACSS.					X2-023				October 2013	21.56	PENELEC	11/5/2012
27	Retire Delaware substation and install 3rd Tuna 69/13 kV transformer, provide generator step up transformer for Delaware CTs, and install 138 kV breaker on Tuna end of 130-02 line								▲	June 2015	33	PECO	10/12/2012
28	Reconductor the Susquehanna - Harwood 230 kV circuits #1 and #2								▲	May 2013	10.81	PPL	10/11/2012
29	Add a 150 MVAR SVC and a 100 MVAR capacitor at New Castle			▲						June 2015	31.7	ATSI	4/27/2012

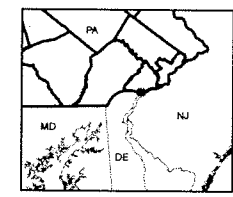
*NOTE: Previously approved upgrade driven by baseline reliability criteria violations, now advanced to address generator deactivation.

Exhibit 6



Legend

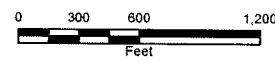
- Preliminary Pole Locations (5/28/15)
- Project Centerline
- Municipality Boundaries



Key Map not to Scale



NAD 1983 State Plane Pennsylvania South
Projection: Lambert Conformal Conic
Linear Unit: US Foot



1 inch = 600 feet



**PECO Property Rights Map
12/21/2015**

PECO, An Exelon Company
Proposed Linwood to Chichester 230 kV Transmission Line
Delaware County, Pennsylvania

Prepared By: RRM III	Checked By: DM
Job: 60391793.00001	Date: 12/21/2015

Sources: Esri, HERE, DeLorme, USGS, Intermap, increment P Corp., NRCAN, Esri Japan, METI, Esri China (Hong Kong), Swisstopo, (Thailand), TomTom, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Letter of Notification of PECO Energy :
Company Pursuant to 52 Pa. Code :
Chapter 57 Subchapter G to Construct : **Docket No. A-_____**
the Linwood-Chichester 230kV Line of :
Less Than Two Miles in Length :
:

CERTIFICATE OF SERVICE

Copies of the above-referenced document have been served, first class mail return receipt requested, on the following:

Francis T. Sbandi
Solicitor
Lower Chichester Township
Jamestown Building
102 Chesley Drive
Suite 1-A
Media, PA 19063
Attn: Chief executive officer, governing body and the body charged with the duty of planning land use.

Trainer Borough
842 Main Street
Trainer, PA 19061
Attn: Chief executive officer, governing body and the body charged with the duty of planning land use.

The Department of Environmental Resources,
Attention: Bureau of Environmental Planning
400 Market Street
Harrisburg, Pennsylvania 17101

Secretary, Department of Transportation,
400 North St.
Harrisburg, Pennsylvania 17120

Chairman, Historical and Museum Commission,
Post Office Box 1026,
Harrisburg, Pennsylvania 17120

Delaware County Planning Commission
Delaware County Planning Department
Court House/Government Center
201 W. Front Street
Media, Pennsylvania 19063

A handwritten signature in black ink, appearing to read "Wade C. L. H.", written over a horizontal line.

Attorney for PECO Energy Company

Dated: January 8, 2016