



Anne E. Zerbe, Attorney  
azerbe@cgalaw.com  
Ext. 104

February 15, 2018

Rosemary Chiavetta, Secretary  
PA Public Utility Commission  
Commonwealth Keystone Bldg.  
400 North Street  
Harrisburg, PA 17120

**Re: Application of Transource Pennsylvania, LLC Filed Pursuant to 52 Pa. Code Chapter 57 Subchapter G, for Approval of the Siting and Construction of the 230kV Transmission Line Associated with the Independence Energy Connection-East Project in Portions of York County, Pennsylvania  
Docket No. A-2017-2640195**

Dear Secretary Chiavetta:

Enclosed please find the Rose Tree-Blue Mountain Hunt Club, Inc.'s Protest to an Application that was filed today, February 15, 2018, in the above-referenced proceeding.

Copies have been serviced as indicated in the Certificate of Service.

Sincerely,

AEZ/djt

Counsel for:  
Office of Consumer Advocate  
555 Walnut Street, 5<sup>th</sup> Floor, Forum Place  
Harrisburg, PA 17101-1923  
Phone: (717) 783-5048 Fax: (717) 783-7153

Enclosure

cc: Honorable Elizabeth H. Barnes, ASLJ  
Honorable Andrew M. Calvelli  
Certificate of Service

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(01427651/1)



**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**APPLICATION OF TRANSOURCE : DOCKET NO. A-2017-2640195**  
**PENNSYLVANIA, LLC FILED PURSUANT :**  
**TO 52 PA. CODE CHAPTER 57, :**  
**SUBCHAPTER G, FOR APPROVAL OF THE :**  
**SITING AND CONSTRUCTION OF THE :**  
**230 KV TRANSMISSION LINE ASSOCIATED :**  
**WITH THE INDEPENDENCE ENERGY :**  
**CONNECTION-EAST PROJECT IN :**  
**PORTIONS OF YORK COUNTY, :**  
**PENNSYLVANIA :**

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**ROSE TREE-BLUE MOUNTAIN HUNT CLUB, INC.'S  
PROTEST TO AN APPLICATION**

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Rose Tree-Blue Mountain Hunt Club, Inc., (RT-BMH) on behalf of its respective members, hereby files this Protest to an Application before the Pennsylvania Public Utility Commission ("Commission") in matters pertaining to Transource Pennsylvania, LLC's (Transource) Application for Approval of the Siting and Construction of the 230 kV Transmission Line Associated with the Independence Energy Connection – East Project in Portions of York County, Pennsylvania (Application) in the above-captioned proceeding, Docket No. A-2017-2640195. In support of this Protest, RT-BMH states the following:

1. RT-BMH is the oldest subscription fox hunting club in North America.
2. Fox hunting is the sport of chasing wild fox, with specially trained hounds whose keen sense of smell enables them to follow the trail left by the fox.
3. This tradition began in 1859 with the Rose Tree Hunt.
4. One of the founders of the original club was none other than Samuel Riddle, the

owner of one of the greatest race horses of all time, Man O'War.

5. In the 1960s, due to increasing pressure from land development, Rose Tree Hunt was moved to the open and unspoiled country of Southern York County.

6. Today, this country includes land owned by approximately 150 York County Landowners, including the McPhersons of Maple Lawn Farms, Inc., Greg and Melanie Goss, Harold Burton, Jay McGinnis, Ross McGinnis, Ernest Manifold, and many others, over whose land the Transource Transmission Line will run if the Application is granted.

7. Rose Tree Hunt merged with Blue Mountain Hunt in 2015.

8. The merger was approved by the American fox hunting club's governing body, the Masters of Fox Hounds Association.

9. RT-BMH maintains its kennels, stables and office at 1929 Jericho Rd., New Bloomfield, PA 17068. RT-BMH is represented by:

Anne E. Zerbe, Esq.  
(PA ID 79151)  
E-mail: azerbe@cgalaw.com  
CGA Law Firm  
135 North George Street  
York, PA 17401  
Email: azerbe@cgalaw.com  
Telephone: (717)-718-7104  
Facsimile: (717) 843-9039

10. Eligibility to Protest the Application by Transource is governed by 52 Pa. Code §5.51, et. seq. These sections provide, in relevant part, that "A person objecting to the approval of an Application filed with the Commission may file a Protest." 52 Pa. Code §5.51(a).

11. RT-BMH is a not-for-profit club comprised of more than 30 members.

12. Many of its members, including the undersigned, reside in Southern York County, and are residents who will be affected by the Application.

13. RT-BMH is dedicated to the traditions of mounted fox hunting in America.

14. All of its members enjoy the open and unspoiled country of Southern York County over which RT-BMH hunts, and which are located in the path of the proposed Transource high voltage Transmission Line (Transmission Line).

15. The club is open to members of the public who share an affinity for the rich tradition and heritage of the mounted sport of fox chasing.

16. Accordingly, RT-BMH and its members have direct and significant rights, interests and concerns in this Application.

17. Because its current and future members have an interest in the enjoyment of these open and unspoiled lands over which its members hunt, RT-BMH, on behalf of its members, has standing to file this Protest.

18. Other Protestants may not present the unique interests of RT-BMH, in that no other clubs or persons enjoy the sport of fox hunting over these lands.

19. Other Protestants may not understand the rich heritage and the extensive natural habitat of rural Southern York County regarding open spaces, farm land preservation, and hunting of all kinds.

20. In particular, this area of Southern York County over which the Transmission Line is slated to stand is crucial territory for RT-BMH.

21. The vast acreage owned by multiple landowners where RT-BMH members ride to hounds in the sport of fox chasing are referred to as "Fixtures."

22. There are at least 6 RT-BMH Fixtures located in York County.

23. On an average of 2-3 times per week, up to 15 members, anywhere from 15-40 hounds and up to 15 horses hunt on York County Fixtures.

24. At least 4 Fixtures will be negatively impacted by the Transource Application.
25. The land over which RT-BMH hunts is one of the richest natural habitat of red fox in all of the RT-BMH Fixtures.
26. RT-BMH is known for its plentiful red fox and beautiful country located in the Southern York County Fixtures.
27. The unparalleled experience created by the population of red fox supported by these Fixtures and the open, rolling land are well recognized by other hunt clubs.
28. The Radnor Hunt and other hunt clubs travel from all over the Commonwealth to experience the unique, plentiful and beautiful Southern York County Fixtures where RT-BMH hunts.
29. Additionally, hunt clubs travel from New York State, Maryland, Virginia and other states to enjoy the thrill of the chase and the unspoiled countryside comprised of these Fixtures.
30. Further, fox are beneficial for farmers and the ecosystem because they primarily feed on small rodents that would otherwise eat root crops, seeds and grain.
31. The building of the Transmission Line will interfere with the native red fox habitat.
32. The construction of Transmission Line on these Fixtures may permanently alter or destroy the natural habitat of the red fox on these Fixtures.
33. Disruption of fox habitat can render Fixtures unusable for decades.
34. Loss of the red fox on these Fixtures could result in the loss of the most critical and productive Fixtures of RT-BMH.
35. Losing its most prized Fixtures may result in the loss of members and the decline

or dissolution of a the oldest subscription fox hunting club in America.

36. Additionally, the construction of a Transmission Line will render those York County Fixtures unusable during all phases of construction, as no horses, hounds or riders will be permitted to encroach on the construction site.

37. During construction, the fox habitat will be disrupted or destroyed.

38. RT-BMH will lose the ability to hunt on those Fixtures during the entire construction process.

39. Further, following construction, adverse impacts will wreak havoc on the affected RT-BMH Fixtures.

40. Horses are extremely sensitive animals.

41. The presence of an electromagnetic field (EMF) underneath a high-voltage power Transmission Line can be heard and felt by humans.

42. Horses are even more sensitive to their environment than humans.

43. Vibrations and humming and other effects of EMF can be sensed by humans and horses.

44. Sizzles, crackles or hissing noises underneath a high-voltage power Transmission Line can occur during periods of high humidity.

45. Horses can spook, buck or bolt as a result of sensing the presence of an EMF or because of the noises or vibrations referenced above, potentially causing serious injury to riders and others.

46. Horses may also refuse to go near a Transmission Line, thus risking the safety of the rider if the refusal is unexpected or performed at speed.

47. The safety of the highly trained fox hounds is also jeopardized, as the hounds may

run unattended if horses refuse to follow the hounds near or under the Transmission Line.

48. Additionally, the Transmission Line poses a safety risk by locating poles and support structures in the path of horses, hounds and hunters.

49. As noted above, the York County Fixtures are recognized for their plentiful red fox population, rolling hills and vistas.

50. The Transmission Line will irreparably harm the scenic, rural area, including farmland and orchards, located on these Fixtures.

51. The Transmission Line will degrade the surrounding environment and intrude on the scenic view of the landscape.

52. In addition to hurting the red fox population, the Transmission Line will alter the type of wildlife found in the Fixtures located under or near the Transmission Line.

53. The Transmission Line will forever alter the context of the view shed and stand as a Goliath over the current rural landscape.

54. Placing a Transmission Line through this breath-taking scenic area will irreparably harm the countryside, and potentially destroy the most prized Fixtures of the Rose Tree-Blue Mountain Hunt Club, Inc.

55. Mitigation is possible and includes routing the Transmission Line elsewhere to avoid spoiling the most prized Fixtures of the oldest subscription hunt club in America.

56. The history and tradition of the Rose Tree-Blue Mountain Hunt Club, Inc. is an important part of American history and culture and must be preserved.

57. The environmental, historical, cultural, and aesthetic considerations should include a careful analysis and understanding of the significant risk of irreparable harm created by the installation of the Transmission Line.

58. Mitigation is possible and should occur in order to avoid ruining these pristine and prized rural landscapes.

59. There are alternate routes that run through more populated areas that would not destroy the landscape, ruin the Fixtures and permanently scar the view.

60. Protestant reserves the right to raise other and more specific objections as necessary and appropriate during the course of the proceeding.

**WHEREFORE**, Rose Tree-Blue Mountain Hunt Club, Inc., respectfully requests that the Pennsylvania Public Utility Commission carefully consider the facts set forth in this Protest, give significant weight to the unique history, culture and traditions of Protestant and its highly recognized and prized York County Fixtures that may be permanently altered or destroyed by the construction and implementation of the Transmission Line and that the Commission deny the Transource Application.

Respectfully submitted,



Anne E. Zerbe, Esquire  
PA ID #79151  
CGA Law Firm  
135 N. George St.  
York, PA 17401  
Phone: 717-848-4900  
Fax: 717-843-9039  
Email: azerbe@cgalaw.com

Dated: February 15, 2018

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**VERIFICATION OF ROSE TREE-BLUE MOUNTAIN HUNT CLUB, INC.**

I, Sean Cully, MFH, President of the Rose Tree-Blue Mountain Hunt Club, Inc., hereby state that the facts above set forth are true and correct (or are true and correct to the best of my knowledge, information and belief) and that I expect to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 (relating to unsworn falsification to authorities).

  
\_\_\_\_\_  
Sean Cully, MFH  
President

Date: 2/14/18

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**CERTIFICATE OF SERVICE**

Re: Application of Transource Pennsylvania, LLC Filed Pursuant to 52 Pa. Code Chapter 57 Subchapter G, for Approval of the Siting and Construction of the 230kV Transmission Line Associated with the Independence Energy Connection-East Project in Portions of York County, Pennsylvania  
Docket No. A-2017-2640195

I hereby certify that I have this day served a true copy of the foregoing document, the Rose Tree-Blue Mountain, Inc.'s Protest to An Application, upon the parties of record in this proceeding in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant), in the manner and upon the persons listed below:

Dated this 16<sup>th</sup> day of February 2018

SERVICE BY E-MAIL and FIRST CLASS MAIL

The Honorable Elizabeth H. Barnes  
The Honorable Andrew M. Calvelli  
Administrative Law Judges  
PO Box 3265  
Harrisburg, PA 17105-3265

Amanda Riggs Conner, Esq.  
Hector Garcia, Esq.  
American Electric Power Service  
1 Riverside Plaza, 29<sup>th</sup> Floor  
Columbus, OH 43215


David B. MacGregor, Esq.  
Lindsay A. Berkstresser, Esq.  
Anthony D. Kanagy, Esq.  
Post & Schell PC  
17 North Second Street, 12<sup>th</sup> Floor  
Harrisburg, PA 17101-1601

Antonio Smyth  
Transource Pennsylvania LLC  
1 Riverside Plaza, 29<sup>th</sup> Floor  
Columbus, OH 43215

Darryl A. Lawrence  
Senior Assistant Consumer Advocate  
PA Attorney I.D. #93682  
Email: DLawrence@paoca.org

Counsel for Office of Consumer Advocate  
555 Walnut Street, 5<sup>th</sup> Floor  
Forum Place  
Harrisburg, PA 17101-1923

Phillip D. Demanchick  
Assistant Consumer Advocate  
PA Attorney I.D. #324761  
E-Mail: PDemanchick@paoca.org

  
Heather Hunter, Paralegal to  
Anne E. Zerbe, Esquire

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## CGA Law Firm

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CGA Professional Center  
135 North George Street • York, Pennsylvania 17401  
Telephone: 717 • 848 • 4900 • FAX: 717 • 843 • 9039

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TO

Rosemary Chiavetta, Secretary  
PA Public Utility Commission  
Commonwealth Keystone Bldg.  
400 North Street  
Harrisburg, PA 17120