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File #: 166570

March 10, 2020

***VIA ELECTRONIC FILING***

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

**Re: Application of Transource Pennsylvania, LLC for Approval of the Siting and Construction of the 230 kV Transmission Line Associated with the Independence Energy Connection - East and West Projects in Portions of Franklin and York Counties, Pennsylvania - Docket No. A-2017-2640195 & A-2017-2640200**

**Petitions of Transource Pennsylvania, LLC for a finding that a building to shelter control equipment at the Rice Substation in Franklin County, Pennsylvania and the Furnace Run Substation in York County, Pennsylvania are reasonably necessary for the convenience or welfare of the public - Docket Nos. P-2018-3001878 & P-2018-3001883**

**Application of Transource Pennsylvania, LLC for approval to acquire a certain portion of the lands of various landowners in York and Franklin Counties, Pennsylvania for the siting and construction of the 230 kV Transmission Lines associated with the Independence Energy Connection - East and West Projects as necessary or proper for the service, accommodation, convenience or safety of the public - Docket Nos. A-2018-3001881, et al.**

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Dear Secretary Chiavetta:

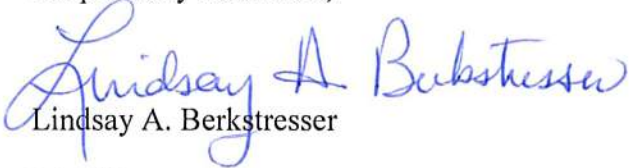
Enclosed for filing is the Reply of Transource Pennsylvania, LLC and PPL Electric Utilities Corporation to the "Opposition and Prayer for Relief" of Stop Transource Franklin County, in the above-referenced proceeding. Copies will be provided as indicated on the Certificate of Service.

Rosemary Chiavetta, Secretary

March 10, 2020

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Respectfully submitted,

  
Lindsay A. Berkstresser

LAB/jl

Enclosures

cc: Honorable Elizabeth Barnes  
Certificate of Service

**CERTIFICATE OF SERVICE**  
**Docket Nos. A-2017-2640195 & A-2017-2640200, et al.**

I hereby certify that a true and correct copy of the foregoing 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).

**VIA E-MAIL & FIRST CLASS MAIL**

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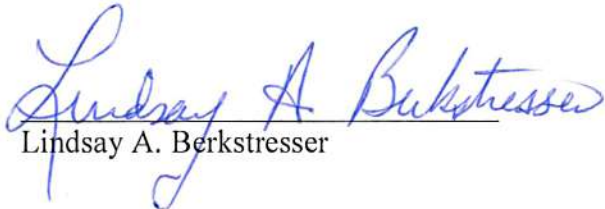
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Date: March 10, 2020

  
Lindsay A. Berkstresser

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application of Transource Pennsylvania, LLC  
for approval of the Siting and Construction of the  
230 kV Transmission Line Associated with the  
Independence Energy Connection - East and West Projects  
in portions of York and Franklin Counties, Pennsylvania.

A-2017-2640195  
A-2017-2640200

Petition of Transource Pennsylvania, LLC  
for a finding that a building to shelter control equipment  
at the Rice Substation in Franklin County, Pennsylvania  
is reasonably necessary for the convenience or welfare of the public.

P-2018-3001878

Petition of Transource Pennsylvania, LLC  
for a finding that a building to shelter control equipment  
at the Furnace Run Substation in York County, Pennsylvania  
is reasonably necessary for the convenience or welfare of the public.

P-2018-3001883

Application of Transource Pennsylvania, LLC  
for approval to acquire a certain portion of the lands of  
various landowners in York and Franklin Counties, Pennsylvania  
for the siting and construction of the 230 kV Transmission Line  
associated with the Independence Energy Connection –  
East and West Projects as necessary or proper for the service,  
accommodation, convenience or safety of the public.

A-2018-3001881,  
*et al.*

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**REPLY OF TRANSOURCE PENNSYLVANIA, LLC  
AND PPL ELECTRIC UTILITIES CORPORATION**

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**TO ADMINISTRATIVE LAW JUDGE ELIZABETH H. BARNES:**

Pursuant to 52 Pa. Code § 5.63, Transource Pennsylvania, LLC (“Transource PA”) and PPL Electric Utilities Corporation (“PPL Electric”) hereby jointly submit this Reply to the

“Opposition and Prayer for Relief” of Stop Transource Franklin County (“STFC”) and state as follows:

## **I. INTRODUCTION**

On January 29, 2020, Transource PA and PPL Electric filed an Amendment to the *Application of Transource Pennsylvania, LLC Filed Pursuant to 52 Pa. Code Chapter 57 Subchapter G, for Approval of the Siting Construction of the 230 kV Transmission Line Associated with the Independence Energy Connection-East Project in Portions of York County, Pennsylvania*, which was filed on December 27, 2017, at Docket No. A-2017-2640195 and was consolidated with *Application of Transource 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 – West Project in Portions of Franklin County, Pennsylvania*, which was also filed on December 27, 2017, at Docket No. A-2017-2640200 (“Joint Amended Application”).

The Joint Amended Application requests the Pennsylvania Public Utility Commission’s (“Commission”) authority for siting an alternative route for the East Portion (“Alternative IEC East Portion”) of the Independence Energy Connection (“IEC Project”). The Alternative IEC East Portion is being proposed pursuant to the terms of settlement agreements that Transource PA executed with PPL Electric, York County Planning Commission (“YCPC”), and Citizens to Stop Transource York County, Maple Lawn Farms, Barron Shaw and Shaw Orchards (the latter four collectively, “York County Citizens”). The Alternative IEC East Portion will utilize existing PPL Electric right-of-way and transmission infrastructure in York County to the extent reasonably possible. The Joint Amended Application also requests the Commission’s approval to site and construct the West Portion of the IEC Project as originally proposed.

On February 19, 2020, STFC filed an Answer to the Amended Application, which included an “Opposition and Prayer for Relief” with new averments opposing the Amended Application.

Transource PA and PPL Electric hereby submit this Reply in response to STFC’s “Opposition and Prayer for Relief.”

## **II. REPLY TO STFC’S “OPPOSITION AND PRAYER FOR RELIEF”**

60. Denied. Transource PA and PPL Electric are without sufficient information to form an opinion as to the purpose of STFC and therefore deny the same.

61. Denied. Transource PA and PPL Electric are without sufficient information to form an opinion as to the purpose of STFC and therefore deny the same.

62. Denied. Transource PA and PPL Electric are without sufficient information to form an opinion as to the interests of STFC and therefore deny the same. It is specifically denied that STFC has any interest in the Joint Amended Application as it pertains to the Alternative East Portion of the IEC Project, located in York County, Pennsylvania.

63. Denied. Transource PA and PPL Electric are without sufficient information to form an opinion as to the position of STFC’s members and therefore deny the same.

64. Denied. Paragraph 64 is a legal conclusion to which no response is required. By way of further response, Transource PA and PPL Electric specifically deny that the Joint Amended Application would violate STFC members’ environmental rights as set forth in the Pennsylvania Constitution. Moreover, as stated above, the Joint Amended Application amends



the Siting Application for York County pursuant to several settlement agreements. STFC has no interest in York County and is not representing any York County citizens.

65. Denied. Paragraph 65 is a legal conclusion to which no responsive pleading is required. By way of further response, the siting process for the IEC Project appropriately minimizes and mitigates environmental impacts, consistent with Article 1, Section 27 of the Pennsylvania Constitution, appellate court decisions, the Commission's siting regulations and environmental regulations.

66. Denied. It is specifically denied that the IEC Project as proposed in the Joint Amended Application threatens the agriculture and aesthetics of Franklin County. By way of further response, it is specifically denied that the proposed structures are not compatible with existing agricultural landscapes. Transource PA will use monopoles rather than lattice tower structures to accommodate farming operations. *See* Transource PA Statement No. 5-R, pp. 1-3. Transource PA has made significant efforts to minimize impacts to agricultural land, including special efforts to coordinate with landowners to maintain their ability to functionally use the land. During the siting process, special alignment requests were accommodated to minimize impact on farming operations. *See* Transource PA Statement No. 4-R, pp. 27-28. The proposed transmission line will have minimal impact on farming operations, and the vast majority of land crossed will still be suitable for agricultural use. *See* Transource PA Statement No. 4-R, p. 37.

67. Paragraph 67 is a conclusion of law to which no response is required. By way of further response, application of the Commission's siting regulations complies with the Commission's fiduciary duty under *Pennsylvania Environmental Defense Foundation v. Commonwealth*, 161 A.3d 911 (Pa. 2017) ("*PEDF*") by requiring that the environmental impact

of the proposed transmission route be minimized. *See Application of Pennsylvania Electric Company Seeking Approval to Locate, Construct, Operate and Maintain a High-Voltage Transmission Line Referred to as the Bedford North-Central City West 115 kV HV Transmission Line Project*, Docket No. A-2016-2565296 (Order entered March 8, 2018).

68. Paragraph 68 is a conclusion of law to which no response is required. Transource PA and PPL Electric incorporate by reference herein the response to Paragraph 67.

69. Paragraph 69 is a conclusion of law to which no response is required. Transource PA and PPL Electric incorporate by reference herein the response to Paragraph 67.

70. Paragraph 70 is a conclusion of law to which no response is required. Transource PA and PPL Electric incorporate by reference herein the response to Paragraph 67.

71. Denied. It is specifically denied that Transource PA has not adequately evaluated the effect of the siting and construction of the IEC Project on Franklin County's farmland. Transource PA conducted an extensive, multifaceted siting analysis to determine the preferred route for West Portion of the IEC Project in accordance with *PEDF* and the Commission's siting regulations. *See IEC West Portion Siting Application, Attachment 3 (December 27, 2017); Transource PA Statement No. 4; Transource PA Statement No. 4-R.*

72. Paragraph 72 is a conclusion of law to which no response is required. Transource PA and PPL Electric incorporate by reference herein the response to Paragraph 67.

73. Paragraph 73 is a conclusion of law to which no response is required. By way of further response, it is specifically denied that the Joint Amended Application fails to meet the

statutory requirements of Section 1501 of the Public Utility Code, 66 Pa.C.S. § 1501, and the regulatory requirements at 53 Pa. Code § 57.71 *et. seq.*

74. Paragraph 74 is a conclusion of law to which no response is required. By way of further response, the IEC Project, as originally proposed and as set forth in the Joint Amended Application, fully complies with the Commission's siting regulations.

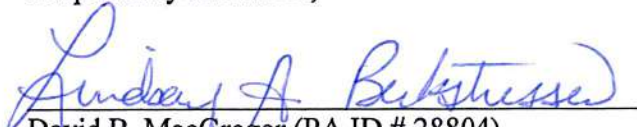
75. Denied. It is specifically denied that the Siting Application, as amended, does not adequately address need. *See, e.g.,* IEC West Portion Siting Application, Attachment 2; Transource PA Statement No. 3; Transource PA Statement No. 7-R, pp. 20-27; Joint Amended Application, Supplemental Attachment 2; Transource PA Statement No. AA-2. It is specifically denied that the Siting Application, as amended, does not adequately address whether the IEC Project, as originally proposed and with the Alternative IEC East Portion, remedies transmission congestion constraints in Maryland, Virginia, West Virginia and Pennsylvania. *See, e.g.,* IEC West Portion Siting Application, Attachment 2; Transource PA Statement No. 3; Transource PA Statement No. 7-R; Joint Amended Application, Supplemental Attachment 2; Transource PA Statement No. AA-1, pp. 8, 11; Transource PA Statement No. AA-2. It is specifically denied that the Siting Application, as amended, does not adequately address whether the IEC Project, as originally proposed and with the Alternative IEC East Portion, would remedy reliability violations. *See, e.g.,* Transource PA Statement No. 7-R, pp. 21-23; Transource PA Statement No. 7-RJ-SUPP; Joint Amended Application, Supplemental Attachment 2; Transource PA Statement No. AA-2, p. 8. It is specifically denied that the Siting Application, as amended, does not adequately address whether the IEC Project with the Alternative IEC East Portion is the most cost-effective alternative to remedy the transmission congestion constraints. *See, e.g.,* Joint Amended Application, Supplemental Attachment 2; Transource PA Statement No. AA-3.

The “Wherefore” Paragraph in STFC’s “Opposition and Prayer for Relief” is a request for relief to which no response is required. To the extent a response is deemed necessary, Transource PA and PPL Electric deny that STFC is entitled to the requested relief.

### III. CONCLUSION

WHEREFORE, Transource Pennsylvania, LLC and PPL Electric Utilities Corporation respectfully request that the Commission (1) deny Stop Transource Franklin County's requested relief and (2) approve the Joint Amended Application as well as the consolidated Siting Application for the West Portion of the IEC Project at Docket No. A-2017-2640200, the Zoning Petitions associated with the Furnace Run Substation in York County, Docket No. P-2018-3001883, and the Rice Substation in Franklin County, Docket No. P-2018-3001878, and the consolidated Condemnation Applications that are necessary for the proposed routes.

Respectfully submitted,



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Date: March 10, 2020

Counsel for PPL Electric Utilities Corporation

## VERIFICATION

I, Michael Shafer, being the Senior Counsel at PPL Services Corp. hereby state that the facts above set forth 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.

Date: 3/10/20

  
\_\_\_\_\_  
Michael Shafer

**VERIFICATION**

I, Brian D. Weber, being the Vice President at Transource Energy, hereby state that the facts above set forth 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.

Date: 3/10/2020

