

March 12, 2020

VIA EFILING

Rosemary Chiavetta, Secretary
PA Public Utility Commission
Commonwealth Keystone Bldg.
400 North Street
Harrisburg, PA 17101

**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 York and Franklin Counties, Pennsylvania
Docket Nos. 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
Docket No. 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
Docket No. 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 230kV 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
Docket Nos. A-2018-3001881, *et al.***

Dear Secretary Chiavetta:

Please find enclosed for filing the County of Franklin's Prehearing Conference Memorandum for the above referenced matters. If you have any questions or concerns, please feel free to contact me at the address listed above.

Very truly yours,

SALZMANN HUGHES, P.C.

Scott T. Wyland

STW/nas

Enclosure

Cc: The Honorable Elizabeth Barnes
Certificate of Service

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application of Transource Pennsylvania, LLC	:	
for approval of the Siting and Construction of the	:	A-2017-2640195
230 kV Transmission Line Associated with the	:	A-2017-2640200
Independence Energy Connection - East and West Projects	:	
in portions of York and Franklin Counties, Pennsylvania.	:	
	:	
Petition of Transource Pennsylvania, LLC	:	
for a finding that a building to shelter control equipment	:	
at the Rice Substation in Franklin County, Pennsylvania	:	P-2018-3001878
is reasonably necessary for the convenience or welfare of	:	
the public.	:	
	:	
Petition of Transource Pennsylvania, LLC	:	
for a finding that a building to shelter control equipment	:	
at the Furnace Run Substation in York County,	:	P-2018-3001883
Pennsylvania is reasonably necessary for the convenience	:	
or welfare of the public.	:	
	:	
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	:	A-2018-3001881,
Transmission Line associated with the Independence Energy	:	<i>et al.</i>
Connection – East and West Projects as necessary or proper	:	
for the service, accommodation, convenience or safety of	:	
the public.	:	

**FOURTEENTH PREHEARING CONFERENCE MEMORANDUM OF THE COUNTY
OF FRANKLIN**

Pursuant to the Fourteenth Prehearing Order dated January 31, 2020 and 52 Pa. Code § 5.222(d)(1), the County of Franklin (“Franklin County”), hereby submits the following Prehearing Conference Memorandum with respect to the above-referenced proceedings.

I. HISTORY OF THE PROCEEDING

On December 27, 2017, Transource Pennsylvania, LLC (“Transource”) filed the following two applications: (1) 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, Docket No. A-2017-2640195; and (2) Application 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, Docket No. A-2017-2640200 (collectively, the “Siting Applications”). The Siting Applications seek the Commission’s approval for the siting and construction of two 230 kV Transmission Lines in portions of York County and Franklin County, the Furnace Run-Conastone Line (the “IEC-East Line”) and the Rice-Ringgold Line (the “IEC-West Line”), respectively. The Siting Applications also seek the construction of two new related substations, the Furnace Run Substation in York County and the Rice Substation in Franklin County.

On May 15, 2018, Transource filed 133 applications to exercise eminent domain over portions of several properties for the siting and construction of the transmission lines (“Eminent Domain Applications”), and two Petitions for findings that buildings to shelter control equipment at the proposed Furnace Run Substation and Rice Substation were reasonably necessary for the convince or welfare of the public (“Zoning Shelter Petitions”). Pursuant to the Third Prehearing Order dated June 26, 2018, the above mentioned Siting Applications, Eminent Domain Applications, and Zoning Shelter Petitions were consolidated.

On January 29, 2020, Transource filed an Amended Siting Application. The deadline to file protests and petitions to intervene was February 28, 2020. On February 28, 2020, Franklin County filed a Petition to Intervene and Protest in the above-captioned matter. As set forth in Franklin County’s Petition to Intervene and Protest, if the Commission approves the Siting Applications, it will substantially and negatively affect a myriad of County-wide concerns including, but not limited to, land use, degradation of property values, damage to public infrastructure, environmental and ecological concerns, and economic disruption.

II. ISSUES

Reserving the right to supplement its identification of the issues, Franklin County presently identifies the following issues that Transource must address prior to the Commission granting the Siting Applications:

- a. That there is a present and future need for the proposed transmission line and substation, which is disputed.
- b. The impact of the proposed transmission line and substation on historic sights.
- c. Compliance with the Agricultural Security Law (“ASL”), 3 P.S. §§ 901-915.
 - i. Transource seeks to condemn portions of land established as an Agricultural Security Area (“ASA”). The ASL requires Transource to seek approval from the Agricultural Lands Condemnation Approval Board and local agencies prior to condemnation of any land within an ASA. Land within an ASA can be condemned only if: (1) the proposed condemnation would not have an unreasonable adverse effect upon the preservation and enhancement of agriculture or municipal resources within the Area or upon the environmental and comprehensive plans and the goals, resource plans, policies, or objectives of the county, municipality, and the Commonwealth; and (2) there is no reasonable or prudent alternative to the utilization of the lands within the ASA for the project.
- d. Compliance with Act 45 of 2018, 26 Pa.C.S.A. § 208.
 - i. Transource seeks to condemn portions of land subject to conservation easements. Section 208 of Act 45 requires Transource to seek Orphan’s Court approval for condemnation of all lands subject to a conservation easement.
- e. That the proposed transmission line and substation will not pose a safety threat to Franklin County’s citizens, which is disputed.
- f. That the proposed transmission line and substation will not cause adverse impacts on the environment, natural resources, and land use, which is disputed.
- g. That the proposed transmission line and substation will be a benefit to the citizens of Franklin County and not cause degradation of property values, damage to public infrastructure, environmental and ecological concerns, and economic disruption, which is disputed.

- h. That the proposed transmission line route is the most feasible route, which is disputed.

Given the early stage of its involvement, Franklin County respectfully reserves the right to identify and address additional issues related to this matter through its continued review and analysis of the filings or issues raised by other parties.

III. WITNESSES

Franklin County anticipates that it will present expert testimony to address the technical and engineering issues and the environmental and economic impacts of the proposed transmission line and substation on Franklin County. Franklin county intends to present the expert testimony of Edward G. McGavran III to address the same. Franklin County reserves the right to identify and present the testimony of additional witnesses, as necessary in direct or rebuttal phases of these proceedings, in accordance with the schedule adopted in this proceeding.

Respectfully submitted,
Salzmann Hughes, P.C.



Scott T. Wyland

Dated: March 12, 2020

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing Petition to Intervene and Protest upon 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:

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Dated: March 12, 2020