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August 11, 2020

VIA ELECTRONIC FILING

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor (filing room)
Harrisburg, PA 17120

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 and A-2017-2640200

Petition of Transource Pennsylvania, LLC or 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 conveniences 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 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; Docket Nos. A-2018-3001881, *et al.*

**YORK COUNTY PLANNING COMMISSION STATEMENT IN SUPPORT
OF JOINT PARTIAL SETTLEMENT WITH TRANSOURCE
PENNSYLVANIA LLC**

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
August 11, 2020
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Dear Secretary Chiavetta:

Enclosed for filing with the Pennsylvania Public Utility Commission York County Planning Commission Statement in Support of Joint Partial Settlement with Transource Pennsylvania LLC in the above-captioned docket. Copies have been served in accordance with the attached Certificate of Service.

Should you have any questions or comments, please feel free to contact me directly.

Very truly yours,

/s/ Thomas J. Sniscak

Thomas J. Sniscak
Whitney E. Snyder
Counsel for York County Planning Commission

WES/das
Enclosures

cc: Administrative Law Judge Elizabeth Barnes (via email ebarnes@pa.gov)
Per Certificate of Service

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing document upon the parties, listed below, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a party). This document has been filed electronically on the Commission's electronic filing system.

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Dated this 11th day of August, 2020.

/s/ Thomas J. Sniscak

Thomas J. Sniscak
Whitney E. Snyder

**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	:	Docket No. A-2017-2640195
and West Projects in portions of York and	:	A-2017-2640200
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 is reasonably necessary	:	P-2018-3001878
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, Pennsylvania is reasonably	:	P-2018-3001883
necessary for the conveniences 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 Transmission	:	
Line associated with the Independence Energy	:	A-2018-3001881
Connection – East and West Projects as	:	<i>et al.</i>
necessary or proper for the service,	:	
accommodation, convenience or safety of the	:	
public.	:	

**YORK COUNTY PLANNING COMMISSION STATEMENT IN SUPPORT OF JOINT
PARTIAL SETTLEMENT WITH TRANSOURCE PENNSYLVANIA LLC**

York County Planning Commission (YCPC) submits this Statement in Support (Statement) of the Joint Partial Settlement between YCPC and Transource Pennsylvania LLC (Transource PA) filed in the above-captioned proceeding with the Pennsylvania Public Utility Commission (Commission) on October 17, 2019. This Settlement resolves all issues between YCPC and Transource PA. The Settlement is in the public interest and should be approved without modification.

1. “It is the policy of the Commission to encourage settlements.” 52 Pa. Code § 5.231(a). “The Commission encourages parties to seek negotiated settlement of contested proceedings in lieu of incurring the time, expense and uncertainty of litigation.” 52 Pa. Code § 69.391(a). Consistent with the Commission’s regulations and policy, YCPC and Transource PA engaged in an extensive series of negotiations to resolve all issues between these two parties in this proceeding. These ongoing discussions produced the Settlement. The Settlement represents a carefully balanced compromise of the interests of YCPC and Transource PA while continuing to protect the public interest.

2. The Settlement addresses concerns YCPC raised regarding Transource PA’s December 27, 2017 Application for the siting of electric transmission lines related to a project known as the Independence Energy Connection Project (IEC Project) and related petitions.

3. YCPC is responsible for developing a plan that balances growth and development with protection of York County’s sensitive and unique land resources, including agricultural lands, unique natural features, streams, and waterways. YCPC works to protect farmland, control pollution run-off from roads and to maintain parks and recreational areas, among other things. YCPC initially opposed the project because of the impact the project as originally proposed would have on sensitive lands and natural features in York County and harm the public interest.

4. In its direct testimony, YCPC explained the significant negative impacts on existing land uses, the natural resources, and environment in York County. YCPC also testified the project as initially proposed was inconsistent with YCPC’s Comprehensive Plan that provides existing utility infrastructure, corridors, and rights-of-ways should be fully utilized before additional infrastructure is built because of the miles of under-utilized transmission poles in the County. YCPC proposed in its testimony that Transource PA should contribute funds to a Land Impact

Mitigation Fund to offset potential environmental impacts. *See* YCPC Statement No. 1, Direct Testimony of Wade Gobrecht.

5. The Settlement addresses these concerns because it provides for an alternative route through York County for the Project that largely uses existing infrastructure and rights-of-way while eliminating miles of new utility infrastructure and more than 100 acres of new rights-of-way that could have occurred if the original Project was approved. Settlement at ¶ 9, Appendix A. Using underutilized existing transmission lines, corridors or space, reduces impacts of concern to YCPC by causing less new construction of towers and structures. Importantly, there is less direct impact on the agricultural community, environmental resources, and scenic views also known as view sheds.

6. Regarding agriculture, the southeastern portion of York County is home to a viable farming community with many multi-generational and preserved farms. Being able to use existing infrastructure for the majority of the project results in the following agricultural benefits:

- Less fragmentation of farmland. Viable agricultural depends on critical mass of land and fragmentation reduces the acreage available for crop production and creates obstacles to performing farming activities.
- A reduction in the need to construct as many temporary or permanent roads that are necessary to conduct maintenance on the transmission line that would not only further fragment the farm, but could also limit opportunities to expand future farming operations.
- Not as many high-quality soils will be disturbed since the majority of the project will use existing tower structures. The compaction and disruption to high-quality agricultural soils will be minimized which will not result in reduced crop yields.

7. Regarding environmental and natural resources, this portion of the county also contains significant environmental and natural resources. Limiting the amount of new construction will have several benefits on the resources:

- Reduced impact on Natural Areas with specific habitat for threatened or endangered species. Using the existing transmission lines results in less destruction and less fragmentation of habitat that is important to the vitality of these species of concern. Contiguous habitat corridors are important for connecting wildlife populations.

- A reduced impact on wetlands and high-quality streams is very important, not only for certain species of animals, but also help with ground water recharge, maintaining safe drinking water and reducing flooding.

- Reducing the number of towers and structures that need to be constructed also reduces the opportunity of spreading invasive species. Deforestation and ground disturbance during construction gives invasive species a chance to take over an area as they can thrive on bare soils when native plants have been displaced.

- Reducing the amount of deforestation and soil compaction by using existing power lines also reduces the effects of stormwater runoff that can negatively affect our precious waterways and productive topsoil.

8. Regarding scenic views known as view sheds, southeastern York County offers areas of pristine view sheds, not only enjoyed by our residents but these resources also bring visitors into the area that seek agritourism opportunities in a rural setting. By limiting the amount of new towers needed for the project and using existing infrastructure, the pristine view sheds can be maintained that help create a good quality of life in this area of the County.

9. The Settlement further addresses YCPC's concerns regarding potential environmental impacts of the proposed construction in York County by providing for \$800,000 in funding to mitigate such impacts. Settlement at ¶ 11.

10. The Settlement is also in the public interest and addresses YCPC's concerns in that it provides for collaboration between YCPC, other interested persons from York County, and Transource PA prior to construction beginning so that these stakeholders can have input in construction and minimizing impacts to York County's resources. Settlement at ¶ 12.

11. In sum, the Settlement is a well-balanced and better resolution of the two parties' positions than litigation and results in a negotiated solution that is in the public interest. As such YCPC requests that the Presiding Officer and the Commission approve it as submitted.

Respectfully submitted,

/s/ Thomas J. Sniscak

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Date: August 11, 2020

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