

Jennedy S. Johnson  
Assistant General Counsel  
2301 Market Street / S23-1  
Philadelphia, PA 19103

Direct Dial: 215-841-4353  
Email: [Jennedy.Johnson@exeloncorp.com](mailto:Jennedy.Johnson@exeloncorp.com)

December 16, 2020

**VIA eFILING**

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

**Re: Application of PECO Energy Company Under 15 Pa.C.S. § 1511(c) For A Finding And Determination That The Service To Be Furnished By The Applicant Through Its Proposed Exercise Of The Power Of Eminent Domain To Acquire A Certain Portion Of The Land Of William S. Harbold and Sandra A. Harbold In Lower Chanceford Township, York County, Pennsylvania For The Siting And Construction Of Connecting Transmission Lines Associated With The Independence Energy Connection-East Project Is Necessary Or Proper For The Service, Accommodation, Convenience Or Safety Of The Public**  
**Docket No. A-2020**

---

Dear Secretary Chiavetta:

Enclosed for filing is the above-captioned Application of PECO Energy Company and the Direct Testimony of Daniel F. Pacheco (PECO Statement No. 1) and supporting exhibits. Copies of this Application have been served upon the parties as required by 52 Pa. Code § 57.75(i)(2) and indicated on the enclosed Certificate of Service.

If there are any questions concerning this matter, please contact me at the address or telephone number provided above.

Respectfully submitted,



Jennedy S. Johnson

Enclosures

c: Certificate of Service

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

<b>Application Of PECO Energy Company</b>	:	
<b>Under 15 Pa.C.S. § 1511(c) For A Finding</b>	:	
<b>And Determination That The Service To</b>	:	
<b>Be Furnished By The Applicant Through</b>	:	
<b>Its Proposed Exercise Of The Power Of</b>	:	
<b>Eminent Domain To Acquire A Certain</b>	:	
<b>Portion Of The Land of William S.</b>	:	
<b>Harbold And Sandra A. Harbold In</b>	:	<b>Docket No. A-2020-</b>
<b>Lower Chanceford Township, York</b>	:	
<b>County, Pennsylvania For The Siting And</b>	:	
<b>Construction Of Connecting Transmission</b>	:	
<b>Lines Associated With The Independence</b>	:	
<b>Energy Connection-East Project Is</b>	:	
<b>Necessary Or Proper For The Service,</b>	:	
<b>Accommodation, Convenience Or Safety</b>	:	
<b>Of The Public</b>	:	

**CERTIFICATE OF SERVICE**

I hereby certify that on this date, a true and correct copy of the foregoing **Application of PECO Energy Company** 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 CERTIFIED MAIL  
RETURN RECEIPT REQUESTED**

William S. & Sandra A. Harbold  
221 Goram Road  
Brogue, PA 17309

Respectfully submitted,



---

Anthony E. Gay (Pa. No. 74624)  
Jack R. Garfinkle (Pa. No. 81892)  
Jennedy S. Johnson (Pa. No. 203098)  
PECO Energy Company  
2301 Market Street  
Philadelphia, PA 19103  
215.841.4353 (bus)  
215.568.3389 (fax)  
[anthony.gay@exeloncorp.com](mailto:anthony.gay@exeloncorp.com)  
[jack.garfinkle@exeloncorp.com](mailto:jack.garfinkle@exeloncorp.com)  
[jennedy.johnson@exeloncorp.com](mailto:jennedy.johnson@exeloncorp.com)

Kenneth M. Kulak (Pa. No. 75509)  
Brooke E. McGlinn (Pa. No. 204918)  
Morgan, Lewis & Bockius LLP  
1701 Market Street  
Philadelphia, PA 19103-2921  
215.963.5384 (bus)  
215.963.5001 (fax)  
[ken.kulak@morganlewis.com](mailto:ken.kulak@morganlewis.com)  
[brooke.mcglinn@morganlewis.com](mailto:brooke.mcglinn@morganlewis.com)

Dated: December 16, 2020

*Counsel for PECO Energy Company*

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

<b>Application of PECO Energy Company</b>	:	
<b>Under 15 Pa.C.S. § 1511(c) For A Finding</b>	:	
<b>And Determination That The Service To</b>	:	
<b>Be Furnished By The Applicant Through</b>	:	
<b>Its Proposed Exercise Of The Power Of</b>	:	
<b>Eminent Domain To Acquire A Certain</b>	:	
<b>Portion Of The Land Of William S.</b>	:	
<b>Harbold And Sandra A. Harbold In</b>	:	<b>Docket No. A-2020-</b>
<b>Lower Chanceford Township, York</b>	:	
<b>County, Pennsylvania For The Siting And</b>	:	
<b>Construction Of Connecting Transmission</b>	:	
<b>Lines Associated With The Independence</b>	:	
<b>Energy Connection-East Project Is</b>	:	
<b>Necessary Or Proper For The Service,</b>	:	
<b>Accommodation, Convenience Or Safety</b>	:	
<b>Of The Public</b>	:	

---

**APPLICATION OF PECO ENERGY COMPANY**

---

TO THE PENNSYLVANIA PUBLIC UTILITY COMMISSION:

PECO Energy Company (“PECO” or “Company”) files this Application to obtain from the Pennsylvania Public Utility Commission (“Commission”) the finding and determination required by 15 Pa.C.S. § 1511(c) to exercise the power of eminent domain to acquire a right-of-way and easement over land owned by William S. Harbold and Sandra A. Harbold in Chanceford Township, York County, Pennsylvania. The right-of-way and easement over the Harbold property, which is described in Section IV below, will be used by PECO to site and construct two new 500 kV transmission lines (the “Project”) that will connect PECO’s existing Peach Bottom-TMI 500 kV Transmission Line with the new 500 kV/230 kV Furnace Run Substation that Transource Pennsylvania, LLC (“Transource”) plans to construct and operate as

part of its proposed Independence Energy Connection-East Project (“IEC Project”). As explained in Section II below, the IEC Project was identified by PJM Interconnection, L.L.C. (“PJM”) through its Regional Transmission Expansion Plan (“RTEP”) process as a “required” 2016 RTEP “baseline” project to alleviate transmission congestion constraints and provide reliability benefits in Pennsylvania and Maryland. For the reasons set forth hereafter, the Commission should find and determine that the Project is necessary and proper for the service, accommodation, convenience, or safety of the public and, therefore, PECO may lawfully exercise the power of eminent domain conferred by 15 Pa.C.S. § 1511(c) to obtain a right-of-way and easement over the Harbold property. In further support of this Application, PECO states as follows:

## **I. INTRODUCTION**

1. This Application is filed by PECO, a public utility that provides electric distribution, transmission, and default services in Pennsylvania subject to the regulatory jurisdiction of the Commission.

2. PECO’s address is 2301 Market Street, Philadelphia, Pennsylvania 19103.

3. PECO’s attorneys in this matter authorized to receive notices and communications on its behalf are:

Jennedy S. Johnson  
PECO Energy Company  
2301 Market Street  
Philadelphia, PA 19103  
215.841.4353  
[jennedy.johnson@exeloncorp.com](mailto:jennedy.johnson@exeloncorp.com)

Kenneth M. Kulak  
Morgan, Lewis & Bockius LLP  
1701 Market Street  
Philadelphia, PA 19103-2921  
215.963.5384  
[ken.kulak@morganlewis.com](mailto:ken.kulak@morganlewis.com)

PECO agrees to accept electronic service in this proceeding.

4. PECO is a corporation organized and existing under the laws of the Commonwealth of Pennsylvania. PECO is subject to the Pennsylvania Business Corporation Law of 1988, as amended, 15 Pa.C.S. §§ 1101 et seq. (“BCL”).

5. PECO is also a “public utility” as defined in Section 102 of the Pennsylvania Public Utility Code, 66 Pa.C.S. § 102, and has the power of eminent domain pursuant to the Pennsylvania BCL. PECO submits this application pursuant to section 1511(c) of the BCL, 15 Pa.C.S. § 1511(c).

6. PECO furnishes electric service to approximately 1.6 million customers throughout its certificated service territory, which includes all or portions of five counties and encompasses approximately 2,100 square miles in southeastern Pennsylvania with a population of approximately four million people.

7. Contemporaneously with the filing of this Application, the Company is filing a Letter of Notification to obtain approval of the siting and construction of the Project in York County, Pennsylvania. *See* Letter of PECO Energy Company, Filed Pursuant to 52 Pa. Code Chapter 57 Subchapter G, For Approval To Site And Construct 0.5 Miles Of Transmission Lines In Lower Chanceford Township, York County, Pennsylvania To Interconnect To The Transmission Grid the New 500-230 kV Furnace Run Substation Proposed By Transource Pennsylvania, LLC” (the “Letter of Notification”).

8. The Project involves the construction of two new 500 kV transmission lines approximately 0.5 of miles in length that will split PECO’s existing Peach Bottom-TMI 500 kV Transmission Line. The Project is needed to interconnect Transource’s proposed Furnace Run 500 kV/230 kV Substation, which is part of Transource’s larger IEC Project, to the bulk power

transmission system that is under the functional control of PJM. As explained below, the IEC Project was identified by PJM through the RTEP process as a “required” RTEP “baseline” project.

9. PECO’s proposed exercise of the power of eminent domain requested herein and its use of the siting authority requested in its contemporaneously filed Letter of Notification are contingent upon the Commission granting Transource the siting and other authority that Transource has requested in order to construct and operate the proposed IEC Project.<sup>1</sup> PECO’s construction of the Project is scheduled to begin in June 2021 to support a projected in-service date of the IEC Project by December 31, 2022, provided that, prior to June 2021, the Commission grants the aforementioned approvals for the IEC Project, approves PECO’s Letter of Notification, and grants PECO’s Applications for the exercise of the power of eminent domain to obtain the rights-of-way and easements over other properties as needed to site and construct the Project.

10. As depicted on the map attached to the direct testimony of Daniel F. Pacheco (PECO Statement No. 1) accompanying this Application as PECO Exhibit No. DFP-1, the route proposed for the Project requires PECO to obtain rights-of-way and easements across four parcels, all of which are located in Lower Chanceford Township, York County, Pennsylvania:

- (1) Lot 77, owned by David L. Druck and Christine Y. Druck (Tax Parcel No. 34000FN0077) (the “Druck Parcel”);

---

<sup>1</sup> See *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-East Projects in Portions of York County, Pennsylvania*, Docket No. A-2017-2640195 (filed Dec. 27, 2017) (“Transource Application”). After extensive litigation, Transource entered into settlements in October 2019 with several parties to the proceeding to propose an amendment to the original Transource Application using PPL Electric Utilities’ (“PPL’s”) existing right-of-way and transmission infrastructure in York County for the East Portion of the IEC Project. On January 29, 2020, Transource and PPL filed a Joint Amended Application pursuant to the settlement agreements. An evidentiary hearing was held on the Joint Amended Application on July 9, 2020, and the parties submitted Main Briefs and Reply Briefs on August 11, 2020 and September 25, 2020, respectively.

- (2) Parcel formerly owned by Clarence A. Pyle, formerly part of Lot 77 (no Tax Parcel number has been assigned to this property) (the “Pyle Parcel”);
- (3) Lot 78, owned by Samuel W. Taylor and Kay L. Taylor (Tax Parcel No. 34000FN0078) (the “Taylor Parcel”);<sup>2</sup> and
- (4) Lot 79, owned by William S. Harbold and Sandra A. Harbold (Tax Parcel No. 34000FN0079) (the “Harbold Parcel”).

11. PECO has reached an agreement to obtain the necessary right-of-way and easement over the Druck Parcel. PECO is contemporaneously filing separate Applications for necessary findings and determinations to exercise the power of eminent domain over the Pyle Parcel and the Taylor Parcel. By this Application, PECO is requesting a finding and determination that the service to be furnished through its proposed exercise of the power of eminent domain to acquire a right of way and easement over a portion of the Harbold Parcel for the construction of the connecting transmission lines associated with the Project is necessary or proper for the service, accommodation, convenience, or safety of the public.

12. A complete copy of the Letter of Notification, together with the supporting Attachments, is being served on William S. Harbold and Sandra A. Harbold. The Letter of Notification and supporting Attachments are incorporated herein by reference.

---

<sup>2</sup> The Taylor Parcel and Pyle Parcel are shown in red and blue, respectively, on the map attached to PECO Statement No. 1 as Exhibit No. DFP-3. The York County Tax Maps purport to show that the Pyle Parcel is part of the Taylor Parcel. However, when PECO’s surveyor plotted the legal description of the Taylor Parcel, he discovered that it does not in fact include the Pyle Parcel. PECO then engaged in a thorough search for the owner of the Pyle Parcel. PECO engaged a York County law firm to do a title abstract of the Pyle Parcel. Ultimately, PECO found no evidence that the Pyle Parcel has been conveyed to anyone since it was acquired by Clarence A. Pyle in 1918. After further extensive research, PECO identified eleven known heirs of Clarence A. Pyle, who inherited the Pyle Parcel. PECO has sent letters to each of these individuals for whom it was able to find an address. The letter offered to pay fair market value to the rightful owners of the Pyle Parcel as their interest may appear. The Company also published a notice in the York Daily Record and the York Legal Record requesting that any person with an interest in the Pyle Parcel contact PECO.

## **II. NEED FOR THE PROJECT**

13. Pursuant to Section 215 of the Federal Power Act, the Federal Energy Regulatory Commission (“FERC”) has certified the North American Electric Reliability Corporation (“NERC”) as the electric reliability organization responsible for developing and enforcing mandatory transmission reliability standards, subject to FERC review and approval. Once approved by the FERC, the NERC’s reliability standards are mandatory because the failure to comply with such standards can result in serious consequences for electric reliability.

14. PJM is the FERC-approved Regional Transmission Organization (“RTO”) charged with ensuring the reliability of the electric transmission system under its functional control. To that end, PJM coordinates the movement of wholesale electricity in all or parts of 13 states and the District of Columbia, including most of Pennsylvania.

15. As the FERC-approved RTO, PJM plans and operates the transmission system under its functional control to ensure reliable, efficient transmission service for the entire PJM region. PJM and its members, including PECO, prepare an annual RTEP to identify system reinforcements that are required to meet NERC reliability standards and each individual transmission owner’s planning criteria. Using the RTEP process, PJM develops specific regional transmission projects and designates the appropriate transmission owner to construct those projects.

16. PJM’s RTEP includes a Market Efficiency Analysis to identify congestion on electric transmission facilities that has economic or wholesale market effects and to identify potential improvements to electric transmission economic efficiencies. The electric transmission needs identified in the Market Efficiency Analysis are a function of the essential role the PJM transmission grid plays as the means for generators to participate in a competitive wholesale

market to supply electric capacity and energy to serve customers' load wherever it may be located in PJM's geographic footprint.

17. When PJM's Market Efficiency Analysis identifies a need to relieve congestion on electric transmission facilities, PJM opens a Long Term Proposal Window to solicit the submittal of potential solutions (i.e., market efficiency projects) to address those needs. Projects designed to achieve such potential solutions are evaluated by PJM based on the following two criteria: (1) the project must address congestion as simulated in the Market Efficiency Analysis; and (2) the project benefits must exceed the costs by at least 25 percent. Based on that solicitation process, PJM selected Transource and Transource's IEC Project.

18. The need for the IEC Project was identified through PJM's 2014/2015 RTEP Long Term Proposal Window solicitation. The IEC Project was reviewed by PJM's Transmission Expansion Advisory Committee in June 2016 and was added as "required" Baseline Upgrades in the 2016 RTEP.

19. The IEC Project approved by PJM involves Transource's construction of the new 500 kV/230 kV Furnace Run Substation and its construction or reconstruction of 230 kV transmission lines from the Furnace Run 500 kV/230 kV Substation to the existing Conastone Substation located near Norrisville, Harford County, Maryland. The IEC Project was approved by PJM in order to alleviate transmission congestion constraints and provide reliability benefits in Pennsylvania and Maryland. A detailed description of the IEC Project has been furnished in the original and amended Transource Application. PECO's existing Peach Bottom-TMI 500 kV Transmission Line will provide the 500 kV power source to the 500 kV side of the Furnace Run 500 kV/230 kV Substation. The Project for which siting authority is requested in the Letter of Notification is required to tap the existing Peach Bottom-TMI 500 kV Transmission Line and

interconnect that line with the new Furnace Run Substation. As previously noted, PJM determined that the proposed Project is a “baseline” RTEP project and, accordingly, assigned it PJM baseline RTEP upgrade IDs “b2752.2” and “b2752.3.”

### **III. DESCRIPTION OF THE PROPOSED PROJECT**

20. The site for the proposed Furnace Run Substation is in close proximity to PECO’s existing 42-mile Peach Bottom-TMI 500 kV Transmission Line that will be split and tied into the Furnace Run Substation. Upon completion, the segment of PECO’s existing transmission line located north of the split will be designated as the Peach Bottom-Furnace Run 500 kV Transmission Line, and the segment south of the split will be designated as the TMI-Furnace Run 500 kV Transmission Line.

21. To tie the existing 500 kV line into the new Furnace Run Substation, PECO proposes to construct two new 500 kV transmission lines that will extend approximately 0.5 miles from the Furnace Run Substation to the Peach Bottom-TMI 500 kV Transmission Line. The two new 500 kV transmission lines will parallel each other on a common new right-of-way, and will be separated by approximately 160 feet.

22. The new 500 kV transmission lines will consist of two tubular steel H-frame dead end structures with a height of approximately 90 feet, two 3-pole dead end structures, high capacity conductors, and two overhead ground wires. A further engineering description of the Project is provided in the Letter of Notification.

23. The Project area was selected based on PECO’s analysis of the environmental and land use impacts of six alternatives. PECO’s preferred route, for which siting authority is requested in the Letter of Notification, would require 9.65 acres of right-of-way over land that is currently undeveloped and composed primarily of wooded areas, except where a small portion of the line would span an agricultural field. A description of the health and safety considerations

which will be incorporated into the design, construction and maintenance of the proposed Project is provided in the Letter of Notification.

24. Subject to the Commission's approval of the Amended Transource Application and PECO's Letter of Notification, construction of the Project is scheduled to begin in June 2021 to support an in-service date of December 31, 2022.

#### **IV. PROPERTY FOR WHICH EMINENT DOMAIN APPROVAL IS SOUGHT**

25. A deed for the Harbold Parcel is recorded at York County, Pennsylvania in Deed Book 2260, at page 2078, and a copy of the recorded deed is provided in this proceeding in PECO Exhibit No. DFP-2, which is attached to PECO Statement No. 1.

26. William S. Harbold and Sandra A. Harbold are the owners of record of the Harbold Parcel. Their mailing address is 221 Goram Road, Brogue, PA 17309.

27. As previously explained, PECO needs to acquire a right-of-way and easement over the Harbold Parcel for the construction, operation and maintenance of the Peach Bottom-Furnace Run 500 kV Transmission Line and the TMI-Furnace Run 500 kV Transmission Line.

28. The right-of-way for the Project will be approximately 350 feet wide but may vary in certain areas in order to accommodate environmental, engineering, and constructability issues, as well as to ensure compliance with the National Electrical Safety Code clearances.

29. The property sought to be acquired in this Application does not include property used as a burying ground, place of public worship, a dwelling house, or any part of the reasonable curtilage appurtenant thereto.

30. A map depicting the proposed right-of-way across the Harbold Parcel is provided in this proceeding as PECO Exhibit No. DFP-3, which is attached to PECO Statement No. 1.<sup>3</sup> A

---

<sup>3</sup> The Harbold Parcel is shown in green on the map set forth in PECO Exhibit No. DFP-3.

description of the easement is provided in PECO Exhibit No. DFP-4, which is also attached to PECO Statement No. 1.

31. PECO is currently attempting to negotiate with the Harbolds to reach an agreement to obtain a right-of-way and easement over their property for the purposes described above but, to date, has been unable to reach any agreement with the property owners.

32. PECO remains willing to negotiate a reasonable and mutually acceptable right-of-way agreement with William S. Harbold and Sandra A. Harbold and, thereby, avoid the need to condemn a right-of-way across the property. However, it is necessary for PECO to seek Commission approval to exercise the power of eminent domain in order to ensure that the Peach Bottom-Furnace Run 500 kV Transmission Line and the TMI-Furnace Run 500 kV Transmission Line, which are part of Transource's larger IEC Project, are constructed and operational by the in-service date for the proposed IEC Project. In the event that William S. Harbold and Sandra A. Harbold, and PECO reach an agreement for the easement and right-of-way needed, PECO will withdraw the eminent domain application.

#### **V. THE REQUIREMENTS FOR CONDEMNATION HAVE BEEN SATISFIED**

33. No other public utility is now furnishing or has the corporate authority and certificates to furnish the same service as, or service similar to, that which PECO will furnish by means of the transmission lines to be constructed in the property right-of-way and easement over the land to be acquired as set forth in this Application.

34. The service to be furnished by PECO through the Peach Bottom-Furnace Run 500 kV Transmission Line and the TMI-Furnace Run 500 kV Transmission Line is necessary or proper to provide safe and reliable electric service to customers in York County.

35. An appropriate certificate was executed by John C. Halderman, Assistant Secretary, pursuant to PECO's Delegation of Authority authorizing and directing this

Application. A copy of the applicable certificate is attached to Mr. Pacheco's direct testimony as PECO Exhibit No. DFP-5.

36. The Company has established that there is a need for the Project and that it has chosen a reasonable route for the siting of the Project, which is all that is required to satisfy the criteria for the findings and determinations necessary to obtain authority to exercise the power of eminent domain under 15 Pa.C.S. § 1511(c). *Phillips v. Pa. P.U.C.*, 124 A.2d 625, 627-28 (Pa. Super. 1956). *Accord Energy Conservation Council of Pa. v. Pa. P.U.C.*, 25 A.3d 440, 450 (Pa. Cmwlth. 2011); *Energy Conservation Council of Pa. v. Pa. P.U.C.*, 995 A.2d 465, 478-79 (Pa. Cmwlth. 2010).

## **VI. CONSOLIDATION OF RELATED PROCEEDINGS**

37. As previously explained, with the filing of this Application, PECO is simultaneously filing the Letter of Notification requesting approval to site and construct the overhead transmission lines that comprise the Project. Issues relating to the need for the Project and its siting are closely interrelated with the finding and determination requested in this Application.

38. In accordance with the requirements of 52 Pa. Code § 57.75(i)(2), PECO is serving a complete copy of the Letter of Notification and accompanying Attachments, upon William S. Harbold and Sandra A. Harbold who is/are the record owner(s) of the property that PECO seeks to acquire by the exercise of the power of eminent domain.

39. As also previously explained, PECO is also filing contemporaneously filing two other Applications to obtain the findings and determinations required by 15 Pa.C.S. § 1511(c) to exercise the power of eminent domain over the Taylor Parcel and Pyle Parcel for rights-of-way and easements needed for the Project. Issues relating to the need for these condemnations are closely interrelated with this Application.

40. Pursuant to 52 Pa. Code § 57.75(i)(1), PECO requests that its Letter of Notification and the contemporaneously filed Applications to exercise the power of eminent domain to obtain rights-of-way and easements for the Project be consolidated with this Application for the purpose of conducting hearings, if necessary, and issuance of a final decision.

## **VII. CONCLUSION**

WHEREFORE, PECO Energy Company respectfully requests that the Pennsylvania Public Utility Commission: (1) consolidate this Application for approval of the exercise of the power of eminent domain with the Letter of Notification contemporaneously filed herewith; (2) consolidate this Application for approval of the exercise of the power of eminent domain with the two other condemnation Applications contemporaneously filed herewith; and (3) find and determine that the

service to be furnished by PECO through the proposed exercise of the power of eminent domain, as set forth above, is reasonably necessary or proper for the service, accommodation, convenience or safety of the public.

Respectfully submitted,



---

Anthony E. Gay (Pa. No. 74624)  
Jack R. Garfinkle (Pa. No. 81892)  
Jennedy S. Johnson (Pa. No. 203098)  
PECO Energy Company  
2301 Market Street  
Philadelphia, PA 19103  
215.841.4353 (bus)  
215.568.3389 (fax)  
[anthony.gay@exeloncorp.com](mailto:anthony.gay@exeloncorp.com)  
[jack.garfinkle@exeloncorp.com](mailto:jack.garfinkle@exeloncorp.com)  
[jennedy.johnson@exeloncorp.com](mailto:jennedy.johnson@exeloncorp.com)

Kenneth M. Kulak (Pa. No. 75509)  
Brooke E. McGlinn (Pa. No. 204918)  
Morgan, Lewis & Bockius LLP  
1701 Market Street  
Philadelphia, PA 19103-2921  
215.963.5384 (bus)  
215.963.5001 (fax)  
[ken.kulak@morganlewis.com](mailto:ken.kulak@morganlewis.com)  
[brooke.mcglinn@morganlewis.com](mailto:brooke.mcglinn@morganlewis.com)

Dated: December 16, 2020

*Counsel for PECO Energy Company*

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**Application of PECO Energy Company :  
Under 15 Pa.C.S. § 1511(c) For A Finding :  
and Determination That the Service To Be :  
Furnished By The Applicant Through Its :  
Proposed Exercise Of The Power Of :  
Eminent Domain To Acquire A Certain :  
Portion Of The Land Of William S. :  
Harbold And Sandra A. Harbold In :       Docket No. A-2020-  
Lower Chanceford Township, York :  
County, Pennsylvania for The Siting And :  
Construction Of Connecting Transmission :  
Lines Associated With The Independence :  
Energy Connection-East Project Is :  
Necessary Or Proper For The Service, :  
Accommodation, Convenience Or Safety :  
Of The Public :**

**PECO ENERGY COMPANY**

**STATEMENT NO. 1**

**DIRECT TESTIMONY OF DANIEL F. PACHECO**

**DATED: DECEMBER 16, 2020**

## TABLE OF CONTENTS

	<b>Page</b>
I. INTRODUCTION AND PURPOSE .....	1
II. NEED FOR THE PROJECT .....	4
III. PROPERTY FOR WHICH EMINENT DOMAIN APPROVAL IS SOUGHT .....	6
IV. CONCLUSION.....	7



1     **4.     Q.     What are your responsibilities in connection with two new 500 kV**  
2                   **transmission lines (the “Project”) that will connect PECO’s existing**  
3                   **Peach Bottom-TMI 500 kV Transmission Line with the new 500 kV/230**  
4                   **kV Furnace Run Substation that Transource Pennsylvania, LLC**  
5                   **(“Transource”) plans to construct and operate as part of its proposed**  
6                   **Independence Energy Connection-East Project (“IEC Project”)?**

7             A.     The Company worked with Barry Isett & Associates to identify the parcel  
8                   owners on and adjacent to the proposed Project, identify any areas in which  
9                   the Company will require new or enhanced rights of way for the Project, and  
10                  acquire such rights of way. As depicted on the map attached to my testimony  
11                  as Exhibit No. DFP-1, the route proposed for the Project requires PECO to  
12                  obtain rights of way and easements across four parcels, all of which are  
13                  located in Lower Chanceford Township, York County, Pennsylvania:

- 14                 (1)     Lot 77, owned by David L. Druck and Christine Y. Druck (Tax Parcel  
15                         No. 34000FN0077)(the “Druck Parcel”);
- 16                 (2)     Parcel formerly owned by Clarence A. Pyle, formerly part of Lot 77  
17                         (no Tax Parcel number has been assigned to this property) (the “Pyle  
18                         Parcel”);<sup>1</sup>

---

<sup>1</sup> The Pyle Parcel and Taylor Parcel are shown in blue and red, respectively, on the map attached hereto as Exhibit DFP-3. The York County Tax Maps purport to show that the Pyle Parcel is part of the Taylor Parcel. However, when PECO’s surveyor plotted the legal description of the Taylor Parcel, he discovered that it does not in fact include the Pyle Parcel. PECO then engaged in a thorough search for the owner of the Pyle Parcel. PECO engaged a York County law firm to do a title abstract of the Pyle Parcel. Ultimately, PECO found no evidence that the Pyle Parcel has been conveyed to anyone since it was acquired by Clarence A. Pyle in 1918. After further extensive research, PECO identified eleven known heirs of Clarence A. Pyle, who inherited the Pyle Parcel. PECO has sent letters to each of these individuals for whom it was able to find an address. The letter offered to pay fair market value to the rightful owners of the Pyle Parcel as their interest may appear. The Company also published a notice in the York Daily Record and the York Legal Record requesting that any person with an interest in the Pyle Parcel contact PECO.

1 (3) Lot 78, owned by Samuel W. Taylor and Kay L. Taylor (Tax Parcel  
2 No. 34000FN0078) (the “Taylor Parcel”); and

3 (4) Lot 79, owned by William S. Harbold and Sandra A. Harbold (Tax  
4 Parcel No. 34000FN0079) (the “Harbold Parcel”).

5 PECO has reached an agreement to obtain the necessary right-of-way and  
6 easement over the Druck Parcel. PECO is contemporaneously filing separate  
7 Applications for necessary findings and determinations to exercise the power  
8 of eminent domain over the Pyle Parcel and Taylor Parcel.

9 On August 28, 2018, December 4, 2018, January 28, 2019, and August  
10 6, 2020, PECO sent certified letters to the owners of the Harbold Parcel  
11 proposing an option to acquire a right of way and easement over a portion of  
12 their property for the construction of the connecting transmission lines  
13 associated with the Project. Each of those certified letters also provided  
14 information to the Harbolds about the Project need, route, design and  
15 operational characteristics. On November 16, 2020, PECO sent a letter to the  
16 Harbolds offering to pay fair market value to acquire the necessary right of  
17 way and easement over their property for the Project.

18 **5. Q. What is the purpose of your testimony?**

19 A. The purpose of my testimony is to explain how the property of William S.  
20 Harbold and Sandra A. Harbold relates to the Project and to describe the  
21 Company’s proposed right of way and easement over the Harbold property.  
22  
23  
24

1 **II. NEED FOR THE PROJECT**

2 **6. Q. Please summarize the proposed Project.**

3 A. The Project is the subject of the Letter of PECO Energy Company, Filed  
4 Pursuant to 52 Pa. Code Chapter 57 Subchapter G, For Approval To Site And  
5 Construct 0.5 Miles Of Transmission Lines In Lower Chanceford Township,  
6 York County, Pennsylvania To Interconnect To The Transmission Grid the  
7 New 500-230 kV Furnace Run Substation Proposed By Transource  
8 Pennsylvania, LLC” (the “Letter of Notification”), which the Company is  
9 filing contemporaneously with the Application that is the subject of my  
10 testimony.

11 As explained in the Letter of Notification, the Project involves the  
12 construction of two new 500 kV transmission lines approximately 0.5 of miles  
13 in length that will split PECO’s existing Peach Bottom-TMI 500 kV  
14 Transmission Line. The Project is needed to interconnect Transource’s  
15 proposed Furnace Run 500 kV/230 kV Substation, which is part of  
16 Transource’s larger IEC Project, to the bulk power transmission system that is  
17 under the functional control of PJM Interconnection, L.L.C. (“PJM”). The  
18 IEC Project was identified by PJM through its Regional Transmission  
19 Expansion Plan (“RTEP”) process as a “required” 2016 RTEP “baseline”  
20 project.

21 **7. Q. Please describe PJM’s RTEP process and the need for Transource’s IEC**  
22 **Project.**

23 A. As the Regional Transmission Operator approved by the Federal Energy  
24 Regulatory Commission, PJM coordinates the flow of electricity on the

1 transmission system and works cooperatively with transmission owners in all  
2 or parts of 13 states and the District of Columbia, including most of  
3 Pennsylvania, to ensure safe and reliable transmission service. PJM's RTEP  
4 process identifies transmission system upgrades and enhancements necessary  
5 to continue providing this level of transmission service across its footprint.

6 PJM's RTEP includes a Market Efficiency Analysis to identify  
7 congestion on electric transmission facilities that has economic or wholesale  
8 market effects and to identify potential improvements to electric transmission  
9 economic efficiencies. PJM evaluates market efficiency projects based on  
10 two criteria: (1) the project must address congestion as simulated in the  
11 Market Efficiency Analysis; and (2) the project benefits must exceed the costs  
12 by at least 25 percent.

13 Based on those criteria, the IEC Project was approved by PJM in order  
14 to alleviate transmission congestion constraints and provide reliability benefits  
15 in Pennsylvania and Maryland. The IEC Project involves Transource's  
16 construction of the new 500 kV/230 kV Furnace Run Substation and its  
17 construction or reconstruction of 230 kV transmission lines from the Furnace  
18 Run 500 kV/230 kV Substation to the existing Conastone Substation located  
19 near Norrisville, Harford County, Maryland. As previously noted, PECO's  
20 proposed Project is required to tap the existing Peach Bottom-TMI 500 kV  
21 Transmission Line and interconnect that line with Transource's new Furnace  
22 Run Substation.

1       **III.   PROPERTY FOR WHICH EMINENT DOMAIN APPROVAL IS SOUGHT**

2       **8.   Q.    Does any portion of the Project’s proposed route cross over the Harbold**  
3               **Parcel?**

4           A.    Yes. The 500 kV transmission lines would run approximately 78 feet on the  
5               property of William S. Harbold and Sandra A. Harbold. A copy of the deed  
6               for the Harbold Parcel, which is recorded in York County, is attached to my  
7               testimony as PECO Exhibit No. DFP-2. The Project’s proposed crossing over  
8               the Harbold Parcel is illustrated in PECO Exhibit No. DFP-3. A description  
9               of the easement over the Harbold Parcel, which is depicted in PECO Exhibit  
10              No. DFP-3, is provided in PECO Exhibit No. DFP-4. The Company has  
11             attempted to purchase a right of way and easement over the Harbold Parcel to  
12             accommodate the Project, but has been unable to reach any agreement with  
13             the Harbolds to date.

14       **9.   Q.    Have you and/or the real estate specialists working under your**  
15               **supervision been to the Harbold Parcel?**

16           A.    Yes. PECO’s real estate specialist has visited the property under the  
17               supervision of John G. Pappas, a Project Manager for the Company.

18       **10.  Q.    Please describe the Harbold Parcel.**

19           A.    The land is located in Lower Chanceford Township and is Zoned –  
20               Conservation. The property is currently undeveloped and composed primarily  
21               of wooded areas. The lines travel in a northeasterly direction.

22       **11.  Q.    Are there any dwellings on the property?**

23           A.    No.

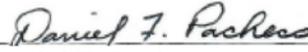


**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**Application of PECO Energy Company :  
Under 15 Pa.C.S. § 1511(c) For A Finding :  
and Determination That the Service To Be :  
Furnished By The Applicant Through Its :  
Proposed Exercise Of The Power Of :  
Eminent Domain To Acquire A Certain :  
Portion Of The Land Of William S. :  
Harbold And Sandra A. Harbold In Lower :                   Docket No. A-2020-  
Chanceford Township, York County, :  
Pennsylvania For The Siting And :  
Construction Of Connecting Transmission :  
Lines Associated With The Independence :  
Energy Connection-East Project Is :  
Necessary Or Proper For The Service, :  
Accommodation, Convenience Or Safety :  
Of The Public :**

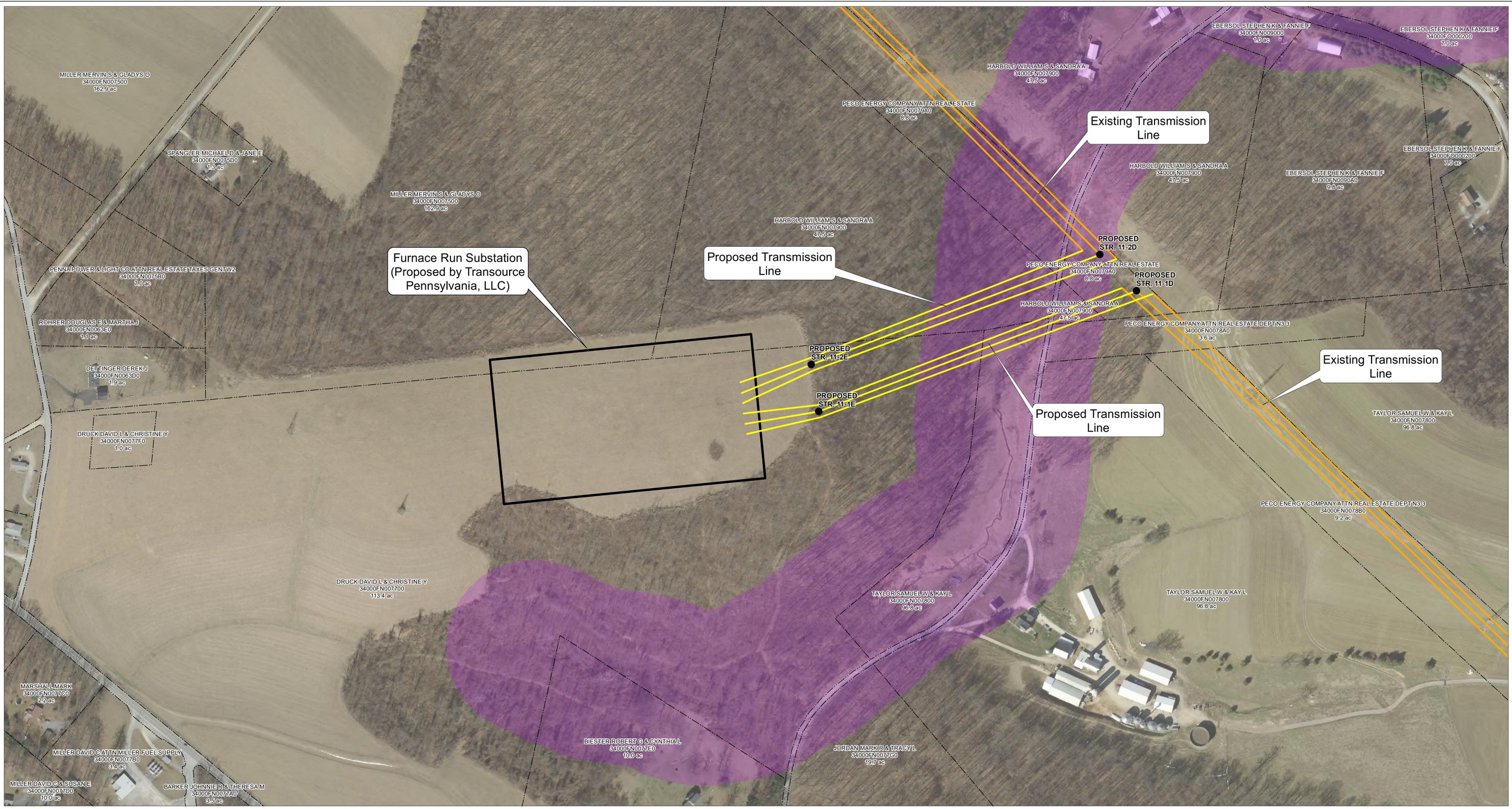
**VERIFICATION**

I, Daniel F. Pacheco, Manager, Acquisition & Taxes, of PECO Energy Company, hereby state that the facts set forth in the foregoing statement 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 if 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).

  
\_\_\_\_\_  
Daniel F. Pacheco  
Manager, Acquisition & Taxes

Dated: December 16, 2020

**PECO EXHIBIT NO. DFP-1**



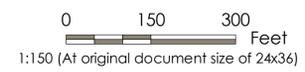
- Legend**
- Proposed Transmission Pole
  - Proposed Transmission Line
  - Existing Transmission Line
  - ▭ Furnace Run Substation (Proposed by Transource Pennsylvania, LLC)
  - Natural Heritage Areas: Supporting Landscape

**Sources:**

- Parcel Boundaries: York County Assessment, YCPC

**Notes**

1. Coordinate System: NAD 1983 StatePlane Pennsylvania South FIPS 3702 Feet
2. Service Layer Credits: Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community



**Project Location** 213403067  
 Lower Chanceford Township,  
 York County, PA  
 Prepared by GWC on 10/5/2020  
 Technical Review by MN on 10/5/2020  
 Independent Review by DN on 10/5/2020

**Client/Project**  
 Furnace Run –  
 PECO 500 kV Interconnection Project

**Attachment No.**

**Title**  
 Aerial Project Map

**PECO EXHIBIT NO. DFP-2**



Prepared by:  
Eveler & Eveler, LLC  
2997 Cape Horn Rd., Ste. A-6  
Red Lion, PA 17356

Return to:  
Eveler & Eveler, LLC  
2997 Cape Horn Rd., Ste. A-6  
Red Lion, PA 17356

34-FN-79  
221 Goram Rd., Brogue, PA 17309

**THIS DEED**

**MADE** the 20<sup>th</sup> day of November, Two thousand thirteen (2013)

**BETWEEN WILLIAM S. HARBOLD** <sup>R</sup> and **SANDRA A. HARBOLD** <sup>R</sup>, husband and wife, of York County, Pennsylvania, -----**GRANTORS**,

4P  
4N

- A N D -

**WILLIAM S. HARBOLD** <sup>E</sup> and **SANDRA A. HARBOLD** <sup>E</sup>, husband and wife, of York County, Pennsylvania, -----**GRANTEES**,

**THIS IS A TRANSFER FROM HUSBAND AND WIFE TO HUSBAND AND WIFE**

**WITNESSETH**, That in consideration of **ONE (\$1.00) DOLLAR**, in hand paid, the receipt whereof is hereby acknowledged, the said Grantors do hereby grant and convey to the said Grantees, their heirs and assigns,

**ALL** that certain tract of land with the improvements thereon erected, situate in Lower Chanceford Township, York County, Pennsylvania, described as follows:

BEGINNING at a stone in place in the southwest most corner of this tract at lands now or formerly of Mervin S. and Gladys O. Miller and lands now or formerly of David L. and Christine Y. Druck; thence continuing along lands now or formerly of Mervin S.

and Gladys O. Miller, North 16 degrees 21 minutes 05 seconds East 1,684.82 feet to a rebar; thence continuing along the same and lands now or formerly of Robert M. Jordan and Lois M. Jordan, North 86 degrees 28 minutes 18 seconds East 1,371.59 feet to a rebar at lands now or formerly of Karl L. Seiple, Sr., passing over a rebar in place at 247.40 feet; thence continuing along lands now or formerly of Karl L. Seiple, Sr., South 05 degrees 26 minutes 49 seconds West 354.11 feet to an iron pipe; thence continuing along the same North 87 degrees 06 minutes 30 seconds East 166.74 feet to an iron pipe; thence continuing along the same South 04 degrees 28 minutes 32 seconds West 93.00 feet to an iron pipe; thence continuing along the same South 79 degrees 01 minutes 28 seconds East 187.08 feet to a rebar on the west side of State Route No. 2041, also known as Goram Road, at lands now or formerly of John D. and Vicki L. Waltermyer; thence continuing along lands now or formerly of John D. and Vicki L. Waltermyer, South 49 degrees 26 minutes 49 seconds West 194.04 feet to a rebar; thence continuing along the same South 31 degrees 22 minutes 49 seconds West 162.84 feet to a rebar on the east side of State Route No. 2041; thence continuing along the east side of State Route No. 2041, South 82 degrees 25 minutes 56 seconds East 243.10 feet to a rebar; thence continuing along the same South 04 degrees 19 minutes 49 seconds West 611.85 feet to a rebar at lands now or formerly of PECO Energy Company; thence continuing along lands now or formerly of PECO Energy Company, South 81 degrees 08 minutes 52 seconds West 1,196.36 feet to a rebar at lands now or formerly of David L. and Christine Y. Druck, passing over a rebar at 342.89 feet on lands of PECO Energy Company and passing over a concrete monument at 593.69 feet; thence continuing along lands now or formerly of David L. and Christine Y. Druck, South 81 degrees 37 minutes 55 seconds West 943.12 feet to a stone and place of BEGINNING. CONTAINING 60.897 acres, more or less.

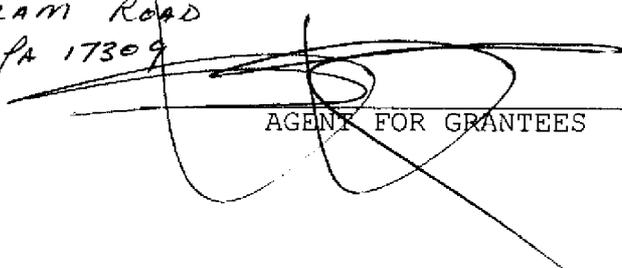
SAVING AND EXCEPTING therefrom lands now or formerly of PECO Energy Company, BEGINNING at a stone in place at lands now or formerly of Mervin and Gladys Miller, lands now or formerly of David L. and Christine Y. Druck and lands now or formerly of William S. and Sandra A. Harbold; thence along lands now or formerly of Miller and Harbold, North 16 degrees 21 minutes 05 seconds East 1,386.60 feet to a rebar at the point of beginning; thence North 16 degrees 21 minutes 05 seconds East 225.86 feet to a rebar at lands now or formerly of William S. and Sandra A. Harbold; thence South 45 degrees 57 minutes 52 seconds East 1,839.50 feet to a rebar at lands now or formerly of PECO Energy Company; thence South 81 degrees 08 minutes 52 seconds West 250.80 feet to a concrete monument at lands now or formerly of William S. and Sandra A. Harbold; thence North 45 degrees 57 minutes 52 seconds West 1,583.24 feet to a rebar at the place of BEGINNING. CONTAINING 7.858 acres, more or less.



**CERTIFICATE OF RESIDENCE**

I hereby certify that the precise address of the Grantees herein is:

221 GORAM ROAD  
BROGUE PA 17309



AGENT FOR GRANTEES

York County Courthouse  
York, Pennsylvania

**YORK COUNTY RECORDER OF DEEDS**  
**28 EAST MARKET STREET**  
**YORK, PA 17401**

*Randi L. Reisinger - Recorder*  
*Bradley G. Daugherty - Deputy*

Instrument Number - 2013064845  
 Recorded On 11/25/2013 At 1:39:26 PM

\* Instrument Type - DEED

Invoice Number - 1075782

\* Grantor - HARBOLD, WILLIAM S

\* Grantee - HARBOLD, WILLIAM S

User - BLR

\* Customer - EVELER & EVELER

**\* FEES**

STATE WRIT TAX	\$0.50
JCS/ACCESS TO JUSTICE	\$23.50
RECORDING FEES	\$13.00
AFFORDABLE HOUSING	\$11.50
PIN NUMBER FEES	\$10.00
COUNTY ARCHIVES FEE	\$2.00
ROD ARCHIVES FEE	\$3.00
<b>TOTAL PAID</b>	<b>\$63.50</b>

Book - 2260 Starting Page - 2078

\* Total Pages - 5

\* Received By: COUNTER

**PARCEL IDENTIFICATION NUMBER**

34000FN00790000000

Total Parcels: 1

**I Certify This Document To Be**  
**Recorded In York County, Pa.**



*Randi L. Reisinger*  
 Recorder of Deeds

*THIS IS A CERTIFICATION PAGE*

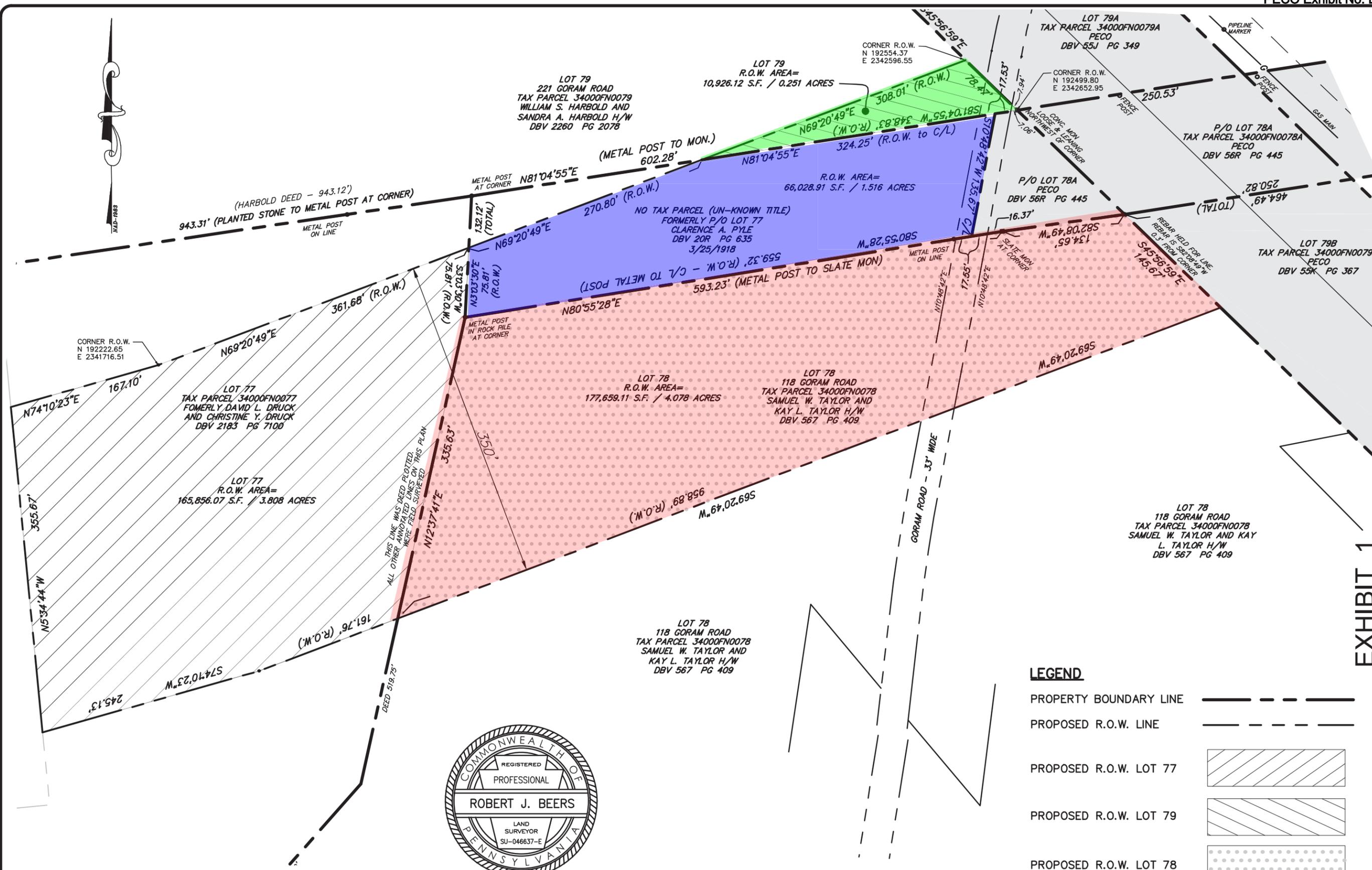
**PLEASE DO NOT DETACH**

*THIS PAGE IS NOW PART OF THIS LEGAL DOCUMENT*

\* - Information denoted by an asterisk may change during the verification process and may not be reflected on this page.

**Book: 2260 Page: 2082**

**PECO EXHIBIT NO. DFP-3**



CORNER R.O.W.  
N 192222.65  
E 2341716.51

(HARBOLD DEED - 943.12')  
943.31' (PLANTED STONE TO METAL POST AT CORNER)  
METAL POST ON LINE

LOT 77  
TAX PARCEL 34000FN0077  
FORMERLY DAVID L. DRUCK  
AND CHRISTINE Y. DRUCK  
DBV 2183 PG 7100

LOT 77  
R.O.W. AREA=  
165,856.07 S.F. // 3.808 ACRES

LOT 79  
221 GORAM ROAD  
TAX PARCEL 34000FN0079  
WILLIAM S. HARBOLD AND  
SANDRA A. HARBOLD H/W  
DBV 2260 PG 2078

LOT 79  
R.O.W. AREA=  
10,926.12 S.F. / 0.251 ACRES

NO TAX PARCEL (UN-KNOWN TITLE)  
FORMERLY P/O LOT 77  
CLARENCE A. PYLE  
DBV 20R PG 635  
3/25/1918

LOT 78  
R.O.W. AREA=  
177,659.11 S.F. / 4.078 ACRES

LOT 78  
118 GORAM ROAD  
TAX PARCEL 34000FN0078  
SAMUEL W. TAYLOR AND  
KAY L. TAYLOR H/W  
DBV 567 PG 409

LOT 78  
118 GORAM ROAD  
TAX PARCEL 34000FN0078  
SAMUEL W. TAYLOR AND  
KAY L. TAYLOR H/W  
DBV 567 PG 409

LOT 79A  
TAX PARCEL 34000FN0079A  
PECO  
DBV 55J PG 349

P/O LOT 78A  
TAX PARCEL 34000FN0078A  
PECO  
DBV 56R PG 445

P/O LOT 78A  
PECO  
DBV 56R PG 445

LOT 79B  
TAX PARCEL 34000FN0079B  
PECO  
DBV 55K PG 367

LOT 78  
118 GORAM ROAD  
TAX PARCEL 34000FN0078  
SAMUEL W. TAYLOR AND KAY  
L. TAYLOR H/W  
DBV 567 PG 409

THIS LINE WAS DEED PLOTTED  
ALL OTHER ANNOTATED LINES ON THIS PLAN  
WERE FIELD SURVEYED



*Robert J. Beers*  
ROBERT J. BEERS, P.L.S.

2020/10/27  
DATE

SU-046637-E  
LICENSE NO.

**LEGEND**

- PROPERTY BOUNDARY LINE
- PROPOSED R.O.W. LINE
- PROPOSED R.O.W. LOT 77
- PROPOSED R.O.W. LOT 79
- PROPOSED R.O.W. LOT 78
- EXISTING PECO R.O.W.

**EXHIBIT 1**

FURNACE RUN PECO 500 KV INTERCONNECTION PROJECT  
TAX PARCELS 34000FN0077, 34000FN0078 & 34000FN0079  
GORAM ROAD, LOWER CHANCEFORD TOWNSHIP  
YORK COUNTY, PENNSYLVANIA

DATE: 10/27/2020	DSGNL:
SCALE: 1"=100'	CHK: RJB
DRAWN: RJB	APPRD.:
JOB: 1015319.000	P. MGR. RJB
COPYRIGHT 2020	
SHEET: 1 OF 1	

**EXH-1**

610.398.0904  
barryisett.com

**BARRY ISETT & Associates**  
INC. ENGINEERING, SURVEYING AND CONSULTING

**PECO EXHIBIT NO. DFP-4**



1003 Egypt Road, Phoenixville, PA 19460  
610.935.2175 610.481.9098  
barryisett.com

Date: 10/27/20

**DESCRIPTION OF LAND  
PROPOSED PECO RIGHT OF WAY  
Part of LOT 79 (TAX PARCEL 34000FN0079)  
221 GORAM ROAD, LOWER CHANCEFORD TOWNSHIP  
YORK COUNTY, PENNSYLVANIA**

Beginning at a point on a loose and leaning concrete monument and common corner with Lot 78A (Tax Parcel 34000FN0078A) and Lot 79A (Tax Parcel 34000FN0079A) being on a course N81°04'55"E 24.59' from the intersection of the center line of Goram Road (33' wide) and the northwesterly property corner of Lot 78A.

All as shown on a 11"x17" plan entitled 'EXHIBIT 1 – Furnace Run PECO 500 kV Interconnection Project, Tax Parcels 34000FN0077, 34000FN0078 & 34000FN0079, Goram Road, Lower Chanceford Township, York County, Pennsylvania' dated 10/27/2020, Job Number 1015319.000, By Barry Isett & Associates, Robert J. Beers, PLS, to be recorded with and a part of this description; Thence

The following course is along Lot 78A, crossing Goram Road, and along a Parcel of land with no assigned Tax Parcel number

1. S81°04'55"W 348.83' to a point; Thence

The following course is through Lot 79, of which this Right of Way Description is a part

2. N69°20'49"E 308.01' to a point in the common line with Lot 79A (Tax Parcel 34000FN0079A)

The following course is along Lot 79A and re-crossing Goram Road

3. S45°56'59" E 78.47' to a point on a loose and leaning concrete monument being the Point and Place of Beginning.

Containing 10,926.12 S.F. / 0.251 acres of land.

**PECO EXHIBIT NO. DFP-5**

**SECRETARY'S INCUMBENCY CERTIFICATE OF  
PECO ENERGY COMPANY**

The undersigned, John C. Halderman, a duly appointed Assistant Secretary of PECO Energy Company, a Pennsylvania corporation (the "**Company**"), does hereby certify to the Pennsylvania Public Utility Commission in connection with the condemnation of 221 Goram Road, York County, Pennsylvania, Tax Parcel No. 34-000-FN-0079-00-00000, 118 Goram Road, York County, Pennsylvania, Tax Parcel No. 34-000-FN-0078-00-00000 and a parcel shown on the survey attached as **Exhibit A** believed to be owned by the heirs of Clarence Pyle (the "**Condemnations**"), that:

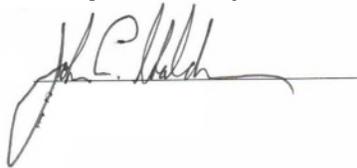
1. The following named person, Manager, Real Estate & Facilities of the Company, is duly authorized, directed and empowered by the Company to make, execute and deliver for and on behalf of and in the name of the Company, any and all agreements, instruments and documents and to take any other actions in connection with the Condemnations and the specimen signature set forth below is the true and genuine signature of such manager:

<u>Name</u>	<u>Title</u>	<u>Signature</u>
Joseph E. Hoffman	Manager, Real Estate & Facilities	

2. Attached hereto as **Exhibit B** is a true and correct copy of the Delegation of Authority duly adopted by the Company authorizing such manager to sign the declaration of taking and all other documents related to the Condemnations. The foregoing Delegation of Authority has not been repealed or revoked and remain in full force and effect as of the date hereof.

IN WITNESS WHEREOF, the undersigned has hereunto set his hand this 16th day of December, 2020.

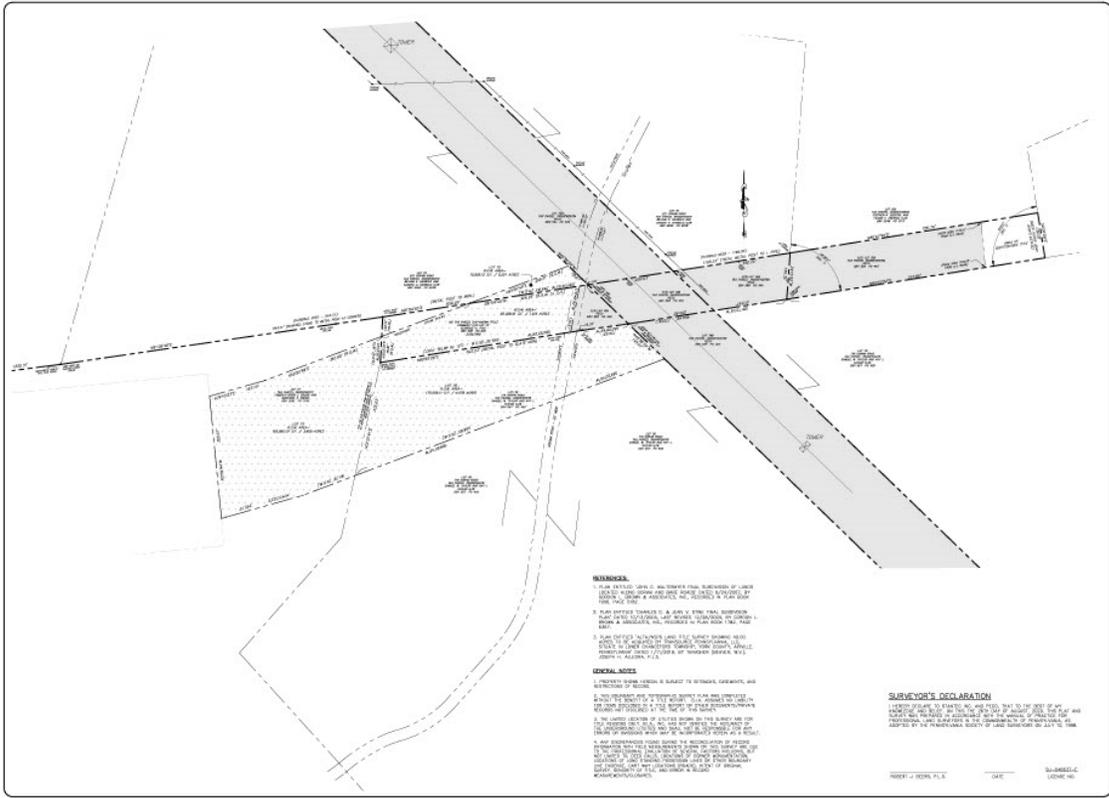
PECO Energy Company,  
a Pennsylvania corporation



By: John C. Halderman  
Assistant Secretary

Exhibit A

**SURVEY**



**REMARKS:**

1. THIS SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE REQUIREMENTS OF THE PENNSYLVANIA SURVEYING ACT AND THE PENNSYLVANIA PROFESSIONAL SURVEYING BOARD'S REGULATIONS.
2. ALL DISTANCES ARE GIVEN IN FEET AND DECIMALS THEREOF.
3. ALL BEARINGS ARE GIVEN IN DEGREES, MINUTES AND SECONDS.
4. ALL CORNERS ARE MARKED WITH IRON PIPES, CONCRETE PIPES, OR OTHER PERMANENT MARKERS.
5. ALL EASEMENTS ARE SHOWN AS DOTTED LINES.
6. ALL ADJACENT PARCELS ARE IDENTIFIED BY TAX MAP ID NUMBER.

**GENERAL NOTES:**

1. THIS SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE REQUIREMENTS OF THE PENNSYLVANIA SURVEYING ACT AND THE PENNSYLVANIA PROFESSIONAL SURVEYING BOARD'S REGULATIONS.
2. ALL DISTANCES ARE GIVEN IN FEET AND DECIMALS THEREOF.
3. ALL BEARINGS ARE GIVEN IN DEGREES, MINUTES AND SECONDS.
4. ALL CORNERS ARE MARKED WITH IRON PIPES, CONCRETE PIPES, OR OTHER PERMANENT MARKERS.
5. ALL EASEMENTS ARE SHOWN AS DOTTED LINES.
6. ALL ADJACENT PARCELS ARE IDENTIFIED BY TAX MAP ID NUMBER.

**SURVEYOR'S DECLARATION**

I, the undersigned, being duly sworn, depose and say that I am a duly licensed Professional Surveyor in the State of Pennsylvania, and that I have personally conducted the above and foregoing survey, and that the same is a true and correct statement of the facts as the same exist.

WITNESSED BY ME this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
 SURVEYOR

<b>REC'D - PROPOSED 350' WIDE RIGHT OF WAY</b> <b>TAX PARCELS 34000700000000000000 &amp; 34000700000000000000</b> <b>LOWER CHANCEFORD TOWNSHIP</b> <b>YORK COUNTY, PENNSYLVANIA</b>	
DATE	BY
SCALE	DATE
FILE	DATE
<b>ROW-1</b>	

EXHIBIT B

**DELEGATION OF AUTHORITY**



An Exelon Company

## Memorandum

**Date:** October 31, 2018

**To:** Carter Culver, Office of Corporate Governance  
Brian Buck, Office of Corporate Governance

**Cc:** Amy E. Hamilton, PECO Vice President  
John Halderman BSC Assistant General Counsel  
John Curran, PECO Finance Operations Director  
Joseph E Hoffman, PECO Real Estate & Facilities Sr. Manager  
Tamara J Jamison, PECO Finance Sr. Manager  
Scott Yuh, PECO Finance Manager

**From:** Michael A. Innocenzo, PECO CEO and President

**Subject:** Sub-Delegation of Authority to Joseph Hoffman

I, Michael A. Innocenzo, President and Chief Executive Officer of PECO Energy Company (the "Company"), pursuant to the Delegation of Authority adopted by the Board of Directors of the Company as of January 31, 2017, do hereby delegate to Joseph E Hoffman, Manager of Real Estate & Facilities, authority to approve, execute and deliver for and on behalf of the Company contracts and other instruments relating to real estate and telecommunications activities, including without limitation declarations of taking in eminent domain proceedings, but excepting certificates of stock, checks, disbursing the monies of the Company, endorsements of checks or negotiable papers drawn payable to the order of the Company, notes or other evidence of indebtedness. Provided however, that any transactions:

- Greater than \$250K up to \$500K shall be subject to the written approval of a PECO Vice President;
- Greater than \$500K up to \$1M shall be subject to the written approval of a PECO Senior Vice President or CFO;
- Greater than \$1M up to \$10M shall be subject to written approval of the PECO President and CEO;
- Greater than \$10M up to 100M shall be subject to the approval of the PECO Board of Directors; and
- Greater than \$100M shall be subject to the approval of the Exelon President and CEO.

This sub-delegation of authority is permanent and shall be effective immediately and continue until revoked in writing.

A handwritten signature in blue ink that reads "Michael A. Innocenzo".

Michael A. Innocenzo, PECO CEO and President

**PECO ENERGY COMPANY**

**SECRETARY CERTIFICATE**

I, John C. Halderman, do hereby certify that I am a duly elected, qualified and acting Assistant Secretary of PECO Energy Company, a corporation organized and existing under the laws of the Commonwealth of Pennsylvania (the "Company"), and do hereby certify that Michael A. Innocenzo, President & CEO of PECO Energy Company, pursuant to the Delegation of Authority adopted by the Board of Directors of Exelon Corporation, effective as of July 27, 2020, has the authority to approve the purchase or condemnation of real estate with a value of up to \$100,000,000.

I further certify that Michael A. Innocenzo has approved for and on behalf of the Company the condemnation of 221 Goram Road, York County, Pennsylvania Tax Parcel No. 34-000-FN-0079-00-0000 and 118 Goram Road, York County, Pennsylvania, Tax Parcel No. 34-000-FN-0078-00-00000 (the "**Condemnations**")

I further certify that, pursuant to the above-referenced Delegation of Authority, upon receipt of the necessary approval, any officer or authorized agent of the Company is authorized to sign, execute and deliver in the name of the Company, deeds, mortgages, bonds, contracts with other agents, instruments or documents.

I further certify that Joseph E. Hoffman, Manager, Real Estate & Facilities of the Company has been authorized to execute and deliver on behalf of the Company, declarations of taking and other instruments or documents relating to the Condemnations.

IN WITNESS WHEREOF, I have hereunto set my hand this 16th day of December, 2020.

A handwritten signature in black ink, appearing to read 'J.C. Halderman', written over a horizontal line.

John C. Halderman  
Assistant Secretary