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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 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 Clarence A. Pyle 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**

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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**

**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 Clarence A. Pyle :  
In Lower Chanceford Township, York :           Docket No. A-2020-  
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 :**

**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**

Samuel W. & Kay L. Taylor  
118 Goram Road  
Broque, PA 17309

Connie C. Hogan  
11500 Lexington Avenue NE  
Albuquerque, NM 87112

William C. Miller  
164 Bowman Road  
Hanover, PA 17331

Mary E. Snyder  
236 Fisher Road  
Airville, PA 17302

David C. Miller  
12244 Lucky Road  
Broque, PA 17309

John C. Miller  
12244 Lucky Road  
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Donald D. Glatfelter  
22697 Careys Camp Road  
Millsborough, DE 19966

Daniel D. Glatfelter  
261 Fisher Road  
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524 Cottage Place  
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Barbara B. Buckley  
3505 Sutter Court  
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Respectfully submitted,



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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 :  
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Necessary Or Proper For The Service, :  
Accommodation, Convenience Or Safety :  
Of The Public :  
:**

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**APPLICATION OF PECO ENERGY COMPANY**

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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 Clarence A. Pyle in Lower Chanceford Township, York County, Pennsylvania. The right-of-way and easement over the Pyle 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 Pyle 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  
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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 tap 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 its 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”);
- (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”);

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<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.

- (3) Lot 78, owned by Samuel W. Taylor and Kay L. Taylor (Tax Parcel No. 34000FN0078) (the “Taylor Parcel”); 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 Taylor Parcel and the Harbold 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 Pyle Parcel for the construction of the connecting transmission lines associated with the Project is necessary and 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 the known heirs of Clarence A. Pyle, who inherited the Pyle Parcel:

- a. William C. Miller, 164 Bowman Rd., Hanover, PA 17331
- b. Mary E. Snyder, 236 Fisher Rd., Airville, PA 17302
- c. David C. Miller, 12244 Lucky Rd., Broque, PA 17309
- d. John C. Miller, 12244 Lucky Rd., Broque, PA 17309
- e. Donald D. Glatfelter, 22697 Careys Camp Rd., Millsborough, DE 19966
- f. Daniel D. Glatfelter, 261 Fisher Rd., Airville, PA 17302-9320;
- g. Steven S. Glatfelter, 61 W. Chestnut St., Dallastown, PA 17313
- h. Barbara B. Buckley, 3505 Sutter Court, Fort Worth, TX 76137
- i. Joanne G. Gladfelter, 524 Cottage Place, Red Lion, PA 17356

- j. Linda L. Donley, 720 Boxwood Rd., Red Lion, PA 17356; and
- k. Connie C. Hogan, 11500 Lexington Avenue NE, Albuquerque, NM 87112

13. The Letter of Notification and supporting Attachments are incorporated herein by reference.

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

14. 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.

15. 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.

16. 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.

17. 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.

18. 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.

19. 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.

20. 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**

21. 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.

22. 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 run parallel with each other on a common new right-of-way, and will be separated by approximately 160 feet.

23. 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.

24. 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.

25. 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**

26. A deed for the Pyle Parcel is recorded at York County, Pennsylvania in Deed Book 20R, at page 35.

27. The York County Tax Maps purport to show that the Pyle Parcel is part of the Taylor Parcel.

28. 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.

29. 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.

30. PECO then searched probate records to see if Mr. Pyle had left the Pyle Parcel to an heir. Mr. Pyle, however, died without a will. So, under the intestacy laws of Pennsylvania, the Pyle Parcel passed in equal shares to his wife, Birdie E.V. Pyle and his daughter, Edna V. Pyle Fitzpatrick. On information and belief, Birdie Pyle also died intestate and so title to the Pyle Parcel vested in Edna Pyle Fitzpatrick. Edna also died intestate, so the Pyle Parcel passed

in equal shares to Edna's two daughters: Mary Jane Fitzpatrick Miller and Emilie Rebecca Fitzpatrick Brown. Both Mary Jane and Emilie died, leaving wills. Neither will has a specific bequest of the Pyle Parcel. But each will has a residuary clause, which would cover the Pyle Parcel. Emilie's residue clause left her share of the Pyle Parcel to her seven children. Mary Jane's residue clause left her share of the Pyle Parcel to her husband Millard Miller. Mr. Miller has since died, and like his wife, his will included a residue clause, which operated to vest his share of the Pyle Parcel in his four children. In short, title to the Pyle Parcel is now vested in Mr. Pyle's eleven great-grandchildren:

- a. William C. Miller
- b. Mary E. Snyder
- c. David C. Miller
- d. John C. Miller
- e. Donald D. Glatfelter
- f. Daniel D. Glatfelter
- g. Steven S. Glatfelter
- h. Barbara B. Buckley
- i. Joanne G. Glatfelter
- j. Linda L. Donley
- k. Connie C. Hogan

31. 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 requesting that any person with

an interest in the Pyle Parcel contact PECO. This notice was published in the York Daily Record and the York Legal Record.

32. As previously explained, PECO needs to acquire a right-of-way and easement over the Pyle 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.

33. 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.

34. 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.

35. A map depicting the proposed right-of-way across the Pyle Parcel is provided in this proceeding as PECO Exhibit No. DFP-3, which is attached to PECO Statement No. 1.<sup>2</sup> A description of the easement is provided in PECO Exhibit No. DFP-4, which is also attached to PECO Statement No. 1.

36. PECO is currently attempting to identify and negotiate with the heirs of Clarence A. Pyle 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.

37. PECO remains willing to negotiate a reasonable and mutually acceptable right-of-way agreement with the heirs of Clarence A. Pyle and, thereby, avoid the need to condemn a right-of-way across the property. However, it is necessary for PECO to seek Commission

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<sup>2</sup> The Pyle Parcel, Taylor Parcel, and Harbold Parcel are shown in blue, red and green, respectively, on the map set forth in PECO Exhibit DFP-3.

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 the heirs of Clarence A. Pyle 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**

38. 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.

39. 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.

40. 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.

41. 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**

42. 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.

43. 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 the known heirs of Clarence A. Pyle who may be entitled to compensation for the property that PECO seeks to acquire by the exercise of the power of eminent domain.

44. As also previously explained, PECO is also 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 the Harbold 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.

45. 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,



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Dated: December 16, 2020

*Counsel for PECO Energy Company*

**BEFORE THE  
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Of The Public :  
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**PECO ENERGY COMPANY**

**STATEMENT NO. 1**

**DIRECT TESTIMONY OF DANIEL F. PACHECO**

**DATED: DECEMBER 16, 2020**

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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 TMI-**  
3           **Peach Bottom 500 kV Transmission Line with the new 500 kV/230 kV**  
4           **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”);
- 19           (3)     Lot 78, owned by Samuel W. Taylor and Kay L. Taylor (Tax Parcel  
20           No. 34000FN0078) (the “Taylor Parcel”); and
- 21           (4)     Lot 79, owned by William S. Harbold and Sandra A. Harbold (Tax  
22           Parcel No. 34000FN0079) (the “Harbold Parcel”).

23          PECO has reached an agreement to obtain the necessary right-of-way and  
24          easement over the Druck Parcel. PECO is contemporaneously filing separate  
25          Applications for necessary findings and determinations to exercise the power  
26          of eminent domain over the Taylor Parcel and the Harbold Parcel.

1                   The York County Tax Maps purport to show that the Pyle Parcel is  
2 part of the Taylor Parcel. However, when PECO's surveyor plotted the legal  
3 description of the Taylor Parcel, he discovered that it does not in fact include  
4 the Pyle Parcel.<sup>1</sup> PECO then engaged in a thorough search for the owner of  
5 the Pyle Parcel. PECO engaged a York County law firm to do a title abstract  
6 of the Pyle Parcel. Ultimately, PECO found no evidence that the Pyle Parcel  
7 has been conveyed to anyone since it was acquired by Clarence A. Pyle in  
8 1918.

9                   After further extensive research, PECO identified eleven known heirs  
10 of Clarence A. Pyle, who inherited the Pyle Parcel. PECO has sent letters to  
11 each of these individuals for whom it was able to find an address. The letter  
12 offered to pay fair market value to the rightful owners of the Pyle Parcel as  
13 their interest may appear. The Company also published a notice in the York  
14 Daily Record and the York Legal Record requesting that any person with an  
15 interest in the Pyle Parcel contact PECO.

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

17           A. The purpose of my testimony is to explain how the Pyle Parcel relates to the  
18 Project and to describe the Company's proposed right of way and easement  
19 over the Pyle Parcel.  
20  
21

---

<sup>1</sup> The Taylor Parcel, Pyle Parcel and Harbold Parcel are shown in red, blue and green, respectively, on the map attached hereto as Exhibit DFP-3.

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.





**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 Clarence A. Pyle :  
In Lower Chanceford Township, York :                   Docket No. A-2020-  
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 :**

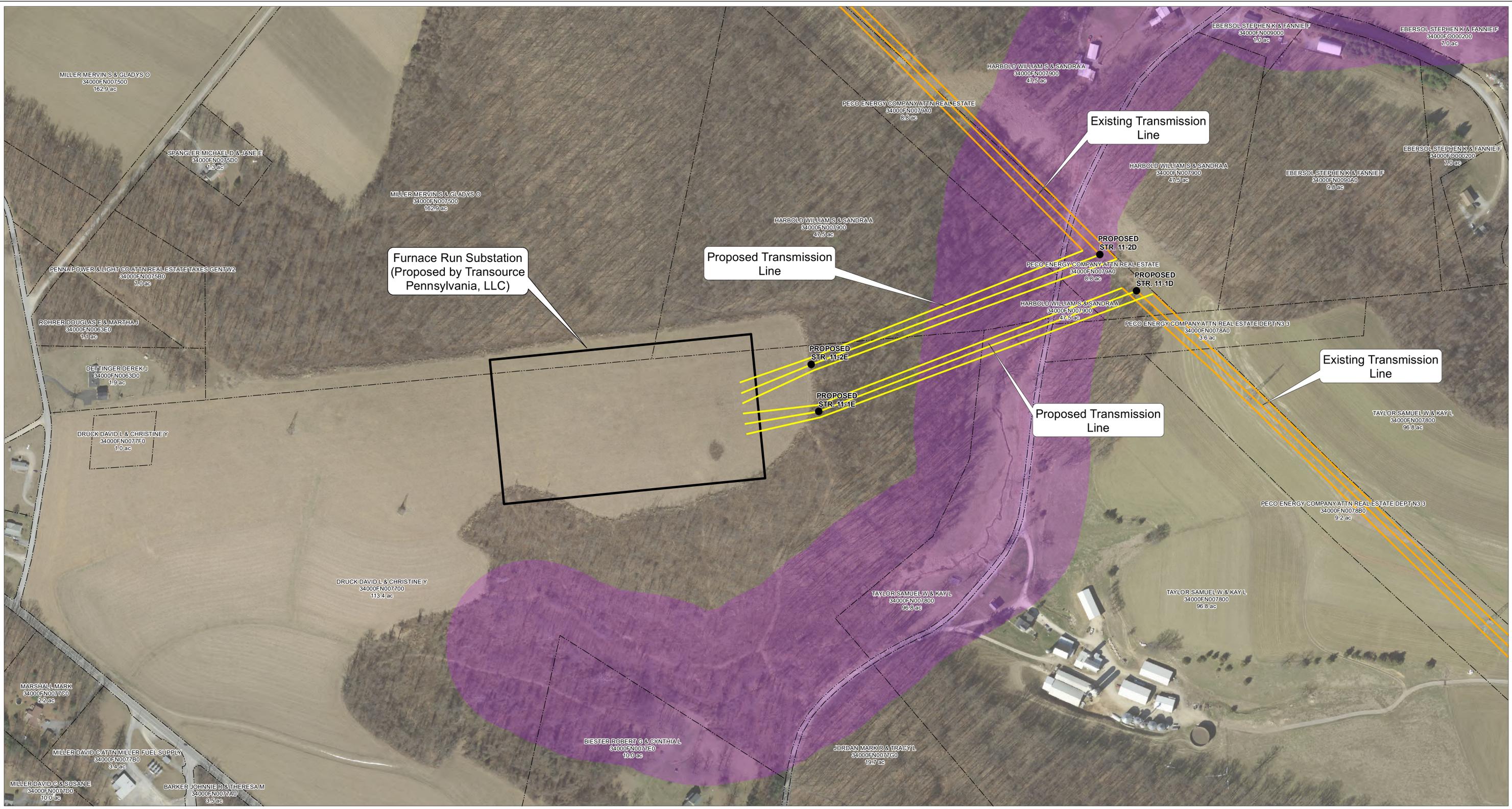
**VERIFICATION**

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**



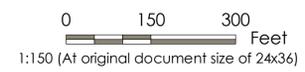
- Legend**
- Proposed Transmission Pole
  - Proposed Transmission Line
  - Existing Transmission Line
  - ▭ Furnace Run Substation (Proposed by Transource Pennsylvania, LLC)
  - Natural Heritage Areas: Supporting Landscape

**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**

#8743. Charles F. Ness et ux : This Indenture, Made the Twenty-fifth day of March in the year of our  
 to : Lord one thousand nine hundred and eighteen (1918).  
 Guy K. Ludwig : Between Charles F. Ness of York Township, York County, Pennsylvania, and  
 : Carrie E. his wife, parties of the first part, and Guy K. Ludwig, of West  
 : Manchester Township, York County, Pennsylvania, party of the second part,

Witnesseth, that the said parties of the first part, for and in consideration of the sum of Twenty-three hundred (\$2300.00) dollars, lawful money of the United States of America unto them well and truly paid by the said party of the second part, at and before the sealing and delivery of these presents, the receipt whereof is here by acknowledged, have granted, bargained, sold, aliened, enfeoffed, released, conveyed and confirmed, and by these presents do grant, bargain, sell, alien, enfeoff, release, convey and confirm unto the said party of the second part, his heirs and assigns,

All that certain tract or piece of land, situate, lying and being in York Township, York County and State of Pennsylvania, bounded, limited and described as follows, to wit:-

BEGINNING at a stone in a public road, thence in and along said road and lands of James Mc Dowell, north five and one-fourth (5 1/4) degrees west fifty-eight and one-half (58 1/2) perches to a stone; thence by lands of Peter Raab, south forty-seven and three-fourth (47 3/4) degrees east, forty-seven and one-half (47 1/2) perches to a stone; thence by lands of George Raab, south four (4) degrees east, nineteen and nine-tenths (19 9/10) perches to a stone; thence by same lands, south seventy-eight and three-fourths (78 3/4) degrees west, thirty-one and four-tenths (31 4/10) perches to a stone and the place of Beginning. Containing eight acres and eighty-two perches ( 8 A. 82 P) of land.

It being the same premises which Jacob Geesey, Administrator of the estate of Jacob Geesey, Sr late of York Township, York County, Pennsylvania, deceased, in pursuance of an order of the Orphans' Court of York County, Pennsylvania, for the sale of real estate of said decedent sold and conveyed unto Henry Eberly, by deed dated December 14th, A.D. 1871, and the same premises which Henry Eberly and Louisa, his wife, by their deed dated December 19th, A.D. 1871, sold and conveyed unto Jacob Geesey, and being the same premises which Jacob Geesey, by his deed dated the first day of April A.D. 1911, sold and conveyed unto Charles F. Ness (party hereto) his heirs and assigns. Reference to the in part recited Indentures being had will more fully and at large appear.

Together with all and singular the said property, improvements, ways, waters, water courses, rights, liberties, privileges, hereditaments and appurtenances whatsoever thereunto belonging, or in any-wise appertaining, and the reversions and remainders, rents, issues and profits thereof, and all the estate right, title, interest, property, claim and demand whatsoever, of the said parties of the first part, in law equity or otherwise howsoever, of, in and to the same and every part thereof,

To have and to hold the said described tract of land, hereditaments and premises hereby granted or mentioned, and intended so to be, with the appurtenances, unto the said party of the second part, his heirs and assigns, to and for the only proper use and behoof of the said party of the second part, his heirs and assigns forever.

The said parties of the first part, for themselves and their heirs, executors and administrators, do by these presents covenant, grant and agree to and with the said party of the second part, his heirs and assigns, that they the said parties of the first part, and their and each of their heirs, all and singular the hereditaments and premises herein above described and granted or mentioned, and intended so to be, with the appurtenances, unto the said parties of the first part, and their heirs, and against all and every other person or persons whomsoever lawfully claiming, or to claim the same or any part thereof, shall and will warrant and forever defend.

In Witness Whereof, the said parties of the first part have to these presents set their hands and seals. Dated the day and year first above written.

Sealed and delivered in the presence of  
 Henry S. Landis  
 Franklin Leader

Charles F. Ness (SEAL)  
 Carrie E. Ness (SEAL)

Received the day of the date of the above Indenture of the above named Guy K. Ludwig the sum of Twenty-three (\$2300.00) Dollars, lawful money of the United States, being the consideration money above mentioned in full.

Witness:  
 Henry S. Landis  
 Franklin Leader



Charles F. Ness

State of Pennsylvania: ss,  
 County of York :



On this Twenty-fifth day of March A.D. 1918 before me, the subscriber, a Notary Public, in and for said County and State, personally came the above named Charles F. Ness and Carrie E. Ness, his wife, who in due form of law acknowledged the foregoing Indenture to be their act and deed, and desired that the same might be recorded as such.

witness my hand and Notarial seal the day and year aforesaid.

Franklin Leader (SEAL)  
 Notary Public

My Commission expires Jan. 21, 1919.

Recorded March 25th A.D. 1918.  
 Edward B. Newman, Recorder

# 8747. Robert C. Pair, Asgn. : This Indenture, Made the 25th day of March in the year of our Lord one  
 to : thousand nine hundred and eighteen.  
 Clarence A. Pyle : Between Robert C. Pair of the City of York, Penna., Assignee of John Pair  
 : late of the Township of Lower Chanceford, York County, Pennsylvania, in  
 : trust for creditors, of the first part, and Clarence A. Pyle of Harford  
 : County, Maryland, party of the second part:

Whereas, the said John Bair and Susanna, his wife, by their deed of assignment January 18th 1892 of record in Recorder's Office in and for the County of York, Deed Book 9 F, page 263, for the causes and considerations therein mentioned granted, conveyed, transferred and set over the property and estate of the said John Bair unto Samuel M. Fulton in trust and for the purpose of making a just distribution of the estate and effects of said John Bair to and among his creditors, and

Whereas, the said Samuel M. Fulton, Assignee accepted the said trust on the 25th day of January 1892 and thereafter, to wit, on the 24th day of October 1912, died leaving the said assigned estate unsettled, and

whereas on petition to the Court of Common Pleas of York County, Penna. by certain creditors of said assigned estate, praying the Court for appointment of the aforesaid Robert C. Bair, attorney at law, in the place and stead of said Fulton, deceased, thereupon the Court on sixth day of January 1913 appointed said Bair, Assignee of Estate of John Bair for the purpose aforesaid;

Now This Indenture Witnesseth that the said Robert C. Bair, Assignee, for and in consideration of the sum of Five Thousand Dollars lawful money of the United States to him in hand paid by the said Clarence A. Pyle at and before the ensembling and delivery hereof, the receipt whereof is hereby acknowledged hath granted, bargained, sold, aliened, released and confirmed, and by virtue of the abovementioned Court appointment and by these presents doth grant, bargain, sell, alien, release and confirm unto the said Clarence A. Pyle, his heirs, executors, administrators, assigns,

All the following described tract of land situate in Lower Chanceford Township, York County, Pa., bounded and limited as follows to wit:-

BEGINNING at a stake at lands of William Dodson, formerly Called "Pedans Corner" thence by lands of Dodson and John S. Campbell north eighty nine degrees and fifty minutes east seventy eight perches to a large dead chestnut; thence by Campbell and Charles Keeports land, south eighty seven and one half degrees east one hundred thirty seven and four tenths perches to a hickory; thence by Keeports and John S. Douglass land eighty seven and one third degrees east one hundred sixteen and six tenths perches to stones at "McElhenny Place", other land of grantor; thence by same south ten and one half degrees west eight perches to stones at S.W. Taylor land, thence by same north eighty seven and one third degrees west one hundred and seventeen and one half perches to stones; thence by same south twenty and one-third degrees west thirty one and one half perches to stones; thence by same south forty nine degrees and ten minutes west twenty seven perches to a maple; thence by School lot north thirty four and one half degrees west two and two tenth perches to stone; thence south sixty three degrees and eighteen minutes west five perches to a stake; thence by same south thirty four and one-half degrees east eight perches to stones; thence by same north sixty three degrees eighteen minutes east five perches to Taylor line; thence by Taylor south thirty four and one-half degrees east seven and two-tenth perches to fallen white oak at public road; thence by same south eighty three degrees and forty minutes east seven-teen and five tenths perches to stone; thence by same south sixty one and one half degrees east fifty six and seven tenth perches to stone; thence by same south eighty six and one half degrees east eighty four and one tenth perches to a stone at land of Milton Campbell; thence by Campbell south eleven degrees nine minutes west to a post; thence by Andrews north sixty five degrees fifty four minutes west six perches to post; thence by same north forty six degrees west seventy six perches to a stone; thence by same and land of Thomas J. Collins south seventy one degrees fifty four minutes west one hundred fifty five and five one hundredth perches to point in York and Peach Bottom Road formerly a chestnut; thence north thirty nine degrees and thirty six minutes west one hundred perches to stone; thence north forty two and one third degrees west ninety three and one half perches to a point in road near white oak tree; thence by Wm. Dodson land north eight degrees nine minutes east twenty eight and two tenth perches to place of Beginning. Containing 204 acres and 62 perches, more or less, said tract comprising two tracts as follows to wit:-

NO. 1. Being part of the same, among other, which the heirs of James Hopkins, by their deed March 5, 1850 recorded at York in Deed Book 3Z page 457 granted and conveyed unto John Bair of York Furnace aforesaid.

It being part of the same, among others, which John Bair by his deed April 2, 1851 recorded at York in Deed Book 3Z, page 462 granted and conveyed a one-half interest therein unto Jacob Huber, Jr. David Bair and John Shaffner. It being part of the same, among others, which Jacob Huber Jr., by his deeds July 1, 1852 and May 28, 1859 recorded at York in Deed Book 4 B, page 703 and 4 F page 52 granted and conveyed his interest therein unto David Bair and John Shaffner as members of the firm of John Bair and Company, of which said firm John Bair held therein an undivided one-half interest and David Bair and John Shaffner each an undivided one-fourth interest. It being part of the same, among other, which David Bair and Mary, his wife, by their deed of record at York in the Deed Book 5 T page 478 granted and conveyed their interest therein unto John Bair and being part of the same among others, which John Shaffner Jr., and William Carpenter, Executors of John Shaffner of Philadelphia, Pa., Mary Shaffner, widow, Levi Lukens and wife, Joseph L. Pennock and wife, Charles, Kate and Emma Shaffner, by their deed Oct. 17, 1872 recorded at York in Deed Book 5 N page 679 granted and conveyed all their interest therein unto John Bair.

NO. 2. Being the same (containing seventeen acres and eighty perches) which Alexander G. Campbell and Margaret his wife, of Harrison Co., Ohio, by their deed February 23, 1863 recorded at York in Deed Book 4 N page 417 granted and conveyed unto John Bair. The said two tracts being the same, among others, which John Bair and wife Susanna by their deed of Assignment, as aforesaid, and by power of the Court appointment, aforesaid, vested in Robert C. Bair, party of the first part hereto. Reference being had to the above recited deeds and Court appointment will more fully and at large appear.

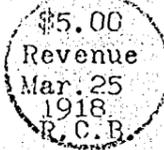
Together with all and singular the timber, water-courses, rights, privileges, hereditaments and appurtenances whatsoever thereto belonging, or in anywise appertaining, and the reversions and remainders, rents, issues, profits thereof; and all the rights, title, interest, property, claim and demand whatsoever of the said John Bair at and immediately before the time of said Assignment in law, equity or otherwise howsoever, of, in and to or out of the same.

To have and to hold the said tract of land, hereditaments and premises hereby granted or mentioned or intended so to be, with the appurtenances unto the said Clarence A. Pyle, his heirs, executors, administrators or assigns, by these presents that the said Robert C. Bair Assignee has not done, committed or knowingly or willingly suffered to be done any act, matter or thing whatever whereby the premises aforesaid or any part thereof is, are, shall or may be charged or encumbered in title charge or estate or otherwise howsoever.

In Witness Whereof the said Assignee has hereunto set his hand and seal the day and year first above written.

Signed, sealed and delivered in the presence of us.

Charlotte E. Lehn  
Jas. G. Glessner



Robert C. Bair  
Assignee

March 25, 1918. Rec'd this day of Clarence A. Pyle Five Thousand Dollars \$5000.00  
Robert C. Bair, Assgn.

State of Pennsylvania :  
York County : SS,

Charlotte E.  
Lehn  
Notary Public  
York City  
York Co.,  
Pa.

Before me the subscriber a Notary Public in and for said County personally came Robert C. Bair Assignee above named and acknowledged the foregoing Indenture to be his act and deed to the end that the same might be recorded as such according to law.

In Testimony whereof I have hereunto set my hand and notarial seal this 25th day of March A.D. 1918.

Charlotte E. Lehn  
Notary Public

My Commission expires at the end of the next session of Senate 1919.

Recorded March 25th A.D. 1918.

Edward B. Newma, Recorder

#6753. Elenora Dehne : This Indenture, Made the twenty-fifth day of March in the year of our Lord  
to : one thousand nine hundred and eighteen.  
William H. Miller : Between Elenora Dehne, widow, of the City of York, County of York and State of  
: Pennsylvania, party of the first part, and William H. Miller of York  
: City, County and State aforesaid, party of the second part,

Witnesseth, that the said party of the first part, for and in consideration of the sum of Seventeen Hundred (\$1700.00) Dollars lawful money of the United States of America unto her well and truly paid by the said party of the second part, at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged hath granted, bargained, sold, aliened, enfeoffed, released, conveyed and confirmed, and by these presents doth grant, bargain, sell, alien, enfeoff, release, convey and confirm unto the said party of the second part, his heirs and assigns,

All that certain piece, lot or parcel of ground situate in the City of York, County of York and State of Pennsylvania. Bounded, limited and described, as follows, to wit: - Fronting on the south side of East Prospect Street, formerly Plank Road, twenty four (24) feet and extending in length or depth a uniform width southwardly one hundred and eighty feet (188) to a twelve (12) feet (now twenty (20) feet wide Alley, on the east by property of Lewis Ness, on the West by property of George H. Reachard, and on the south by a twenty (20) feet wide public alley, on which is erected a two story frame dwelling house and other improvements.

Together with the right to said grantee, his heirs and assigns, to free ingress, egress and regress to the said twelve (12) feet wide alley, on the south of the property herein conveyed, in common with other lot holders, which said mentioned alley, now became a public alley twenty (20) feet wide.

It being the same premises which William H. Miller and wife, by their deed dated the 2nd day of November, 1888, did grant and convey unto Samuel Adair, said deed being recorded in the Recorder's Office at York, Pennsylvania, in Deed Book "8-II" page 358, and the same premises which Samuel Adair and Catherine his wife, by their deed dated the 7th day of March 1892, granted and conveyed unto John Fisher, and being the same premises which said John Fisher and Mary Ann, his wife, by their deed dated the 26th day of November, 1894, granted and conveyed unto Charles Martin Senft, and the same property which the said Charles Martin Senft and Martha, his wife, by their deed dated the 15th day of November A.D. 1898 granted and conveyed unto William C. Dehne, and the same premises which the said William C. Dehne, by his deed bearing date the 28th day of October, A.D. 1904 and recorded in the Recorder's Office aforesaid, in Deed Book "13-V", page 512 granted and conveyed unto Elenora Dehne, party of the first part hereto.

Reference being had to the above in part recited deeds will more fully and at large appear.

Together with all and singular the said property, improvements, ways, waters, water courses, rights, liberties, privileges, hereditaments and appurtenances whatsoever belonging, or in anywise appertaining, and the reversions and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, property, claim and demand whatsoever, of the said party of the first part, in law, equity, or otherwise howsoever, of, in and to the same and every part thereof,

To have and to hold the said lot or parcel of ground, with the hereditaments and premises, hereby granted or mentioned, and intended so to be, with the appurtenances, unto the said party of the second part, his heirs and assigns, to and for the only proper use and behoof of the said party of the second part, his heirs and assigns forever.

The said party of the first part, for herself, her heirs, executors and administrators, doth by these presents covenant, grant and agree to and with the said party of the second part, his heirs and assigns, that she the said party of the first part, and her heirs, all and singular the hereditaments and premises herein above described and granted or mentioned, and intended so to be, with the appurtenances, unto the said party of the second part, his heirs and assigns, against her the said party of the first part, and her heirs, and against all and every other person or persons whomsoever lawfully claiming, or to claim the same or any part thereof, shall and will warrant and forever defend.

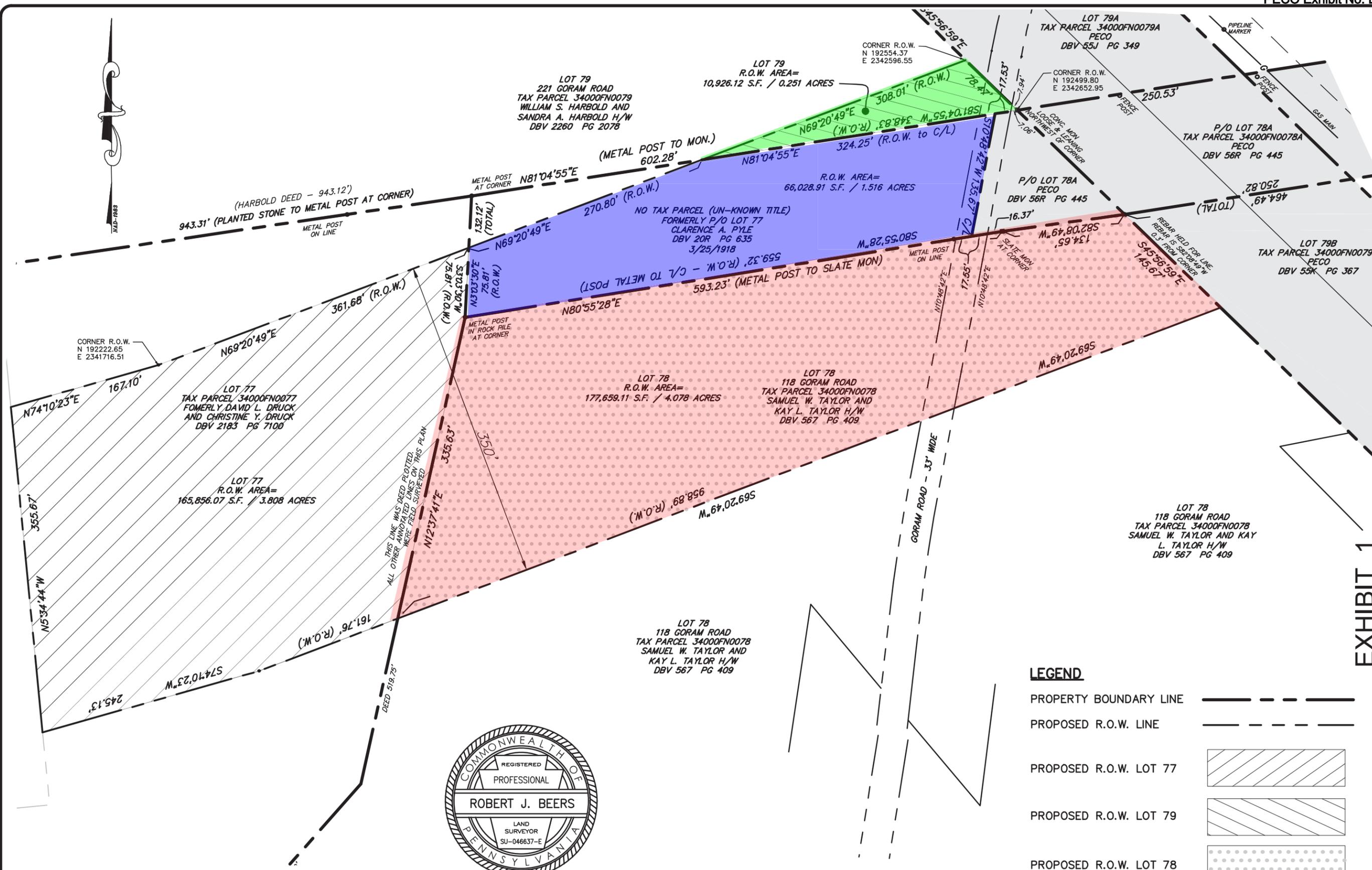
In Witness Whereof, the said party of the first part hath to these presents set her hand and seal. Dated the day and year first above written.

Sealed and delivered in the presence of

Jas. G. Glessner  
Charlotte E. Lehn

Elenora Dehne (SEAL)

**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
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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 a LOT without an assigned TAX PARCEL NUMBER  
encompassed by:  
LOT 79 (TAX PARCEL 34000FN0079) to the North  
LOT 78A (TAX PARCEL 34000FN0078A) & Goram Road to the East  
LOT 78 (TAX PARCEL 34000FN0078) to the South &  
LOT 77 (TAX PARCEL 34000FN0077) to the West  
GORAM ROAD, LOWER CHANCEFORD TOWNSHIP  
YORK COUNTY, PENNSYLVANIA**

Beginning at a point on the centerline of Goram Road (33' wide) being the southeast corner of the Parcel with no assigned TAX PARCEL NUMBER of which this description is a part, also being the southwest corner of Lot 78A , also on the northerly property line of Lot 78 and also 33.92' from a slate monument on the backward extension of the first course .

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 78

1. S80°55'28"W 559.32' to a metal post in a rock pile; Thence

The following course is along Lot 77

2. N3°03'30"E 75.81' to a point; Thence

The following course is through the Parcel with no assigned TAX PARCEL NUMBER of which this description is a part

3. N69°20'49"E 270.80' to a point; Thence

The following course is along Lot 79

4. N81°04'55"E 324.25' to a point in the centerline of Goram Road being 24.59' from a loose & leaning concrete monument on the forward extension of this line; Thence

The following course is along the center line of Goram Road (33' wide)

5. S10°48'42"W 135.67' to a point in the center line of Goram Road being the Point and Place of Beginning.

Containing 66,028.91 S.F. / 1.516 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:

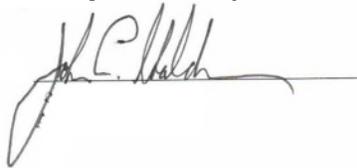
1. The following named person, Manager, Real Estate & Facilities of the Company, is duly authorized, directed and empowered by the Company to make, execute and deliver for and on behalf of and in the name of the Company, any and all agreements, instruments and documents and to take any other actions 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**



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