

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Petition of PECO Energy Company for a Finding :
Of Necessity Pursuant to 53 P.S. §10619 that the :
Situation of Two Buildings Associated with a Gas : Docket No.: P-2021-3024328
Reliability Station in Marple Township, Delaware :
County Is Reasonably Necessary for the :
Convenience and Welfare of the Public :

**PETITION TO INTERVENE OF
MARPLE TOWNSHIP, DELAWARE COUNTY**

Pursuant to 52 Pa. Code § 5.71, et seq., Marple Township, Delaware County, hereby petitions to intervene in the above-captioned proceeding. In support thereof, Marple Township submits as follows:

1. Petitioner is Marple Township, a First Class Pennsylvania Township with its principal office located at 227 S. Sproul Road, Broomall, PA, 19008.

2. Marple Township attorneys in this matter and all documents should be served upon:

J. Adam Matlawski, Esq.
Kaitlyn T. Searls, Esq.
McNichol, Byrne & Matlawski, P.C.
1223 N. Providence Road
Media, PA 19063
jjbyrne@mbmlawoffice.com
ksearls@mbmlawoffice.com

Counsel for Marple Township is authorized to accept service on its behalf. Marple Township requests that the Commission and all parties of record serve copies of all documents electronically on its counsel of record.

3. On February 26, 2021, PECO Energy Company (“PECO”) filed a Petition for a finding pursuant to 53 P.S. § 10619.

4. PECO's Petition seeks a finding that 1) the situation two buildings for a proposed gas reliability station is reasonably necessary for the convenience and welfare of the public, and therefore exempt from any zoning, subdivision and land development restriction of the Marple Township Subdivision and Land Development Ordinance and the Marple Township Zoning Code and 2) a proposed security fence appurtenant to the gas reliability station is a "facility" under 66 Pa. C.S. § 102 and is therefore exempt from local zoning requirements.

**MARPLE TOWNSHIP, DELAWARE COUNTY'S
INTEREST IN THE PROCEEDINGS**

5. Marple Township, Delaware County is a first class township located in Delaware County.

6. PECO proposes to construct and operate the gas reliability station on a 0.536 acre portion of a 7.186 acre property, currently known as 2014 to 2090 Sproul Road, Marple Township, Delaware County, Pennsylvania.

7. Marple Township and its residents are directly affected by the construction of utility facilities and two associated buildings on the aforementioned lot.

8. PECO's plan includes electronic and telecommunication facilities which will be housed within the two buildings to, among other things, dampen any ambient sound generated by the gas reliability station.

9. Section 5.72 of the Public Utility Commission's regulations govern eligibility of parties to intervene in PUC proceedings.

10. A petition to intervene in a proceeding is permitted for "an interest which may be directly affected and which is not adequately represented by existing participants, and as to which the petitioner may be bound by the action of the Commission in the proceedings." 52 Pa. Code § 5.72(a)(2).

11. The proposed gas reliability station is located in Marple Township, Delaware County and is located in close proximity to residential dwellings and commercial establishments.

12. Marple Township's eligibility to intervene is governed by Section 5.72 of the Public Utility Commission's regulations, 52 Pa. Code § 5.72.

13. Marple Township has a direct and substantial interest in the instant proceeding, which is not, and cannot be, adequately represented by any other party. Accordingly, Marple Township satisfies the Public Utility Commission's standards for intervention set forth in 52 Pa. Code § 5.72(a)(2).

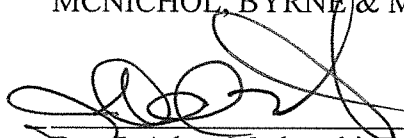
**MARPLE TOWNSHIP, DELAWARE COUNTY'S
REQUEST FOR RELIEF**

14. Marple Township seeks invention to request the following relief:

a. That the Commission deny PECO's request for relief as PECO has failed to demonstrate that the proposed facility is reasonably necessary or that the proposed location is reasonably necessary or appropriate.

WHEREFORE, Marple Township respectfully requests that the Commission grant this Petition to Intervene, providing the Township with full-party status in this proceeding and any hearings or conferences held, and with ability to comment.

Respectfully Submitted,
MCNICHOL, BYRNE & MATLAWSKI, P.C.



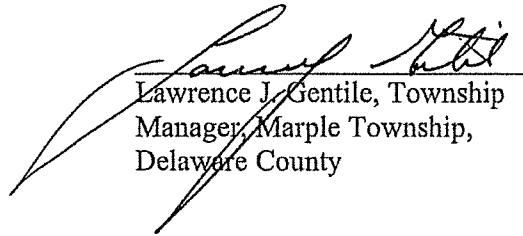
By: J. Adam Matlawski, Esq.
Attorney I.D. No.: 41678
1223 N. Providence Road
Media, PA 19063

Dated: March 11, 2021

VERIFICATION

I, Lawrence J. Gentile, hereby state that the facts set forth above are true and correct to the best of my knowledge, information and belief and that I expect Marple Township, Delaware County to be able to prove the same in a hearing held in this matter. I understand that statements herein are made subject to the penalties of 18 Pa. C.S. §4904.

3/11/21
Date


Lawrence J. Gentile, Township
Manager, Marple Township,
Delaware County

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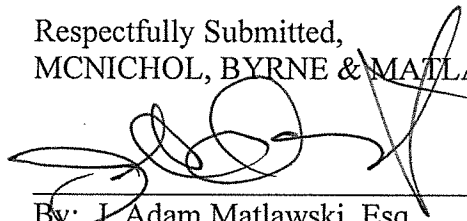
CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true and correct copy of the foregoing
Petition to Intervene upon the parties listed below, in accordance with the requirements of 52 Pa.
Code §1.54 (relating to service by a participant) in the manner listed below upon the parties
listed below:

Christopher A. Lewis, Esquire
Blank Rome LLP
One Logan Square
Philadelphia, PA 19103-6998

Respectfully Submitted,
MCNICHOL, BYRNE & MATLAWSKI, P.C.

Dated: March 11, 2021



By: J. Adam Matlawski, Esq.
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