

**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 Reliability Station in Marple Township, Delaware County Is Reasonably Necessary for the Convenience and Welfare of the Public : : Docket No. P-2021-3024328

THEODORE ROBERT (TED) UHLMAN’S PETITION TO INTERVENE

Pursuant to 52 Pa. Code §§ 5.71, ET SEQ., Theodore Robert (Ted) Uhlman, 2152 Sproul Road, Broomall, PA, 19008 hereby files this Petition to Intervene in the above-captioned proceeding. In support thereof, they state as follows:

1. Petitioner is Theodore Robert (Ted) Uhlman, residing for more than 25 years at 2152 Sproul Road, Broomall, PA 19008.
2. Theodore Robert (Ted) Uhlman’s residence is within 150 feet of the “Gas Reliability Station”, well within the blast zone of a catastrophic accident, and very much close enough to be affected by the noise and pollution caused by the facility.
3. Theodore Robert (Ted) Uhlman is petitioning PRO SE, and has no attorney. All documents should be served upon the residence.
4. Theodore Robert (Ted) Uhlman consents to the service of documents by electronic mail to UHLMANTR@YAHOO.COM, as provided in 52 Pa. Code § 1.54(b)(3)

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

6. PECO’s Petition seeks a finding that 1) the situation of 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.

**THEODORE ROBERT (TED) UHLMAN’S
INTEREST IN THE PROCEEDINGS**

7. Theodore Robert (Ted) Uhlman is a legal resident and citizen living at 2152 Sproul Rd, less than 150 feet from the proposed facility.

8. 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.

9. I am directly affected by the construction and operation of utility facilities and two associated buildings on the aforementioned lot.

10. 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”.

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

12. A petition to intervene is 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).

13. The proposed “Gas Reliability Station” is located in Marple Township, Delaware County, and is located in close proximity to residential dwellings and commercial establishments, including the residence of Theodore Robert (Ted) Uhlman.

14. Theodore Robert (Ted) Uhlman’s eligibility to intervene is governed by Section 5.72 of the Public Utility Commission’s regulations, 52 PA Code § 5.72

15. Theodore Robert (Ted) Uhlman has a direct and substantial interest in the instant proceeding, which is not, and cannot be, adequately represented by any other party. Accordingly, Theodore Robert (Ted) Uhlman satisfies the Public Utility Commission’s standards for intervention set forth in 52 PACode § 5.72(a)(2)

**THEODORE ROBERT (TED) UHLMAN’S
REQUEST FOR RELIEF**

16. Theodore Robert (Ted) Uhlman seeks intervention 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, Theodore Robert (Ted) Uhlman respectfully requests that the Commission grants this Petition to Intervene, providing the petitioner with full-party status in this proceeding and any hearings or conferences held, and with the ability to comment.

Respectfully Submitted,



Ted Uhlman
2152 Sproul Rd
Broomall, PA 19008
uhlmantr@yahoo.com
(484) 904-5377

VERIFICATION

I, Theodore Robert (Ted) Uhlman, hereby verify that the facts contained in the foregoing pleading are true and accurate to the best of my knowledge and that I am duly authorized to make this verification, and that I expect to be able to prove the same at any hearing held in this matter.

Respectfully Submitted,



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CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true and correct copy of the foregoing Protest 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:

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| <p>BY EMAIL Emily I. DeVoe Administrative Law Judge edevoe@pa.gov</p> | <p>BY EMAIL 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</p> |
| <p>BY EMAIL JACK R GARFINKLE ESQUIRE PECO ENERGY COMPANY 2301 MARKET STREET PO BOX 8699 PHILADELPHIA PA 19101-8699 215.841.6863 jack.garfinkle@exeloncorp Accepts eService</p> | <p>BY EMAIL CHRISTOPHER A LEWIS ESQUIRE FRANK L TAMULONIS ESQUIRE STEPHEN C ZUMBRUN ESQUIRE BLANK ROME LLP ONE LOGAN SQUARE 130 NORTH 18TH STREET PHILADELPHIA PA 19103 215-569-5793 lewis@blankrome.com ftamulonis@blankrome.com szumbrun@blankrome.com Representing PECO Energy Company</p> |

Respectfully Submitted,



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Broomall, PA 19008
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