

VIA ELECTRONIC FILING

Rosemary Chiavetta
Secretary Pennsylvania Public Utility Commission
P.O. Box 3265 Harrisburg, PA 17105-3265

April 12, 2021

Re: Docket No. P-2021-3024328

Dear Secretary Chiavetta:

Below is my official Protest, Verification, and Certificate of Service provided to register my personal opposition to the petition of PECO to the PUC to overturn the decision of the Marple Township Zoning Commission of October 21, 2020 denying the location of the proposed Reliability Station on the corner of Sproul and Cedar Grove Road.

The PECO documents I reviewed lacked adequate information regarding the project so I highlighted the missing details in my “Grounds for Protest” Section. Most conspicuous was the absence of evidence for their key claims that the Gas Reliability Project is “necessary for public convenience or welfare” or that gas delivery from the Reliability Station will be “adequate, safe, and reliable” to a sufficient degree to justify placing that facility in a very densely populated area at a busy intersection in close proximity to traffic, pedestrians, and many local businesses, homes, schools and churches. As such, please delay action on PECO’s petition until which time PECO provides the needed information to be reviewed and questioned at open hearings. Only then will the PUC and the general public be able to adequately evaluate PECO’s proposal, compare the pros and cons of such an undertaking, assess the potential for gas leakage or other safety risks associated with a Reliability Station, and address the critical issue of determining locations suitable for such a facility.

Sincerely,

*/s/ William A Wegener
April 12, 2021*

William A Wegener
22 Stanfield Lane,
Broomall, PA 19008

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

PROTEST OF WILLIAM A WEGENER

Pursuant to 52 Pa. Code §§ 5.51, ET SEQ., William A Wegener, 22 Stanfield Lane, Broomall, PA, 19008 hereby files this Protest in the above-captioned proceeding. In support thereof, they state as follows:

1 Petitioner is William A Wegener, residing for more than 29 years at 22 Stanfield Lane, Broomall, PA 19008 whose family and many other families in surrounding neighborhoods travel multiple times each day along Cedar Grove Road and exit onto Sproul Road. Besides those people in the Community living or working next to that intersection, or in school or at church close by, vehicle traffic and pedestrians at this busy intersection are also at risk in event of gas leakage or other safety issues associated with the proposed “Gas Reliability Station” if it is placed at that location.

2 William A Wegener is protesting PRO SE, and has no attorney. All documents should be served upon the residence.

3 William A Wegener consents to the service of documents by electronic mail to
wwegener@gmail.com as provided in 52 Pa. Code § 1.54(b)(3)

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

5 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.

WILLIAM A WEGENER’S INTEREST IN THE PROCEEDINGS

6 Section 5.51 of the Public Utility Commission’s regulations govern eligibility of
parties to protest in PUC proceedings.

7 “A person objecting to the approval of an application filed with the Commission
may file a protest to the application.” 52 PA Code § 5.51(a).

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 The proposed “Gas Reliability Station” is located in Marple Township, Delaware County, and is located in close proximity to residential dwellings and commercial establishments, as well as the many drivers and pedestrians using that busy intersection.

10 William A Wegener objects to the approval of PECO’s application filed with the Commission. Accordingly, William A Wegener satisfies the Public Utility Commission’s standards for protest set forth in 52 PA Code § 5.51(a)

THE GROUNDS FOR WILLIAM A WEGENER’S PROTEST

11 Marple Township officials and residents have made repeated attempts to provide alternative locations in industrial areas of the town, to which PECO continuously refuses. **As such, a public hearing on this docket is respectfully requested so that all impacted stakeholders have the opportunity to hear this case and be heard.**

12 PECO’s filing states, “...The Reliability Project, including the Gas Reliability Station, are necessary to meet the growing current and future demand for natural gas public utility service in Delaware County....” (Paragraph 10), and, “In the absence of these necessary upgrades, the natural gas system in Delaware County will become constrained no later than some point within the next 10 years” (Paragraph 13). PECO has been unable to show that current or future demand is growing at a rate that justifies this project, and in Pennsylvania, and nationally, residential natural gas consumption has been decreasing for years.* In addition, many economic, technological, political and environmental factors, such as climate change, sustainable energy solutions, and increased exports of LNG to Europe and China, combine to suggest that the growth in demand that is at the basis of this Gas Expansion Project is more than likely NOT going to happen. In any event, a PECO claim of up to 10 years before the limitations of the

current system become problematic should allow adequate time for a more definitive evaluation of growth to determine if the Gas Reliability Project Station is indeed needed or not and if so, to select a more suitable site for the associated facility than the busy intersection location currently proposed. **Thus, PECO needs to provide evidence prior to a public hearing so that that their claims that such a system is needed can be adequately assessed.**

[*https://www.eia.gov/todayinenergy/detail.php?id=46757](https://www.eia.gov/todayinenergy/detail.php?id=46757),
https://www.eia.gov/dnav/ng/NG_CONS_SUM_DCU_SPA_A.htm,
<https://www.eia.gov/energyexplained/natural-gas/use-of-natural-gas.php>,
<https://www.eia.gov/dnav/ng/hist/n3010pa2m.htm>

13 In PECO’s filing, PECO states, (Paragraph 13), “...The construction of the Gas Reliability Station will support the public interest by providing an adequate, safe and reliable supply of natural gas to Delaware County to meet growing demand...” However, there are no details concerning the adequacy, safety or reliability of the proposed “Gas Reliability Station”, whether the topic is noise, pollution, leakage or explosion. That is these critical details needed for an adequate review appear to be either unknown or undisclosed in public documents. **This lack of information is clearly unacceptable and these key documents must be placed in the public docket prior to the open hearing in order for the PUC and the general public to be adequately informed and able to critically assess the merits of these claims.**

14 PECO’s filing makes several references to “continuing to engage with local government” (Paragraph 12), “...extensive public outreach with local residents...” (Paragraph 18), “Following extensive public outreach...” (Paragraph 30), and “...continuing to work in good faith with the local government and residents...” (Paragraph 35). However, very few people in Marple Township, were aware of the plans for this development. The “Open House” events that I have observed were instead public relations events, with nobody present from PECO capable of

answering serious engineering questions. **The reason for this repeated lack of transparency is unclear but underlines the need for PECO to provide missing details underlying their decisions prior to the open hearing.**

15 In Paragraph 10 of PECO’s filing, it is stated that, “PECO has not been able to subscribe for additional firm transportation capacity from the existing third-party natural gas transportation pipelines that supply Delaware County.” However, PECO does not give any details concerning the efforts that have been made to subscribe for firm transportation capacity from existing pipelines. Nor has PECO considered future pipelines, such as the Mariner East 2 pipeline, which will deliver natural gas to a terminal in Marcus Hook, in southeast Delaware County. **These details should be documented and placed in the public docket prior to the open hearing for the PUC and public to have adequate knowledge needed to assess this case.**

16 In Paragraph 10 of PECO’s filing, it is stated that the “Reliability Project” and the “Reliability Station” is needed to transport natural gas (...toward the constrained areas in Delaware County...”. However, PECO does not, and has not identified any details about where or when these areas will be constrained. **These details should also be provided prior to the open hearing.**

17 In Paragraph 12 of PECO’s filing, PECO states “The Gas Reliability Station will involve the construction of a station building, ...along with gas line heaters...” (Paragraph 12). Although the filing gives no other information about the heaters, information previously published by PECO implies that there will be six line heaters, and they will rarely be used. However, the basic function of the facility is to input natural gas at about 525 psi and output natural gas at about 100 psi, so, at least one of the heaters may be operating almost constantly in order to neutralize the cooling caused by the physics of the Joule-Thomson Effect

(<https://youtu.be/M7h59Tg9DS4>). PECO has offered no information concerning the noise and/or pollution that would be created by the 6 line heaters. **These missing details should be presented prior to the open hearing.**

18 In Paragraph 13 of PECO's filing, it is stated that, "...The Marple Township area experiences low pressure as compared to other areas in Delaware County, which will be alleviated by locating the Gas Reliability Station in Marple Township...". However, PECO has failed to identify any details of said low pressure. Additionally, when asked about if the "Reliability Station" would increase natural gas supply in Marple Township, PECO was unable to reply affirmatively. **This lack of response regarding the rationale for the Reliability Project is troubling and should be provided prior to the open hearing.**

19 Paragraph 14 neglects to explain that the commercial property immediately located to the south side of the Property is Freddy's Steakburgers, a highly popular, and usually crowded restaurant, often with long lines of cars along the border of the Property waiting to purchase food, and which could become an ignition source in the event of a "venting" episode. **Their explanation should be corrected prior to the open hearing and should also include vehicular traffic and pedestrians using the Sproul and Cedar Grove Road intersection so the PUC and the general public is aware of this potential risk of placing the Reliability Station at this location.**

20 In Paragraph 16 of PECO's filing, it is stated that, "...PECO considered at least ten sites in the vicinity but eliminated these alternatives due to size restrictions, zoning codes, availability, or distance from the gas main terminus." However, PECO has been unable to provide details about when, where, or how those ten or more sites were considered. **These details are needed for PUC and the public to judge the adequacy of this claim at the open hearing.**

WILLIAM A WEGENER'S REQUEST FOR RELIEF

21 William A Wegener protests in order to request the following relief:

21.1 That the Commission schedule a series of public hearings on this docket so that all affected stakeholders have the opportunity to hear this case and be heard.

21.2 That PECO must provide missing documentation needed for a critical assessment of the necessity, rationale and engineering aspects of the Reliability Project and the location, reliability, safety and adequacy of the proposed Reliability Station.

21.3 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.

21.4 That PECO be reprimanded for not presenting a comprehensive and detailed case including the evidence needed to critically assess their proposal.

WHEREFORE, William A Wegener respectfully requests that the Commission grants this Petition to Protest, providing the protester with full-party status in this proceeding and any hearings or conferences held, and with the ability to comment.

Respectfully Submitted,

/s/ William A Wegener
April 12, 2021

William A Wegener
22 Stanfield Lane
Broomall, PA 19008
wwegener@gmail.com
610-353-4738

VERIFICATION

I, William A Wegener, 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.

/s/ William A Wegener
April 12, 2021

William A Wegener
22 Stanfield Lane
Broomall, PA 19008
wwegener@gmail.com
610 353 4738

**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

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.

Respectfully Submitted,

*/s/ William A Wegener
April 12, 2021*

William A Wegener
22 Stanfield Lane
Broomall, PA 19008
wwegener@gmail.com

<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</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>