

**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

PROTEST OF NATALIE ZEMAITIS

Pursuant to 52 Pa. Code §§ 5.51, ET SEQ., Natalie Zemaitis, 2651 Old Cedar Grove Rd, Broomall, PA, 19008 hereby files this Protest in the above-captioned proceeding. In support thereof, they state as follows:

1 Petitioner is Natalie Zemaitis, residing for more than 6 years at 2651 Old Cedar Grove Rd, Broomall, PA 19008.

2 Natalie Zemaitis is protesting PRO SE, and has no attorney. All documents should be served upon the residence.

3 Natalie Zemaitis consents to the service of documents by electronic mail to nattyz@hotmail.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.

**NATALIE ZEMAITIS’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.

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

THE GROUNDS FOR NATALIE ZEMAITIS’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. PECO petitioning the Public Utility Commission after being denied a Special Exception for the location is the exact opposite of working with the community that will be directly affected by this construction. As such, we are respectfully requesting a public hearing on this docket so that all affected stakeholders have the opportunity to hear this case and be heard.

12 Marple Township Zoning Board voted against the PECO Gas Expansion Plant and I too stand in opposition to the project. I do not want my community to be the beta test for a technology, affectionately referred to by PECO as a “first such animal.” This project site is a stone’s throw from an elementary school and nestled amongst homes and local businesses. The gas lines are exceedingly flammable and will be at an intersection where motor vehicle accidents are common with a simple fence the height of a deer fence (8 feet) to protect the community. There is no safety data or information on the content of the emissions from the smokestacks and the health risks they pose to the public. There is no safety data or information on the noise that will generated by the heaters that will run 24 hours a day 7 days a week. From Wikipedia, “A public utility company (usually just utility) is an organization that maintains the infrastructure for a public service (often also providing a service using that infrastructure). Public utilities are subject to forms of public control and regulation ranging from local community-based groups to statewide government monopolies.” PECO is not acting in good faith. They are serving their bottom line because it’s less expensive to force the project through a legal ruling than work with the community they are by definition are to SERVE.

13

14 In PECO’s filing, PECO 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). However, PECO has been unable to show that current or future demand is growing at a rate that justifies this project. In fact, in Pennsylvania, and nationally, residential natural gas consumption has been decreasing for years, as is clearly shown in the figures in Appendix A. In addition, a host of 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.

15 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 safety of the proposed “Gas Reliability Station”, whether the topic is noise, pollution, or explosion.

16 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, my own experience, as well as that of my neighbors and of the Marple Township Board of Commissioners suggests that this is not true. Very few people in Marple Township, including those who live close to the facility itself, were aware of the plans for the development. The “Open House” events that I have observed have been hosted by public relations and legal personnel, and have consisted of ten minutes of the same

pabulum that is available in PECO “newsletters”, with nobody capable of answering serious engineering questions. After the first ten minutes, the rest of the meeting is full of angry residents.

17 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.

18 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.

19 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 six line heaters.

20 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.

21 Paragraph 14 finds much more detail in stating that the property “...was most recently occupied by a Texaco gasoline filling station...”, but, in admitting that, “...A commercial property is located to the south side of the Property.”, neglects to detail the fact that the commercial property is Freddy’s Steakburgers, a highly popular, very successful, and usually crowded restaurant, often with long lines of cars waiting to purchase food. The close proximity of so many vehicles could become an ignition source in the event of a “venting” episode.

22 In Paragraph 15, PECO states that the property “...is an adequate size to support the construction of the Gas Reliability Station...”. However, 0.57 acres is NOT an adequate size for the operation of a “Gas Reliability Station”. Appendix B compares the size of the Marple site with other similar installations in the area.

23 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.

**NATALIE ZEMAITIS’S
REQUEST FOR RELIEF**

24 Natalie Zemaitis protests in order to request the following relief:

24.1 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.

24.2 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.

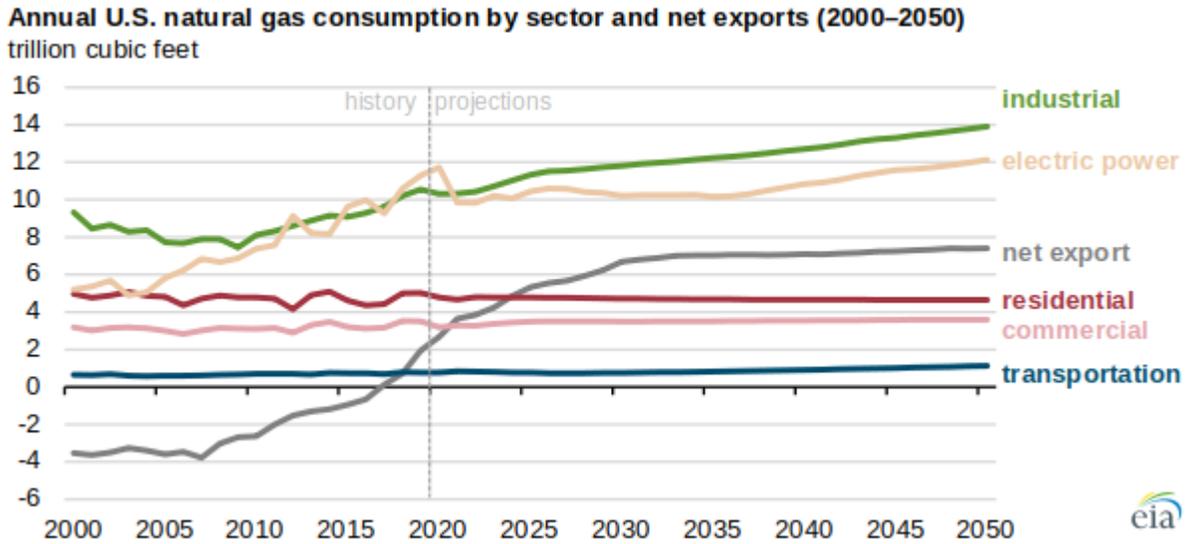
WHEREFORE, Natalie Zemaitis respectfully requests that the Commission grants this Petition to Protest, providing the protester with full-party status in this proceeding and any hearings or conferences held, and with the ability to comment.

Respectfully Submitted,

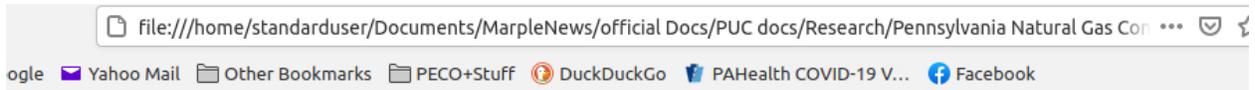
A handwritten signature in black ink, appearing to read 'N. Zemaitis', written in a cursive style.

2651 Old Cedar Grove Rd
Broomall, PA 19008
nattyz@hotmail.com
215-668-1035

**APPENDIX A (PG 1 OF 2)
PAST AND FUTURE DEMAND FOR RESIDENTIAL GAS**



<https://www.eia.gov/todayinenergy/detail.php?id=46757>



Natural Gas Consumption by End Use
(Million Cubic Feet)

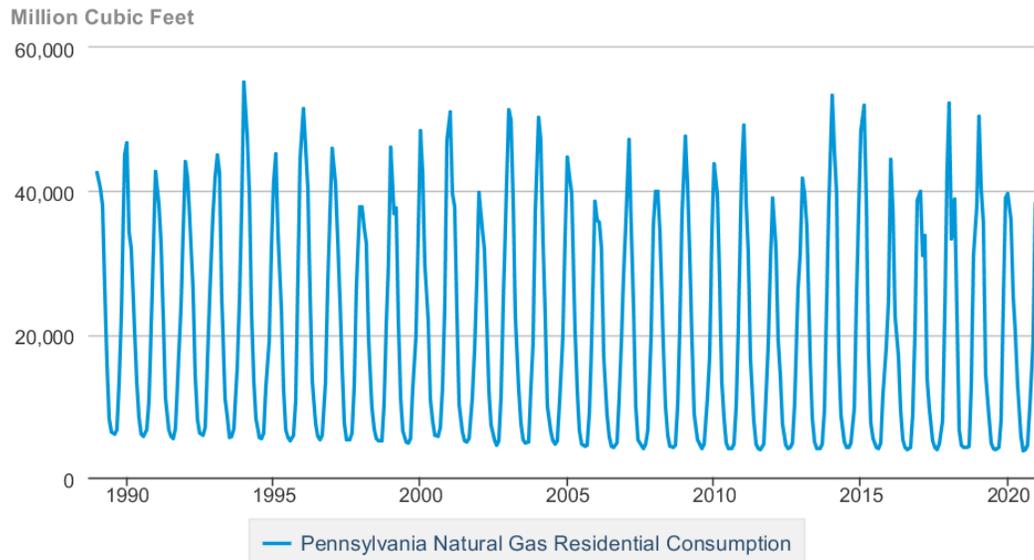
Area: Pennsylvania Period: Annual

Download Series History	Definitions, Sources & Notes		2015	2016	2017	2018	2019	2020	View History
Show Data By:		<input checked="" type="radio"/> Data Series <input type="radio"/> Area							
		<input type="checkbox"/> Graph Clear <input type="checkbox"/> Graph Clear							
Total Consumption	<input type="checkbox"/>	<input type="checkbox"/>	1,255,621	1,301,000	1,350,245	1,460,456	1,612,589		1997-2019
Lease and Plant Fuel	<input type="checkbox"/>	<input type="checkbox"/>							1967-1998
Lease Fuel	<input type="checkbox"/>	<input type="checkbox"/>	170,764	184,730	193,331	222,158	244,568		1983-2019
Plant Fuel	<input type="checkbox"/>	<input type="checkbox"/>	3,478	3,868	2,427	3,156	3,102		1983-2019
Pipeline & Distribution Use	<input type="checkbox"/>	<input type="checkbox"/>	43,059	40,299	42,780	45,241	40,993		1997-2019
Volumes Delivered to Consumers	<input type="checkbox"/>	<input type="checkbox"/>	1,038,320	1,072,102	1,111,707	1,189,902	1,323,927	1,403,784	1997-2020
Residential	<input type="checkbox"/>	<input type="checkbox"/>	235,669	215,512	218,734	252,722	236,631	218,091	1967-2020
Commercial	<input type="checkbox"/>	<input type="checkbox"/>	152,091	142,724	145,912	165,119	161,624	146,505	1967-2020
Industrial	<input type="checkbox"/>	<input type="checkbox"/>	212,050	212,253	219,028	231,734	249,026	211,483	1997-2020
Vehicle Fuel	<input type="checkbox"/>	<input type="checkbox"/>	534	497	1,513	1,801	1,643	1,985	1988-2020
Electric Power	<input type="checkbox"/>	<input type="checkbox"/>	437,976	501,116	526,521	538,527	675,004	825,720	1997-2020

https://www.eia.gov/dnav/ng/NG_CONS_SUM_DCU_SPA_A.htm

**APPENDIX A (PG 2 OF 2)
PAST AND FUTURE DEMAND FOR RESIDENTIAL GAS**

Pennsylvania Natural Gas Residential Consumption

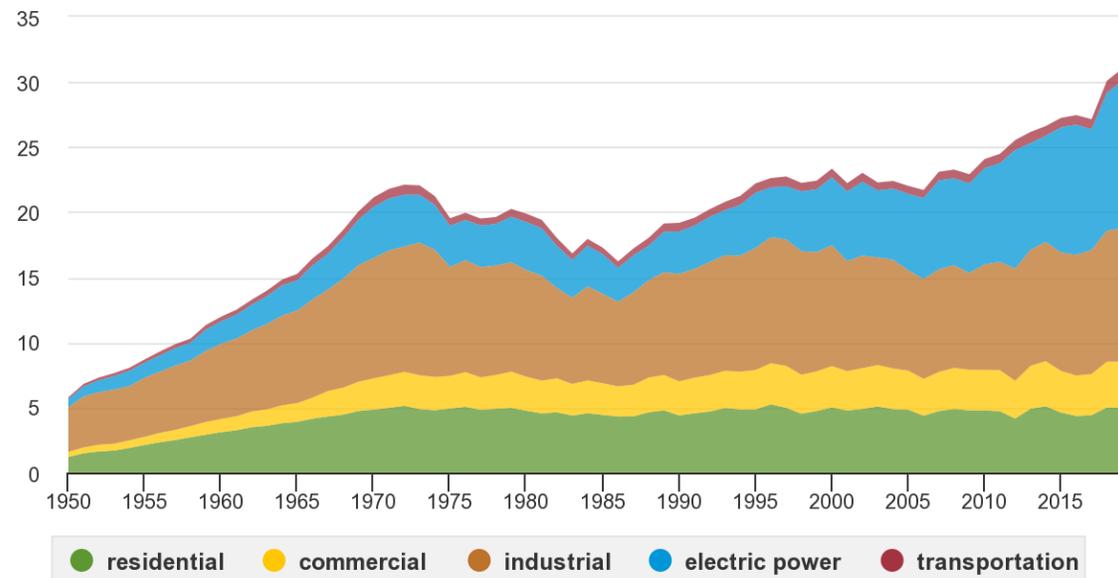


Source: U.S. Energy Information Administration

<https://www.eia.gov/dnav/ng/hist/n3010pa2m.htm>

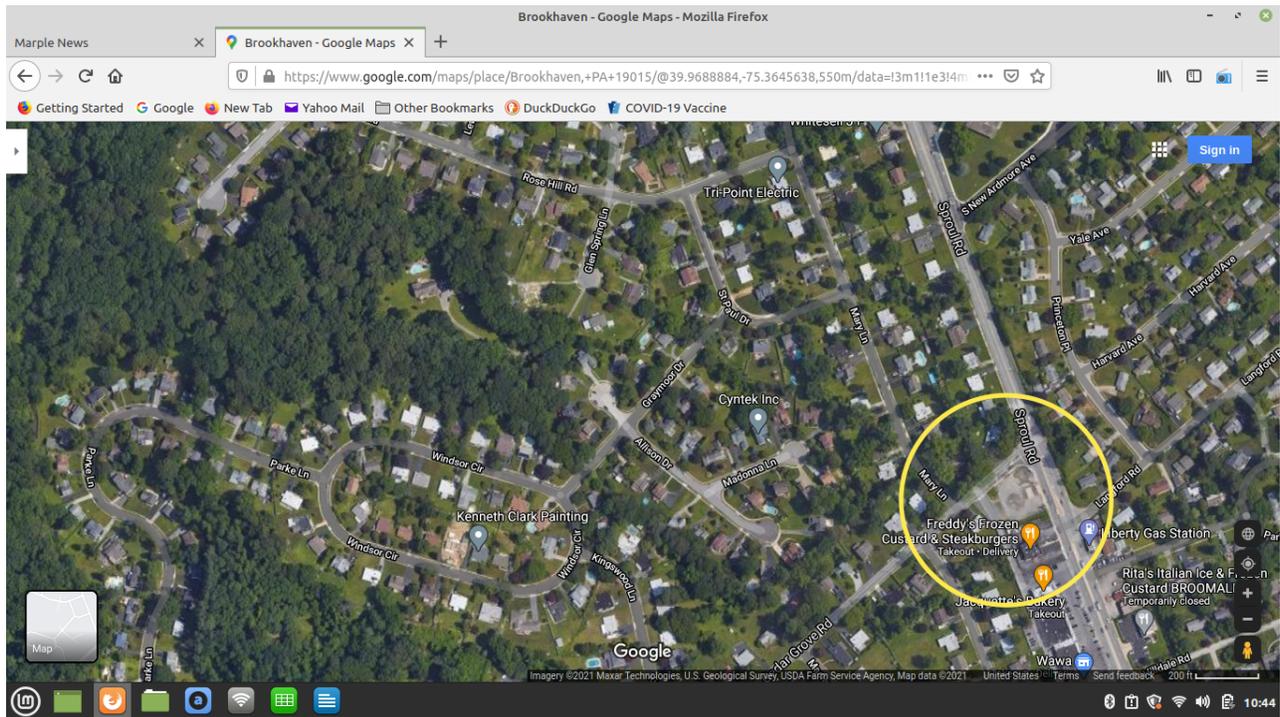
U.S. natural gas consumption by sector, 1950-2019

trillion cubic feet



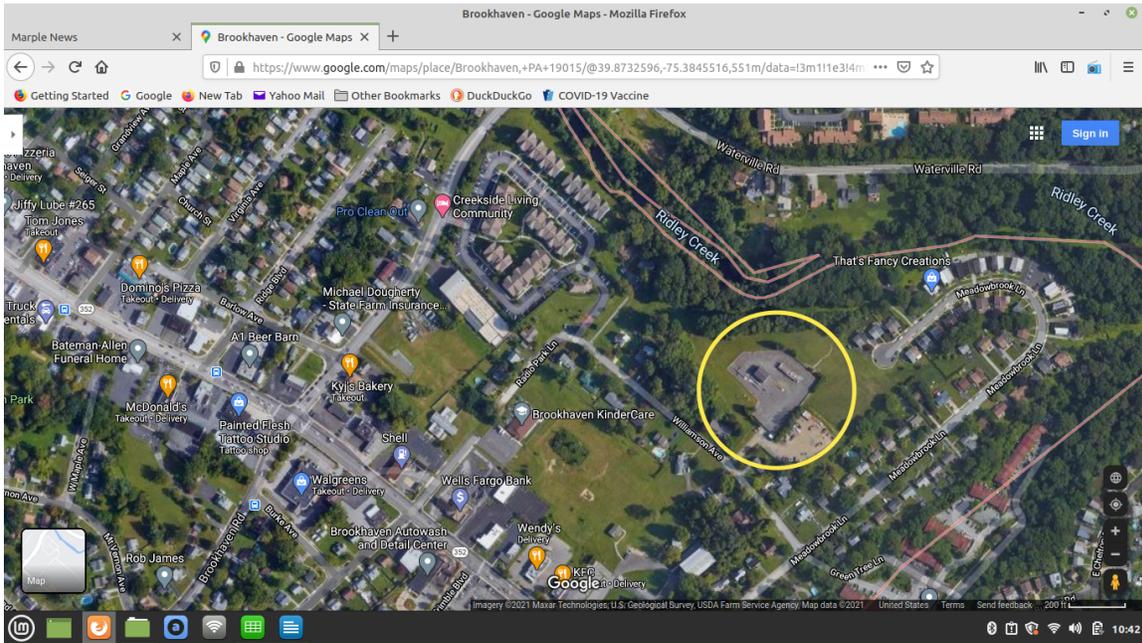
Source: U.S. Energy Information Administration, *Monthly Energy Review*, Table 4.3, June 2020, preliminary data for 2019

APPENDIX B (PG 1 OF 2)
RELATIVE SIZE OF SITES, AND DISTANCE TO RESIDENCES

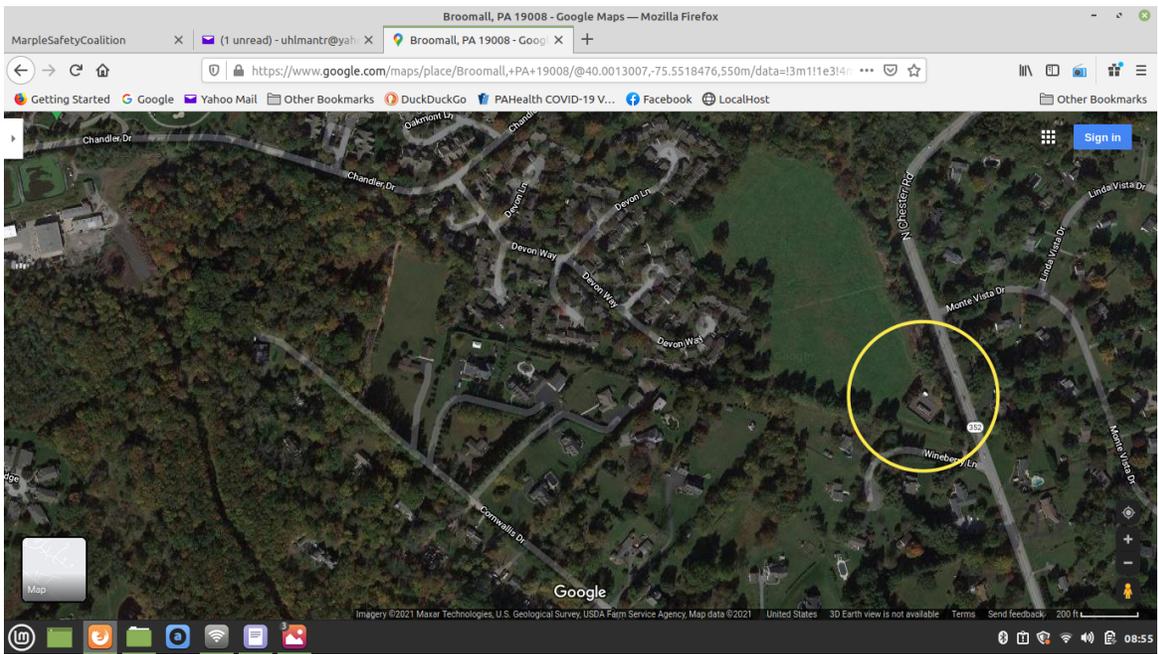


Marple Twp

APPENDIX B (PG 2 OF 2)
RELATIVE SIZE OF SITES, AND DISTANCE TO RESIDENCES



Delaware County



Chester County

VERIFICATION

I, Natalie Zemaitis , 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.

A handwritten signature in black ink, appearing to read 'N. Zemaitis', with a stylized, looped initial 'N'.

Natalie Zemaitis
2651 Old Cedar Grove Rd
Broomall, PA 19008
nattyz@hotmail.com
215-668-1035

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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	:	

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:

<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>

Respectfully Submitted,



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Broomall, PA 19008
nattyz@hotmail.com
215-668-1035