

**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

CHARLES THOMAS (TOM) AVEDISIAN’S PROTEST

Pursuant to 52 Pa. Code §§ 5.51, ET SEQ., Tom Avedisian, equitable property owner at 2150 Sproul Road, Broomall, PA, 19008 hereby files this Protest in the above-captioned proceeding. In support thereof, they state as follows:

1 Petitioner is Tom Avedisian, whose significant other’s family has owned the property at 2150 Sproul Road, Broomall, PA 19008 for over 65 years and who been an equitable property owner there for more than 10 years.

2 Tom Avedisian’s property is within 50 feet of the proposed “Gas Reliability Station,” hereafter referred to as GRS, and well within the zone of likely death, dismemberment, injury and property damage in a catastrophic accident, subject to evacuation in the event of nearly any other accident, and very much within the area to be affected constantly by the noise and pollution caused by the facility.

3 Tom Avedisian is protesting PRO SE, and has no attorney. All documents associated with these proceedings should be served upon the residence.

4 Tom Avedisian consents to the service of documents by electronic mail to
CTA2@CORNELL.EDU, 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 the
proposed GRS is 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 that
2) a proposed security fence appurtenant to the GRS is a “facility” under 66 PA C.S. § 102 is
exempt from local zoning requirements.

**CHARLES THOMAS (TOM) AVEDISIAN’S
INTEREST IN THE PROCEEDINGS**

7 Tom Avedisian is an equitable property owner at 2150 Sproul Rd, less than 50
feet from the proposed facility.

8 PECO proposes to construct and operate the GRS 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 Tom Avedisian is 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 ostensibly dampen any ambient sound generated by the GRS.

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

12 “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).

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 Tom Avedisian.

14 Tom Avedisian’s eligibility to protest is governed by Section 5.51 of the Public Utility Commission’s regulations, 52 PA Code § 5.51

15 Tom Avedisian has a direct and substantial interest in the proceedings, which is not, and cannot be, adequately represented by any other party. Accordingly, Tom Avedisian satisfies the Public Utility Commission’s standards for protest set forth in 52 PA Code § 5.51(a).

**THE GROUNDS FOR
CHARLES THOMAS AVEDIISIAN’S
PROTEST**

16 In PECO’s filing, PECO states that “...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, it has never been made clear that any residences in the immediately vicinity of the proposed GRS will derive any benefit whatsoever from placing the PECO's GRS at the proposed site. Moreover, PECO has been unable to show to the satisfaction of concerned government officials and citizens that current or future demand for natural gas 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 publically available documents indicate. Furthermore, 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 show that the growth in demand that PECO claims justifies the Gas Expansion Project is likely NOT going to happen in the near future..

17 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 acceptable details concerning the safety of the proposed "Gas Reliability Station," whether the topic is noise, pollution, or explosion. And as noted above, there is nothing in documents provided by PECO to suggest that residences in the immediate vicinity of the proposed GRS will derive any benefit from its placement there.

18 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, of the Marple Zoning Hearing Board, 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.

19 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.

20 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.

21 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 counteract the effects of cooling produced by this reduction in pressure. PECO has offered no substantive, let alone satisfactory information concerning the noise and/or pollution that would be created by the six line heaters.

22 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 if the "Reliability Station" would increase natural gas supply in Marple Township, PECO was unable to reply affirmatively.

23 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 along a driveup lane 30 feet south of the proposed location of the 6 4.6MMBTU/hr line heaters.

24 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." Moreover, there is ample reason to indicate that none of PECO's other stations are sited in such a densely developed area and immediately along a busy arterial state route and at an already congested and accident-prone intersection.

25 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 unwilling to provide details about when, where, or how those ten or more sites were considered. This places the burden on Marple residences to scour the area to locate what PECO will not provide to the residences: these stations exist, they are presumably above ground and they are presumably visible. It is particularly disappointing that PECO places the burden on the residences to find them. This is unacceptable and shows that PECO has no good-faith approach to this project.

CHARLES THOMAS (TOM) AVEDISIAN'S REQUEST FOR RELIEF

26 Tom Avedisian protests in order to request the following relief: 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. PECO has failed to show that the facility is needed to supply

WHEREFORE, Tom Avedisian 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/

Tom Avedisian

2150 Sproul Rd
Broomall, PA 19008
CTA2@cornell.edu
(607)

592-7915

VERIFICATION

I, (your full name here), 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,

/s/

C. Thomas Avedisian
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Broomall, PA 19008
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(607) 592-7915

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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:

J. Adam Matlawski, Esq. Kaitlyn T. Searls, Esq. McNichol, Byrne & Matlawski, P.C. 1223 N. Providence Road Media, PA 19063 amatlawski@mbmlawoffice.com jjbyrne@mbmlawoffice.com ksearls@mbmlawoffice.com rsearch@mbmlawoffice.com	Christopher A Lewis, Esquire Blank Rome LLP 1 Logan Square Philadelphia, PA 19103-6998 lewis@blankrome.com
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Respectfully Submitted,
/s/
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