

**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

SYLVA BAKER’S PROTEST

Pursuant to 52 Pa. Code §§ 5.51, ET SEQ., Sylva Baker, 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 Sylva Baker, whose family has owned the property at 2150 Sproul Road, Broomall, PA 19008 for over 65 years and who been an equitable property owner there since 1955.

2 The property is within 50 feet of the proposed “Gas Reliability Station,” 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 Sylva Baker is protesting PRO SE, and has no attorney. All documents associated with these proceedings should be served upon the residence.

4 Sylva Baker consents to the service of documents by electronic mail to sylvabaker@comcast.net, 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.

**SYLVA BAKER’S
INTEREST IN THE PROCEEDINGS**

7 Sylva Baker 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 “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 Sylva Baker 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, among other things, dampen any ambient sound generated by the "Gas Reliability Station".

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 Sylva Baker

14 Sylva Baker's eligibility to protest is governed by Section 5.51 of the Public Utility Commission's regulations, 52 PA Code § 5.51

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

**THE GROUNDS FOR
SYLVABAKER'S
PROTEST**

16 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.

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 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.

18 There have been many valid point-by-point objections to PECO’s assertions made by other protestors but I wish to stress the issue of the ambient noise resulting from the operation of this facility to be among the most objectionable. The presence of consistent noise, akin to a droning effect, cannot fail to affect one’s health and mental status, My daughter, a nearby resident, is my primary care giver and the existence of constant ambient noise is of serious concern.

**SYLVA BAKER’S
REQUEST FOR RELIEF**

19 Sylva Baker 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, Sylva Baker 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/

Sylva Baker
2150 Sproul Rd
Broomall, PA 19008
sylvabaker@comcast.net
610-256-0417

VERIFICATION

I, Sylva Baker, 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/

Sylva Baker
2150 Sproul Rd
Broomall, PA 19008
sylvabaker@comcast.net
610-267-0417

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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 ftamulonis@blankrome.com vanarsdale@blankrome.com szumbrun@blankrome.com jack.garfinkle@exeloncorp.com
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Respectfully Submitted,

/s/
Sylva Baker
Broomall, PA 19008
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