

Rosemary Chiavetta, Secretary
PA Public Utility Commission
Commonwealth Keystone Bldg.
400 North Street
Harrisburg, PA 17120

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

Dear Secretary Chiavetta,

Enclosed please find Joseph Baker's Prehearing Memorandum in the above-referenced proceeding.

This document has been duly filed via the Commission's eFiling system.

Copies have been served per the attached Certificate of Service.

Respectfully submitted,

/s/

Joseph A. Baker
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cc by eService: Honorable Emily I. DeVoe, ALJ

**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	:	P-2021-3024328
Reliability Station in Marple Township, Delaware	:	
County Is Reasonably Necessary for the	:	
Convenience and Welfare of the Public	:	

**PREHEARING CONFERENCE MEMORANDUM
OF JULIA MARY BAKER**

Pursuant to 52 PA Code § 5.222(d), and in response to the Prehearing Conference Order in the above-captioned matter, **Julie Baker** provides the following information:

I. **Background**

- A. On March 1, 2021, PECO filed with the Pennsylvania Public Utility Commission 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.
- B. On April 12, 2021, Julie Baker filed an Official Protest to Docket Number P20213024328. I also filed a Petition to Intervene, with reasonable certainty that I am eligible for full legal standing in this matter, but since that decision rests with the ALJ, I submitted the Protest to ensure that I would be able to become a Party of Record.

II. **Issues to be Presented**

A. Request for an extension of the filing period for an additional 45 days (60 total). I realize that the ALJ may specify the time period for filing, but I submit that a 15 day period is too short to allow the degree of public participation that this case deserves.

A.1. Based upon concerted outreach efforts by a local citizen's group, we found that very few Marple residents were aware of this reality and potential impacts of this project. Because we have found very nearly unanimous opposition among all contacted citizens, with many having become aware only within the past month, we have ample reason to believe that a significant number would still want to submit an Official Protest and participate in the proceedings.

A.2. This timing and nature of this case brings into serious question PECO's quality of service with respect to local government and community communication and collaboration. In point of fact their current Request of the Commission for a Finding of Necessity represents "a bridge too far" and flies in the face of usual and customary procedures by asking for the overriding of a Municipal Code. The Applicant should not receive the consideration of abbreviated timelines that would further hamper public engagement and greatly reduce the ability of the ALJ to be informed fully about the matters at hand from the stakeholders themselves.

A.3. The CoVID-19 pandemic has caused enormous stress to all citizens, exacerbated the complexities of community communication, and rendered civic engagement extremely burdensome given the extent and degree of serious concerns affecting everyone's ability to function physically, mentally and emotionally.

B. Support of our Township, County and State Officials Efforts to uphold Marple ZHB.

C. Questions Regarding the Necessity of the Project as Planned.

D. Serious Issues with Respect to Project's Impacts Health, Safety, and Welfare.

E. Problems Noted with Quality of Communication and Collaboration.

III. **Service List** – Julie Baker wishes to be a Party of Record, and opts for Full Service.

IV. **Witnesses**

A. Julie Baker will be a witness in these proceedings.

B. Julie Baker reserves the right to call expert witnesses in the future as necessary.

V. **Public Input Hearings** – Julie Baker respectfully requests a series of Public Input Hearings, so that the residents of Marple Township can enter statements and questions into the record concerning their issues and concerns in this matter.

VI. **Site Visits** – Julie Baker respectfully requests a site visit to the corner of Sproul and Cedar Grove Roads in Marple Township, Delaware County, for the purpose of conducting an on-site hearing to view the property and listen to the specific concerns of this Party as to the potential effect of the Project. I am willing and able to assemble safely for this purpose.

VII. **Discovery** – Julie Baker defers to the attorneys for Marple Township and Delaware County, and wishes to retain all Party rights to submit motions and pleadings in this matter.

VIII. **Suggested Procedural Schedule**

A. Revised deadlines for Submissions

A.1. Wednesday, May 26, 2021 – End of 60 Day period for Protest submissions

A.2. Wednesday, June 9, 2021 – End of Prehearing Memoranda submissions

B. Conferences, Public Input Hearings, Site Visit

- B.1. Friday, June 10 – Prehearing Conference
- B.2. First Public Input Hearing (6PM – 9PM)
- B.3. Wednesday, July 14, 2021 – Second Public Input Hearing (6PM – 9PM)
- B.4. Saturday, July 17, 2021 – Third Public Input Hearing as needed to allow all participants to be heard. *Alternatively, the ALJ may decide to hold as final PIH.*
- B.5. Site Visit- at the ALJ’s discretion having heard Public Input.

Julie Baker will cooperate with the ALJ and the other Parties to create a reasonable procedural schedule for this matter.

IX. **Settlement**

- A. Julie Baker will participate in settlement discussions that may arise during the pendency of this matter.

Respectfully Submitted,

/ S /

Julia M. Baker
Broomall, PA 19008
jbakeroa@msn.com
610-745-8491
April 20, 2021

**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	:	P-2021-3024328
Reliability Station in Marple Township, Delaware	:	
County Is Reasonably Necessary for the	:	
Convenience and Welfare of the Public	:	

VERIFICATION

I, Julia Mary 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 / _____
Julia M. Baker
Broomall, PA 19008
jbakeroa@msn.com
610-745-8491
April 20, 2021

**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 :

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true and correct copy of the foregoing Prehearing Memorandum 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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April 20, 2021