

March 12, 2022  
Ms. Rosemary Chiavetta, Esquire  
Secretary, PA Public Utility Commission  
P.O Box 3265  
Harrisburg, PA 17105-3265

**Re: Docket No. C-2021-3028464  
Tracy and Jill Troutman v. Mid-Atlantic Interstate Transmission, LLC  
Response to Preliminary Objections of MAIT to Amended Complaint**


Dear Secretary Chiavetta:

Attached for filing is our Response to the "Preliminary Objections of Mid-Atlantic Interstate Transmission, LLC to the Amended Complaint" submitted by Margaret A. Morris, Esquire, dated March 3, 2022.

A copy of this Response has been provided to Attorney Morris.

If there are any questions, please do not hesitate to contact me.

Sincerely,

  
Tracy and Jill Troutman

Cc: The Hon. Mark A. Hoyer, PA Public Utilities Commission  
The Hon. John Coogan, PA Public Utilities Commission  
Tori Giesler, Esquire, FirstEnergy Service Company  
Margaret Morris, Esquire, Representing MAIT

## I. Procedural Background

1. Agree we did file an Amended Complaint against MAIT, as well as against First Energy, First Energy Transmission, and Met-Ed.
2. Agree that the transmission lines do not cross our property, however we disagree that we are not directly impacted by the Transmission lines. We are directly impacted. These poles and lines go through the neighborhood, and cross not only private properties but also public areas, used by the neighborhood, including us. It should be noted that:
  - a. Public sidewalks run underneath the lines.
  - b. Public roadways run underneath the lines.
  - c. Common areas for the neighborhood run underneath the lines.
  - d. We (the Complainants) walk the sidewalks and drive directly underneath these lines multiple times daily.
  - e. Our children have played in the common area countless times which are directly underneath the lines.
  - f. Conversely, the existence of the poles and overhead lines have precluded us from using the green space in other common areas.Thus, we are directly impacted by the transmission poles and lines.

3. Disagree that we lack standing. See #2 above. We are directly impacted as stated above.
4. See response #2 above
5. See response #2 above
6. We disagree. We do have a direct, immediate, and substantial interest in this case. See response #2 above.
7. See response to #2 above.

Additionally, and importantly, there have been **multiple safety issues/accidents** involving the current poles and lines in our neighborhood that have been directly observed by residents in our neighborhood. Consider the testimonies below:

- "I witnessed a lightning strike on a pole behind our house several years ago. Smoke, but no fire from the pole, fortunately" (Dr. Andrew Freiberg, Bittersweet Drive)
- "The transformer behind Lennon family house on Nye road side almost caught on fire during a severe thunderstorm. We woke up to loud explosions and saw fire and sparks on that pole and transformer for hours. Perhaps the rain kept it from starting an actual fire but it was definitely a scary scene that night. Unfortunately, I don't recall the exact date our ring camera didn't catch that. It was sometime last year". (Dr. Byung Joo, Bittersweet Drive)
- "The incident we witnessed happened several years ago; not sure of the exact date. It occurred behind the Bryant's home on Hawthorne

Drive when the previous owners (The Scannells) lived there. One of the lines came down from the pole and was sparking on the ground; I believe it was weather related from a summer storm." (Mike Marino, Hawthorne Drive)

Accidents have already happened on these existing poles/lines! Given that these lines cross public spaces that we cross daily, we do have a direct, immediate and substantial interest, as does everybody in the neighborhood. Is MAIT insinuating that our complaint, these accidents and safety concerns represent a "frivolous, harassing lawsuit"?? Isn't our safety important to MAIT? That would be shameful.

8. Our safety issues are more than "mere conjecture". As we have stated in #7 above, accidents (plural) have already occurred. That is not "conjecture". Thank God we were not under the poles/lines during these strikes since they cross public, common areas throughout our neighborhood.

As further reference, our Derry Township Code currently indicates that all utility and communications lines which are newly installed must be installed underground. All of the utilities and communications lines that serve our neighborhood are underground...with the exception of the transmission lines in question which do not even serve us. While we recognize that the township code does not pertain to these transmission lines since they were installed prior to the code, the fact that there is a Township underground code shows that they feel it is better for the community from a safety, and environmental perspective.

9. We disagree. As stated above, it is naïve to claim that just because the lines do not cross our property, we don't have a direct, immediate or substantive interest in the project. We are under these lines multiple times daily as they cross public and common areas in our neighborhood.

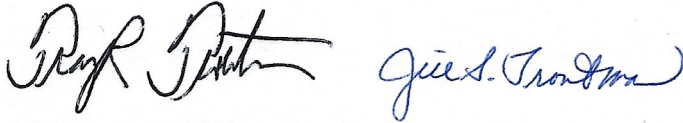
### **Conclusion**

- Given these lines cross public sidewalks and common spaces that we travel multiple times daily, we do have a direct, immediate, and substantial interest in this case.
- Consider that the Mission Statement of First Energy (of which MAIT is a subsidiary) states they are a "forward-thinking electric utility centered on integrity, powered by a diverse team of employees committed to making customers' lives brighter, the environment better, and our communities stronger". Putting the lines underground is forward thinking and better for the environment and our community. Corporate actions should mirror their mission statement...otherwise it is hypocrisy, or an attempt to intimidate the complainants. Either way, it is

deplorable. We encourage MAIT to be guided not by what may be the cheapest or easiest solution, but by integrity and what is the right thing to do.

- Lastly, for perspective, please know that the lines/poles in question only cover approximately 2000 feet (+/-) through our neighborhood. This complaint is NOT arguing that miles and miles of line be placed underground. This is minimal....less than ½ mile to be placed underground! Replacing something old with similar (overhead lines and poles) is contrary to their mission statement.

Sincerely,

Handwritten signatures of Tracy and Jill Troutman in blue ink.

Tracy and Jill Troutman

Cc: The Hon. Mark A. Hoyer, PA Public Utilities Commission  
The Hon. John Coogan, PA Public Utilities Commission  
Tori Giesler, Esquire, FirstEnergy Service Company  
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