

March 31, 2022  
Ms. Rosemary Chiavetta, Esquire  
Secretary, PA Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265



Re: Docket No. C-2021-3028211  
Michael and Margaret Marino v. Mid-Atlantic Interstate Transmission, LLC  
Response to Answer and New Matter of MAIT to Amended Complaint

Dear Secretary Chiavetta:

Attached for filing is our Response to the Answer and New Matter of the Mid-Atlantic Interstate Transmission, LLC to the Amended Complaint” submitted by Margaret A. Morris, Esquire, Dated March 15, 2022.

A copy of this Response has been provided to Attorney Margaret Morris.  
If there are any questions, please do not hesitate to contact us.

Sincerely,

Michael and Margaret Marino

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

**Response to the Answer and New Matter of Mid-Atlantic Interstate Transmission, LLC (MAIT) to the Amended Complaint submitted by Margaret A. Morris, Esquire, dated March 15, 2022.**

1. As stated.
2. As stated.
3. Agreed. PP&L provides electrical service to our home at 46 Hawthorne Drive.
4. We disagree with paragraph 1, lines 5-6, "MAIT avers that, at all times relevant to this proceeding, the Complainants have been provided reasonable and adequate service with all applicable laws". When a Meadows Development resident expressed concerns about the Transmission Lines for the neighborhood, several attempts were made to schedule a meeting with a Utility representative to discuss our concerns. Mr. Ray Lilliston, Sr., Right of Way agent for Appalachian Field Service confirmed he received and forwarded the messages to First Energy, not MAIT on 7/22/21, 8/8/2021, and 8/17/21 for review. At that time Appalachian Field Service was working on this Transmission Lines project. The concerned neighbor requested to speak with a utility company representative. However, the multiple requests were ignored. In order to be heard, Meadows' residents were forced to submit Formal Complaints to the PUC to be heard.

We acknowledge MAIT owns the Transmission Lines, however, FirstEnergy and Met-Ed are all connected and have a vested interest in this project. None of the three companies hold sole responsibility for this matter and therefore cannot act independent of each other.

As stated in paragraph three, "Commission regulations and orders, Section 1501 of the Code, 66 Pa. C.S. § 1501, requires all public utilities to furnish and maintain adequate, efficient, safe, and reasonable service and facilities, and to make all repairs, changes, improvements, etc., to its service and facilities as shall be necessary or proper for the accommodation, convenience, and safety of its patrons, and employees, and the public". However, we have yet to see any consideration for our **safety concerns**. Even though we are not Met-Ed customers, our safety should still be a top priority as cited in the above regulation.

Additionally, it is horrifying to review the information in the PUC Press Release published on 2/4/2021 and the PUC Formal Complaint Electronic filing, Docket NO: C-2019-3011675, detailing the **2016 Fatal Electrocution of Mr. Thomas Poynton of Easton, PA** and the consequent house fire from a downed **Met-Ed Transmission Line**. We disagree that our complaint is frivolous, disingenuous, and absurd as stated by Ms. Margaret A. Morris, Esquire; we find these comments offensive and unprofessional. Luckily, the prior Transmission Lines' incidents in the Meadows Development did not result in any injuries, fatalities or property loss.

With the increased distance between the proposed Transmission Lines, a future downed line has the potential to be catastrophic. Several of the affected homes are within 45-60 feet of the high voltage Transmission Lines. Inground backyard pools are even closer in distance to the lines creating even more concern with overhead Transmission Lines. The Transmission Line that killed Thomas Poynton fell approximately 70ft. from his home. Hence, for the safety of our neighbors, especially the children who play outside, the Transmission Lines must be undergrounded.

Newer technology affords us this opportunity and has precedent in Derry Township and throughout the United States. **Safety needs be the #1 priority, not the Bottom Line.** Why continue with old technology? The area is now heavily populated as compared to 60 years ago when it was farm land. The requested undergrounding area is only .37 miles (less than 2000 ft.). A fire started by a downed Transmission Line could quickly spread throughout the neighborhood. Prior incidents in the neighborhood have increased concerns and anxiety. Please refer to (Response to Preliminary Objections of the Mid-Atlantic Interstate Transmission, LLC to the Amended Complaint, #7, filed and confirmed as received by the PUC on 03/24/2022.).

We understand that the easement is owned by Met-Ed. As stated in paragraph five, “One of the agreements is the FirstEnergy Service Agreement under which MAIT is entitled to receive administrative, management, and other services from FirstEnergy Service Company”. Again, all three companies are interconnected in this matter and share responsibility.

We agree that the Transmission Lines do not cross our property. However, we are directly impacted by the transmission lines. The Transmission Lines cross public sidewalks, roadways, and common areas that we use multiple times daily and therefore impact us directly. FirstEnergy must agree that we are impacted since it sent us a letter dated September 01, 2021 notifying us of the Transmission Line Rebuild.

We strongly disagree with the statement that our concerns regarding health and safety, and property values are based on vague and conclusory allegations. In addition to the safety concerns previously described, Delany and Timmons (1992) found property values were 10.1% lower for properties close to overhead electric Transmission Lines. The Wall Street Journal, August 2018, reiterated that the market value of residential properties near overhead electric Transmission Lines were 9% lower than comparable properties. Although studies have not conclusively determined the adverse health effects of overhead electric Transmission Lines, research continues as health concerns remain.

We are not asking MAIT, FirstEnergy or Met-Ed to “act contrary to any law or regulation administered by the Commission”. What we request is that the Transmission Lines be placed underground which allows MAIT “to continue to provide service consistent with its obligations under the Code”. Placing the Transmission Lines underground serves the complainants “public interest”, alleviates the stated health, safety and property value concerns while allowing complete use of the Meadows Development green space.

According to FirstEnergy’s Mission Statement (MAIT is a subsidiary) 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 community stronger”. Do FirstEnergy/MAIT actions exemplify their mission statement? Placing the Transmission Lines underground may not be the least expensive option but would be the correct action to take and demonstrate adherence to their current mission statement as PP&L has demonstrated in Derry Township.

5. Refer to our Response to Preliminary Objections of Mid-Atlantic Interstate Transmission, LLC to Amended Complaint filed and confirmed as received by the PUC on 03/24/2022.

6. As stated.
7. A. B. C. As stated
8. As stated
9. As stated
10. As stated

#### New Matter

11. & 12. As previously stated in response # 4, we are not asking MAIT, FirstEnergy or Met-Ed to “act contrary to any law or regulation administered by the Commission”. What we are requesting is that the Transmission Lines be placed underground which allows MAIT “to continue to provide service consistent with its obligations under the Code”. Placing the Transmission Lines underground serves the “public interest” and would alleviate/satisfy our stated health, safety and property concerns while allowing the Meadows Development complete access and use of neighborhood properties and green space while eliminating the eyesores that they are.

Placing the Transmission Lines underground would minimize service disruptions to Met-Ed customers, possible lawsuits (ie. Thomas Poynton) and potential safety issues in the Meadows Development. A recent precedent was established in Derry Township, when a neighborhood objected to PP&L’s replacement of overhead Transmission Lines, voiced their concerns and requested underground Transmission Line placement. PP&L listened to the concerns, agreed and removed the newly rebuilt overhead Lines replacing them with underground Transmission Lines while absorbing the additional costs. PP&L did not ignore the expressed concerns of the families, they took their concerns into consideration and realized that undergrounding was in the best interest and safety of that neighborhood. We are asking FristEnergy, Met-Ed and MAIT to also be industry leaders by undergrounding the Transmission Lines within the Meadows Development.

13. We strongly disagree that our complaint “lacks standing” because the Transmission Lines do not “cross” or “impact” our property. Our complaint continues to be dismissed as evidenced by Margaret A. Morris’s allegations that our complaint is “absurd”, “disingenuous” and “frivolous”. The Transmission Lines cross public sidewalks, roads and green space within the development which we use multiple times a day. If they impact our neighbors, they impact us.

According to FirstEnergy’s Mission Statement (MAIT is a subsidiary) 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 community stronger”. Do FirstEnergy/MAIT actions exemplify their mission statement? Placing the Transmission Lines underground may not be the least expensive option but would be the correct action to take and demonstrate adherence to their current mission statement.

Respectively,

*Michael J. Marino*

*Margaret A. Marino*

Michael and Margaret Marino

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The Hon. John Coogan, PA Public Utilities Commission  
Tori Giesler, Esquire, FirstEnergy Service Company  
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