

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application of PECO Energy Company :  
Filed Pursuant to 52 Pa. Code §§ 57.71 et seq. : A-2024-3051463  
for Approval of the Siting and Construction :  
of the PJM 2022 Reliability Window #3 Project :  
Located in Peach Bottom Township, York County, :  
Pennsylvania and Petition for Waiver of :  
52 Pa. Code § 57.72(c)(10) :

**PREHEARING CONFERENCE ORDER**

On September 30, 2024, PECO Energy Company filed its Application and Petition for Waiver, pursuant to 52 Pa. Code §§ 57.72 et seq. and the Pennsylvania Public Utility Commission’s Interim Guidelines for the Filing of Electric Transmission Line Siting Applications at 52 Pa. Code §§ 69.3101 et seq., requesting Commission approval to site and construct transmission lines and related facilities associated with the proposed PJM 2022 Reliability Window #3 Project. Additionally, PECO Energy Company requests waiver of the requirement in 52 Pa. Code § 57.72(c)(10) to provide alternative routes and of the Commission’s interim guidelines at 52 Pa. Code § 69.3105 to the extent necessary. The Application was filed with the Pennsylvania Public Utility Commission at Docket No. A-2024-3051463.

Also on September 30, 2024, PECO Energy Company filed its Application and Petition for Waiver, pursuant to 52 Pa. Code §§ 57.72 et seq. and the Pennsylvania Public Utility Commission’s Interim Guidelines for the Filing of Electric Transmission Line Siting Applications at 52 Pa. Code §§ 69.3101 et seq., requesting Commission approval to site and construct transmission lines and related facilities associated with the proposed Brandon Shores Retirement Mitigation Project. Additionally, PECO Energy Company requests waiver of the requirement in 52 Pa. Code § 57.72(c)(10) to provide alternative routes and of the Commission’s interim guidelines at 52 Pa. Code § 69.3105 to the extent necessary. The Application was filed with the Pennsylvania Public Utility Commission at Docket No. A-2024-3051467.

A telephonic Prehearing Conference has been scheduled in the proceedings filed at Docket Nos. A-2024-3051463 and A-2024-3051467 for December 19, 2024, beginning at 10:00 a.m.

At the above date and time, those wishing to participate at the Prehearing Conference must call into the conference, by following the instructions below. Participants will not be called by the Presiding Officer.

To participate in the prehearing conference, Participants must:

- Dial the toll-free Conference number below
- Enter the PIN number below when instructed
- Speak the caller's name when prompted, and press #
- Then, the telephone system will connect the caller to the hearing

The telephone number to call in order to participate in the prehearing conference is:

**Toll-free Bridge Number: 1-866-421-8851**  
**PIN Number: 66640466**

The Parties and Public may review filings and further requirements or Orders entered in these proceedings at the Docket numbers referenced above, on the Pennsylvania Public Utility Commission website at: [www.puc.pa.gov/search/document-search/](http://www.puc.pa.gov/search/document-search/)

Furthermore, formal protests and petitions to intervene must be filed in accordance with Title 52 of the Pennsylvania Code, on or before December 3, 2024. All filings must be made with the Secretary of the Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265, and with a copy served on PECO Energy Company.

The documents filed in support of the Application filed by PECO Energy Company are available for inspection at the Office of the Commission Secretary.

The Prehearing Conference is for the discussion and planning of the litigation of the case. No testimony will be taken. Lawyers representing parties of record and individual persons representing themselves as full litigants will be permitted to participate in the Prehearing

Conference. The Conference is open to the public. At the prehearing conference, the parties should be prepared to discuss all relevant issues related to these two proceedings and any related proceedings, a litigation schedule, as well as any request to consolidate these proceedings and any other related proceedings, any objections to Protests or Petitions to Intervene, and the potential scheduling of public input hearing(s) or any other appropriate requests or proceedings to be conducted prior to the evidentiary hearing.

In response to this Prehearing Order, you may proceed in one of three ways:

**Do nothing.** If you do nothing after receiving this Prehearing Conference Order, your name will be removed from the service list. After the Prehearing Conference, you will not receive any pleadings, filings, discovery requests, written testimony or orders and decisions in this matter. You may still attend and testify at a public input hearing, if one is scheduled, as explained in the next paragraph.

**Attend a public input hearing if one is scheduled.** Public input hearings, if scheduled, may be held in geographical areas affected by the filings for the purpose of giving citizens who do not wish to participate in the formal litigation an opportunity to express their opinions regarding the Company's proposal. Public input hearings may also be conducted by telephone. If a public input hearing is scheduled, the Commission will publish a notice which includes instructions for how to tell the Commission that you wish to testify. If you testify at a public input hearing, you will not be permitted to also testify at the evidentiary hearings. In the event that a telephonic public input hearing is scheduled, the Commission's notice will also include instructions if you want to listen to the public input hearing but do not wish to testify. Notice of the public input hearing, if one is scheduled, will be published in your local newspaper before it is held and on PECO's website.

**Become a party of record.** As a party of record, you will be served with all of the pleadings, filings, discovery requests, written testimony and orders and decisions served and issued in this proceeding. *These documents will be voluminous.* Your *rights* as a party of record include the ability to present your own testimony or documents and to cross-examine other

witnesses at the formal hearings, and to file exceptions to the Administrative Law Judge's decision. Your *duties* as a party of record are that you must answer all discovery requests served upon you in accordance with the rules. You will be required to serve a copy of anything that you *file* upon the Administrative Law Judge and each party appearing on the service list, as modified after the Prehearing Conference, regardless of the cost of postage. If you intend to present evidence at the formal evidentiary hearings, you will be required to submit your testimony and documents in writing in advance, in accordance with the schedule to be set at the Prehearing Conference and to provide a copy of your written testimony to each party on the service list. You will be expected to participate in accordance with the rules of Commission practice appearing in Title 52 of the Pennsylvania Code Chapters 1, 3 and 5. The Pennsylvania Code is available on-line at [www.pacode.com](http://www.pacode.com).

To become a party of record, you must file an appropriate pleading, formal protest or a petition to intervene. Formal protests and petitions to intervene must be filed in accordance with 52 Pa.Code (relating to public utilities) **on or before December 3, 2024**. All filings must be made with the Secretary of the Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA 17120, with a copy served on the Applicant.

You are strongly encouraged to register for the Commission's free eFiling subscription service, which allows users to automatically receive an email notification whenever a document is added, removed, or changed on the PUC website regarding a specific case. Instructions for subscribing to this service are on the PUC's website at [http://www.puc.pa.gov/Documentation/eFiling\\_Subscriptions.pdf](http://www.puc.pa.gov/Documentation/eFiling_Subscriptions.pdf).

The parties are further directed to comply with the requirements set out below.

**THEREFORE,**

**IT IS ORDERED:**

1. That each party must prepare and distribute a prehearing memorandum which sets forth a brief history of the proceeding, the issues you intend to present, a listing of your proposed witnesses and the subject of their testimony, and a list of any exhibits or documents you intend to present at the hearing in this proceeding **on or before 12:00 p.m. on Monday, December 16, 2024**. Prehearing memoranda shall also include a proposed litigation schedule. *The parties are expected to confer and attempt to agree to a proposed litigation schedule in advance of the prehearing conference*, to include proposed times, dates and locations of any evidentiary hearings, proposed public input hearings as agreed to by all parties if possible, and any other proposed or requested proceedings to be conducted prior to the evidentiary hearing. The undesigned may be served with a copy of prehearing memoranda by email at [cpell@pa.gov](mailto:cpell@pa.gov). **Parties represented by multiple attorneys should designate in their prehearing memorandum a lead representative for the purposes of the prehearing conference and the telephone number that legal counsel or any unrepresented Parties intend to use to call into the Prehearing Conference, if possible.**

2. That parties should review the regulations pertaining to prehearing conferences, 52 Pa.Code § 5.221-§ 5.224, and in particular, § 5.222(d) which provides, in part:

(d) Parties and counsel will be expected to attend the conference fully prepared for a useful discussion of all problems involved in the proceeding, both procedural and substantive, and fully authorized to make commitments with respect thereto.

3. That parties should review the regulations relating to discovery, specifically 52 Pa.Code § 5.331(b), which provides, *inter alia*, that “a party shall endeavor to initiate discovery as early in the proceedings as reasonably possible,” and 52 Pa.Code § 5.322, which encourages parties to exchange information on an informal basis. All parties are urged to cooperate in discovery and advise me at the prehearing conference as to discovery problems which have not been resolved. There are limitations on discovery and sanctions for abuse of the discovery process. 52

Pa.Code §§ 5.361, 5.371-5.372.

4. That pursuant to 52 Pa.Code §§ 1.21 & 1.22, if you are an individual, you may represent yourself, or you may be represented by an attorney licensed to practice law in the Commonwealth of Pennsylvania, or admitted *Pro Hac Vice*. However, if you are a partnership, corporation, trust, association, or governmental agency or subdivision, you must be represented in this proceeding by an attorney licensed to practice law in the Commonwealth of Pennsylvania or admitted *Pro Hac Vice*. Unless you are an attorney, you may not represent someone else. Attorneys shall insure that their appearance is entered in accordance with the provisions of 52 Pa.Code § 1.24(b).

5. That failure of a party to attend the prehearing conference or notify the Administrative Law Judge of their desire to fully participate without good cause shown, shall constitute a waiver of all objections to the agreements reached and matters decided at the prehearing conference, including, but not limited to, any special discovery rules and the litigation schedule established for this case. 52 Pa.Code §§ 5.222(e) & 5.224.

6. That you must serve the presiding officer directly with a copy of any document that you file in this proceeding. If you send the undersigned any correspondence or document, you must send a copy to all other parties. For your convenience, a copy of the Commission's current service list of the parties to this proceeding is enclosed with this Order.

7. That if you have a limited ability to speak or understand English or are deaf or hearing-impaired, a qualified interpreter can be provided upon your request. If you want an interpreter, please contact the Scheduling Office at least ten (10) days before the scheduled Prehearing Conference or Hearing to make your request.

Scheduling Office: (717) 787-1399  
AT&T Relay Service number for persons who are deaf or hearing-impaired:  
1-800-654-5988.

8. That in addition to the above requirements, the Parties should review the regulations pertaining to prehearing conferences, 52 Pa.Code § 5.221-§ 5.224, and in particular, § 5.222(d). At the prehearing conference, the parties should be prepared to discuss all relevant issues related to these two proceedings and any related proceedings, a litigation schedule, as well as any request to consolidate these proceedings and any other related proceedings, and the scheduling of public input hearing(s).

Date: November 22, 2024

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Christopher P. Pell  
Deputy Chief Administrative Law Judge

**A-2024-3051463 - APPLICATION OF PECO ENERGY COMPANY-ELECTRIC FILED PURSUANT TO 52 PA. CODE §§ ET SEQ. FOR APPROVAL OF THE SITING AND CONSTRUCTION OF THE PJM 2022 RELIABILITY WINDOW # 3 PROJECT LOCATED IN PEACH BOTTOM TOWNSHIP, YORK COUNTY, PENNSYLVANIA AND PETITION FOR WAIVER OF 52 PA. CODE § 57.72(C)(10).**

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28 E MARKET STREET  
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ATTN: FELICIA DELL DIRECTOR  
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PA DEPARTMENT OF  
ENVIRONMENTAL PROTECTION  
MARKET STREET  
STATE OFFICE BUILDING  
PO BOX 2063  
HARRISBURG PA 17105-2063  
ATTN: OFFICE OF FIELD OPERATIONS  
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CONSTELLATION PRESIDENT  
1310 POINT STREET  
BALTIMORE MD 21231  
ATTN: JOSEPH DOMINGUEZ  
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PA DEPARTMENT OF  
TRANSPORTATION  
COMMONWEALTH KEYSTONE  
BUILDING  
400 NORTH STREET 5TH FLOOR  
HARRISBURG PA 17120  
ATTN: JEFFERY SPOTTS ESQUIRE  
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YORK COUNTY  
CONSERVATION DISTRICT  
2401 PLEASANT VALLEY ROAD  
SUITE 101 RM #139  
YORK PA 17402  
ATTN: ERIC JORDAN  
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FEDERAL AVIATION ADMINISTRATION  
EASTERN OBSTRUCTION EVALUATION  
10101 HILLWOOD PARKWAY  
FORT WORTH TX 76177  
ATTN: DAVE MADDOX  
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PA FISH AND BOAT  
COMMISSION NATURAL  
DIVERSITY SECTION  
450 ROBINSON LANE  
BELLEFONTE, PA 16823-9620  
ATTN: CHRISTOPHER A. URBAN  
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PA HISTORICAL & MUSEUM  
COMMISSION BUREAU FOR  
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KEYSTONE BUILDING  
400 NORTH STREET 2ND FLOOR  
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ATTN: DOUGLASS C. MCLEAREN  
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PA DEPARTMENT OF CONSERVATION  
& NATURAL RESOURCES  
RACHEL CARSON STATE  
OFFICE BUILDING  
400 MARKET STREET  
HARRISBURG PA 17105-8767  
ATTN: REBECCA BOWEN  
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U.S. FISH AND WILDLIFE /SERVICE  
PENNSYLVANIA FIELD OFFICE  
110 RADNOR RD SUITE101  
STATE COLLEGE PA16801  
ATTN: LESA LINDSAY  
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PA GAME COMMISSION  
2001 ELMERTON AVENUE  
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171 STONE ROAD  
DELTA PA 17314  
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JAMES & BETTY YEAGER  
139 STONE ROAD  
DELTA PA 17314  
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ALLEN & AUDREY COOGLE  
119 STONE ROAD  
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