

Buchanan

John F. Povilaitis
717 237 4825
john.povilaitis@bipc.com

409 North Second Street
Suite 500
Harrisburg, PA 17101-1357
T 717 237 4800
F 717 233 0852

December 16, 2024

VIA ELECTRONIC FILING

Rosemary Chiavetta
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor
Harrisburg, PA 17120

Re: Application of PECO Energy Company Filed Pursuant to 52 Pa. Code § 57.71 *et seq.* for Approval of the Siting and Construction of the Brandon Shores Retirement Mitigation Project Located in Peach Bottom Township, York County, Pennsylvania and Petition for Waiver of 52 Pa. Code § 57.72(c)(10) - Docket No. A- 2024-3051467

Dear Secretary Chiavetta:

Enclosed for filing please find a PreHearing Conference Memorandum of Transource Pennsylvania, LLC in the above-captioned proceeding.

Copies are being served in accordance with the attached Certificate of Service. Please contact me with any questions or concerns.

Very truly yours,



John F. Povilaitis

JFP/psm
Enclosure
cc: Certificate of Service

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application of PECO Energy Company :
Filed Pursuant to 52 Pa. Code §§ 57.71 et seq. : Docket No.A-2024-3051467
for Approval of the Siting and Construction :
Project of the Brandon Shores Retirement Mitigation :
Project Located in Peach Bottom Township, York :
County, Pennsylvania and Petition for Waiver of :
52 Pa. Code § 57.72(c)(10) :

**PREHEARING CONFERENCE MEMORANDUM OF TRANSOURCE
PENNSYLVANIA, LLC**

**TO THE HONORABLE DEPUTY CHIEF ADMINISTRATIVE LAW JUDGE
CHRISTOPER P. PELL:**

Transource Pennsylvania, LLC (“Transource PA”) hereby submits this Prehearing Conference Memorandum in accordance with 52 Pa. Code § 5.222 of the regulations of the Pennsylvania Public Utility Commission (“PaPUC” or “Commission”) and the November 22, 2024 Prehearing Order of Deputy Chief Administrative Law Judge Christoper P. Pell (“ALJ”) in connection with the telephonic Prehearing Conference to be held on December 19, 2024 at 10:00 a.m.

I. PROCEDURAL HISTORY

On September 30, 2024, PECO Energy Company (“PECO”) filed with the PaPUC its Application and Petition for Waiver, pursuant to 52 Pa. Code §§ 57.72 et seq. and the 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 Brandon Shores Retirement Mitigation Project (“Brandon Shores Application”). PECO also requested 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 Brandon Shores Application was docketed by the Commission at Docket No. A-2024-3051467.

On September 30, 2024, PECO also filed with the PaPUC its Application and Petition for Waiver, pursuant to 52 Pa. Code §§ 57.72 et seq. and the 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 PJM¹ 2022 reliability Window # 3 Project (“Window 3 Application”). Additionally, PECO 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 Window 3 Application was docketed by the Commission at Docket No. A-2024-3051463. The Brandon Shores Application and the Window 3 Application are collectively referred to herein as the “Application.”

In a letter dated October 8, 2024, the PaPUC acknowledged the filing of the Application and enclosed a copy of the Publication Notice to be published in the October 19, 2024 issue of the Pennsylvania Bulletin. The Publication Notice set the deadline of December 3, 2024 for the filing of formal protests and petitions to intervene in this proceeding.

The PaPUC directed Deputy Chief ALJ Christopher P. Pell to preside over this proceeding.

On December 3, 2024, Transource PA filed a Petition to Intervene in this proceeding to address some issues identified in the Application that require, in Transource PA’s view, clarification associated with the ownership and location of facilities in connection with PECO’s

¹ PJM Interconnection, L.L.C. (“PJM”) is a regional transmission organization that coordinates the movement of wholesale electricity in all or parts of 13 states and the District of Columbia. <https://www.pjm.com/about-pjm>

proposed transmission lines, with the facilities that Transource PA intends to construct and operate as part of the Bramah Substation Project, as directed by PJM.

The telephonic Prehearing Conference has been scheduled in connection with the Application for December 19, 2024 at 10:00 a.m.

II. RESOLUTION OF TRANSOURCE PA ISSUES

PECO and Transource PA have been engaged in active discussions since the filing of Transource PA's Petition to Intervene, which Transource PA believes will result in PECO filing with the PaPUC selected amendments to various exhibits/attachments to the Application that clarify in more detail aspects of the related PECO and Transource PA projects. The parties are continuing to discuss and hope to resolve any remaining issues. As noted in Transource PA's Petition to Intervene, Transource PA fully supports the relief requested in the Application and urges the Commission to promptly review and approve the Application, as modified.

III. LITIGATION SCHEDULE, ISSUES AND WITNESSES

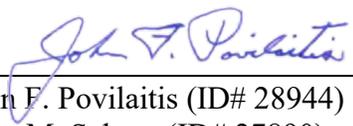
Since there appears to be no issues in dispute, Transource PA sees no reason to schedule discovery and formal hearings, and fully supports PECO's efforts to have this proceeding transferred to the Commission's Bureau of Technical Utility Services for prompt resolution and the drafting of a recommended order for the PaPUC's consideration, subject to finalizing any remaining issues requiring clarification in connection with the Application. Accordingly, Transource PA supports holding such transfer to the Bureau of Technical Utility Services until February 1, 2025 in order to allow the parties sufficient time to address all amendments to exhibits/attachments that are necessary.

IV. OTHER MATTERS

To the extent there is no opposition to Transource PA's pending Petition to Intervene at the time of the Prehearing Conference, Transource PA requests that the ALJ enter a timely order granting Transource PA's request to intervene and participate in all aspects of this proceeding.

Respectfully submitted,

Date: December 16, 2024



John F. Povilaitis (ID# 28944)
Alan M. Seltzer (ID# 27890)
Buchanan Ingersoll & Rooney PC
409 N. Second Street, Suite 500
Harrisburg, PA 17101
Phone: 717-237-4862
Fax: 717-233-0852
E-mail: john.povilaitis@bipc.com
E-mail: alan.seltzer@bipc.com

Counsel for Transource Pennsylvania, LLC

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application of PECO Energy Company Filed : A-2024-3051467
Pursuant to 52 Pa. Code § 57.71 et seq. for :
Approval of the Siting and Construction of the :
Brandon Shores Retirement Mitigation Project :
Located in Peach Bottom Township, York County, :
Pennsylvania and Petition for Waiver of :
52 Pa. Code § 57.72(c)(10) :

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing document upon the parties, listed below, in accordance with the requirements of § 1.54 (relating to service by a party).

KENNETH M KULAK ESQUIRE
MORGAN LEWIS & BOCKIUS
2222 MARKET STREET
PHILADELPHIA PA 19103-3007
ken.kulak@morganlewis.com
(Counsel for PECO Energy Company)

ANTHONY GAY ESQUIRE
EXELON
2301 MARKET STREET
LEGAL DEPARTMENT S23-1
PHILADELPHIA PA 19103
anthony.gay@exeloncorp.com

PATRICK M CICERO ESQUIRE
OFFICE OF CONSUMER ADVOCATE
555 WALNUT STREET 5TH FLOOR
FORUM PLACE
HARRISBURG PA 17101
pcicero@paoca.org

NAZAARAH SABREE
OFFICE OF SMALL BUSINESS
ADVOCATE
555 WALNUT STREET
FORUM PLACE 1ST FLOOR
HARRISBURG PA 17101
ra-sba@pa.gov

ALLISON C KASTER ESQUIRE
DIRECTOR
PA PUBLIC UTILITY COMMISSION
BI&E LEGAL TECHNICAL
SECOND FLOOR WEST
400 NORTH STREET
HARRISBURG PA 17120
akaster@pa.gov

JULIE WHEELER PRESIDENT
YORK COUNTY COMMISSIONERS
28 EAST MARKET STREET
YORK PA 17401
jlwheeler@yorkcountypa.gov

SERVICE BY U.S. MAIL

YORK COUNTY
PLANNING COMMISSION
ADMINISTRATIVE CENTER
28 E MARKET STREET
THIRD FLOOR
YORK PA 17401
ATTN: FELICIA DELL DIRECTOR

JONELLE HARTER ESHBACH ESQUIRE
YORK COUNTY SOLICITOR
ADMINISTRATIVE CENTER
28 EAST MARKET STREET
YORK PA 17401

DAVID E GEMMILL CHAIR
PEACH BOTTOM TOWNSHIP
6880 DELTA ROAD SUITE 3
DELTA PA 17314

CRAIG S. SHAMETZKA ESQUIRE
PEACH BOTTOM TOWNSHIP
SOLICITOR
CGA LAW FIRM
135 NORTH GEORGE STREET
YORK PA 17401

PA DEPARTMENT OF
ENVIRONMENTAL PROTECTION
MARKET STREET
STATE OFFICE BUILDING
PO BOX 2063
HARRISBURG PA 17105-2063
ATTN: OFFICE OF FIELD OPERATIONS

CONSTELLATION PRESIDENT
1310 POINT STREET
BALTIMORE MD 21231
ATTN: JOSEPH DOMINGUEZ

PA DEPARTMENT OF
TRANSPORTATION
COMMONWEALTH KEYSTONE
BUILDING
400 NORTH STREET 5TH FLOOR
HARRISBURG PA 17120
ATTN: JEFFERY SPOTTS ESQUIRE

YORK COUNTY
CONSERVATION DISTRICT
2401 PLEASANT VALLEY ROAD
SUITE 101 RM #139
YORK PA 17402
ATTN: ERIC JORDAN

FEDERAL AVIATION
ADMINISTRATION EASTERN
OBSTRUCTION EVALUATION
10101 HILLWOOD PARKWAY
FORT WORTH TX 76177
ATTN: DAVE MADDOX

PA FISH AND BOAT
COMMISSION NATURAL
DIVERSITY SECTION
450 ROBINSON LANE
BELLEFONTE, PA 16823-9620
ATTN: CHRISTOPHER A. URBAN

PA HISTORICAL & MUSEUM
COMMISSION BUREAU FOR
HISTORIC PRESERVATION
KEYSTONE BUILDING
400 NORTH STREET 2ND FLOOR
HARRISBURG, PA 17120-0053
ATTN: DOUGLASS C. MCLEAREN

PA DEPARTMENT OF CONSERVATION
& NATURAL RESOURCES
RACHEL CARSON STATE
OFFICE BUILDING
400 MARKET STREET
HARRISBURG PA 17105-8767
ATTN: REBECCA BOWEN

U.S. FISH AND WILDLIFE SERVICE
PENNSYLVANIA FIELD OFFICE
110 RADNOR RD SUITE101
STATE COLLEGE PA16801
ATTN: LESA LINDSAY

PA GAME COMMISSION
2001 ELMERTON AVENUE
HARRISBURG PA 17110-9797
ATTN: DR. MATTHEW SCHNUPP

HUNTER L KUSER
15 141ST STREET, UNIT B
OCEAN CITY MD 21842-2011

JOSHUA & LAUREN GRIFFITH
407 LAY ROAD
DELTA PA 17314

RICHARD O BAKER
431 LAY RD
DELTA PA 17314

47 DELTA LLC
449 LAY RD
DELTA, PA 17314

GRIMMEL FARMS LP
3855 FEDERAL HILL RD
JARRETTSVILLE, MD 21084

TROYER FARMS LLC
17905 TROYER RD
WHITE HALL MD 21161-9456

DONALD & JUDY HAMMONS
99 STONE ROAD
DELTA PA 17314

HOLDEN L HERSEY
687 PIKES PEAK RD
DELTA PA 17314-8518

SCOTT & KIMBERLY TAYLOR
613 PIKES PEAK ROAD
DELTA PA 17314

BRUCE HANNAH JR.
171 STONE ROAD
DELTA PA 17314

JAMES & BETTY YEAGER
139 STONE ROAD
DELTA PA 17314

ALLEN & AUDREY COOGLE
119 STONE ROAD
DELTA PA 17314

U.S. ARMY CORPS OF ENGINEERS
BALTIMORE DISTRICT CORPORATE
COMMUNICATION OFFICE
2 HOPKINS PLAZA
BALTIMORE MARYLAND 21201

Date: December 16, 2024



John F. Povilaitis