

**PENNSYLVANIA PUBLIC UTILITY COMMISSION
HARRISBURG, PENNSYLVANIA 17120**

Michael and Sharon Hartman

v.

PPL Electric Utilities Corporation

Public Meeting January 8, 2025

3008272-OSA

Docket No. C-2019-3008272

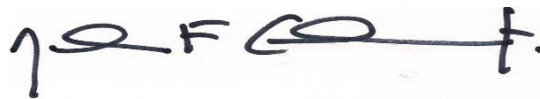
STATEMENT OF COMMISSIONER JOHN F. COLEMAN, JR.

Before the Pennsylvania Public Utility Commission (Commission) for consideration and disposition are the Exceptions of Michael and Sharon Hartman (Complainants) and PPL Electric Utilities Corporation (PPL) to the Initial Decision (ID) issued October 3, 2023, in the above-captioned complaint proceeding. The formal complaint filed by the Hartmans concerns the adequacy of service provided by PPL under Section 1501 of the Public Utility Code (Code), 66 Pa. C.S. § 1501. The adequacy of service dispute arose in connection with PPL's Halifax-Dauphin 69 KV Transmission Line Rebuild Project.

Previously, this matter was remanded to our Office of Administrative Law Judge for further proceedings. The scope of the remand was limited to certain issues within the jurisdiction of the Commission. One such issue was the impact of the Project on the Complainants' property. I agree with the ID and the Motion that the Complainants proved PPL's measures were inadequate to effectively control or prevent erosion or excessive water runoff on the right-of-way through portions of the Complainants' property.

At the same time, I agree with the Motion to deny the merits of Complainants' exception seeking reconsideration of their environmental claims against PPL based on Commonwealth Court's decision in *Marple Twp.*¹ PPL argues in its Reply to Exceptions that the Complainants' reliance on *Marple Twp.* in support of their environmental claims is misplaced. According to PPL, the Court's ruling in *Marple Twp.* does not apply because this case is a Section 701 formal complaint proceeding, not a Section 619 zoning exemption proceeding.² I agree with PPL that *Marple Twp.* is distinguishable and does not apply here.

Date: January 8, 2025



**JOHN F. COLEMAN, JR.
COMMISSIONER**

¹ *Twp. of Marple v. Pa. PUC*, 294 A.3d 965 (Pa. Cmwlth. 2023)(*Marple Twp.*).

² *Marple Twp.* involved a petition for a zoning exemption under Section 619 of the Municipalities Planning Code (MPC), 53 P.S. § 10619. The court found that the Commission, in deciding whether to grant a zoning exemption, was obligated to consider the environmental impacts of placing a building at a proposed location. The decision turned upon the court's view that Section 619 was "constitutionally inadequate" unless the Commission completed an appropriately thorough environmental review of a building siting proposal and, in addition, factored the results into its ultimate determination regarding the reasonable necessity of the proposed siting under the MPC.