

Morgan Lewis

Kenneth M. Kulak

Partner

+1.215.963.5384

ken.kulak@morganlewis.com

July 28, 2025

VIA ELECTRONIC FILING

Matthew L. Homsher, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor North
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 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)
Docket Nos. A-2024-3051463 & P-2025-3053955**

Dear Secretary Homsher:

Enclosed for filing in the above-captioned proceeding are PECO Energy Company's Responses to the Data Requests of the Bureau of Technical Utility Services, Question Nos. A-11 to A-16.

As indicated on the enclosed Certificate of Service, copies have been served upon all parties of record.

If you have any questions, please call me directly at 215.963.5384.

Very truly yours,



Kenneth M. Kulak

KMK/ap

Enclosure

c: Per Certificate of Service (w/encls.)

Morgan, Lewis & Bockius LLP

2222 Market Street
Philadelphia, PA 19103
United States

T +1.215.963.5000
F +1.215.963.5001

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application of PECO Energy Company :
Filed Pursuant to 52 Pa. Code §§ 57.71 et :
seq. for Approval of the Siting and : **Docket Nos. A-2024-3051463**
Construction of the PJM 2022 Reliability : **P-2025-3053955**
Window # 3 Project Located in Peach :
Bottom Township, York County, :
Pennsylvania and Petition for Waiver of 52 :
Pa. Code § 57.72(c)(10)

**RESPONSE OF PECO ENERGY COMPANY
TO DATA REQUESTS OF THE BUREAU OF TECHNICAL UTILITY SERVICES**

TUS-A-11:

Reference the Application, Paragraph 11. Please state the specific requirements of 52 Pa. Code § 69.3105 from which PECO is seek a waiver and provide a detailed explanation as to why.

RESPONSE:

In PECO’s Application, PECO requested “waiver of the requirements 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.*” See Application at 2 (emphasis added). The specific requirements of 52 Pa. Code § 69.3105 from which PECO sought a waiver, to the extent necessary, were those in section 69.3105(3) regarding the amount of information required to be provided in describing “reasonable alternative routes.”¹ 52 Pa. Code § 57.72(e) authorizes the Commission to waive those requirements.

PECO requested waiver of these requirements because:

“much of the Project entails enhancing the connections between the substations near the Peach Bottom Nuclear Generation Station, and the rest of the Project uses existing PECO transmission right-of-way west and south

¹ “In providing information regarding the reasonable alternative routes, the utility actively considered in its final phase of the route selection process, and the relative merits of each, in accordance with § 57.72(c)(10), the applicant should include the following information:

- (i) The environmental, historical, cultural and aesthetic considerations of each route.
- (ii) The proximity of these alternative routes to residential and nonresidential structures.
- (iii) The applicant’s consideration of relevant existing rights of way.
- (iv) The comparative construction costs associated with each route.” 52 Pa. Code § 69.3105(3).

towards the Pennsylvania and Maryland border. Any alternative routes would have considerably more significant environmental, community, and landowner impacts and require significant greenfield construction.”

Id. PECO’s request was for a limited waiver, only to the extent necessary, as PECO provided “considerable analysis and explanation as to why there are no reasonable alternative routes for the proposed Project.” *Id.* PECO did not propose “specific alternative routes to the proposed lines” because “the lack of practicable alternatives is evident due to the many environmental and social constraints around the Project area.” *Id.* at 23. Instead, “PECO conducted a high-level desktop evaluation of conceptual ‘alternative corridors’ that indicated there are no better practicable alternatives to the transmission routes proposed in the Project.”² *Id.* PECO provided this evaluation as Attachment 10 to the Application.

In PECO Statement No. 3, PECO Witness Mr. Barry Baker described Attachment 10 and “explain[ed] why any project siting within such alternative corridors would not be reasonable.” *Id.* For example, Mr. Baker explained that the “proposed routes primarily utilize pathways that have largely already been developed by PECO and/or other utilities and generating companies for transmission purposes” and would mostly be sited within existing rights-of-way and fee-owned utility corridors. PECO Statement No. 3 at 14. He further explained that, in contrast, “[a]ny alternative route would create significantly more impacts [than the proposed routes] and would not provide any material benefits.” *Id.* at 15. The impacts that would be present in the alternative corridors examined by Mr. Baker include social, environmental, and engineering constraints described in pages 8 through 14. *See also* Attachment 10.

Notwithstanding the detailed evaluation of alternative corridors provided as Attachment 10, which may provide sufficient information to meet the statutory requirements, PECO requested waiver of the reasonable alternative routes requirements “[t]o the extent the Commission determines that the evaluation PECO performed does not fully meet the requirements of 52 Pa. Code § 57.72(c)(10).” *Id.* PECO requested waiver for the requirements of 52 Pa. Code § 69.3105, to the extent necessary, for the same reason.

Pages 23 through 37 of the Application explain the legal basis for the requested waiver and why waiver would be consistent with the Commission’s decision in other transmission siting proceedings. As the Application notes, a party is allowed to petition for waiver of the Commission’s regulations under 52 Pa. Code § 5.43 of the Commission’s regulations and “[p]ursuant to Section 57.72(e) of the Commission’s regulations, one or more of the Commission’s siting requirements may be waived.” Application at 24. Regarding the specific waiver requested by PECO, the Application explains that:

“[t]he Commission has granted waiver of this requirement to provide alternative routes in prior applications entirely within existing utility rights-of-way. *See, e.g., PPL Electric Utility Co., Docket No. A-2022-3030969*

² In the Application, PECO also explained that the high-level desktop evaluation “achieves the purpose of the alternative route proposal requirement in 52 Pa. Code § 57.72(c)(10), and there would be no benefit in requiring PECO to propose and analyze specific routes within the corridors analyzed here.” Application at 28.

(Dec. 23, 2022); *PPL Electric Utilities Co.*, Docket No. A-2019-3007945 (July 11, 2019).”

Application at 24. In addition:

“[t]he The Commission has further recognized that waiver of certain of the Commission’s regulations governing review and approval of the siting and construction of high-voltage electric transmission lines set forth at 52 Pa. Code §§ 57.71 et seq. is appropriate if a proposed transmission project meets one or more of the criteria for a Letter of Notification under 52 Pa. Code § 57.72(d)(1) on a segment-by-segment basis. The Commission has considered single transmission lines as composed of discrete segments that each individually can satisfy the criteria in Section 57.72(d)(1) even where the entire transmission line assessed on the basis of its total distance may not meet the criteria in Section 57.72(d)(1).”

Id. at 29. In the Application, PECO cited multiple examples where the Commission granted a requested waiver of certain provisions of the Commission’s siting regulations at 52 Pa. Code §§ 57.71 et seq. on a segment-by-segment basis. *See* Application at 29-31.³ As PECO explained in the Application, the PJM22RW3 Project “can be divided into eight component transmission segments, each of which is individually appropriate for waiver of the requirement for a full alternative route analysis under 52 Pa. Code § 57.72(c)(10).” Application at 32. Each segment is appropriate for waiver because the segment is “entirely within PECO’s existing right-of-way and will not substantially alter the right-of-way,” and/or “less than two miles.” Application at 32 to 37.⁴

PECO notes that on January 14, 2025, Deputy Chief Administrative Law Judge Pell granted PECO waiver “of the requirements 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.” *See* Prehearing Order #1, Ordering Paragraph 4, Docket No. A-2024-3051463 (2025).

TUS-A-12:

Reference the Application, Paragraph 17. Please provide the date of the TEAC meeting the subject project was presented at and the corresponding PJM baseline project number(s) associated with the Siting Application.

³ *See, e.g.*, Application at 29-30 (“For example, in *PPL Electric Utilities Co.*, Docket No. P-2016-2545583 (Aug. 11, 2016) the Commission granted a requested waiver of certain provisions of the Commission’s siting regulations at 52 Pa. Code §§ 57.71 et seq. on a segment-by-segment basis. The Commission noted that the proposed project did not meet the ‘strict definition of any of the situations’ in 52 Pa. Code § 57.72(d) but found that waiver of the strict application of 52 Pa. Code § 57.72(d) was appropriate and that the project’s individual parts satisfied the criteria in 52 Pa. Code § 57.72(d)(1).”).

⁴ PECO also noted contributing factors such as where new segments will have a minimal viewshed impact or utilize an existing transmission corridor.

RESPONSE:

Below is a table listing the PJM baseline project numbers for the PJM 2022 Reliability Window # 3 Project (“PJM22RW3 Project”) along with the dates that the transmission activities were initially and last presented to the TEAC.

Upgrade Id	Description	Initial TEAC Date	Latest TEAC Date
b3800.31	Build new North Delta-High Ridge 500 kV line.	12/5/2023	12/5/2023
b3800.35	Rebuild 5012 (existing Peach Bottom-Conastone) (new North Delta-Graceton PECO) 500 kV line on single circuit structures within existing ROW and cut into North Delta 500 kV and Gracetone 500 kV stations.	12/5/2023	12/5/2023
b3800.42	Peach Bottom North bus upgrade - Replace 11 – Instances of strain bus conductor used for breaker drops or CT drops, 7 – 500 kV disconnect switches, 7 – Free Standing CTs, 1 – 500 kV breaker, 2 – Breaker relays or meters.	12/5/2023	12/5/2023
b3800.44	North Delta termination for the North Delta-High Ridge 500 line (PECO work).	10/31/2023	12/5/2023
b3800.45	North Delta 500 kV termination for the Rock Springs 500 kV line (5034/5014 line) (PECO work).	10/31/2023	1/9/2024
b3800.46	North Delta 500 kV termination for the new Peach Bottom-North Delta 500 kV line (PECO work).	10/31/2023	12/5/2023
b3800.47	Build new Peach Bottom South-North Delta 500 kV line – cut in to Peach Bottom tie No. 1 and extending line to North Delta (~1.25 miles new ROW).	10/31/2023	12/5/2023
b3800.5	Peach Bottom-TMI 500 kV – Replace terminal equipment at Peach Bottom (install new line terminal relays and communication infrastructure within Peach Bottom and along the 5007)	12/7/2023	5/1/2024
b3800.52	Reconfigure Peach Bottom North and South yards to allow for termination of 500 kV lines from Peach Bottom to North Delta. North Delta 500 kV termination for the new Peach Bottom-North Delta 500 kV line.	10/31/2023	1/9/2024

TUS-A-13:

Reference the Application, Paragraph 26. Please explain whether PECO is seeking approval of the modifications to the 5034 Transmission Line as part of the subject filing.

RESPONSE:

PECO is not seeking approval of the modifications of the 5034 Transmission Line as part of this Application. As PECO explained in the Application, “neither the demolition nor rebuilding of the 5034 Line is within the scope of work of the Project for which PECO is responsible.” Application at fn 13. PECO also stated that “[i]f PECO obtains responsibility to construct the newly relocated portion of the 5034 Line, PECO will separately file with the Commission for all necessary authorizations to site and construct those facilities.” *Id.* PECO intends to separately file a Letter of Notification for a separate transmission project to relocate the 5034 Line for review by the Commission.

PECO also notes that as part of the PJM22RW3 Project, PECO will construct an approximately 710-foot transmission line to tie the existing 5034 Line to the existing 5014 Line. *See* Application at 15. This transmission line is depicted as light blue in Attachment 20 at 5. PECO identifies this extension as the 5014 Line.

TUS-A-14:

Reference the Application, Paragraph 34. Please state the size, in terms of acres, of any additional right-of-ways required for the subject project.

RESPONSE:

In the Application, PECO stated that:

“[o]f the approximately 329.6 acres required for this Project, PECO only needs to acquire land rights for 13.5 acres from two landowners and 9.1 acres from a neighboring generator, Constellation Energy Group, LLC, and needs to acquire easements for 7.1 acres from another neighboring generator, Calpine Corporation.”

PECO Statement No. 5 at 4. Attachment 12 identifies the parcels of land required for the PJM22RW3 Project. PECO also stated:

“[a]n affiliate of Transource Pennsylvania, LLC (“Transource”) currently has an option to purchase 4.8 acres owned by one of the landowners. PECO intends to seek to acquire an easement for that required land after that transaction is completed.”

Id. at fn 1.

The sizes, in terms of acres, of additions land rights required for the PJM22RW3 Project stated in the Application remain generally accurate, with a few minor modifications. First,

PECO will acquire from Constellation Energy Group, LLC 9.2 acres instead of 9.1 acres as originally expected. PECO has determined that this increase of 0.1 acre is required for necessary storm water easements. Second, Transource exercised its option to purchase 4.8 acres land from Troyer Farms LLC and also purchased an additional 2.5 acres from the landowner. As a result, PECO intends to acquire 7.3 acres from Transource instead of 4.8 acres as originally expected. Third, due to Transource’s acquisition of land rights from Troyer Farms LLC, PECO no longer needs to acquire as many acres from that landowner and, therefore, PECO intends to acquire 5.9 acres instead of 13 acres as originally expected.

The below table lists the additional acres PECO intends to acquire for the PJM22RW3 Project, reflecting the above adjustments.

Landowning Entity	Easement Acreage to be Acquired by PECO
Grimmel Farms LP	0.5
Troyer Farms LLC	5.4
Calpine Mid Merit, LLC	7.1
Constellation Energy Generation, LLC	9.2
Transource Pennsylvania, LLC	7.3
Total	29.5

TUS-A-15:

Reference the Application, Paragraph 35. Please explain whether PECO has obtained all of the necessary land rights.

RESPONSE:

PECO is currently in negotiations with Grimmel Farms LP, Troyer Farms LLC, Calpine Mid Merit, LLC, and Constellation Energy Generation, LLC. PECO intends to open negotiations shortly with Transource Pennsylvania, LLC.

TUS-A-16:

Reference the Application, Paragraph 65. Please explain whether the potential wetlands to be impacted are located within the Commonwealth of Pennsylvania.

RESPONSE:

Paragraph 65 of the Application is specific to potential alternative routes to the south of the Project area and does not describe potential impacts of the actual Project area. The wetlands described in paragraph 65 are located both within the Commonwealth of Pennsylvania and Maryland and were identified by PECO as potentially impacted if PECO used an alternative route to the south of the proposed transmission routes. These wetlands are depicted in Attachment 10, Figure 10-5, along with additional constraints.

As confirmed in PECO Statement No. 3 at pages 16 to 17, PECO identified wetlands within the actual Project area and PECO designed the new transmission line structures to minimize any direct wetland impacts. PECO conducted a Pennsylvania Natural Diversity Inventory review of the proposed Project and coordinated with the Pennsylvania Department of Conservation and Natural Resources (“PADCNR”), the Pennsylvania Fish and Boat Commission (“PFBC”), and the U.S. Fish and Wildlife Service (“USFWS”) to avoid potential impacts to the wetlands and species of concern. In response to the Technical Utility Services’ second set of data requests, PECO provided responses from each agency as Attachments TUS-A-8 through TUS-A-10. The PADCNR confirmed there are no anticipated impacts per survey with avoidance and monitoring from the Project. The PFBC identified one potential species of concern in the Project area and provided minimization and management strategies to minimize potential impacts to that species, which PECO will follow. The USFWS identified one potential species of concern in the Project area and confirmed that the Project is not likely to adversely affect that species.

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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Pursuant to 52 Pa. Code §§ 57.71 et seq. for :
Approval of the Siting and Construction of : Docket Nos. A-2024-3051463
the PJM 2022 Reliability Window # 3 Project : P-2025-3053955
Located in Peach Bottom Township, York :
County, Pennsylvania and Petition for :
Waiver of 52 Pa. Code § 57.72(c)(10) :**

VERIFICATION

I, William J. Patterer, hereby state the facts set forth are true and correct to the best of my knowledge, information and belief. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S § 4904 (relating to unsworn falsification to authorities).

DATE: 7/28/2025



WILLIAM J. PATERER
Vice President, Projects and Contracts

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**Application of PECO Energy Company Filed :
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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 and affirm that I have this day served a copy of the Responses of PECO Energy Company to Data Requests of the Bureau of Technical Utility Services on the following persons in the manner specified in accordance with the requirements of 52 Pa. Code § 1.54:

VIA ELECTRONIC MAIL

Darryl A. Lawrence
Office of Consumer Advocate
555 Walnut Street
Forum Place – 5th Floor
Harrisburg, PA 17101-1921
dlawrence@paoca.org

Allison C. Kaster
Bureau of Investigation and Enforcement
PA Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor West
Harrisburg, PA 17120
akaster@pa.gov

Jordan Van Order
Bureau of Technical Utility Services
PA Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor West
Harrisburg, PA 17120
jvanorder@pa.gov

NazAarah Sabree
Office of Small Business Advocate
Forum Place - 1st Floor
555 Walnut Street
Harrisburg, PA 17101
nsabree@pa.gov

Dated: July 28, 2025



Kenneth M. Kulak
Morgan Lewis & Bockius LLP
2222 Market Street
Philadelphia, PA 19103-2921
(215) 963-5384
ken.kulak@morganlewis.com