

---

Garrett P. Lent

glent@postschell.com  
717-612-6032 Direct  
717-731-1985 Direct Fax

April 6, 2026

***VIA ELECTRONIC FILING***

Matthew L. Homsher, Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street, 2nd Floor North  
P.O. Box 3265  
Harrisburg, PA 17105-3265

**Re: Petition Of PPL Electric Utilities Corporation For Findings That A Structure To Shelter Electrical And Control Equipment At The Proposed Nescopeck Switchyard In Nescopeck Township, Luzerne County, Pennsylvania Is Reasonably Necessary For The Convenience Or Welfare Of The Public  
Docket No. P-2026-\_\_\_\_\_**

---

Dear Secretary Homsher:

Attached for filing is the Petition of PPL Electric Utilities Corporation For Findings That A Structure To Shelter Electrical And Control Equipment At The Proposed Nescopeck Switchyard In Nescopeck Township, Luzerne County, Pennsylvania Is Reasonably Necessary For The Convenience Or Welfare Of The Public (“Zoning Petition”).

As explained in the Zoning Petition, the “Application of PPL Electric Utilities Corporation, Filed Pursuant to 52 Pa. Code Chapter 57 Subchapter G, for Approval to (1) Bifurcate and Rebuild 4.4 Miles of the Existing Sunbury-Susquehanna #1 230 kV Transmission Line; (2) Construct 0.9 Miles of New Transmission Line Tap for Future 230 kV Double-Circuit Operation; (3) Raise Approximately 0.5 Miles of the Sunbury-Susquehanna 500 kV Transmission Line; and (4) Construct 11.2 Miles of New Double-Circuit 230 kV Transmission Line for Future Double-Circuit 500 kV Capacity, Located in Black Creek, Conyngham, Hazle, Hollenback, Nescopeck, and Sugarloaf, Townships in Luzerne County, Pennsylvania” (the “Siting Application”) is being filed contemporaneously herewith. The Siting Application and this Zoning Petition involve common questions of law and fact. Therefore, PPL Electric requests that they be consolidated pursuant to 52 Pa. Code § 5.81.

Copies of this Zoning Petition are being served as provided on the attached Certificate of Service.

Matthew L. Homsher, Secretary  
April 6, 2026  
Page 2

Very truly yours,



Garrett P. Lent

GPL/sll  
Enclosures

cc: Deb Backer, Bureau of Technical Utility Services (*via email, w/ attachments*)  
Jordan Van Order, Bureau of Technical Utility Services (*via email, w/ attachments*)  
Certificate of Service

## CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been served upon the following persons, in the manner indicated, in accordance with the requirements of 52 Pa. Code § 57.74(b).

### VIA CERTIFIED MAIL: RETURN RECEIPT REQUESTED

PA Bureau of Investigation and  
Enforcement

Attn: Allison Kaster  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street, 2nd Floor, Room-N201  
Harrisburg, PA 17120

Pennsylvania Office of Consumer Advocate  
Attn: Darryl A. Lawrence, Consumer  
Advocate 555 Walnut Street  
5th Floor Forum Place  
Harrisburg, PA 17101-1923

PA Office of Small Business Advocate  
Attn: NazAarah Sabree, Small Business  
Advocate  
555 Walnut Street  
1st Floor, Forum Place  
Harrisburg, PA 17101

Luzerne County Council Office  
Attn: Sharon Lawrence, Chief Clerk  
200 N. River Street  
Wilkes-Barre, PA 18711

Luzerne County Conservation District  
Attn: Josh Longmore, Executive Director  
325 Smiths Pond Road  
Shavertown, PA 18708

Luzerne County Planning Commission  
Attn: Daniel G. Reese, Interim Director  
200 N. River Street  
Wilkes-Barre, PA 18711

Luzerne Co. Farmland Preservation Board  
Attn: Jen Merryman, Program Administrator  
325 Smiths Pond Road  
Shavertown, PA 18708

Nescopeck Township Supervisors  
Attn: Michael Winder, Chairman  
429 Berwick Hazleton Highway  
Nescopeck, PA 18635

Nescopeck Township  
Attn: Carolyn Superko, Secretary  
429 Berwick Hazleton Highway  
Nescopeck, PA 18635

Nescopeck Township Planning Commission  
Attn: Walter Lear, Chairperson  
429 Berwick Hazleton Highway  
Nescopeck, PA 18635

NP Hazleton Holdings 1 LLC  
c/o Northpoint Development LLC  
3315 North Oak Trafficway  
Kansas City, MO 64116

Timothy E. & Heather M. Dunn  
91 Cross Valley Road  
Nescopeck, PA 18635

Ralph and Nancy Ide  
77 Cross Valley Road  
Nescopeck, PA 18635

Kathy M. Unger  
1485 Zenith Road  
Nescopeck, PA 18635

Mark D. & Victoria J. Hileman  
704 Berwick Hazleton Highway  
Nescopeck, PA 18635

Raymond E. & Nada N. Ryman, et al.  
51 Church Road  
Nescopeck, PA 18635

Hannah N. Ryman  
John P. Mentrikoski  
42 Church Road  
Nescopeck, PA 18635

Denise Shelhamer  
58 Church Road  
Nescopeck, PA 18635

Claudia Kline  
70 Church Road  
Nescopeck, PA 18635

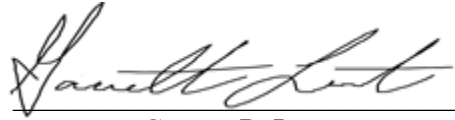
Dennis J. and Bonnie J. Superko  
28 Church Road  
Nescopeck, PA 18635

Tammy B. Logan  
PO Box 10  
Willow, AK 99688

Kevin C. Drasher  
114 W Cherry Road  
Nescopeck, PA 18635

Julie Rosato and Lee V. Rosato  
102 Church Road  
Nescopeck, PA 18635

Date: April 6, 2026

  
Garrett P. Lent

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Petition Of PPL Electric Utilities :  
Corporation For Findings That A Structure :  
To Shelter Electrical And Control : Docket No. P-2026-\_\_\_\_\_  
Equipment At The Proposed Nescopeck :  
Switchyard In Nescopeck Township, :  
Luzerne County, Pennsylvania Is :  
Reasonably Necessary For The :  
Convenience Or Welfare Of The Public :

---

**PETITION OF PPL ELECTRIC UTILITIES CORPORATION**

---

**TO THE PENNSYLVANIA PUBLIC UTILITY COMMISSION:**

PPL Electric Utilities Corporation (“PPL Electric” or the “Company”) hereby petitions the Pennsylvania Public Utility Commission (“Commission”), pursuant to 52 Pa. Code § 5.41 and 53 P.S. § 10619, for a finding that one structure to shelter electrical control equipment (the “Control Equipment Shelter”) at the proposed PPL Electric-owned Nescopeck 230 kilovolt (“kV”) Switchyard in Nescopeck Township, Luzerne County, Pennsylvania (the “Nescopeck Switchyard”), is reasonably necessary for the convenience or welfare of the public and, therefore, exempt from any local zoning ordinance (“Zoning Petition”). The contemplated Control Equipment Shelter is needed to enclose and protect certain facilities at the contemplated Nescopeck Switchyard, which will be constructed in conjunction with the “Sugarloaf 500/230 kV Transmission Line Project” or the “Project.”

Construction on the Project is anticipated to begin in February 2027, to support an in-service date of March 2028.

In support of this Zoning Petition, PPL Electric states as follows:

**I. INTRODUCTION**

1. This Zoning Petition is filed by PPL Electric, a public utility that provides electric distribution, transmission, and provider of last resort services in Pennsylvania subject to the regulatory jurisdiction of the Commission.

2. PPL Electric’s address is as follows:

PPL Electric Utilities Corporation  
827 Hausman Road  
Allentown, Pennsylvania 18104

3. PPL Electric’s attorneys are:

Michael J. Shafer (I.D. # 205681)  
PPL Services Corporation  
645 Hamilton Street, Suite 700  
Allentown, PA 18101  
Voice: 610-774-2599  
Fax: 610-774-4102  
E-mail: mjshafer@pplweb.com

David B. MacGregor (I.D. # 28804)  
Garrett P. Lent (I.D. # 321566)  
Lindsay A. Berkstresser (I.D. # 318370)  
Megan E. Rulli (I.D. # 331981)  
Hayley E. Wilburn (I.D. # 336055)  
Post & Schell, P.C.  
17 North Second Street  
12th Floor  
Harrisburg, PA 17101-1601  
Voice: 717-731-1970  
Fax: 717-731-1985  
E-mail: dmacgregor@postschell.com  
E-mail: glent@postschell.com  
E-mail: lberkstresser@postschell.com  
E-mail: mrulli@postschell.com  
E-mail: hwilburn@postschell.com

PPL Electric’s attorneys are authorized to receive all notices and communications regarding this Zoning Petition.

4. PPL Electric furnishes electric service to approximately 1.5 million customers throughout its certificated service territory, which includes all or portions of twenty-nine counties and encompasses approximately 10,000 square miles in eastern and central Pennsylvania.

5. PPL Electric is a “public utility” and an “electric distribution company” as defined in Sections 102 and 2803 of the Pennsylvania Public Utility Code, 66 Pa.C.S. §§ 102, 2803. PPL

Electric is also a “public utility” as defined by the Federal Power Act, 16 U.S.C. § 824(e), a transmission owner, and a member of PJM Interconnection, L.L.C. (“PJM”).

6. PPL Electric owns approximately 5,000 miles of transmission lines operating at 69 kV (kilovolts) or higher, approximately 375 substations with a capacity of 10 MVA (megavolt amperes) or more, and approximately 43,000 miles of distribution lines operating at less than 69 kV.

7. Contemporaneously with the filing of this Zoning Petition, PPL Electric is submitting the *Application of PPL Electric Utilities Corporation, Filed Pursuant to 52 Pa. Code Chapter 57 Subchapter G* (the “Siting Application”), seeking approval to: (1) bifurcate and rebuild approximately 4.4 miles of the existing single-circuit Sunbury–Susquehanna #1 230 kV Transmission Line for double-circuit 230 kV operation between the existing Susquehanna Switchyard and the proposed Nescopeck Switchyard; (2) construct a new approximately 0.9-mile-long 230 kV transmission line tap from the existing Sunbury–Susquehanna #1 230 kV Transmission Line to the proposed Nescopeck Switchyard for future double-circuit operation; (3) raise approximately 0.5 miles of the existing Sunbury–Susquehanna 500 kV Transmission Line to accommodate the required undercrossings; and (4) construct a new approximately 11.2-mile-long 230 kV transmission line, designed for future double-circuit 500 kV capacity, between the proposed Nescopeck Switchyard, the proposed Tomhicken Switchyard, and the existing Harwood Substation (the “Sugarloaf 500/230 kV Transmission Line Project”).

8. A complete copy of the Siting Application, together with the supporting Attachments and Testimony, has been served on all the same persons that are being served with this Zoning Petition.

## **II. NEED FOR THE PROJECT**

9. The Project is necessary to (1) address multiple customers' future electrical needs in the area; (2) address PPL Electric's own system needs; and (3) support the interconnection of the proposed Tomhicken Switchyard.

10. One new customer (the "Customer"), located in Hazle Township, has requested 230 kV electrical service with an in-service date of December 15, 2026, at an initial load of 240 megawatts ("MW"). The Customer's load will increase in stages to approximately 965 MW by 2033. This Customer will be served by the proposed Tomhicken Switchyard, which bifurcates the Susquehanna-Harwood #1 and #2 230 kV Transmission Lines to create the Susquehanna-Tomhicken #1 and #2 and the Tomhicken-Harwood #1 and #2 230 kV Transmission Lines.

11. Additional customers have also applied for service in the Hazleton area with a combined requested load of over 5,000 MW by 2033. These customer requests have been submitted to PJM under the following need numbers: PPL-2024-0003, PPL-2024-0004, PPL-2024-0012, PPL-2025-0002, PPL-2025-0009, and PPL-2025-0010.

12. The projected load growth will create overloads on the Susquehanna-Tomhicken #1 and #2 230 kV Transmission Lines, which will require additional improvements to the 230 kV network in this area to continue to provide reliable service.

13. Specifically, the Susquehanna-Tomhicken #1 and #2 230 kV Transmission Lines become overloaded when the load increases by approximately 400 MW in the Hazleton area. The loss of one of the Susquehanna-Tomhicken 230 kV lines in a single contingency (P1)<sup>1</sup> or multiple

---

<sup>1</sup> P1, P4 and P7 are category contingencies defined in Table 1 of the NERC TPL-001 Transmission System Planning Performance Requirements. <https://www.nerc.com/globalassets/standards/reliability-standards/tpl/tpl-001-5.1.pdf>

contingency with a fault plus stuck breaker<sup>2</sup> (P4) category overloads the remaining in-service line. When the load addition in the Hazleton area approaches approximately 700 MW, the loss of both Susquehanna-Tomhicken #1 and #2 230 kV Transmission Lines for a multiple contingency with the common structure (P7) category results in voltage violations at both the Tomhicken Switchyard and the Harwood Substation.

14. To serve the multiple load requests received and avoid the voltage violations described above, PPL Electric is planning two phases of transmission line expansion. The first phase is the subject of the Tomhicken 230 kV Switchyard Project LON and involves the construction of new high voltage (“HV”) transmission lines to connect the Customer requesting transmission level service in Hazle Township, Luzerne County to the 230 kV system.<sup>3</sup>

15. The second phase is the Sugarloaf 500/230 kV Transmission Line Project, which is the subject of the Siting Application and this Zoning Petition.

### **III. DESCRIPTION OF THE PROJECT**

16. To address the issues described above, PPL Electric has proposed to construct the Sugarloaf 500/230 kV Transmission Line Project.

17. The new Nescopeck Switchyard will be constructed in a breaker-and-a-half arrangement. Breaker-and-a-half arrangements are the preferred design because of the balance of operational flexibility and cost that this design affords.

---

<sup>2</sup> A stuck breaker means that for a gang-operated breaker, all three phases of the breaker have remained closed. For an independent pole operated (IPO) or an independent pole tripping (IPT) breaker, only one pole is assumed to remain closed. A stuck breaker results in Delayed Fault Clearing.

<sup>3</sup> The Susquehanna – Tomhicken #1 and #2 230kV Transmission Lines and the Tomhicken-Harwood #1 and #2 230 kV Transmission Lines have not yet been constructed. These transmission lines are the subject of a Letter of Notification (“LON”) which was filed on December 19, 2025, at Docket No. A-2025-3059443. A Decision has not yet been issued in this matter.

18. The Project will be located in Conyngham, Hollenback, Nescopeck, Black Creek, Sugarloaf, and Hazle Townships, Luzerne County, Pennsylvania. The proposed Nescopeck Substation is located in Nescopeck Township, Luzerne County.

19. A detailed map of the proposed Project, including the new and rebuilt structure locations, is provided in the **Aerial Exhibit in Attachment 4 – Alternatives and Siting Analysis**. One-line diagrams of the existing and proposed system configurations are attached to the Siting Application as **Figure 2-1 and Figure 2-2 in Attachment 2 – Necessity Statement**.

20. Provided as “Appendix A” hereto is an exhibit showing the location of the tract of land on which the proposed Nescopeck Switchyard, together with the Control Equipment Shelter, will be constructed.

21. The Project, as accepted by PJM, includes reinforcements of the 230 kV system from the Susquehanna Switchyard to the Tomhicken Switchyard and Harwood Substation, via the proposed Nescopeck Switchyard.

22. A detailed description of the contemplated new construction and rebuild of the existing facilities is set forth in **Attachment 5 – Engineering Description** to the Siting Application.

#### **IV. EXEMPTION FROM LOCAL ZONING**

23. As a general rule, public utility facilities are exempt from local ordinances. *PPL Elec. Utils. Corp. v. City of Lancaster*, 654 Pa. 203, 214 A.3d 639, 655 (Pa. 2019) (affirming that the General Assembly has “vested in the [PUC] exclusive authority over the complex and technical service and engineering questions arising in the location, construction and maintenance of all public utility facilities”); *see also, e.g., Duquesne Light Company v. Monroeville Borough*, 449 Pa. 573, 580, 298 A.2d 252, 256 (Pa. 1972) (“This Court has consistently held, however, that the

Public Utility Commission has exclusive regulatory jurisdiction over the implementation of public utility facilities”) (citations omitted); *County of Chester v. Philadelphia Elec. Co.*, 420 Pa. 422, 218 A.2d 331 (Pa. 1966) (holding that regulation by a multitude of jurisdictions would result in "twisted and knotted" public utilities with consequent harm to the general welfare); *Newtown Twp. v. Philadelphia Elec. Co.*, 594 A.2d 834, 837 (Pa. Cmwlth. 1991) (noting that “it is clear that no ‘implied’ power exists in the MPC which would allow the Township to regulate [the Philadelphia Electric Company] through its subdivision and land development ordinance”); *Heintzel v. Zoning Hearing Bd. of Millcreek Twp.*, 533 A.2d 832 (Pa. Cmwlth. 1987) (holding that township had no power to regulate, under its zoning ordinance, city’s erection of water tower because that power was under the exclusive jurisdiction of the PUC); *South Coventry Twp. v. Philadelphia Elec. Co.*, 504 A.2d 368 (Pa. Cmwlth. 1986) (noting that to possibly subject [the Philadelphia Electric Company] to a miscellaneous collection of regulations upon its system would clearly burden and indeed disable it from successfully functioning as a utility); *Commonwealth v. Delaware and Hudson Railway Co.*, 339 A.2d 155 (Pa. Cmwlth. 1975) (holding that the MPC did not authorize local governments to regulate public utilities in any manner which infringes upon the power of the Commission to so regulate).

24. However, a limited exception to this general rule is that a municipality may apply local zoning rules to a public utility “building” unless the Commission finds that the location of the building is reasonably necessary for the convenience or welfare of the public. The Pennsylvania Municipalities Planning Code (“MPC”) provides, in relevant part, as follows:

This article shall not apply to any existing or proposed building, or extension thereof, used or to be used by a public utility corporation, if, upon petition of the corporation, the Pennsylvania Public Utility Commission shall, after public hearing, decide that the present or proposed situation of the building in question is reasonably necessary for the convenience or welfare of the public.

Section 619 of the MPC, Act of July 31, 1968, P.L. 805, *as amended*, 53 P.S. § 10619. Thus, a municipality may zone a public utility building unless the Commission determines that the building is reasonably necessary for the convenience or welfare of the public. If the Commission finds that the building is reasonably necessary, the building is exempt from local zoning ordinances under the MPC. *Del-AWARE Unlimited, Inc. v. Pa. PUC*, 513 A.2d 593, 596 (Pa. Cmwlth. 1986).

25. Section 619 of the MPC does not require a utility to prove that the site it has selected for a building is absolutely necessary or that it is the best possible site; rather, the utility must only demonstrate “reasonable necessity” for a particular location, not absolute need. *See Joint Petition of Mid-Atlantic Interstate Transmission, LLC and Metropolitan Edison Company For Findings That Structures To Shelter Control Equipment At The Proposed Klecknersville Substations in Moore Township, Northampton County, Pennsylvania Are Reasonably Necessary For The Convenience Or Welfare Of The Public*, Docket No. P-2022-3036554 (Initial Decision dated June 21, 2023), *made final by operation of law by* (Order entered July 26, 2023) (citing *O’Connor v. Pa. PUC*, 582 A.2d 427 (Pa. Cmwlth. 1990)).

26. All of the non-building facilities at the Nescopeck Switchyard are exempt from local regulation, are not part of Company’s Petition, and do not require Commission approval to construct.<sup>4</sup> The only portion of the Nescopeck Switchyard that is at issue in this Petition is the proposed structure to shelter electrical and control equipment at the Nescopeck Switchyard. If the relief requested in this Petition is granted, then this structure would also be exempt from local zoning requirements.

27. As explained above, and more fully in the Siting Application and the supporting Attachments and Testimony, the Project is necessary to address future electrical needs in the area

---

<sup>4</sup> Except for the contemplated new and rebuilt overhead high voltage (“HV”) transmission lines that are the subject of the Siting Application.

from multiple customers, address the Company’s system needs, and support the interconnection of the proposed Tomhicken Switchyard. The Nescopeck Switchyard must include certain equipment in order to operate properly and this equipment must be protected from the elements, as well as potential unauthorized access to and human interference with the equipment necessary to control the Nescopeck Switchyard. The most efficient and appropriate means of protecting the equipment at the Nescopeck Switchyard is the construction of the Control Equipment Shelter on the site proposed for the Nescopeck Switchyard.

28. Because the Project, including the Nescopeck Switchyard, is reasonably necessary for the public convenience and welfare, the Commission should find that the Control Equipment Shelter is reasonably necessary and, therefore, exempt from the Nescopeck Township’s local zoning ordinance pursuant to Section 619 of the MPC. *Del-AWARE Unlimited, Inc. v. Pa. PUC*, 513 A.2d 593 (Pa. Cmwlth. 1986).

**V. THE NESCOPECK TOWNSHIP ZONING ORDINANCE**

29. On January 11, 2001, the Commission adopted a policy statement to further the Commonwealth’s goal of making agency actions consistent with sound land use planning by considering the impact of its decision upon local comprehensive plans and zoning ordinances. *See* 31 Pa. Bull. 951 (Feb. 17, 2001). Section 69.1101 of the Commission’s Regulations provides:

[T]he Commission will consider the impact of its decisions upon local comprehensive plans and zoning ordinances. This will include reviewing applications for:

\*\*\*

(2) Siting electric transmission lines.

(3) Siting a public utility “building” under section 619 of the Municipalities Planning Code (53 P.S. § 10619)....

52 Pa. Code § 69.1101.

30. Nescopeck Township has adopted a zoning ordinance. *See* Nescopeck Township Zoning Ordinance (Ordinance 12-1) (Adopted October 9, 2012) (hereinafter, the “Zoning Ordinance”).<sup>5</sup>

31. The Zoning Ordinance defines “Semi-Public Building or Use” as:

Buildings or uses operated by non-profit, community-based organizations for the general use of Township residents, including churches, fire houses, ambulance buildings, private schools, libraries and the like, but excluding institutional uses such as nursing homes, hospitals, sanitariums and clinics. It shall also include essential services and public utilities that require enclosure within any structure or building. *Id.* at III-25 (defining “Semi-Public Building or Use”).

32. Relatedly, a “Structure” is defined as “[a] combination of materials to form a construction for use, occupancy, or ornamentation whether installed on, above, or below the surface of land or water.” *Id.* at III-28 (defining “Structure”). The Zoning Ordinance further defines “Building” as “[a]ny structure having a roof supported by columns or walls and intended for shelter, housing or enclosure of any individual, animal, process, equipment, services, goods or materials of any kind or nature.” *Id.* at III-5 (defining “Building”).

33. Additionally, the Zoning Ordinance specifically refers to Section 619 of the Pennsylvania Municipalities Planning Code for the purposes of Public Utility Exemptions. *Id.* at XII-16.

34. The Nescopeck Switchyard will include one Control Equipment Shelter.

35. The Control Equipment Shelter is necessary to hold electrical and control equipment, protecting it from outdoor elements and human interference.

---

<sup>5</sup> A copy of the relevant pages of the Nescopeck Township Zoning Ordinance that is referenced in this Zoning Petition is attached hereto as Appendix B. The full Nescopeck Township Zoning Ordinance is available online at: <https://www.zoneomics.com/code/nescospeck-township-luzerne-county-PA>.

36. The Control Equipment Shelter will be approximately 102 feet wide by 37 feet long and will generally be constructed with a metal-framed enclosure, concrete blocks, and concrete walls on a concrete foundation.

37. Minimal heating and cooling equipment will be installed to maintain the temperature within the required operating limits of the housed equipment.

38. The shelter is designed to hold the necessary auxiliary equipment required to operate, maintain, and control the Nescopeck Switchyard, including relay and control panels, batteries to ensure back-up and normal DC supply to equipment, AC and DC panels to distribute auxiliary power to the equipment, switches, and an HVAC system to ensure the equipment is not harmed by extreme cold or hot weather. The Control Equipment Shelter will not be designed for continuous human occupancy.

39. The Control Equipment Shelter will generally be located toward the western perimeter of the Nescopeck Switchyard, near one of the two primary entry/exit points of the switchyard.

40. The Nescopeck Switchyard perimeter will be surrounded by a metal fence approximately 12 feet high, to prevent unauthorized access. Entry and exit to the switchyard will be through locked and security-rated gates and man doors placed along the perimeter of the fence. Access to the switchyard will be monitored by security equipment installed in and around the perimeter. The perimeter will also be monitored with security access controls and surveillance equipment. Where feasible, vegetation will be left in place to provide visual screening from neighboring properties and public vantage points.

41. In addition, PPL Electric has taken appropriate steps to consider the environmental impacts of the Control Equipment Shelter and to ensure that the Control Equipment Shelter's siting and construction will have minimum adverse environmental impacts. Here, the Control

Equipment Shelter will be installed within the impervious switchyard footprint, and all construction and stormwater management activities will be performed in accordance with the approved National Pollutant Discharge Elimination System (“NPDES”) permit as part of the overall site development.

42. The considerations described in the above paragraph are consistent with the Commonwealth Court’s decision in *Twp. of Marple v. Pa. P.U.C.*, in which the Commonwealth Court held that in Section 619 proceedings, the Commission must “consider the environmental impacts of placing a building at a proposed location, while also deferring to environmental determinations made by other agencies with primary regulatory jurisdiction over such matters.” 294 A.3d 965, 974 (Pa. Cmwlth. 2023).

43. Based on the foregoing, in the absence of a finding by the Commission under Section 619 of the MPC, it may be unlawful under the Zoning Ordinance for PPL Electric to commence work on, and begin use of, the Nescopeck Switchyard and Control Equipment Shelter.

44. For these reasons, PPL Electric requests that the Commission find that the Control Equipment Shelter at the proposed Nescopeck Switchyard is reasonably necessary for the convenience or welfare of the public and are, therefore, exempt from the requirements of the Nescopeck Township Zoning Ordinance that may, in the Township’s opinion, impose any restriction, condition, or regulation on the construction of the Control Equipment Shelter at the Nescopeck Switchyard.<sup>6</sup> As explained in the Siting Application and the supporting Attachments

---

<sup>6</sup> Importantly, as explained above, public utility facilities are exempt from local ordinances. *See* paragraphs 28-33, *supra*. Therefore, the Company submits that the public utility facilities comprising the Nescopeck Switchyard, except for the Control Equipment Shelter, and the public utility facilities required to interconnect the Nescopeck Switchyard with the electric grid are exempt from the Nescopeck Township Zoning Ordinance. To the extent that Nescopeck Township attempts to regulate such public utility facilities, such regulation is preempted by the Commission’s exclusive authority over the location, construction and maintenance of all public utility facilities. *See, e.g., PPL Elec.*, 214 A.3d at 655.

and Testimony, the Project, including the Nescopeck Switchyard, is reasonably necessary for the convenience or welfare of the public.

45. The Company is serving copies of this Petition on all affected parties, including the individuals served with a copy of the Siting Application.

## **VI. RELATED PROCEEDINGS**

46. As explained above, PPL Electric contemporaneously filed the Siting Application with the Commission requesting approval to rebuild, raise, or site and construct the overhead high voltage transmission lines associated with the Project, which includes the proposed Nescopeck Switchyard and Control Equipment Shelter that are the subject of this Zoning Petition.

47. In addition, PPL Electric has contemporaneously filed 30 Condemnation Applications pursuant to 15 Pa. C.S. § 1511(c) for a finding and determination by the Commission, to the extent that any such finding and determination may be required, that the service to be furnished by PPL Electric through the exercise of the power of eminent domain for the Sugarloaf 500/230 kV Transmission Line Project is necessary or proper for the service, accommodation, convenience or safety of the public.<sup>7</sup>

---

<sup>7</sup> Section 1511 of the Business Corporation Law of 1988 statutorily grants a public utility, such as PPL Electric, the power or authority to take and condemn property for the purpose of providing electricity to the public. *See* 15 Pa.C.S. § 1511(a)(3). However, before a public utility may seek to exercise the authority to condemn property for an aerial transmission line, it must obtain approval from the Commission pursuant to Section 1511(c), which provides, in pertinent part, as follows:

(c) The powers conferred by subsection (a) [for the running of aerial electric facilities] may be exercised to condemn property ... only after the Pennsylvania Utility Public Commission, upon application of the public utility corporation, has found and determined ... that the service to be furnished by the corporation through the exercise of those powers is necessary or proper for the service, accommodation, convenience or safety of the public.

15 Pa.C.S. § 1511(c). The Commission does not determine whether to grant a condemnation application on the basis of the legal authority, scope, validity, damages, or the willingness of a condemnee to negotiate.

48. Issues relating to the need for the Siting Application, Condemnation Applications, and Zoning Petition are interrelated. Pursuant to 52 Pa. Code § 5.81, the Company requests that these related proceedings be consolidated for purposes of hearings, if necessary, and decision.

**VII. NOTICE**

49. PPL Electric has reached out to residents located immediately adjacent to the Nescopeck Switchyard as a part of its outreach related to the Project. A complete copy of the Zoning Petition will be served upon these individuals.

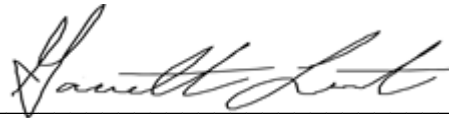
50. PPL Electric has provided information regarding the Project to representatives of Conyngham, Hollenback, Nescopeck, Black Creek, Sugarloaf and Hazle Townships in Luzerne County, Pennsylvania. Copies of this Zoning Petition will be served on Nescopeck Township.

51. PPL Electric will provide such additional forms of notice as may be directed by the Commission.

## VIII. CONCLUSION

WHEREFORE, PPL Electric Utilities Corporation respectfully requests that the Pennsylvania Public Utility Commission: (1) consolidate this Zoning Petition with the Siting Application of PPL Electric Utilities Corporation for the Sugarloaf 500/230 kV Transmission Line Project contemporaneously filed herewith; and (2) find that the Control Equipment Shelter proposed by PPL Electric Utilities Corporation at the Nescopeck Switchyard is reasonably necessary for the convenience or welfare of the public and, therefore, is exempt from the Zoning Ordinance of Nescopeck Township.

Respectfully submitted,



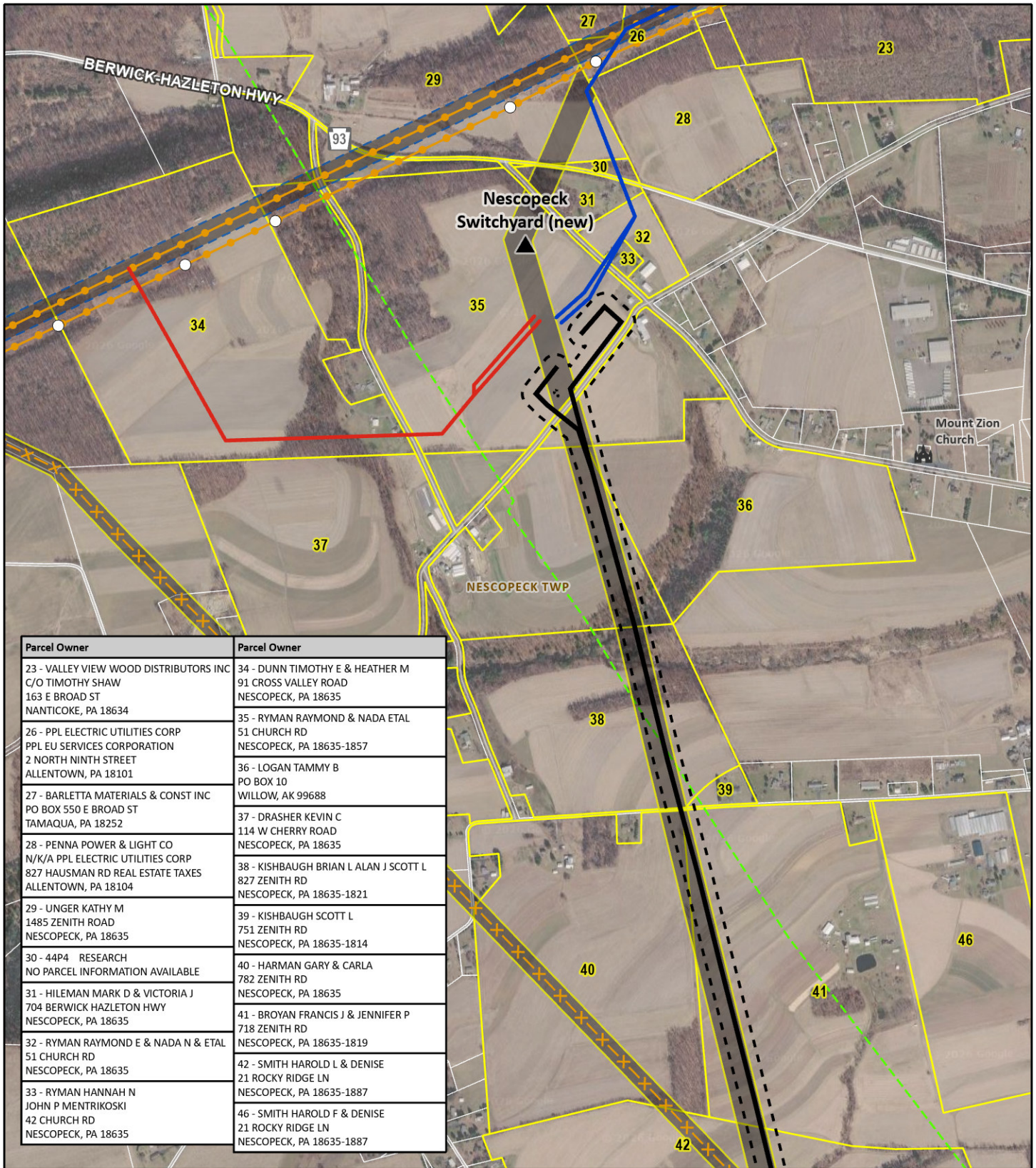
Michael J. Shafer (I.D. # 205681)  
PPL Services Corporation  
645 Hamilton Street, Suite 700  
Allentown, PA 18101  
Voice: 610-774-2599  
Fax: 610-774-4102  
E-mail: mjshafer@pplweb.com

David B. MacGregor (I.D. # 28804)  
Garrett P. Lent (I.D. # 321566)  
Lindsay A. Berkstresser (I.D. # 318370)  
Megan E. Rulli (I.D. # 331981)  
Hayley E. Wilburn (I.D. # 336055)  
Post & Schell, P.C.  
17 North Second Street  
12th Floor  
Harrisburg, PA 17101-1601  
Voice: 717-731-1970  
Fax: 717-731-1985  
E-mail: dmacgregor@postschell.com  
E-mail: glent@postschell.com  
E-mail: lberkstresser@postschell.com  
E-mail: mrulli@postschell.com  
E-mail: hwilburn@postschell.com

Date: April 6, 2026

Attorneys for PPL Electric Utilities Corporation

# **Appendix A**



Parcel Owner	Parcel Owner
23 - VALLEY VIEW WOOD DISTRIBUTORS INC C/O TIMOTHY SHAW 163 E BROAD ST NANTICOKE, PA 18634	34 - DUNN TIMOTHY E & HEATHER M 91 CROSS VALLEY ROAD NESCOPECK, PA 18635
26 - PPL ELECTRIC UTILITIES CORP PPL EU SERVICES CORPORATION 2 NORTH NINTH STREET ALLENTOWN, PA 18101	35 - RYMAN RAYMOND & NADA ETAL 51 CHURCH RD NESCOPECK, PA 18635-1857
27 - BARLETTA MATERIALS & CONST INC PO BOX 550 E BROAD ST TAMAQUA, PA 18252	36 - LOGAN TAMMY B PO BOX 10 WILLOW, AK 99688
28 - PENNA POWER & LIGHT CO N/K/A PPL ELECTRIC UTILITIES CORP 827 HAUSMAN RD REAL ESTATE TAXES ALLENTOWN, PA 18104	37 - DRASHER KEVIN C 114 W CHERRY ROAD NESCOPECK, PA 18635
29 - UNGER KATHY M 1485 ZENITH ROAD NESCOPECK, PA 18635	38 - KISHBAUGH BRIAN L ALAN J SCOTT L 827 ZENITH RD NESCOPECK, PA 18635-1821
30 - 44P4 RESEARCH NO PARCEL INFORMATION AVAILABLE	39 - KISHBAUGH SCOTT L 751 ZENITH RD NESCOPECK, PA 18635-1814
31 - HILEMAN MARK D & VICTORIA J 704 BERWICK HAZLETON HWY NESCOPECK, PA 18635	40 - HARMAN GARY & CARLA 782 ZENITH RD NESCOPECK, PA 18635
32 - RYMAN RAYMOND E & NADA N & ETAL 51 CHURCH RD NESCOPECK, PA 18635	41 - BROYAN FRANCIS J & JENNIFER P 718 ZENITH RD NESCOPECK, PA 18635-1819
33 - RYMAN HANNAH N JOHN P MENTRIKOSKI 42 CHURCH RD NESCOPECK, PA 18635	42 - SMITH HAROLD L & DENISE 21 ROCKY RIDGE LN NESCOPECK, PA 18635-1887
	46 - SMITH HAROLD F & DENISE 21 ROCKY RIDGE LN NESCOPECK, PA 18635-1887



▲ Substation or Switchyard	Existing 150-foot ROW
○ Structure to be Raised	Existing ROW
— Proposed Route	Parcels Crossed
— Tap Line	Harwood - Berwick 69 kV Transmission Line (removed)
— Rebuilt 230 kV Transmission Lines	Existing Transmission Line
--- Proposed 200-foot ROW	— Pipeline

Roads, Railroads, Municipalities (PASDA 2022)  
Rivers, Forest Cover (USGS 2021, 2022)  
Pipelines (Enverus 2025)


Coordinate System:  
State Plane PA South  
Datum: NAD 83



**Sugarloaf 500/230 kV  
Transmission Line Project  
Aerial Exhibit (Page 4 of 10)**

0      500      1,000  
 Feet



# Appendix B

# **NESCOPECK TOWNSHIP**

LUZERNE COUNTY, PENNSYLVANIA

## **ZONING ORDINANCE**

(ORDINANCE 12-1)

ADOPTED  
OCTOBER 9, 2012

**Automobile Rental Operation:** An establishment which rents automobiles, but no other types of vehicles or equipment, to the general public and which does not include the sale or service of any vehicles on the premises.

**Bank:** An establishment for the custody, loan, exchange or issue of money, for the extension of credit, and for facilitating the transmission of funds.

**Basement:** A story partly underground but having at least one-half of its height above the average level of the adjoining ground. A basement shall be counted as a story for the purpose of height measurement if the vertical distance between the ceiling and the average level of the adjoining ground is more than five (5) feet or if used for business or dwelling purposes, other than a game or recreation room.

**Bed and Breakfast:** Any single-family dwelling in which more than three (3) persons either individually or as families are housed or lodged for hire with meals normally included as a part of the services rendered, and shall be restricted to transient visitors to the area and shall not be used for long term occupancy or residency of guests.

**Boarding or Lodging House:** Any dwelling in which more than three (3) persons either individually or as families are housed or lodged for hire with meals normally, but not necessarily included as a part of the services rendered.

**Board of Supervisors or Supervisors:** The Board of Supervisors of Nescopeck Township, Luzerne County, Pennsylvania.

**Buffer:** A strip of land that: separates one use from another use or feature, and is not occupied by any building, parking, outdoor storage or any use other than open space or approved pedestrian pathways. It is used to provide separation between incompatible uses to effect a visual barrier, reduce noise, block physical passage between uses, and reduce noise, dust and litter. The separation may be effected by fencing, dense vegetative planting, the provision of additional setback distances, berms or a combination thereof; and, in general, widths of buffers are increased as the density or opaqueness of the barrier decreases. A buffer yard may be a part of the minimum setback distance but land within an existing street right-of-way shall not be used to meet a buffer yard requirement.

**Building:** Any structure having a roof supported by columns or walls and intended for the shelter, housing or enclosure of any individual, animal, process, equipment, services, goods or materials of any kind or nature. The word

**Building Coverage:** The percentage of the area of the lot covered or occupied by the total horizontal projected surface area of all buildings on the lot and including accessory buildings and structures (including covered porches, carports and breeze ways, but excluding open and uncovered patios and decks).

**Building Envelope:** An area on a lot which has been designated as the area in which development may occur. Building envelopes are identified by building setbacks, conservation areas, site conditions and other factors, and are specifically designated on the development plan and established by deed covenants and restrictions.

**Building Height:** The vertical distance of a building measured from the average ground level to the highest part of the structure, excluding chimneys.

**Building Line:** A line formed by the intersection of a horizontal plane at the average grade level and a vertical plane that coincides with the exterior surface of the building on any side. In case of a cantilevered or projected section of a building, the vertical plane will coincide with the most projected surface. All setbacks are measured to the building line.

**Building, Principal:** A building in which is conducted the main or principal use of the lot on which said building is situated.

of twenty-thousand (20,000) gallons. NOTE: *retail home heating fuel distributor shall not* include 1) any operation involving the bulk storage of gasoline for distribution by delivery truck; 2) any operation involving the bulk storage of any kerosene, home heating oil, diesel fuel, gasoline, or propane for distribution to retail or wholesale establishments; or 3) any operation storing a total combined volume of more than twenty thousand (20,000) gallons of kerosene, home heating oil, or propane. Such an operation shall be considered a *bulk fuel storage facility* as defined herein.

**Retaining Wall:** A wall for sustaining a bank of earth liable to a landslide or erosion.

**Right-of-Way:** Land reserved for use as a street, drainage facility or other public or community use. A right-of-way shall not be considered as land area when computing lot size.

**Satellite Dish Antenna or Satellite Antenna :** A ground-based reflector, usually parabolic in shape, that receives electronic signals from a satellite. This term shall also include any pedestal or attached structure.

**School, Public or Private Primary or Secondary School:** - An educational institution primarily for persons between the ages of five (5) and nineteen (19) that primarily provides State-required or largely State-funded educational programs. This term shall not include *trade schools* (such as privately operated schools of trade, vocation or business.) See *public and semi-public buildings and uses*.

**Screened:** Not visible from any adjoining or neighboring property, any public or private road right-of-way, or any other premises which is accomplished by fencing, topography, berms, natural and planted vegetation or other means approved by the Township.

**Seasonal Farm Labor Camp:** Any living quarters, including, without limitation, housing accommodations, motel rooming house, dormitory, or mobile home, maintained directly or indirectly in connection with any place where work is being performed by seasonal farm workers, whether or not rent is paid. The term includes the immediate premises or site upon which any such building or buildings are situated; the facilities necessary to or associated with any such building or buildings; and any area or site set aside and provided for camping of seasonal farm workers. The term does not include buildings reserved exclusively for the personal use of the landowner.

**Secondary Farm Activity:** An activity which is conducted for a limited seasonal period, accessory to and directly related to a principal agricultural use, and which may include activities such as hay rides, haunted houses, field mazes, antique auto and equipment displays, non-mechanical rides (carnival type), petting zoos, food vendors, and craft displays.

**Self-Storage Facility:** A building or group of buildings containing separate, individual, and private storage spaces available for lease or rent for varying periods of time.

**Semi-Public Building or Use:** Buildings or uses operated by non-profit, community-based organizations for the general use of Township residents, including churches, fire houses, ambulance buildings, private schools, libraries and the like, but excluding institutional uses such as nursing homes, hospitals, sanitariums and clinics. It shall also include essential services and public utilities that require enclosure within any structure or building.

**Service Establishment:** Establishments engaged in providing services involving the care or needs of a person or his or her apparel such as cleaning and garment services, beauty and barber shops, shoe repair, dry cleaning and laundries, photographic studios, etc., and which is not otherwise listed as a use in the Schedule of Uses.

**Setback:** An open unoccupied space which shall extend the full depth or width of a lot and which shall not be occupied by any portion of any building. Front setbacks shall be measured from the edge of the highway right-of-way and other setbacks from property lines.

Specified Sexual Activities: Any of the following:

- A. The fondling or other erotic touching of human genitals, pubic region, buttocks, anus, or female breasts.
- B. Sex acts, normal or perverted, actual or simulated, including intercourse, oral copulation, or sodomy.
- C. Masturbation, actual or simulated.
- D. Excretory functions as part of or in connection with any of the activities set forth in §§A, §§B and §§C of this definition.

Stable, Commercial: A structure or land where horses are kept for remuneration, hire, sale, boarding, riding or show, and which includes the commercial hire of horses to the general public for riding or other purposes.

Stable, Private: An accessory structure or use of land where horses are kept for the sole use of the residents of the principal structure, and which includes no remuneration, hire, boarding or other commercial use.

Staging Areas for Equipment/Materials: Any area where equipment, vehicles, supplies and/or other material are assembled or stored for the support of another operation or use located at a different site.

Storage Yard For Forest Products and Minerals: An area, not on the same parcel where the products are initially harvested or gathered, to which trees, forest products, flag stone, landscaping stone, wall stone or other minerals are hauled and stored, and which does not involve any land development, the operation of a sawmill, the operation of any other wood manufacturing business, or the operation of any natural resources processing.

Story: That portion of a building included between the surface of any floor and the surface of the floor next above it, or if there is no floor above it, then the space between any floor and the ceiling next above it

Story, Half: A story under a gable, hip or gambrel roof, the wall plates of which on at least two opposite exterior walls are not more than four (4) feet above the floor of such story.

Street: A public or private thoroughfare which affords the principal means of access to abutting property, including avenue, place, way, drive, lane, boulevard, highway, road and any other thoroughfare except an alley. Public rights-of-way shall be those open to the general use of the public, not necessarily publicly dedicated. Classes of streets shall be as defined in the Township Subdivision and Land Development Ordinance.

Street Right-of-Way Line: The line dividing a lot from the full street right-of-way, not just the cartway.

Structure: A combination of materials to form a construction for use, occupancy, or ornamentation whether installed on, above, or below the surface of land or water.

Structure, Permanent: Anything constructed, the use of which requires permanent location on the ground, or attachment to something having a permanent location on the ground.

Structure, Portable: Anything constructed that is not permanently affixed to the ground but is designed to be moved from place to place.

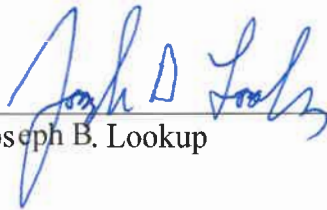
Structural Alteration: Any change in the structural members of a building, such as walls, columns, beams or girders, or any addition to any structure.

Subdivision: The division or redivision of a lot, tract, or parcel of land by any means into two (2) or more lots, tracts, parcels or other divisions of land including changes in existing lot lines for the purpose, whether immediate or future,

## VERIFICATION

I, JOSEPH B. LOOKUP, being the Vice President – Transmission & Distribution Planning and Asset Management at PPL Services Corporation, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect PPL Electric Utilities Corporation to be able to prove the same at a hearing held in this matter. 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: March 31, 2026

  
\_\_\_\_\_  
Joseph B. Lookup