

**PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17120**

Public Meeting held April 16, 2026

Commissioners Present:

Stephen M. DeFrank, Chairman
Kimberly Barrow, Vice Chair
Kathryn L. Zerfuss
John F. Coleman, Jr.
Ralph V. Yanora

Letter of Notification of PECO Energy Company
for approval to construct the 220-80 230 kV
Transmission Line and 220-101 230 kV
Transmission Line located in Norristown Borough
and Upper Merion and West Norriton Townships,
Montgomery County, Pennsylvania

Docket Numbers:
A-2025-3057320
P-2025-3057330

Petition of PECO Energy Company for finding of
necessity that the situation of a Control Equipment
Enclosure at the proposed Forge Springs
Substation in Upper Merion Township,
Montgomery County, Pennsylvania is Reasonably
Necessary for the Convenience of the Public

ORDER

BY THE COMMISSION:

History of the Proceeding

On September 9, 2025, PECO Energy Company (PECO), Utility Code 110550, filed

a Letter of Notification pursuant to 52 Pa. Code § 57.72(d)(1)(vi) of the Pennsylvania Public Utility Commission's (Commission) transmission line siting regulation. PECO also filed a Petition requesting exemption from local zoning regulations, pursuant to 52 Pa. Code § 5.41 and 53 P.S. § 10619. For the reasons expressed in this Order, the Letter of Notification is approved and the Petition is granted.

Copies of the Letter of Notification were served in accordance with Section 57.72(d)(3) and 57.74(b) & (c), 52 Pa. Code §§ 57.72(d)(3), 57.74(b) & (c). Notice of the Petition was published in the September 27, 2025, issue of the *Pennsylvania Bulletin*. The notice informed interested parties of the date and time of the prehearing conference. Protests and petitions to intervene were due on or before October 13, 2025. No protests or petitions to intervene were filed.

On October 21, 2025, a telephonic prehearing conference was held. PECO and Montgomery County were represented. Montgomery County provided that it was taking no position regarding the Petition. PECO requested, since no protests or petitions to intervene had been filed by the deadline, that this matter be re-assigned to the Commission's Bureau of Technical Utility Services for review and disposition.

In an Order dated October 24, 2025, the ALJ determined that the Petition, being unopposed, is to be reassigned to the Commission's Bureau of Technical Utility Services for further action.

On January 30, 2026, PECO filed an amendment to its Letter of Notification. The changes in the Amendment reflect PECO's withdrawal from an agreement with the United States Department of Energy (DOE). Under the agreement, the DOE would have reimbursed a portion of PECO's costs for the subject project. In its Amendment, PECO provides that its withdrawal from the agreement is intended to ensure responsible resource

allocation and maintain operational reliability while continuing to advance grid modernization and cleaner energy initiatives.

Zoning Waiver

PECO filed a Petition pursuant to 52 Pa. Code § 5.41 and 53 P.S. § 10619, for a finding that the situation of a control equipment enclosure associated with the proposed Forge Springs Substation in Upper Merion Township, Montgomery County, is reasonably necessary for the convenience or welfare of the public and, therefore, exempt from any local zoning ordinance. PECO submits that construction of the new Forge Springs Substation is necessary to enable retirement of PECO's existing Barbadoes Substation. PECO also submits that the existing Barbadoes Substation is located on an island in the Schuylkill River, and the area has become prone to flooding. Additionally, PECO submits that in 2021 during Hurricane Ida, the island on which the Barbadoes Substation is located became flooded. PECO further submits that to build resiliency against flood events like Hurricane Ida, PECO proposes to relocate the substation off the island and south of the river. Finally, PECO submits that if the Barbadoes Substation was flooded in a worst-case scenario and power could not be redirected from other sources, PECO estimates that the result would be a total loss of electric service to approximately 25,000 customers. Petition ¶6.

PECO states that the Forge Springs Substation will include a control equipment enclosure. PECO also states that the purpose of the enclosure is to house substation electric controls, relays, metering, and communications equipment necessary for the control and operation of the Forge Springs Substation and a lavatory for use when PECO personnel are on-site. PECO further states that HVAC equipment will be housed within the control equipment enclosure to provide the climate control required for safe and reliable operation of the substation equipment. Finally, PECO states that the equipment housed within the enclosure is not designed to be exposed to the elements and therefore must be housed within

an enclosure to ensure it can perform its designed function for the duration of its useful life.
Petition ¶7.

The Pennsylvania Municipal 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.

53 P.S. § 10619.

Thus, a public utility building is subject to local zoning requirements for buildings unless, upon petition, the Commission determines that the proposed situation of the building in question is reasonably necessary for the convenience or welfare of the public.

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. The Commission's policy statement provides that:

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

- (1) Certificates of public convenience.
- (2) Siting electric transmission lines.
- (3) Siting a public utility "building" under section 619 of the Municipalities Planning Code (53 P.S. § 10619).
- (4) Other Commission decisions.

52 Pa Code § 69.1101.

Upper Merion Township has adopted a zoning ordinance, which includes a map on which zoning districts are identified. *See* Code of Upper Merion Township, enacted July 14, 2022. The location where PECO proposes to construct the Forge Springs Substation is comprised of four parcels designated as either heavy industrial or agricultural. Section 165-200 of the township's zoning code provides:

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

Zoning Code of Upper Merion Township § 165-200.

PECO submits that it and Upper Merion Township entered into an Agreement in Lieu of Zoning, Subdivision & Land Development Ordinance (SALDO), and Subdivision Application/Approval dated March 13, 2025. PECO also submits that the Agreement acknowledges that the Pennsylvania Public Utility Code and case law preempt municipalities from regulating a public utility. Additionally, PECO submits that it agreed to submit for informational purposes only and thereafter record a plan of consolidation for the four parcels of land comprising the subject project. PECO further submits that it confirmed to Upper Merion Township that it would pursue Commission approval of the equipment enclosure at the Forge Springs Substation. Finally, PECO submits that, per the agreement, no approval, special exception, or variance of Upper Merion Township ordinances are required for construction of the new Forge Springs Substation, and PECO is not required to obtain any construction or building permits from Upper Merion Township. Petition ¶8. PECO states that notwithstanding the foregoing, PECO will comply with the applicable Upper Merion Township ordinances related to the following matters, if applicable: National

Pollutant Discharge Elimination System (NPDES), floodplain, storm water management, grading, soil and erosion, demolition, Pennsylvania Department of Transportation highway occupancy permits, and water and sewer connections. Petition ¶8.

PECO submits that the control equipment enclosure will not adversely impact air quality because it will not contain a combustion source. PECO also submits that the control equipment enclosure will contain batteries to provide backup support in the event of loss of power and that these batteries will emit small amounts of hydrogen over time that is below Pennsylvania Department of Environmental Protection reporting requirements, consistent with typical battery emissions. Additionally, PECO submits that the control equipment enclosure will not adversely impact water quality because the only discharges from the enclosure will be connected to the municipal sewer system. PECO further submits that the control equipment enclosure will not produce adverse noise impacts as the only noise that may be generated from the enclosure will be at low levels consistent with Upper Merion Township ordinance requirements. Finally, PECO submits that the control equipment enclosure will not lead to any other adverse environmental impacts and that while tree clearing is required to construct the entire substation, PECO will comply with any mitigation requirements of the United States Fish and Wildlife Service (USFWS). PECO Data Request Response No. 6.

PECO states that the control equipment enclosure will not adversely impact the natural environment. PECO also states that it is currently coordinating with USFWS for potential requirements to mitigate any adverse impacts related to tree clearing required for construction of the substation and will follow such restrictions. Additionally, PECO states that the USFWS identified a bat habitat hibernaculum within five miles of the Forge Springs Substation and indicated that a tree clearing restriction will be in place from November 16th to March 31st. Finally, PECO states that it submitted an application with the Montgomery County Conservation District for an NPDES permit for discharges of stormwater associated

with construction activities for the entire substation that provides erosion and sediment pollution control, as well as post construction stormwater management best management practices that comply with township, county and Pennsylvania Department of Environmental Protection requirements. PECO Data Request Response No. 7.

PECO submits that it has identified no adverse environmental impacts from the control equipment enclosure with lavatory. PECO also submits that it is currently coordinating with USFWS and has not received an expected completion date for USFWS's review. Additionally, PECO submits that it will provide the results of USFWS's review after USFWS has provided PECO with the results. Finally, PECO submits that no additional coordination with state or federal agencies related to potential environmental impacts is required due to the control equipment enclosure with lavatory. PECO Data Request Response No. 8.

Finally, PECO states that the Forge Springs Substation is necessary in order for PECO to build resiliency against flood events at the Barbadoes Substation. Petition ¶6.

PECO submits that for all the foregoing reasons, it respectfully requests that the Commission find the proposed situation of the control equipment enclosure with lavatory, constituting a “building” in the Forge Springs Substation, is reasonably necessary for the convenience and welfare of the public and therefore exempt from all local zoning regulation of Upper Merion Township, Montgomery County, Pennsylvania. PECO also requests the Commission grant any and all other approvals necessary to carry out the relief requested in its Petition. Petition, pages 11-12.

Disposition

PECO’s Petition was not protested, and the Petition and the manner in which it was

filed conforms to the requirements of 52 Pa. Code § 5.41, 53 P.S. §10619, and the Environmental Rights Amendment, Article I, Section 27, of the Pennsylvania Constitution.¹ The Forge Springs Substation will help address the needs identified by PECO, and the control equipment enclosure is necessary to properly operate the substation. PECO and Upper Merion Township have entered into an agreement affirming PECO's exemption from the township's zoning ordinance. Moreover, we find that the control equipment enclosure will have no adverse impact on the environment. Upon full consideration of all matters of record, we find that the proposed situation of the control equipment enclosure is reasonably necessary for the convenience or welfare of the public.

Letter of Notification

PECO requests approval to construct the 220-80 230 kV Transmission Line and 220-101 230 kV Transmission Line located in Norristown Borough and Upper Merion and West Norriton Townships, Montgomery County, Pennsylvania. PECO states that the 220-80 transmission line will extend approximately 0.6 mile in length connecting the existing 220-80 line to PECO's proposed Forge Springs Substation. PECO also states that the 220-101 line will extend approximately 0.5 mile from the Forge Springs Substation to PECO's existing Barbadoes Substation. Application ¶17.

PECO submits that construction of the subject project is necessary to maintain 34 kV distribution service from the existing Barbadoes Substation during the first phase of construction on PECO's proposed Forge Springs Substation. PECO also submits that this arrangement will provide power until the second phase of construction, when the Forge Springs Substation will replace the Barbadoes Substation's distribution service. Finally, PECO submits that it will seek any required approvals for transmission lines and structures

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

in the second phase in a separate filing. Application ¶12.

PECO states that, as described above, the Barbadoes Substation is located on an island in the Schuylkill River, and that the area has become prone to flooding. PECO also states that the 34 kV component of the Barbadoes Substation was constructed in 1926 and is at the end of its useful life. PECO further states that while the Barbadoes Substation's 230 kV components were constructed in 1986 and not at the end of their useful life, distribution service reliability will be enhanced by replacing these facilities with modern equipment. Finally, PECO states that it presented the subject project at the March 2025 and June 2025 Transmission Expansion Advisory Committee meetings at PJM Interconnection, L.L.C. (PJM), wherein PJM assigned the project the supplemental project number s3776.1. Application ¶¶10-11 and Attachment 2, Item 8.

PECO submits that in addition to constructing the Forge Springs Substation it considered two alternative solutions. The first alternative was to construct both temporary and permanent flood walls to mitigate flooding of the existing Barbadoes Substation. PECO submits that this first alternative was rejected because flood walls would not prevent intrusion from rising groundwater. The second alternative considered involved raising the existing substation equipment above the flood elevation, but this approach was rejected because it would lead to multiple clearance issues. Finally, PECO submits that construction of the Forge Springs Substation is the most practicable solution. Application, Attachment 2, Item 23.

PECO states that construction of the two new lines includes the installation of new 230 kV transmission line conductors that will be supported on a total of six new steel monopole structures. PECO also states that the new structures will range from approximately 65 feet in height to approximately 165 feet in height and that an existing nearby structure is approximately 115 feet in height. PECO further states that the two new

lines will consist of double bundled 1590 kcmil 54/19 “Falcon” aluminum, steel reinforced, conductor. Lastly, PECO states that the two new lines will be located within new right-of-way that is approximately 125 feet in width. Application ¶17 and Attachment 2, Items 6 and 12.

PECO asserts that the subject project will be designed, constructed, operated, and maintained in a manner that meets or surpasses all applicable National Electrical Safety Code minimum standards and all applicable legal requirements. Application ¶20.

PECO submits that the total estimated cost for the subject project is approximately \$95.6 million and that PECO will own, finance, and build the project. PECO also submits that of the cost, approximately \$70.77 million are distribution costs and the remaining costs are for transmission work, PECO overhead, and management. Finally, PECO submits that construction of the project is anticipated to commence in the second quarter of 2026 with a proposed in-service date of the fourth quarter of 2029. Application ¶¶6-7.

Disposition

Section 57.72 authorizes the abbreviated Letter of Notification siting application process in lieu of an application for the following:

- (i) An HV line which is proposed to be located entirely on an existing transmission line right-of-way, so long as the size, character, design, or configuration of the proposed HV line does not substantially alter the right-of-way.
- (ii) An HV line which is proposed to be located entirely within a public road.
- (iii) An HV line which is proposed to be located entirely within applicant’s existing transmission line right-of-way and the property of the sole customer to be served by the line, so long as the size, character, design, or configuration of the proposed

HV line does not substantially alter the right-of-way.

- (iv) A line for which the voltage is proposed to be increased above its present levels so long as the size, character, design, or configuration of the proposed HV line does not substantially alter the right-of-way.
- (v) An HV line which is to be reconducted or reconstructed so long as the size, character, design or configuration of the proposed HV line does not substantially alter the right-of-way.
- (vi) An HV line having a proposed route of 2 miles or less.

52 Pa. Code § 57.72(d).

We agree with PECO that the formal Letter of Notification, as amended, and manner in which it was filed conforms to the requirements of 52 Pa. Code § 57.72(d)(1)(vi) because the subject project constructs the 220-80 and 220-101 230 kV transmission lines which are less than two miles in length. Moreover, the Commission has reviewed the filing and does not find it to be inconsistent with the applicable law or Commission policy regarding transmission line siting and, therefore, to be in the public interest. We also note that our approval of the Letter of Notification does not address the issues of accounting treatment, and cost recovery; **THEREFORE,**

IT IS ORDERED:

1. That the Petition of PECO Energy Company for a finding that the situation of a control equipment enclosure at the proposed Forge Springs Substation is reasonably necessary for the convenience of the public, is hereby granted.

2. That the Letter of Notification of PECO Energy Company for approval to construct the 220-80 230 kV Transmission Line and 220-101 230 kV Transmission Line, located in Norristown Borough, and Upper Merion and West Norriton Townships,

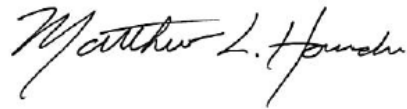
Montgomery County, Pennsylvania, is hereby approved.

3. That upon completion of the subject project, PECO Energy Company shall file the final project cost with the Commission.

4. That this proceeding at Docket No. P-2025-3057330 be closed.

5. That upon completion of Ordering Paragraph 3, this proceeding at Docket No. A-2025-3057320 be closed.

BY THE COMMISSION,

A handwritten signature in black ink, reading "Matthew L. Homsher". The signature is written in a cursive style with a large initial "M".

Matthew L. Homsher
Secretary

ORDER ADOPTED: April 16, 2026

ORDER ENTERED: April 17, 2026