
Garrett P. Lent

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File #: 205388

June 12, 2026

VIA ELECTRONIC FILING

Matthew L. Homsher, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, Second Floor
Harrisburg, Pennsylvania 17120

Re: Application of NextEra Energy Transmission MidAtlantic, Inc., for All of the Necessary Authority, Approvals, and Certificates of Public Convenience (1) to Begin to Furnish and Supply Electric Transmission Service in Greene County and Fayette County, Pennsylvania; (2) for Certain Affiliated Interest Agreements; and (3) for any Other Approvals Necessary to Complete the Contemplated Transactions Docket No. A-2026-3060921 et. al.

**Application of NextEra Energy Transmission MidAtlantic, Inc., filed pursuant to 52 Pa. Code Chapter 57 Subchapter G, for approval to site and construct a 500 kV transmission line associated with the MidAtlantic Resiliency Link Project located in portions of Greene County and Fayette County, Pennsylvania
Docket No. A-2026-3060856**

Dear Secretary Homsher:

Enclosed for filing please find the Answer of NextEra Energy Transmission MidAtlantic, Inc. to the Petition to Intervene of Kathy Rishel in the above-referenced proceedings.

Copies will be provided as indicated on the Certificate of Service.

Respectfully submitted,



Garrett P. Lent

Matthew L. Homsher, Secretary
June 12, 2026
Page 2

GPL/bfc
Enclosure

cc: Certificate of Service

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Application has been served upon the following persons, in the manner indicated, in accordance with the requirements of 52 Pa. Code § 57.72(d)(3).

ACTIVE PARTIES OF RECORD **SERVICE BY EMAIL ONLY**

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Rockis Rental & Supply, Inc.*

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VIA FIRST-CLASS MAIL

Kathy Rishel
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Farmington, PA 15437

Dated: June 12, 2026

A handwritten signature in cursive script, reading "Garrett P. Lent", is written above a horizontal line.

Garrett P. Lent

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application of NextEra Energy : Docket Nos. A-2026-3060921
Transmission MidAtlantic, Inc., for All of : G-2026-3060941
the Necessary Authority, Approvals, and : G-2026-3060942
Certificates of Public Convenience (1) to :
Begin to Furnish and Supply Electric :
Transmission Service in Greene County :
and Fayette County, Pennsylvania; (2) for :
Certain Affiliated Interest Agreements; :
and (3) for any Other Approvals :
Necessary to Complete the Contemplated :
Transactions :

Application of NextEra Energy : Docket No. A-2026-3060856
Transmission MidAtlantic, Inc., Filed :
Pursuant to 52 Pa. Code Chapter 5 :
Subchapter G, for Approval to Site and :
Construct a 500 kV Transmission Line :
Associated with the MidAtlantic :
Resiliency Link Project Located in :
Portions of Greene County and Fayette :
County, Pennsylvania :

**ANSWER OF NEXTERA ENERGY TRANSMISSION MIDATLANTIC, INC. TO THE
PETITION TO INTERVENE OF KATHY RISHEL**

TO THE PENNSYLVANIA PUBLIC UTILITY COMMISSION:

I. INTRODUCTION AND OVERVIEW

Pursuant to 52 Pa. Code § 5.66, NextEra Energy Transmission MidAtlantic, Inc. (“NEET MA” or the “Company”) hereby submits this Answer to the Petition to Intervene (the “Petition”) of Kathy Rishel (“Petitioner”) in the above-captioned proceedings.

On March 3, 2026, NEET MA filed, pursuant to the Pennsylvania Public Utility Code at 66 Pa.C.S. §§ 1101, 1103, and 2102, an application requesting all necessary authority, approvals,

and certificates of public convenience from the Pennsylvania Public Utility Commission (“Commission”) necessary to authorize NEET MA to begin to furnish and supply electric transmission service as a Pennsylvania public utility within Greene County and Fayette County, Pennsylvania (“CPC Application”).

Also on March 3, 2026, NEET MA filed, pursuant to 52 Pa. Code § 57.72, an application requesting Commission approval of the siting and construction of the Pennsylvania Portion of a new 500 kV transmission line associated with the MARL Project in Dunkard Township in Greene County and Springhill Township in Fayette County, Pennsylvania (“Siting Application”).

On March 26, 2026, Administrative Law Judge John M. Coogan issued a Prehearing Conference Order providing, among other things, that a Telephonic Prehearing Conference would be held on Wednesday, May 6, 2026 at 10:00 AM for both the CPC Application and Siting Application proceedings. At the May 6 prehearing conference, Administrative Law Judges John M. Coogan and Erin L. Gannon (the “ALJs”) consolidated the CPC Application and the Siting Application.¹ The ALJs also decided that, for any protests and/or petitions to intervene filed on or before May 29, 2026, NEET MA would be permitted to respond on or before June 12, 2026.² Numerous protests and petitions to intervene have been filed at the above-captioned dockets before and since the May 6 prehearing conference.

On May 8, 2026, the Petition filed by Kathy Rishel was posted to one or both of the above-captioned dockets in this proceeding. As explained below, NEET MA opposes the Petition because the Petitioner has no legally recognizable interest in the above-captioned proceedings and, therefore, cannot meet the eligibility criteria set forth in the Commission’s regulations at 52 Pa. Code § 5.72.

¹ Tr. 11.

² Tr. 47-48.

The Petitioner submitted a form Petition, which avers fifteen grounds upon which the CPC Application and Siting Application should be denied. This form Petition is insufficient for the purposes of establishing that the Petitioner has an interest in the proceedings that will not be “adequately represented by existing participants.” 52 Pa. Code § 5.72. Rather, the Petition alleges general interests and harms that do not surpass the common interest of all citizens in procuring obedience to the law. Indeed, the non-specific interests advanced by the Petitioner are evidenced by the fact that five other individuals identified the exact same general interests as the basis for their Petitions as well.³ Nowhere in the Protest did the Protestant include any indication as to their specific interests in the proceedings.

In any event, the interests of residential ratepayers, like the Petitioner, are adequately represented by the Office of Consumer Advocate (“OCA”), who is actively participating in this proceeding. OCA is empowered and obligated to represent general residential and consumer interests like those advanced by the Petitioner. The Petitioner has not alleged a specific interest in addition to the general interests that OCA is actively representing.

Finally, Company records indicate that the Petitioner does not own property located within the right-of-way (“ROW”) corridor for the Proposed Route, nor does the Petitioner own property located within the ROW corridors for any of the Alternate Routes of the MARL Project. Yet, the Petition fails to establish the manner in which the MARL Project will directly affect the Petitioner such that their interest will not be adequately represented by existing participants, as they are not a landowner of property that will be traversed by the MARL Project. For all of these reasons, the Petition should be denied.

³ The other petitioners who submitted this form Petition were: Alice Rishel, Travis Rishel, Joni Bowers, Larry K. Rishel, and Linda Maust-Jacobs.

In further support of its opposition to the Petition, NEET MA responds to the specific paragraphs of the Petition as follows:

II. ANSWER TO SPECIFIC AVERMENTS

1. Denied. Paragraph 1 of the Petition contains a legal conclusion to which no response is required. To the extent a response is required, NEET MA denies any factual averments contained within Paragraph 1. By way of further response, the MARL Project was approved by the PJM Interconnection, LLC's ("PJM") Board as one of a set of transmission enhancements or expansions that would be a more efficient or cost-effective solution to prevent severe transmission line overloads and blackouts within the PJM region. (Siting Application at 25.)

2. Paragraph 2 of the Petition contains a legal conclusion to which no response is required. To the extent a response is required, NEET MA denies any factual averments contained within Paragraph 2.

3. Paragraph 3 of the Petition contains a legal conclusion to which no response is required. To the extent a response is required, NEET MA denies any factual averments contained within Paragraph 3.

4. Paragraph 4 of the Petition contains a legal conclusion to which no response is required. To the extent a response is required, NEET MA denies any factual averments contained within Paragraph 4. In further response, the averments contained within Paragraph 4 refer directly to the need for the MARL Project. NEET MA maintains that, consistent with the U.S. Third Circuit Court of Appeals' holding in *Transource Pa., LLC v. DeFrank*, the Commission is preempted from denying the MARL Project based upon a finding that there is not a sufficient need for it, and therefore that the Commission lacks jurisdiction over issues related to a finding and determination of the need for the MARL Project. 156 F. 4th 351, 379 (3rd Cir. 2025), *affirming Transource Pa., LLC v. DeFrank*, 705 F.Supp. 3d 266 (M.D. Pa. 2023) ("*Transource*").

5. Paragraph 5 of the Petition contains a legal conclusion to which no response is required. To the extent a response is required, NEET MA denies any factual averments contained within Paragraph 5. In further response, NEET MA incorporates by reference Paragraph 4, *supra*, as though fully set forth herein.

6. Paragraph 6 of the Petition contains a legal conclusion to which no response is required. To the extent a response is required, NEET MA denies any factual averments contained within Paragraph 6. In further response, the averments contained within Paragraph 6 directly relate to transmission cost allocation and planning. However, FERC maintains exclusive regulatory jurisdiction over the determination of transmission ratemaking, cost allocation, and transmission planning. 16 U.S.C. § 824(b). Thus, the Commission lacks jurisdiction over issues related to transmission rates, cost allocation, and planning.

7. Paragraph 7 of the Petition contains a legal conclusion to which no response is required. To the extent a response is required, NEET MA denies any factual averments contained within Paragraph 7.

8. Paragraph 8 of the Petition contains a legal conclusion to which no response is required. To the extent a response is required, NEET MA denies any factual averments contained within Paragraph 8. In further response, NEET MA incorporates by reference Paragraph 4, *supra*, as though fully set forth herein. Further, Paragraph 8 of the Petition refers to PJM's tariff, state energy policies, cost allocation, and to 18 C.F.R. § 35. However, the Commission must act within its jurisdiction and may only hear complaints regarding the Public Utility Code, Commission regulations, or Commission orders. *See Alkhatib v. PECO Energy Co.*, Docket No. C-2011-2242125, 2012 Pa. PUC LEXIS, at *13-14 (Jan. 12, 2012) (citing 66 Pa.C.S. § 701. It is not within the Commission's jurisdiction to decide issues related to PJM or federal regulations.

9. Paragraph 9 of the Petition contains a legal conclusion to which no response is required. To the extent a response is required, NEET MA denies any factual averments contained within Paragraph 9. In further response, NEET MA incorporates by reference Paragraph 4, *supra*, as though fully set forth herein.

10. Paragraph 10 of the Petition contains a legal conclusion to which no response is required. To the extent a response is required, NEET MA denies any factual averments contained within Paragraph 10. In further response, NEET MA incorporates by reference Paragraphs 4 and 8, *supra*, as though fully set forth herein.

11. Paragraph 11 of the Petition contains a legal conclusion to which no response is required. To the extent a response is required, NEET MA denies any factual averments contained within Paragraph 11. In further response, NEET MA incorporates by reference Paragraphs 4 and 8, *supra*, as though fully set forth herein. Additionally, individuals and entities were properly noticed of the above-referenced proceedings in accordance with the Commission's regulations at C. 57, Subch. G.

12. Paragraph 12 of the Petition contains a legal conclusion to which no response is required. To the extent a response is required, NEET MA denies any factual averments contained within Paragraph 12.

13. Paragraph 13 of the Petition contains a legal conclusion to which no response is required. To the extent a response is required, NEET MA denies any factual averments contained within Paragraph 13. In further response, NEET MA incorporates by reference Paragraphs 4 and 8, *supra*, as though fully set forth herein.

14. Paragraph 14 of the Petition contains a legal conclusion to which no response is required. To the extent a response is required, NEET MA denies any factual averments contained

within Paragraph 14. In further response, NEET MA incorporates by reference Paragraphs 4 and 8, *supra*, as though fully set forth herein. Additionally, individuals and entities were properly noticed of the above-referenced proceedings in accordance with the Commission's regulations at C. 57, Subch. G.

15. Paragraph 15 of the Petition contains a legal conclusion to which no response is required. To the extent a response is required, NEET MA denies any factual averments contained within Paragraph 15. In further response, NEET MA incorporates by reference Paragraphs 4 and 8, *supra*, as though fully set forth herein.

III. CONCLUSION

WHEREFORE, for the foregoing reasons, NextEra Energy Transmission MidAtlantic, Inc. respectfully requests that the Commission deny the Petition to Intervene filed by Kathy Rishel and reject all other relief requested therein or, in the alternative, that the Commission limit the Petitioner's participation in the above-captioned proceedings to the extent that it will limit the unnecessary duplication of discovery requests and testimony submitted in the proceedings.

Respectfully submitted,



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Date: June 12, 2026

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*Counsel for NextEra Energy Transmission
MidAtlantic, Inc.*

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Application has been served upon the following persons, in the manner indicated, in accordance with the requirements of 52 Pa. Code § 57.72(d)(3).

ACTIVE PARTIES OF RECORD **SERVICE BY EMAIL ONLY**

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VIA FIRST-CLASS MAIL

Kathy Rishel
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Farmington, PA 15437

Dated: June 12, 2026

A handwritten signature in cursive script, reading "Garrett P. Lent", is written above a horizontal line.

Garrett P. Lent

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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Transmission MidAtlantic, Inc., for All of : G-2026-3060941
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Transmission Service in Greene County :
and Fayette County, Pennsylvania; (2) for :
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and (3) for any Other Approvals :
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Transactions :

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Pursuant to 52 Pa. Code Chapter 5 :
Subchapter G, for Approval to Site and :
Construct a 500 kV Transmission Line :
Associated with the MidAtlantic :
Resiliency Link Project Located in :
Portions of Greene County and Fayette :
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¹ Tr. 11.

² Tr. 47-48.

The Petitioner submitted a form Petition, which avers fifteen grounds upon which the CPC Application and Siting Application should be denied. This form Petition is insufficient for the purposes of establishing that the Petitioner has an interest in the proceedings that will not be “adequately represented by existing participants.” 52 Pa. Code § 5.72. Rather, the Petition alleges general interests and harms that do not surpass the common interest of all citizens in procuring obedience to the law. Indeed, the non-specific interests advanced by the Petitioner are evidenced by the fact that five other individuals identified the exact same general interests as the basis for their Petitions as well.³ Nowhere in the Protest did the Protestant include any indication as to their specific interests in the proceedings.

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Finally, Company records indicate that the Petitioner does not own property located within the right-of-way (“ROW”) corridor for the Proposed Route, nor does the Petitioner own property located within the ROW corridors for any of the Alternate Routes of the MARL Project. Yet, the Petition fails to establish the manner in which the MARL Project will directly affect the Petitioner such that their interest will not be adequately represented by existing participants, as they are not a landowner of property that will be traversed by the MARL Project. For all of these reasons, the Petition should be denied.

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II. ANSWER TO SPECIFIC AVERMENTS

1. Denied. Paragraph 1 of the Petition contains a legal conclusion to which no response is required. To the extent a response is required, NEET MA denies any factual averments contained within Paragraph 1. By way of further response, the MARL Project was approved by the PJM Interconnection, LLC's ("PJM") Board as one of a set of transmission enhancements or expansions that would be a more efficient or cost-effective solution to prevent severe transmission line overloads and blackouts within the PJM region. (Siting Application at 25.)

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5. Paragraph 5 of the Petition contains a legal conclusion to which no response is required. To the extent a response is required, NEET MA denies any factual averments contained within Paragraph 5. In further response, NEET MA incorporates by reference Paragraph 4, *supra*, as though fully set forth herein.

6. Paragraph 6 of the Petition contains a legal conclusion to which no response is required. To the extent a response is required, NEET MA denies any factual averments contained within Paragraph 6. In further response, the averments contained within Paragraph 6 directly relate to transmission cost allocation and planning. However, FERC maintains exclusive regulatory jurisdiction over the determination of transmission ratemaking, cost allocation, and transmission planning. 16 U.S.C. § 824(b). Thus, the Commission lacks jurisdiction over issues related to transmission rates, cost allocation, and planning.

7. Paragraph 7 of the Petition contains a legal conclusion to which no response is required. To the extent a response is required, NEET MA denies any factual averments contained within Paragraph 7.

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9. Paragraph 9 of the Petition contains a legal conclusion to which no response is required. To the extent a response is required, NEET MA denies any factual averments contained within Paragraph 9. In further response, NEET MA incorporates by reference Paragraph 4, *supra*, as though fully set forth herein.

10. Paragraph 10 of the Petition contains a legal conclusion to which no response is required. To the extent a response is required, NEET MA denies any factual averments contained within Paragraph 10. In further response, NEET MA incorporates by reference Paragraphs 4 and 8, *supra*, as though fully set forth herein.

11. Paragraph 11 of the Petition contains a legal conclusion to which no response is required. To the extent a response is required, NEET MA denies any factual averments contained within Paragraph 11. In further response, NEET MA incorporates by reference Paragraphs 4 and 8, *supra*, as though fully set forth herein. Additionally, individuals and entities were properly noticed of the above-referenced proceedings in accordance with the Commission's regulations at C. 57, Subch. G.

12. Paragraph 12 of the Petition contains a legal conclusion to which no response is required. To the extent a response is required, NEET MA denies any factual averments contained within Paragraph 12.

13. Paragraph 13 of the Petition contains a legal conclusion to which no response is required. To the extent a response is required, NEET MA denies any factual averments contained within Paragraph 13. In further response, NEET MA incorporates by reference Paragraphs 4 and 8, *supra*, as though fully set forth herein.

14. Paragraph 14 of the Petition contains a legal conclusion to which no response is required. To the extent a response is required, NEET MA denies any factual averments contained

within Paragraph 14. In further response, NEET MA incorporates by reference Paragraphs 4 and 8, *supra*, as though fully set forth herein. Additionally, individuals and entities were properly noticed of the above-referenced proceedings in accordance with the Commission's regulations at C. 57, Subch. G.

15. Paragraph 15 of the Petition contains a legal conclusion to which no response is required. To the extent a response is required, NEET MA denies any factual averments contained within Paragraph 15. In further response, NEET MA incorporates by reference Paragraphs 4 and 8, *supra*, as though fully set forth herein.

III. CONCLUSION

WHEREFORE, for the foregoing reasons, NextEra Energy Transmission MidAtlantic, Inc. respectfully requests that the Commission deny the Petition to Intervene filed by Kathy Rishel and reject all other relief requested therein or, in the alternative, that the Commission limit the Petitioner's participation in the above-captioned proceedings to the extent that it will limit the unnecessary duplication of discovery requests and testimony submitted in the proceedings.

Respectfully submitted,

Tracy C. Davis (TX Bar # 24045758)
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Date: June 12, 2026

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