

June 22, 2026

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

Via Electronic Filing

Re: 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

Application of NextEra Energy Transmission MidAtlantic, Inc., for All Necessary Authority Approvals and Certificates of Public Convenience to furnish electric transmission service in Greene and Fayette Counties, Pennsylvania and for related approvals
Docket No. A-2026-3060921

Dear Secretary Homsher:

Enclosed for filing please find Proposed Intervenor Charity Grimm Krupa's Response to the Preliminary Objections of NextEra Energy in the above-referenced proceedings.

Respectfully submitted,



Charity Grimm Krupa,
Individually and as
State Representative for the
51st House District

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true and correct copy of the foregoing Proposed Intervenor Charity Grimm Krupa's Response to the Preliminary Objections of NextEra Energy as follows:

SERVICE BY E-MAIL ONLY

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Respectfully submitted,



Charity Grimm Krupa,
Individually and as
State Representative for the
51st House District

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

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

Application of NextEra Energy Transmission :
MidAtlantic, Inc., for All Necessary Authority :
Approvals and Certificates of Public Convenience :
to furnish electric transmission service :
in Greene and Fayette Counties, Pennsylvania :
and for related approvals : Docket No. A-2026-3060921

**RESPONSE OF PROPOSED INTERVENOR CHARITY GRIMM KRUPA TO
THE PRELIMINARY OBJECTIONS OF NEXTERA ENERGY**

Proposed Intervenor Charity Grimm Krupa, in her individual capacity and as State Representative for Pennsylvania's 51st Legislative District, responds to the Preliminary Objections of NextEra Energy Transmission MidAtlantic, Inc. The Preliminary Objections should be denied because they improperly seek factual determinations at the pleading stage, mischaracterize the allegations contained in the Protest, and ignore the direct, substantial, and immediate interests alleged therein.

I. ARGUMENT

A. THE PROPOSED INTERVENOR HAS ALLEGED A DIRECT, SUBSTANTIAL, AND IMMEDIATE INTEREST SUFFICIENT TO PARTICIPATE IN THESE PROCEEDINGS.

NextEra's Preliminary Objections are premised upon the assertion that the Proposed Intervenor lacks a legally cognizable interest sufficient to participate in these proceedings. That assertion is contrary to the allegations set forth in the Protest and contrary to the standards governing intervention before the Commission.

As alleged in the Protest:

1. Proposed Intervenor is a duly elected Member of the Pennsylvania House of Representatives representing the 51st Legislative District, encompassing municipalities directly affected by the proposed project.
2. Proposed Intervenor is a Pennsylvania utility ratepayer whose electric service and utility costs may be affected by the Commission's decisions concerning the proposed MidAtlantic Resiliency Link Project ("MARL Project").
3. Proposed Intervenor is a resident of Springhill Township, Fayette County, Pennsylvania, within the area directly affected by the Project.
4. Proposed Intervenor and her spouse own approximately 174 acres of real property located within Springhill and Georges Townships, municipalities directly affected by the proposed Project.
5. Proposed Intervenor operates a law office located approximately one mile from a proposed alternate route and maintains a legislative district office located approximately one-half mile from a proposed alternate route.

These allegations establish interests that are personal, geographic, economic, and property-based. They are not generalized concerns shared equally by the public at large. Rather, they involve property ownership, business operations, ratepayer interests, and community impacts located within the area directly affected by the proposed transmission corridor.

The Protest further identifies concerns relating to eminent domain authority, agricultural impacts, environmental impacts, public safety, reliability concerns, routing decisions, land use impacts, and potential effects upon nearby communities. Those concerns are tied directly to the Proposed Intervenor's property interests, business interests, ratepayer interests, and geographic proximity to the proposed Project.

Taken together, these allegations establish a direct, substantial, and immediate interest in the outcome of these proceedings sufficient to permit participation before the Commission.

B. SUNOCO PIPELINE IS DISTINGUISHABLE AND, IN FACT, SUPPORTS PARTICIPATION BY THE PROPOSED INTERVENOR.

NextEra relies heavily upon *Sunoco Pipeline L.P. v. Pennsylvania Public Utility Commission*, 217 A.3d 1283 (Pa. Cmwlth. 2019). That reliance is misplaced because the circumstances presented here differ materially from those addressed in *Sunoco*.

First, the legislator in *Sunoco* expressly disclaimed personal standing and acknowledged that he was asserting standing solely in his legislative capacity. The Commonwealth Court repeatedly emphasized that point in its analysis. The court ultimately concluded that legislative standing alone was insufficient under the circumstances presented.

The Proposed Intervenor does not rely solely upon her elected office. Rather, the Protest alleges multiple additional independent personal interests, including:

- ownership of approximately 174 acres of real property within the affected region;
- operation of a private law office located near a proposed alternate route;
- maintenance of a district office located near a proposed alternate route;
- residence within the affected community;
- status as a Pennsylvania utility ratepayer; and
- concerns regarding property rights, eminent domain, routing, environmental impacts, agricultural impacts, utility costs, reliability, and public safety.

Accordingly, unlike the legislator in *Sunoco*, the Proposed Intervenor asserts substantial personal, economic, geographic, and property interests independent of her status as an elected official.

Second, *Sunoco* expressly recognizes that intervention before the Commission is governed by a different and less restrictive standard than standing required to initiate litigation. In discussing intervention proceedings before the Commission, the Commonwealth Court acknowledged that “the inquiry to determine whether a party has standing to initiate litigation is different than the inquiry to determine whether a party can intervene in existing litigation.” The Court further recognized that a person seeking intervention need only possess an interest “of such nature that participation ... may be in the public interest.” See 52 Pa. Code § 5.72(a)(3). The distinction is critical.

To the extent that NextEra’s Preliminary Objections analyze the Protest as though the Proposed Intervenor were attempting to initiate an independent action against the Company, she is not. These proceedings already exist. The Proposed Intervenor merely seeks permission to participate in Commission proceedings that will directly affect communities, property owners, ratepayers, businesses, and local governments within her district and within the area where she resides, owns property, and maintains business operations.

Indeed, *Sunoco* recognized the Commission’s broad discretion regarding intervention and cited longstanding authority observing that questions concerning intervention are generally left to the Commission’s discretion so long as the interests of affected parties are protected.

The Commission therefore need not determine at this stage whether the Proposed Intervenor has established every element necessary to prevail on the merits of any claim. Rather, the question is whether she possesses interests that may reasonably be affected by the outcome of the proceedings and whether her participation may assist the Commission in developing a complete evidentiary record. The allegations contained in the Protest easily satisfy that standard.

Accordingly, *Sunoco* does not support dismissal of the Protest. To the contrary, the reasoning of *Sunoco* confirms that intervention should be broadly permitted where, as here, a proposed intervenor alleges personal property interests, economic interests, ratepayer interests, and community interests that may be affected by the Commission's decision.

C. THE OFFICE OF CONSUMER ADVOCATE DOES NOT REPRESENT ALL OF THE INTERESTS ASSERTED BY THE PROPOSED INTERVENOR.

NextEra further suggests that participation by the Office of Consumer Advocate (“OCA”) somehow renders participation by the Proposed Intervenor unnecessary. That argument lacks merit. The OCA serves an important statutory role representing consumer and ratepayer interests. However, the interests asserted by the Proposed Intervenor extend substantially beyond consumer-ratepayer concerns.

The Protest raises issues involving:

- property rights;
- eminent domain authority;
- routing and siting decisions;

- agricultural impacts;
- land use concerns;
- environmental impacts;
- community impacts;
- public safety concerns;
- emergency response considerations; and
- impacts upon local businesses and property owners.

These interests are personal to the Proposed Intervenor and are not fully represented by the OCA's statutory mission.

Moreover, even where certain concerns overlap, overlap does not extinguish an individual's right to participate in proceedings affecting her own interests. Parties frequently share common concerns while advancing different evidence, different factual perspectives, different legal theories, and different requested relief. The existence of another participant addressing some of the same issues has never been recognized as a basis for denying intervention where an independent direct interest exists.

Acceptance of NextEra's position would lead to the untenable result that affected landowners, businesses, residents, and ratepayers could be excluded whenever another participant happened to raise similar concerns. Neither fairness nor Commission practice supports such a result.

The Proposed Intervenor is entitled to represent and protect her own interests regardless of whether another participant may raise overlapping issues.

D. ALLEGED DUPLICATION IS A CASE-MANAGEMENT ISSUE, NOT A BASIS FOR DENYING INTERVENTION.

NextEra argues that participation by the Proposed Intervenor may result in duplication because other protestants have raised similar concerns. Even if some overlap exists, that does not provide a basis for denying intervention.

Questions concerning the presentation of evidence, witness testimony, briefing, and hearing management are procedural matters that may be addressed by the presiding officer if necessary. Such issues do not negate standing and do not justify excluding a participant possessing a direct, substantial, and immediate interest in the outcome of the proceedings.

The possibility that certain evidence or concerns may overlap with those presented by other parties is not unusual in significant public utility proceedings. Such overlap is routinely managed through scheduling orders, evidentiary rulings, and hearing procedures.

Accordingly, allegations of potential duplication do not provide a basis for sustaining the Preliminary Objections.

II. CONCLUSION

WHEREFORE, for all of the foregoing reasons, the Proposed Intervenor respectfully requests that the Pennsylvania Public Utility Commission overrule NextEra Energy Transmission MidAtlantic, Inc.'s Preliminary Objections in their entirety, recognize the Proposed Intervener's direct, substantial, and immediate interest in these proceedings, permit her full participation in this matter both individually and as State

Representative of the 51st Legislative House District, and grant such other relief as the Commission deems just and proper.

Respectfully submitted,

A handwritten signature in black ink, reading "Charity Grimm Krupa". The signature is written in a cursive, flowing style.

Charity Grimm Krupa

Date: 6/22/26