

COMMONWEALTH OF PENNSYLVANIA



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June 25, 2026

Via Electronic Filing

Matthew L. Homsher, Secretary
Pennsylvania Public Utility Commission
400 North Street
Harrisburg, PA 17120

Re: Transource PA's Siting Application for
Franklin County; Docket No. A-2026-
3062686

Dear Secretary Homsher:

For electronic filing, please find enclosed the Protest of the Office of Consumer Advocate to Transource PA's Siting Application at A-2026-3062686.

Respectfully submitted,

/s/ Jacob Guthrie
Jacob Guthrie, PA Attorney I.D. # 334367
Assistant Consumer Advocate

Enclosures

cc: Administrative Law Judge Steven K. Haas (Via Email Only: sthaas@pa.gov)
Administrative Law Judge Emily A. Farren (Via Email Only: efarren@pa.gov)
Certificate of Service

CERTIFICATE OF SERVICE

Application of Transource Pennsylvania, LLC :
filed Pursuant to 52 Pa. Code Chapter 57, :
Subchapter G, for Approval of the Siting and :
Construction of the 230 kV Transmission Line : Docket No. A-2026-3062686
known as Project 9A West in a Portion of :
Franklin County, Pennsylvania :

I hereby certify that I have this day filed electronically on the Commission's electronic filing system and served a true copy of the following document, the Protest of the Office of Consumer Advocate to Transource PA's Siting Application, upon parties of record in this proceeding in accordance with the requirements of 52 Pa. Code Section 1.54 (relating to service by a participant), in the manner and upon the persons listed below.

Dated this 25th day of June 2026.

SERVICE BY E-MAIL ONLY

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Respectfully submitted,

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Consumer Advocate

Office of Consumer Advocate
555 Walnut Street
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Dated: June 25, 2026

/s/ Jacob Guthrie
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**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application of Transource Pennsylvania, :
LLC filed Pursuant to 52 Pa. Code Chapter :
57, Subchapter G, for Approval of the :
Siting and Construction of the 230 kV : Docket No. A-2026-3062686
Transmission Line known as Project 9A :
West in a Portion of Franklin County, :
Pennsylvania :

**PROTEST OF THE
OFFICE OF CONSUMER ADVOCATE
TO TRANSOURCE PA'S SITING APPLICATION**

Before the Pennsylvania Public Utility Commission (Commission), and pursuant to 52 Pa. Code Sections 5.51, *et seq.*, the Pennsylvania Office of Consumer Advocate (OCA) files this Protest to the captioned Application of Transource Pennsylvania, LLC (Transource PA) to Site and Construct Project 9A West (9A West) (Siting Application).

I. BACKGROUND

On May 21, 2026, Transource PA filed the Siting Application in the captioned docket, under 52 Pa. Code Section 57.72.¹ The Siting Application for the 9A West Project involves the siting and construction of the new Rice-Ringgold 230 kV transmission line that would extend approximately 28.8 miles to connect the existing Ringgold Substation located near Smithsburg, Washington County, MD and the new Rice Substation to be located in Franklin County, PA. Approximately 24.4 miles of the 9A West Project will be

¹ See 52 Pa. Code 57.72(a)-(c) (explaining form and content of standard application to site and construct transmission lines).

located in PA and 4.4 miles will be located in MD. The PA portion will extend from the New Rice Substation to the PA-MD border.²

Also on May 21, 2026, in a separate proceeding, docketed at A-2026-3062675, Transource PA filed an Application for All of the Necessary Authority, Approvals, and Certificate of Public Convenience (CPC Application) for approval and authority to furnish and supply electric transmission service and operate transmission facilities in Franklin County.

Also on May 21, 2026, in a separate proceeding, docket at P-2026-3062687, Transource PA filed a Petition for an Exemption from Local Zoning Regulation and for the Construction of Buildings (Zoning Exemption Petition) in connection with the proposed construction of a proposed above-ground electric substation in Greene Township, Franklin County.

II. PROTEST

The OCA now files this Protest to protect the interests of Pennsylvania utility consumers in this Siting Application proceeding. Specifically, the OCA avers as follows:

1. The Protestant is Pennsylvania Consumer Advocate, Darryl A. Lawrence.
2. The contact information for the Protestant is:

Office of Consumer Advocate
555 Walnut Street, 5th Floor, Forum Place
Harrisburg, PA 17101-1923
Telephone: 717-783-5048

² Transource CPC Application at 6.

3. The Protestant is represented by the assistant consumer advocates who are employed by the OCA. 71 P.S. § 309-3.³ The names and contact information for the Protestant's attorneys for the purpose of receiving service of all documents in this proceeding are shown in the signature line of this Protest. The OCA has created a group email for purposes of receipt of email service and requests that all parties utilize the group email.

That group email is: OCATransource2026@paoca.org.

4. The Pennsylvania General Assembly established the OCA in 1976 by statute.⁴ The Consumer Advocate possesses the authority, duty, and discretion to represent the interests of Pennsylvania's utility consumers in all matters before the Commission.⁵

5. The Commission has jurisdiction to consider and enter a final order disposing of the legal questions and requests for relief in the Siting Application.⁶

6. Transource PA filed a separate Motion requesting that the Commission evaluate the CPC Application along with its Siting Application and Zoning Exemption Petition in a consolidated proceeding.⁷

³ The Consumer Advocate with the approval of the Attorney General shall appoint attorneys as assistant consumer advocates and such additional clerical, technical and professional staff as may be appropriate, and may contract for such additional services as shall be necessary for the performance of his function. 71 P.S. § 309-3.

⁴ 71 P.S. §§ 309-1, *et seq.*

⁵ 71 P.S. §§ 309-2, 309-4.

⁶ 52 Pa. Code §§ 57.71-57.77.

⁷ See Motion of Transource Pennsylvania, LLC to Consolidate Proceedings and for Timely Disposition, Docket Nos. A-2026-3062675, A-2026-3062686, P-2026-3062687 (May 21, 2026), <https://www.puc.pa.gov/pcdocs/1931869.pdf>.

7. The OCA has filed a separate Answer to Transource PA's Motion to Consolidate Proceedings, incorporates that separate Answer as stated fully herein, and requests that the Commission deny this request because the question of whether Transource should be granted a certificate of public convenience to operate transmission facilities and provide transmission service in Franklin County is antecedent to and should be decided prior to the questions presented in the Siting Application and Zoning Exemption Petition. To be clear, the CPC Application must come first before the Commission and be finally decided by the Commission before the Siting Application and Zoning Exemption Petition. The Siting Application and Zoning Exemption Petition should be held in abeyance until the CPC Application is finally determined by the Commission.

8. The Commission may not grant the Siting Application and approve the siting of the transmission facilities connected with the 9A West Project, unless it first finds as to the Project:

- (1) That there is a need for it;
- (2) That it will not create an unreasonable risk of danger to the health and safety of the public;
- (3) That it is in compliance with applicable statutes and regulations providing for the protection of the natural resources of this Commonwealth, and
- (4) That it will have minimum adverse environmental impact, considering the electric power needs of the public, the state of available technology and the available alternatives.⁸

⁸ 52 Pa. Code § 57.76(a) (emphasis added).

9. Transource claims that 9A West Project was approved by the Board of Managers of the PJM Interconnection, L.L.C. (PJM), a Federal Energy Regulatory Commission (FERC)-approved Regional Transmission Organization (RTO), as part of PJM’s 2025 Regional Transmission Expansion Plan (RTEP) and Market Efficiency Analysis.⁹ Based on this approval, Transource PA claims that there is a need for subject transmission facilities and service.¹⁰ Given these claims, the Commission should send the Siting Application to the OALJ for appropriate proceedings, including public input hearings and evidentiary hearings, so that the OCA can engage in discovery, raise issues, and develop a record as to these claims.

10. The 9A West Project could create unreasonable risks that endanger the health and safety of Pennsylvania citizens living in the high-voltage Project’s path. Given these claims, the Commission should send the Siting Application to the OALJ for appropriate proceedings, including public input hearings and evidentiary hearings, so that the OCA can engage in discovery, raise issues, and develop a record as to this possibility.

11. The environmental impacts of Transource PA’s proposed 9A West Project warrant thorough review and implicate the Commission’s duties of loyalty, impartiality, and prudence to Pennsylvania’s environmental public trust under Article I, Section 27 of Pennsylvania’s Constitution, the Environmental Rights Amendment.¹¹ Given this, the

⁹ Transource Siting Application, at PP 21-38.

¹⁰ Transource Siting Application, at P 18 (“PJM has already determined that there is a need for the 9A West Project. Thus, the Commission is preempted from denying the siting of the 9A West Project based [sic].” (footnote omitted)).

¹¹ See *Twp. of Marple v. Pa. PUC*, 294 A.3d 965, 973–74 (Pa. Commw. Ct. 2023) (holding PUC decision deficient, vacating, and remanding for “constitutionally sound environmental impact review”); *Pa. Envtl. Def. Found. v. Commonwealth*, 161 A.3d 911, 931 n.23 (Pa. 2017) (“[A]ll agencies and entities of the

Commission should send the Siting Application to the OALJ for appropriate proceedings, including public input hearings and evidentiary hearings, so that the OCA can engage in discovery, raise issues, and develop a record as to environmental impacts.

12. Regarding the Siting Application, the Commission must examine the Project's potential adverse impact on the area's residents and natural environment, as compared with any potential transmission system improvements.¹² Given this, the Commission should send the Siting Application to the OALJ for appropriate proceedings, including public input hearings and evidentiary hearings, so that the OCA can engage in discovery, raise issues, and develop a record as to potential adverse impacts.

13. Transource PA has the burden of proof in this matter.¹³ The Commission should subject Transource PA's request to a thorough formal investigation and evidentiary hearings. In so doing, the Commission should allow for notice and opportunity to be heard for all affected parties, including public input hearings throughout the areas that may be affected by this Project. The written testimony submitted by Transource PA in support of its request should be subject to review, cross-examination, and response by the parties.

14. The OCA reserves the right to raise additional issues as the case proceeds and as the OCA obtains further information regarding the Project.

Commonwealth government, both statewide and local, have a fiduciary duty to act toward the corpus with prudence, loyalty, and impartiality." (citations omitted)).

¹² 52 Pa. Code § 57.76(3)-(4); *see also Re Proposed Electric Regulation*, 1976 Pa. PUC LEXIS 114 *6-7.

¹³ 66 Pa. C.S. § 332(a).

WHEREFORE, the Office of Consumer Advocate respectfully requests that the Pennsylvania Public Utility Commission not approve Siting Application at this time due to the issues raised above and the need for additional information. The Office of Consumer Advocate respectfully requests that the Pennsylvania Public Utility Commission set this matter for public input and evidentiary hearings to permit a full investigation by the Protestant into the claims and requests for relief in the Siting Application.

Respectfully submitted,

Counsel for:
Darryl A. Lawrence
Consumer Advocate

/s/ Jacob Guthrie
Jacob Guthrie, Assistant Consumer Advocate
PA Attorney I.D. # 334367

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Melanie Joy El Atieh, Deputy Consumer Advocate
PA Attorney I.D. # 209323

Dated: June 25, 2026

Email: OCATransource2026@paoca.org

**BEFORE THE
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Siting and Construction of the 230 kV : Docket No. A-2026-3062686
Transmission Line known as Project 9A :
West in a Portion of Franklin County, :
Pennsylvania :

**PUBLIC STATEMENT OF THE
OFFICE OF CONSUMER ADVOCATE
PURSUANT TO 71 P.S. SECTION 309-4(e)
RE: TRANSOURCE PA'S SITING APPLICATION**

Act 161 of the Pennsylvania General Assembly, 71 P.S. Section 309-2, as enacted July 9, 1976, authorizes the Consumer Advocate to represent the interests of consumers before the Pennsylvania Public Utility Commission (Commission). In accordance with Act 161, and for the following reasons, the Consumer Advocate determined to file an Intervention and participate in proceedings before the Commission involving Transource Pennsylvania, LLC (Transource PA).

Transource PA has applied for transmission line siting authority under 52 Pa. Code Sections 57.72 for approval to site and construct the Pennsylvania facilities associated with the Transource 9A West (9A West) 230 kilovolt (kV) transmission line and substation, with such facilities being proposed to be located in Franklin County, PA. The 9A West project would extend approximately 28.8 miles to connect the existing Ringgold Substation located near Smithsburg, Washington County, MD and the new Rice Substation to be

located in Franklin County, PA. Approximately 24.4 miles of the 9A West Project will be located in PA and 4.4 miles will be located in MD. The PA portion will extend from the New Rice Substation to the PA-MD border. Transource currently estimates an approximately \$231.3 million total cost.

In a separate proceeding, Transource PA is an applicant for public utility status, requesting that the Commission grant it a certificate of public convenience (CPC) within Franklin County, PA. If the Commission grants Transource PA's CPC application, Transource PA will be permitted to request authorization to exercise powers of eminent domain, construct transmission facilities, and to begin transmitting electricity from Pennsylvania into Maryland.

In a separate proceeding, Transource PA filed a petition requesting that the Commission provide a zoning exemption for Transource PA's 9A West Project. The zoning exemption petition primarily addresses the proposed Rice Substation control building/module planned in Greene Township, Frankling County, PA. Transource PA requests to be exempt from all local zoning, land development, and other land use regulation in general and specifically in Greene Township. To be eligible for such an exemption, the company proposing the exemption must have already been granted approval to operate as a public utility in that location.

The Office of Consumer Advocate (OCA) is asking the Commission to decide the CPC question first, so that citizens can make their voices heard about whether Transource PA should be allowed to serve as a public utility before getting into the separate set of questions about zoning, siting, and construction.

The OCA has determined to participate in the Siting and Zoning proceeding in order to protect the interests of all customers who may be affected by Transource PA's Applications and Petition. The OCA seeks to ensure that adequate and continuous service is provided to all customers in a just and reasonable manner and in accordance with applicable statutes and regulations.