

COMMONWEALTH OF PENNSYLVANIA



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June 26, 2026

**Via Electronic Filing**

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

Re: Transource PA's Certificate of Public  
Convenience Application for Franklin  
County; Docket No. A-2026-3062675

Dear Secretary Homsher:

For electronic filing, enclosed please find the Amended Protest of the Office of Consumer Advocate to Transource PA's Certificate of Public Convenience Application at A-2026-3062675.

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](mailto:sthaas@pa.gov))  
Administrative Law Judge Emily A. Farren (Via Email Only: [efarren@pa.gov](mailto:efarren@pa.gov))  
Certificate of Service

CERTIFICATE OF SERVICE

Application of Transource Pennsylvania, LLC :  
for All of the Necessary Authority, Approvals :  
and Certificate of Public Convenience to Begin :  
to Offer, Render, Furnish and/or Supply : Docket No. A-2026-3062675  
Transmission Service in portions of Franklin :  
County, Pennsylvania Necessary to Operate :  
Transmission Facilities for Project 9A West; :  
and for any Other Approvals Necessary :

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 Amended Protest of the Office of Consumer Advocate to Transource PA's Certificate of Public Convenience 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 26th day of June 2026.

SERVICE BY E-MAIL ONLY

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Respectfully submitted,

Counsel for:  
Darryl A. Lawrence  
Consumer Advocate

Office of Consumer Advocate  
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Harrisburg, PA 17101-1923  
717-783-5048

Dated: June 26, 2026

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

Melanie Joy El Atieh, PA Attorney I.D #209323  
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Email: [OCATransource2026@paoca.org](mailto:OCATransource2026@paoca.org)

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application of Transource Pennsylvania, :  
LLC for All of the Necessary Authority, :  
Approvals and Certificate of Public :  
Convenience to Begin to Offer, Render, : Docket No. A-2026-3062675  
Furnish and/or Supply Transmission :  
Service in portions of Franklin County, :  
Pennsylvania Necessary to Operate :  
Transmission Facilities for Project 9A :  
West; and for any Other Approvals :  
Necessary

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**AMENDED PROTEST OF THE  
OFFICE OF CONSUMER ADVOCATE  
TO TRANSOURCE PA'S  
CERTIFICATE OF PUBLIC CONVENIENCE APPLICATION**

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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 Application of Transource Pennsylvania, LLC (Transource PA) for All of the Necessary Authority, Approvals and a Certificate of Public Convenience to Begin to Offer, Render, Furnish and/or Supply Transmission Service in portions of Franklin County, Pennsylvania Necessary to Operate Transmission Facilities for Project 9A West (CPC Application).

**I. BACKGROUND**

On May 21, 2026, Transource PA filed the CPC Application in the captioned docket. Transource PA currently possesses CPC authority to provide public utility transmission service and operate transmission facilities in Peach Bottom Township, York,

County, PA. By its current CPC Application, Transource PA requests new CPC authority to become a public utility that can (1) furnish and supply electric transmission service in Franklin County, and (2) request the Commission's approval to exercise the power of eminent domain in Franklin County.

Also on May 21, 2026, in a separate proceeding, docketed at A-2026-3062686, Transource PA filed an Application Pursuant to 52 Pa. Code Chapter 57, Subchapter G, for Approval of the Siting and Construction of the 230 kV Transmission Line known as Project 9A West in a Portion of Franklin County, Pennsylvania (Siting Application). As set forth in the Siting Application, 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.

Also on May 21, 2026, in a separate proceeding, docket at P-2026-3062687, Transource PA filed a Petition for 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.

Transource PA is a limited liability company organized and existing under Delaware law. Transource PA's parent company is Transource Energy, LLC, a partnership between two investor-owned utilities, American Electric Power Company, Inc. and Evergy, Inc.

Transource PA's CPC Application pertains to Transource PA's 9A West Project, which 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 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.<sup>1</sup>

## **II. PROTEST**

The OCA now files this Protest to protect the interests of Pennsylvania utility consumers in this CPC 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, 5<sup>th</sup> Floor, Forum Place  
Harrisburg, PA 17101-1923  
Telephone: 717-783-5048

3. The Protestant is represented by the assistant consumer advocates who are employed by the OCA. 71 P.S. § 309-3.<sup>2</sup> 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

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<sup>1</sup> CPC Application at 6.

<sup>2</sup> 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.

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.<sup>3</sup> The Consumer Advocate possesses the authority, duty, and discretion to represent the interests of Pennsylvania’s utility consumers in all matters before the Commission.<sup>4</sup>

5. The Commission has jurisdiction to consider and enter a final order disposing of the legal questions and requests for relief in the CPC Application.<sup>5</sup>

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.<sup>6</sup>

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 the Commission to deny Transource PA’s request for consolidation 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

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<sup>3</sup> 71 P.S. §§ 309-1, *et seq.*

<sup>4</sup> 71 P.S. §§ 309-2, 309-4.

<sup>5</sup> 66 Pa. C.S. § 1103.

<sup>6</sup> *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>.

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 CPC Application unless it finds “that the granting of such certificate is *necessary or proper* for the service, accommodation, convenience, or safety of the public.”<sup>7</sup>

9. Transource PA must demonstrate that it possesses technical, financial, and legal fitness to provide electric transmission service and operate transmission facilities in Franklin County. Transource PA claims<sup>8</sup> that it possesses the necessary technical, financial, and legal fitness to be granted CPC authority. Given these claims, the Commission should send the CPC Application to the Office of Administrative Law Judge (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 of fitness.

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 this, the Commission should send the CPC Application to the OALJ for appropriate

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<sup>7</sup> 66 Pa.C.S. § 1103(a); *Elite Indus. v. Pa. PUC*, 832 A.2d 428, 432 (2003) (in delegating this authority to grant or deny CPC Applications, the General Assembly “provided no definition of specifically what the criteria were to be in determining the propriety of granting a certificate, leaving the formulation of such criteria to the PUC.”).

<sup>8</sup> CPC Application at 17-21.

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 in relation to Transource PA's fitness.

11. 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. Given this, Transource PA claims that there is a need for subject transmission facilities and service, that such service will be provided to or for the public, and that such service and facilities are reasonably necessary for the accommodation or convenience of the public.<sup>9</sup> Given these claims, the Commission should send the CPC Application to the OALJ for appropriate proceedings, including public input hearings and evidentiary hearings, so that the OCA can engage in discovery as to these claims, raise issues, and develop a record as to these claims.

12. Transource PA has the burden of proof in this matter.<sup>10</sup> 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 and site views throughout the areas that may be affected by the proposed transmission facilities. The written testimony

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<sup>9</sup> See CPC Application at 6-11, 14-17.

<sup>10</sup> 66 Pa. C.S. § 332(a).

submitted by Transource PA in support of its request should be subject to review, cross-examination, and response by the parties.

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

WHEREFORE, Protestant Consumer Advocate, Darryl Lawrence, respectfully requests that the Pennsylvania Public Utility Commission not approve the CPC 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 CPC Application.

Respectfully submitted,

Counsel for:  
Darryl A. Lawrence  
Consumer Advocate

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

Office of Consumer Advocate  
555 Walnut Street  
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Josiah B. Harmar, Assistant Consumer Advocate  
PA Attorney I.D. # 338426

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

Dated: June 26, 2026

Email: [OCATransource2026@paoca.org](mailto:OCATransource2026@paoca.org)

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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Pennsylvania Necessary to Operate :  
Transmission Facilities for Project 9A :  
West; and for any Other Approvals :  
Necessary

PUBLIC STATEMENT OF THE  
OFFICE OF CONSUMER ADVOCATE  
PURSUANT TO 71 P.S. SECTION 309-4(e)  
RE: TRANSOURCE PA'S  
CERTIFICATE OF PUBLIC CONVENIENCE 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 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 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 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 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 this CPC 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.