

Application of PPL Electric Utilities Corporation, Filed Pursuant to 52 Pa. Code Chapter 57 Subchapter G, for Approval to (1) Bifurcate and Rebuild 4.4 Miles of the Existing Sunbury-Susquehanna #1 230 kV Transmission Line; (2) Construct 0.9 Miles of New Transmission Line Tap for Future 230 kV Double-Circuit Operation; (3) Raise Approximately 0.5 Miles of the Sunbury-Susquehanna 500 kV Transmission Line; and (4) Construct 11.2 Miles of New Double-Circuit 500 kV Capacity, Located in Black Creek, Hazle, Hollenback, Nescopeck, and Sugarloaf Townships in Luzerne County, Pennsylvania

Application of PPL Electric Utilities Corporation Under 15 Pa.C.S. § 1511(c) For A Finding And Determination That The Service To Be Furnished By The Applicant Through Its Proposed Exercise Of The Power Of Eminent Domain To Acquire A Certain Portion Of The Lands Of Michael F. Dunleavy In Nescopeck Township, Luzerne County, Pennsylvania For The Sugarloaf 500/230 kV Transmission Line Associated With The Proposed Sugarloaf 500/230kv Transmission Line Project Is Necessary Or Proper For The Service, Accommodation, Convenience Or Safety Of The Public

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Docket No.
A-2026-
3061573

**PROTEST OF
MICHAEL F. DUNLEAVY**

Pursuant to 52 Pa. Code § 5.51, Michael F. Dunleavy (hereafter “Protestant”) file this Protest to the Application of PPL Corporation (hereafter “PPL” or the “Company”) Filed Pursuant to 52 Pa. Code Chapter 57, Subchapter G, for Approval to (1) Bifurcate and Rebuild 4.4 Miles of the Existing Sunbury-Susquehanna #1 230 kV Transmission Line; (2) Construct 0.9 Miles of New Transmission Line Tap for Future 230 kV Double-Circuit Operation; (3) Raise Approximately 0.5 Miles of the Sunbury-Susquehanna 500 kV Transmission Line; and (4) Construct 11.2 Miles of New Double-Circuit 230 kV Transmission Line for Future Double-Circuit 500 kV Capacity, Located in Black Creek, Hazle, Hollenback, Nescopeck, and Sugarloaf Townships in Luzerne County, Pennsylvania (hereafter “Sugarloaf Transmission Line”) (hereafter “Siting Application”) as well as attendant applications under 15 Pa. C.S. § 1511(c) (hereafter “Right-of-Way Applications”).

Protestant files this Protest because the PPL has not shown that the proposed line is needed to serve the general public and because it has selected a route that is unreasonable and inconsistent with the legal requirements of the Public Utility Code, applicable Pennsylvania Public Utility Commission (hereafter “Commission” or “PUC”) rules and regulations, and Pennsylvania law and to ensure that the interests of Pennsylvania ratepayers are protected in this proceeding.

In support of this Protest, Protestant avers as follows:

1. The name and contact information of the Protestant is as follows:

Michael F. Dunleavy
213 Birkdale Drive
Blue Bell, PA 19422

2. The names and contact information for the Protestant's attorneys for the purpose of receiving service of all documents in this proceeding are as follows:

Justin P. Richards
Elliott Greenleaf, P.C.
15 Public Square, Suite 210
Wilkes-Barre, PA 18701

3. The Protestant has standing in that his properties are directly and immediately affected by the Sugarloaf Transmission Line. Protestant owns parcels of property subject to condemnation actions taken by PPL and has been served by PPL.

4. PPL filed its Siting Application and Right-of-Way Applications on April 6, 2026. In its Siting Application, PPL seeks Commission approval to (1) bifurcate and rebuild 4.4 miles of the existing Sunbury-Susquehanna #1 230 kV Transmission Line; (2) construct 0.9 Miles of new transmission line tap for future 230 kV double-circuit operation; (3) raise approximately 0.5 miles of the Sunbury-Susquehanna 500 kV transmission line; and (4) construct 11.2 m Miles of New Double-Circuit 230 kV Transmission Line for Future Double-Circuit 500 kV Capacity, Located in Black Creek, Hazle, Hollenback, Nescopeck, and Sugarloaf Townships in Luzerne County, Pennsylvania (the last section to be referred to hereafter as the "Sugarloaf Transmission Line") (hereafter collectively the "Siting Application") as well as for a finding that will allow PPL to proceed to exercise eminent domain rights under Section 1511 of the Business Corporation Law (hereafter "BCL") (15 Pa.C.S. § 1511 (c)).

5. Pursuant to 66 Pa.C.S. §§ 501, 1501 and the Commission regulations at 52 Pa. Code §§ 57.71 *et seq.*, the Commission has jurisdiction over the siting of the proposed transmission line. The Commission must examine the Siting Application pursuant to the Commission's rules and regulations and Pennsylvania law. It also has authority to make finding that will allow PPL to proceed until Section 1151(c) of the BCL.

6. The Commission's regulations provide that the Commission may not grant the Siting Application to approve the line in question, unless it finds:

- a. That there is a need for it;
- b. That it will not create an unreasonable risk of danger to the health and safety of the public;
- c. That it is in compliance with applicable statutes and regulations providing for the protection of the natural resources of this Commonwealth, and
- d. 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.

52 Pa. Code § 57.76.

7. Additionally, in making its determination on the Siting Application, the Commission must consider, *inter alia*:

- a. The present and future necessity of the proposed HV line in furnishing service to the public.
- b. The safety of the proposed HV line.
- c. The impact and the efforts which have been and will be made to minimize the impact, if any, of the proposed HV line upon the following:
 - i. Land use.
 - ii. Soil and sedimentation.
 - iii. Plant and wildlife habitats.
 - iv. Terrain.
 - v. Hydrology.
 - vi. Landscape.
 - vii. Archeologic areas.
 - viii. Geologic areas.
 - ix. Historic areas.
 - x. Scenic areas.

xi. Wilderness areas.

xii. Scenic rivers.

d. The availability of reasonable alternative routes.

52 Pa. Code § 57.75.

8. The Commission has also issued a Policy Statement providing guidelines for the filing of electric transmission line siting applications. 52 Pa. Code §§ 69.3101, *et seq.* The Commission's Policy Statement provides, *inter alia*, that a Siting Application should include information on reasonable alternative routes and include the following information:

- a. The environmental, historical, cultural and aesthetic considerations of each route.
- b. The proximity of these alternative routes to residential and nonresidential structures.
- c. The applicant's consideration of relevant existing rights of way.
- d. The comparative construction costs associated with each route.

52 Pa. Code § 69.3105(3).

9. In addition to the Commission's regulations and case law, the Commission is constitutionally obligated to ensure the protection of the environment pursuant to Pennsylvania Constitution of 1986.

10. Based upon a preliminary review of the Siting Application, the Protestant has identified the following areas that require further consideration by the Commission and must be resolved prior to Commission decision on this Siting Application:

- a. Need – The Commission must thoroughly examine the alleged need for the proposed transmission line. The Commission must also examine the harms and benefits resulting from this proposal.
- b. Alternatives to the Line – The Commission will need to analyze both transmission and non-transmission alternatives to the installation of the line as a whole and whether the proposed line is the most cost-effective and least

environmentally intrusive alternative pursuant to 52 Pa. Code §§ 57.71, *et seq.* and Pa. Env't Def. Found. v. Commonwealth, 161 A.3d 911 (Pa. 2017).

- c. Impacts of the Proposed HV Line – The Commission must analyze the impacts of the proposed HV line in accordance with 52 Pa. Code Section 57.75 and must evaluate the impact of the line on the properties and communities in the proposed right-of-way.
- d. Safety – The Commission will need to examine whether the proposed transmission line presents any unreasonable risk of danger to the health and safety of the Protestant as well as the public at large.

As the proposed transaction is further analyzed, additional issues may arise that warrant review.

11. Protestant submits that the Company's request for approval of the instant Application should be subject to thorough formal investigation and evidentiary hearings, including evidentiary site views of affected properties. The Commission should allow for notice and opportunity to be heard for all affected parties, including public input hearings and evidentiary hearings in the areas affected by this Siting Application

WHEREFORE, Michael F. Dunleavy requests that the PUC investigate and hold full hearings regarding the Siting Application and further reject the Application on the basis, *inter alia*, of PPL's failure to site the proposed line appropriately.

Respectfully submitted,



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Elliott Greenleaf, P.C.
15 Public Square, Suite 210
Wilkes-Barre, PA 18701
Counsel for Protestant

DATED: June 30, 2026

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing document upon the participants, listed below, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by participant), in a manner and upon the persons listed below:

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Justin P. Richards

DATED: June 30, 2026