

**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	:	A-2026-3060856
and construct a 500 kV transmission line	:	
associated with the MidAtlantic Resiliency Link	:	
Project located in portions of Greene County and	:	
Fayette County, Pennsylvania	:	
Application of NextEra Energy Transmission	:	
MidAtlantic, Inc., for all of the necessary	:	
authority, approvals, and certificates of public	:	A-2026-3060921
convenience (1) to begin to furnish and supply	:	G-2026-3060941
electric transmission service in Greene County	:	G-2026-3060942
and Fayette County, Pennsylvania; (2) for certain	:	
Affiliated Interest Agreements; and (3) for any	:	
Other approvals necessary to complete the	:	
contemplated transactions	:	

PREHEARING ORDER #1

*Disposing of Petitions to Intervene, Preliminary Objections, and
Establishing Party Statuses*

On March 3, 2026, NextEra Energy Transmission MidAtlantic, Inc. (NEET MA or Applicant) filed an application pursuant to Chapter 57, Subchapter G of the Commission’s regulations (Siting Application).¹ 52 Pa. Code §§57.71-57.77. The Siting Application requests that the Commission approve the siting and construction of a new 500 kilovolt (kV) transmission line associated with the MidAtlantic Resiliency Link Project (MARL Project) in Dunkard Township in Greene County, and Springhill Township in Fayette County, Pennsylvania.

The MARL Project involves the construction of a new approximately 107.5-mile 500-kV transmission line across Maryland, Pennsylvania, West Virginia, and Virginia, as well as a new Woodside 500/138 kV Substation in Virginia. The Pennsylvania portion of the MARL

¹ The Siting Application was assigned PUC docket number A-2026-3060856.

Project will extend from the existing FirstEnergy Corporation 502 Junction Substation in Greene County, Pennsylvania for approximately 2.7 miles to the West Virginia border, extend through West Virginia for 3.1 miles, and then re-enter Pennsylvania in Greene County, and traverse through Greene and Fayette Counties for 8.0 miles, and then proceed back into West Virginia (the Pennsylvania Portions). NEET MA seeks approval of the siting and construction of the approximately 10.7 miles long Pennsylvania Portions of the MARL Project.

On March 10, 2026, notice was issued that an initial telephonic prehearing conference for the Siting Application would be held on May 6, 2026, with Administrative Law Judge John M. Coogan presiding. On the same date, ALJ Coogan issued a prehearing conference order. On March 21, 2026, notice of the Siting Applications and prehearing conference appeared in the Pennsylvania Bulletin.² The prehearing conference order and Pennsylvania Bulletin notice advised that protests and petitions to intervene must be filed on or before May 1, 2026.

On April 20, 2026, NEET MA filed affidavits stating that notice of the Siting Application, including the protest and petition to intervene deadline and prehearing conference participation information, was published in the Herald Standard on March 20, 2026 and March 27, 2026. On April 30, 2026, NEET MA filed affidavits stating that notice of the Siting Application, including the protest and petition to intervene deadline and prehearing conference participation information, was published in the Observer Reporter on March 17, 2026 and March 24, 2026.

Also on March 3, 2026, NEET MA filed a separate application under Sections 1102 and 1103 of the Public Utility Code, 66 Pa.C.S. §§ 1102, 1103, requesting Commission approval of the necessary authority, approvals, and certificates of public convenience for NEET MA to become a public utility that can furnish and supply electric transmission service for the portions of the MARL Project in Pennsylvania (CPC Application).³ The CPC Application

² 56 Pa.B. 1659.

³ The CPC Application and affiliated interest agreements were assigned PUC docket numbers A-2026-3060921, G-2026-3060941, and G-2026-3060942.

includes requests for approval, pursuant to 66 Pa.C.S. § 2101, of certain NEET MA affiliated interest agreements related to the MARL Project.

On March 21, 2026, notice of the CPC Application appeared in the Pennsylvania Bulletin.⁴ On March 26, 2026, notice was issued that an initial telephonic prehearing conference for the CPC Application would be held jointly with the prehearing conference for the Siting Application due to the anticipated overlapping of issues and parties, with the potential for formal consolidation of the proceedings to be discussed at the prehearing conference. On March 27, 2026, ALJ Coogan issued a prehearing conference order for the CPC Application proceeding. The prehearing conference order and Pennsylvania Bulletin notice advised that protests and petitions to intervene must be filed on or before May 1, 2026.

On April 20, 2026, NEET MA filed affidavits stating that notice of the CPC Application, including the protest and petition to intervene deadline, was published in the Herald Standard on March 11, 2026 and March 25, 2026. On April 30, 2026, NEET MA filed affidavits stating that notice of the applications, including the protest and petition to intervene deadline, was published in the Observer Reporter on March 12, 2026 and March 26, 2026.

On April 30, 2026, notices were issued to add ALJ Erin L. Gannon as a presiding officer in both application proceedings.

On May 4, 2026, a Corrected Petition for Interlocutory Review and Answer to Material Questions of the Office of Consumer Advocate was filed (OCA Petition).⁵

The prehearing conference convened as scheduled on May 6, 2026. The following parties were present during the prehearing conference: NextEra Energy Transmission MidAtlantic, Inc; the Office of Consumer Advocate; Center for Coalfield Justice; James E. Rockis, Quarter Pine Tree Farm Christmas Shoppe, LLC and J.E. Rockis Rental & Supply, Inc.;

⁴ 56 Pa.B. 1660.

⁵ The OCA asked that its original petition for interlocutory review, filed on May 1, 2026, be rejected.

Charity Grimm Krupa; Linda-Maust Jacobs; and Elizabeth Arthur. All parties, except for Elizabeth Arthur, indicated they would like to participate in this proceeding as active parties. James Stickles and representatives from Ponderosa Properties were also present during the conference.

On May 7, 2026, the OCA filed a letter asking the Commission to treat the OCA Petition as inclusive of its brief in support of its petition. On May 11, 2026, NEET MA filed a brief in opposition to the OCA Petition. On May 14, 2026, the Center for Coalfield Justice filed an answer and brief in response to the OCA Petition. Also on May 14, 2026, Charity Grimm Krupa filed both a response to the OCA Petition and a Petition of Proposed Intervenor Charity Grimm Krupa for Stay of Proceedings Pending Final Resolution of Transource Litigation and Resolution of All Petitions to Intervene (Krupa Petition to Stay).

On May 18, 2026, we issued a Procedural Order, which, among other things, memorialized consolidation of the above-captioned proceedings, and set June 12, 2026 as the due date for filing pleadings in response to protests and petitions to intervene filed with the Commission by May 29, 2026. As detailed below, various protests and petitions to intervene were received by May 29, 2026, and NEET MA filed pleadings in response by June 12, 2026.

On June 1, 2026, the Commission entered an Opinion and Order, ordering that the OCA Petition was improper, and returning the consolidated proceeding to the Office of Administrative Law Judge.

On June 3, 2026, NEET MA filed an answer to the Krupa Petition to Stay.

On or about June 5, 2026, the Center for Coalfield Justice filed a motion for admission *pro hac vice* of Attorney J. Michael Beecher.

On June 8, 2026, Susan Hager filed a Protest.

On June 11, 2026, notice was issued that a further telephonic prehearing conference would be held on July 29, 2026.

On June 16, 2026, Linda Maust-Jacobs filed a response to NEET MA's Preliminary Objection.⁶

Also on June 16, 2026, NEET MA filed a Motion to *File Nunc Pro Tunc* and Preliminary Objections to the Protest of Angela Fox. Also on June 16, 2026, NEET MA filed Motions to File *Nunc Pro Tunc* and answers to the petitions to intervene of Phillip Tarcy and Christine Tarcy.

On June 23, 2026, Charity Grimm Krupa and Thomas Bozek III filed responses to NEET MA's preliminary objections.

Protests and Petitions to Intervene Received by May 29, 2026

The protests and petitions to intervene that were filed in the application proceedings by May 29, 2026 are listed in the table below. The highlighted entries are the parties who have elected active party status. The remaining entries are sorted alphabetically, by last name. The "Date Filed" column refers to the date Commission records show the protests and petitions to intervene were received. The "Pleading" column indicates whether NEET MA filed a preliminary objection(s) (PO) and/or answer to the protests and petitions to intervene on June 12, 2026.⁷

⁶ Ms. Maust-Jacobs styled her response as a rebuttal and answer to NEET MA's answer to her petition to intervene. Commission regulations do not provide for answers to answers to petitions to intervene. 52 Pa. Code § 5.66. However, Ms. Maust-Jacobs also filed a protest to which NEET MA filed a preliminary objection. Answers to preliminary objections are permitted. 52 Pa. Code § 5.61(a)(2). Therefore, recognizing her *pro se* status, we will accept her June 16, 2026 answer as a response to NEET MA's preliminary objection.

⁷ As noted above, NEET MA filed one preliminary objection and two answers on June 16, 2026, and asked the undersigned to treat those pleadings as if they had been filed by the June 12, 2026 deadline. Because NEET MA's motions to file *nunc pro tunc* are granted later in this Order, the related preliminary objection and answers are included in the table below.

Name	Filing	Docket(s)	Date Filed	Pleading
Center for Coalfield Justice	Petition to Intervene	A-2026-3060856 A-2026-3060921	5/1/26	None
James E. Rockis, Quarter Pine Tree Farm Christmas Shoppe, LLC and J.E. Rockis Rental & Supply, Inc.	Petition to Intervene	A-2026-3060856 A-2026-3060921	4/30/26	None
Krupa, Charity Grimm	Protest Petition to Intervene	A-2026-3060856 A-2026-3060921	5/1/26	PO & Answer
Maust-Jacobs, Linda	Protest Petition to Intervene	A-2026-3060856 A-2026-3060921	5/4/26	PO & Answer
Office of Consumer Advocate (OCA)	Protest	A-2026-3060856 A-2026-3060921	5/1/26	None
Ponderosa Properties LLC	Petition to Intervene	A-2026-3060856 A-2026-3060921	5/29/26	None
Bowers, Joni	Petition to Intervene	A-2026-3060856 A-2026-3060921	4/29/26	Answer
Bozek III, Thomas John	Protest Petition to Intervene	A-2026-3060856 A-2026-3060921	4/24/26	PO & Answer
Browne, David J.	Protest	A-2026-3060856	3/23/26	PO
Cieszynski Jr., Charles	Petition to Intervene	A-2026-3060856 A-2026-3060921	4/27/26	Answer
Cieszynski, Dianne	Petition to Intervene	A-2026-3060856 A-2026-3060921	4/27/26	Answer
County of Fayette	Protest	A-2026-3060856 A-2026-3060921	4/23/26	None
Davis, Justine	Petition to Intervene	A-2026-3060856 A-2026-3060921	4/27/26	Answer
Dawson, Cindy	Petition to Intervene	A-2026-3060856 A-2026-3060921	4/27/26	Answer
Dawson, Gerry	Petition to Intervene	A-2026-3060856 A-2026-3060921	4/27/26	Answer
Dennis, Bailey	Protest	A-2026-3060856 A-2026-3060921	4/30/26	PO
Dennis, Barbara	Protest	A-2026-3060856 A-2026-3060921	4/30/26	PO
Dennis, Dustin	Protest	A-2026-3060856 A-2026-3060921	4/30/26	PO
Dennis, John	Protest	A-2026-3060856 A-2026-3060921	4/30/26	PO

Name	Filing	Docket(s)	Date Filed	Pleading
Dennis, Perry	Protest	A-2026-3060856 A-2026-3060921	4/30/26	PO
Dennis, Wendy	Protest	A-2026-3060856 A-2026-3060921	4/30/26	PO
Elizabeth G. Arthur, 2012 Irrevocable Trust	Petition to Intervene	A-2026-3060856 A-2026-3060921	5/1/26	None
Ellsworth, Allen	Protest	A-2026-3060856	4/27/26	PO
Fox, Angela	Protest	A-2026-3060856 A-2026-3060921	4/30/26	PO
Gabeletto, Joseph	Petition to Intervene	A-2026-3060856 A-2026-3060921	4/27/26	Answer
Grimm, Sheila	Protest	A-2026-3060856 A-2026-3060921	4/27/26	PO
Harrison, Harold	Petition to Intervene	A-2026-3060856 A-2026-3060921	5/1/26	Answer
Hopkins-Harrison, Donna	Petition to Intervene/ Amended Petition to Intervene	A-2026-3060856 A-2026-3060921	5/1/26	Answer
Houze, John	Petition to Intervene	A-2026-3060856 A-2026-3060921	4/27/26	Answer
Krichbaum, Kristle	Protest	A-2026-3060856 A-2026-3060921	4/29/26	PO
Mastronicola, Eunice	Protest	A-2026-3060856 A-2026-3060921	4/30/26	PO
McCandless, Stephanie	Protest	A-2026-3060856 A-2026-3060921	5/4/26	PO
Mesich, Lisa	Protest	A-2026-3060856 A-2026-3060921	4/27/26	PO
Oberlechner, Sharon	Petition to Intervene	A-2026-3060856 A-2026-3060921	4/27/26	Answer
Oberlechner, William	Petition to Intervene	A-2026-3060856 A-2026-3060921	4/27/26	Answer
Pennington, Janet	Protest	A-2026-3060856 A-2026-3060921	5/1/26	PO
Pennington, Joseph	Petition to Intervene	A-2026-3060856 A-2026-3060921	4/27/26	PO & Answer
Pupek, Judith	Protest	A-2026-3060856 A-2026-3060921	4/27/26	PO
Pupek, Michael	Protest	A-2026-3060856 A-2026-3060921	4/27/26	PO

Name	Filing	Docket(s)	Date Filed	Pleading
Rishel, Alice	Petition to Intervene	A-2026-3060856 A-2026-3060921	4/29/26	Answer
Rishel, Kathy	Petition to Intervene	A-2026-3060856 A-2026-3060921	4/29/26	Answer
Rishel, Larry	Petition to Intervene	A-2026-3060856 A-2026-3060921	4/29/26	Answer
Rishel, Travis	Petition to Intervene	A-2026-3060856 A-2026-3060921	4/29/26	Answer
Swihart, Lu	Petition to Intervene	A-2026-3060856 A-2026-3060921	4/29/26	Answer
Tarcy, Phillip	Petition to Intervene	A-2026-3060856 A-2026-3060921	5/18/26	Answer
Tarcy, Christine	Petition to Intervene	A-2026-3060856 A-2026-3060921	5/18/26	Answer
Waddell II, Raymond and Samantha Wright	Protest	A-2026-3060856 A-2026-3060921	4/30/26	None
Wilson, Mary	Protest	A-2026-3060856 A-2026-3060921	4/27/26	PO
Zuchowsky, Robert	Petition to Intervene	A-2026-3060856 A-2026-3060921	4/27/26	Answer ⁸
Zuchowsky, Susan	Petition to Intervene	A-2026-3060856 A-2026-3060921	4/27/26	Answer ⁹

Legal Standards

Intervention

The Commission's Rules of Practice and Procedure permit petitions to intervene. 52 Pa. Code §§ 5.71-5.76. The provision at 52 Pa. Code § 5.72 governs what entities are eligible to intervene in a proceeding and states as follows:

§ 5.72. Eligibility to intervene.

(a) Persons. A petition to intervene may be filed by a person claiming a right to intervene or an interest of such nature that

⁸ NEET MA filed an Amended Answer to Mr. Zuchowsky's Petition to Intervene on June 16, 2026.

⁹ NEET MA filed an Amended Answer to Ms. Zuchowsky's Petition to Intervene on June 16, 2026.

intervention is necessary or appropriate to the administration of the statute under which the proceeding is brought. The right or interest may be one of the following:

(1) A right conferred by statute of the United States or of the Commonwealth.

(2) An interest which may be directly affected and which is not adequately represented by existing participants, and as to which the petitioner may be bound by the action of the Commission in the proceeding.

(3) Another interest of such nature that participation of the petitioner may be in the public interest.

(b) Commonwealth. The Commonwealth or an officer or agency thereof may intervene as of right in a proceeding subject to paragraphs (1)-(3).

The Commission has defined the language in 52 Pa. Code § 5.72(a), requiring that any person filing a petition to intervene have an interest which may be directly affected, as equivalent to an interest that is substantial, immediate and direct. *Re Equitable Gas Co.*, 76 Pa. P.U.C. 23 (1992). This is the same requirement that an entity must meet to have standing to initiate a proceeding. *But see Sunoco Pipeline L.P. v. Dinniman*, 217 A.3d 1283 (Pa. Cmwlth. 2019) (“[A] person seeking to intervene in a proceeding need have only an ‘interest of such nature that participation...may be in the public interest.’” (citing 52 Pa. Code § 5.72(a)(3))).

Allowance of intervention is a matter within the discretion of the Commission. *City of Pittsburgh v. Pa. Pub. Util. Comm'n*, 33 A.2d 641 (Pa. Super. 1943); *N.A.A.C.P., Inc. v. Pa. Pub. Util. Comm'n*, 290 A.2d 704 (Pa. Cmwlth. 1972).

Preliminary Objection

A person objecting to the approval of an application filed with the Commission may file a protest to the application. 52 Pa. Code § 5.51(a). Section 5.101 of the Commission’s Rules of Administrative Practice and Procedure provides for the filing of preliminary objections. 52 Pa. Code § 5.101. Commission preliminary objection practice is comparable to Pennsylvania

civil practice respecting the filing of preliminary objections. *Equitable Small Transp. Intervenor v. Equitable Gas Co.*, 1994 Pa. PUC LEXIS 69 (Pa.P.U.C. 1994) (*Equitable*).

Section 5.101(a) provides:

(a) *Grounds*. Preliminary objections are available to parties and may be filed in response to a pleading except motions and prior preliminary objections. Preliminary objections must be accompanied by a notice to plead, must state specifically the legal and factual grounds relied upon and be limited to the following:

(1) Lack of Commission jurisdiction or improper service of the pleading initiating the proceeding.

(2) Failure of a pleading to conform to this chapter or the inclusion of scandalous or impertinent matter.

(3) Insufficient specificity of a pleading.

(4) Legal insufficiency of a pleading.

(5) Lack of capacity to sue, nonjoinder of a necessary party or misjoinder of a cause of action.

(6) Pendency of a prior proceeding or agreement for alternative dispute resolution.

(7) Standing of a party to participate in a proceeding.

52 Pa. Code § 5.101(a)(1)-(7).

For purposes of disposing of preliminary objections, the Commission may not rely on the moving party's factual assertions, but must accept as true all well pleaded, material facts of the nonmoving party, as well as every reasonable inference from those facts. *Cnty. of Allegheny v. Commonwealth*, 490 A.2d 402 (Pa. 1985); *Commw. of Pa. v. Bell Tel. Co. of Pa.*, 551 A.2d 602 (Pa. Cmwlth. 1988). *Equitable, supra*; see also, *Interstate Traveler Servs., Inc. v. Commonwealth, Dep't of Env'tl. Res.*, 406 A.2d 1020 (Pa. 1979).

Standing

Standing requires that a party have an interest in the matter that is substantial, direct and immediate. *William Penn Parking Garage, Inc., et al. v. City of Pittsburgh*, 346 A.2d 269 (Pa. 1975). These criteria are defined as follows:

A “substantial” interest is an interest in the outcome of the litigation which surpasses the common interest of all citizens in procuring obedience to the law. A “direct” interest requires a showing that the matter complained of caused harm to the party’s interest. An “immediate” interest involves the nature of the causal connection between the action complained of and the injury to the party challenging it and is shown where the interest the party seeks to protect is within the zone of interests sought to be protected by the statute or the constitutional guarantee in question.

South Whitehall Twp. Police Serv. v. South Whitehall Twp., 555 A.2d 793, 795 (Pa. 1989) (citations omitted).

The Commission has adopted the criteria used in Pennsylvania civil law practice to determine if a party has standing. *See Petition of Hull Street Energy LLC for Reconsideration from Action of Pennsylvania Public Utility Commission Staff Regarding the Denial of an Application Submitted by Gauley River Power Partners, LLC*, Docket No. P-2025-3053574 (Opinion and Order entered Apr. 10, 2025). Standing to participate in proceedings before an administrative agency is primarily within the discretion of the agency. *Pennsylvania Nat’l Gas Assoc. v. T.W. Phillips Gas and Oil Co.*, 75 Pa. PUC 598 (1991).

Standing should only be used to dismiss a pleading where the lack of standing is obvious on the face of the pleadings filed by the non-moving party. *See Tomko v. Duquesne Light Co.*, C-2016-2577571 (Opinion and Order entered July 20, 2017)

Discussion

All of NEET MA's pleadings contest the prospective parties' standing to participate in these proceedings. As explained below, we find that certain parties have demonstrated their standing to participate in this proceeding, and certain parties have not.

Parties Demonstrating Standing

Donna Hopkins-Harrison and Harold Harrison provided a common form where they aver that they are residents near the proposed facilities; they are susceptible to health issues that the proposed line may cause; and they are concerned how the proposals will increase their utility rates. In response, NEET MA asserts that: these parties only allege general interests and harms; residential ratepayers are represented by the OCA; and these parties do not own land traversed by the MARL Project.

Alice Rishel, Kathy Rishel, Larry Rishel, Linda Maust-Jacobs, Travis Rishel, Stephanie McCandless, Bailey Jane Dennis, Barbara Dennis, Dustin Dennis, John Dennis, Eunice Mastronicola, Perry Dennis, Wendy Dennis, and Angela Fox¹⁰ provided a common form where they all aver they are ratepayers and landowners that will be negatively impacted by the MARL Project filed routes. In response, NEET MA asserts that: these parties only allege general interests and harms; residential ratepayers are represented by the OCA; and these parties do not own land traversed by the MARL Project. NEET MA further asserts that the Commission lacks jurisdiction over issues related to transmission rates, cost allocation, and planning. In response to NEET MA's Preliminary Objection, Ms. Maust-Jacobs states that the MARL Project could directly threaten her property; her ability to evaluate the project has been hindered by deficiencies in public notice and transparency; and the project is not used or useful to Pennsylvania.

¹⁰ As discussed further below, on June 16, 2026, NEET MA filed both a Motion for Leave to File Preliminary Objections to the Protest of Angela Fox *Nunc Pro Tunc* and Preliminary Objections.

Thomas Bozek III avers he is a ratepayer, landowner, and resident in the project study area between multiple proposed routes. In response, NEET MA asserts that: Mr. Bozek only alleges general interests and harms; residential ratepayers are represented by the OCA; and Mr. Bozek does not own land traversed by the MARL Project. In Response to NEET MA's Preliminary Objection, Mr. Bozek reiterates that the project could affect the property he owns. He also states he will not benefit from this project, and the project will create risks.

Charles Ciescynski and Dianne Cieszynski both aver they are property owners that will be negatively affected by the project, and that they have personal health concerns related to the project. In response, NEET MA asserts that: these parties only allege general interests and harms; residential ratepayers are represented by the OCA; and these parties do not own land traversed by the MARL Project.

Cindy Dawson, Gerry Dawson, John Houze indicate they are utility ratepayers, landowners, and residents near the facilities. In response, NEET MA asserts that: these parties only allege general interests and harms; residential ratepayers are represented by the OCA; and these parties do not own land traversed by the MARL Project.

Allen Ellsworth indicates that he will be impacted through increased rates, harm to his land or property value, the project will pose an unreasonable danger to health or safety, and cause financial harm to his business. In response, NEET MA asserts that: Mr. Ellsworth does not include averments sufficient to distinguish his interests from those of the general public; residential ratepayers are represented by the OCA; and Mr. Ellsworth does not own land traversed by the MARL Project.

Sharon Oberlechner indicates she is a utility ratepayer, landowner, and resident near the facilities. She also describes concerns that the project will impact her property value. In response, NEET MA asserts that: Ms. Oberlechner only alleges general interests and harms; residential ratepayers are represented by the OCA; and Ms. Oberlechner does not own land traversed by the MARL Project.

William Oberlechner states he is a utility ratepayer and resident near the facilities. He expresses concern that his utility rates will increase, as well as health concerns if the line is near his property. In response, NEET MA asserts that: Mr. Oberlechner only alleges general interests and harms; residential ratepayers are represented by the OCA; and Mr. Oberlechner does not own land traversed by the MARL Project.

Joseph Gabeletto avers there will be no benefit to local residents, the route of the line is unclear, and he questions what are the risks of the project (health, fire, destruction of property). In response, NEET MA asserts that: Mr. Gabeletto only alleges general interests and harms; residential ratepayers are represented by the OCA; and Mr. Gabeletto does not own land traversed by the MARL Project.

Justine Davis avers the proposed placement of the lines will be dangerously close to her home; possibly take her property, which will directly reduce her property value; and increase her taxes and overall financial burden. In response, NEET MA asserts that: Ms. Davis only alleges general interests and harms; residential ratepayers are represented by the OCA; and Ms. Davis does not own land traversed by the MARL Project.

Joseph Pennington avers that the project will cause his rates to increase and he is a property owner that will be negatively affected by the project, both through loss of property value and possible health problems. In response, NEET MA asserts that: Mr. Pennington only alleges general interests and harms; residential ratepayers are represented by the OCA; and Mr. Pennington does not own land traversed by the MARL Project.

Janet Pennington states she will be most affected as a ratepayer. She also indicates she is concerned that the project will not benefit the residents of Greene County. In response, NEET MA asserts that: Ms. Pennington does not include averments sufficient to distinguish her interests from those of the general public; residential ratepayers are represented by the OCA; and Ms. Pennington does not own land traversed by the MARL Project.

Robert Zuchowsky avers that the project will negatively impact his property by possibly causing land subsidence, effects to well water, harm to scenery, and loss of property value. In response, NEET MA asserts that Mr. Zuchowsky only alleges general interests and harms and residential ratepayers are represented by the OCA. NEET MA states Mr. Zuchowsky does own property within the right-of-way corridors for at least one of the Alternative Routes for the MARL Project, yet this does not confer standing because this in itself does not establish a direct, substantial, and immediate impact.

Suzan Zuchowsky indicates she is impacted as a landowner and ratepayer, and she expresses concerns about health risks. In response, NEET MA asserts that Ms. Zuchowsky only alleges general interests and harms and residential ratepayers are represented by the OCA. NEET MA states Ms. Zuchowsky does own property within the right-of-way corridors for at least one of the Alternative Routes for the MARL Project, yet this does not confer standing because this in itself does not establish a direct, substantial, and immediate impact.

David Browne expresses concern as a landowner near the proposed project, and that the project could have a negative impact on the region in the form of power outages and higher energy costs. In response, NEET MA asserts that: Mr. Browne does not include averments sufficient to distinguish his interests from those of the general public; residential ratepayers are represented by the OCA; and Mr. Browne does not own land traversed by the MARL Project.

Charity Grimm Krupa, Esq. avers she will be affected as a Pennsylvania ratepayer; resident of Springhill Township, Fayette County; landowner; and member of the Pennsylvania House of Representatives. In response, NEET MA asserts that: Ms. Krupa does not include averments sufficient to distinguish her interests from those of the general public; residential ratepayers are represented by the OCA; and Ms. Krupa does not own land traversed by the MARL Project. NEET MA also asserts that Ms. Krupa's position as a legislator is an insufficient basis upon which to confer standing. In response to NEET MA's Preliminary Objection, Ms. Krupa reiterates the bases for her standing; submits that she also filed her protest

in her personal capacity; states that her interests are not fully represented by the OCA; and duplicative evidence is a case-management issue, not grounds for denying intervention.

Judith Pupek and Michael Pupek aver that their property is near the path of where the proposed power lines will be placed, and they are concerned about health risks, negative financial impacts, and loss of scenery. In response, NEET MA asserts that: these parties do not include averments sufficient to distinguish their interests from those of the general public; residential ratepayers are represented by the OCA; and these parties do not own land traversed by the MARL Project.

Lisa Mesich avers she is a landowner and utility rate payer, and the proposed areas affected are local to her home and locale. She expresses concerns regarding financial impacts, health and safety risks, and loss of natural resources. In response, NEET MA asserts that: Ms. Mesich does not include averments sufficient to distinguish her interests from those of the general public; residential ratepayers are represented by the OCA; and Ms. Mesich does not own land traversed by the MARL Project.

Mary Wilson avers she is concerned with loss of landscape and increase in electric costs. In response, NEET MA asserts that: Ms. Wilson does not include averments sufficient to distinguish her interests from those of the general public; residential ratepayers are represented by the OCA; and Ms. Wilson does not own land traversed by the MARL Project.

Sheila Grimm indicated that she is concerned that the lines will increase her rates, harm her land or property value, pose an unreasonable danger to health or safety, and cause financial harm to her business. In response, NEET MA asserts that: Ms. Grimm does not include averments sufficient to distinguish her interests from those of the general public; residential ratepayers are represented by the OCA; and Ms. Grimm does not own land traversed by the MARL Project.

Kristle Krichbaum avers she has an interest in this proceeding as a utility ratepayer, resident near the route, and parent concerned for her children's health. In response,

NEET MA asserts that: Ms. Krichbaum does not include averments sufficient to distinguish her interests from those of the general public; residential ratepayers are represented by the OCA; and Ms. Krichbaum does not own land traversed by the MARL Project. NEET MA further asserts that the Commission lacks jurisdiction over issues related to transmission rates, cost allocation, and planning.

Christine Tarcy avers she is a landowner that will be negatively impacted by the transmission lines in the following ways: destruction of privacy, natural resources, landscape, and property value; limiting her family from expanding; creation of health risks; and increased utility bills. In response,¹¹ NEET MA asserts that Ms. Tarcy only alleges general interests and harms and residential ratepayers are represented by the OCA. NEET MA states Ms. Tarcy does own property within the right-of-way corridors for at least one of the Alternative Routes for the MARL Project, yet this does not confer standing because this in itself does not establish a direct, substantial, and immediate impact.

Phillip Tarcy avers he will be affected as a landowner and ratepayer, and that he is a landowner on two alternative routes. In response,¹² NEET MA asserts that Mr. Tarcy only alleges general interests and harms and residential ratepayers are represented by the OCA. NEET MA states Mr. Tarcy does own property within the right-of-way corridors for at least one of the Alternative Routes for the MARL Project, yet this does not confer standing because this in itself does not establish a direct, substantial, and immediate impact.

We find that the parties above have all demonstrated standing to participate in this proceeding. All the above parties have averred or indicated that they will be personally impacted by the proposed project. Specifically, the parties have averred or indicated that they will be impacted as landowners and/or residents near the proposed project. Further, the parties have variously averred or indicated that they may be negatively affected, including, e.g., financial

¹¹ As discussed further below, on June 16, 2026, NEET MA filed both a Motion for Leave to File Answer to the Petition to Intervene of Christine Tarcy *Nunc Pro Tunc* and an Answer.

¹² As discussed further below, on June 16, 2026, NEET MA filed both a Motion for Leave to File Answer to the Petition to Intervene of Phillip Tarcy *Nunc Pro Tunc* and an Answer.

impacts, health risks, and loss of scenery. NEET MA avers that the majority of parties are not landowners whose land will be traversed by the proposed project. However, in the context of evaluating preliminary objections and standing in general, the lack of standing is not obvious on the face of the pleadings filed by the parties, and we will not rely on NEET MA's averments in disposing of the petitions to intervene and preliminary objections.

NEET MA also avers that the OCA represents the interests of residential ratepayers. While this is true, we find that, as described above, the parties have sufficiently raised their specific interests apart from the OCA in this proceeding.

For some parties, NEET MA separately asserts that the protests or petitions to intervene are deficient because they raise issues related to transmission ratemaking, cost allocation, and transmission planning within the jurisdiction of FERC. While we generally agree that the Commission lacks jurisdiction over certain matters related to transmission lines, we do not find that we need to make a specific ruling regarding this matter at this time. Instead, our chief concern in disposing of the petitions to intervene and preliminary objections to protests is to evaluate the standing of the parties. NEET MA may continue to pursue its arguments regarding jurisdiction as the case develops and further instructions may be provided to parties to limit introduction of certain evidence, if warranted.

Further, we note that, with the one exception of Charity Grimm Krupa, none of the prospective parties whose standing is contested have indicated they either are attorneys or are represented by counsel. The Commission disfavors dismissing pleadings from *pro se* parties on a preliminary basis without first providing a hearing to *pro se* parties. *See Carlock v. The United Tel. Co. of Pa.*, Docket No. F-00163617 (Order entered July 14, 1993). Occasionally, there are cases where a hearing would not enable the *pro se* party to better explain his or her position or provide additional facts that would alter the inevitable conclusion that the pleading should be dismissed. *See Vata v. Phila. Gas Works*, Docket No. C-2009-2149960 (Opinion and Order entered Aug. 24, 2010); *Oechsle v. PPL Elec. Utils. Corp.*, Docket No. F-2024-3051701 (Opinion and Order entered July 10, 2025). This is not one of those cases. As is stated above, the protestants and/or intervenors aver or indicate they are landowners/residents who would be

negatively affected by the project. Therefore, the above protestants and intervenors may be able to further articulate their interests in this proceeding and what relief the Commission could provide them.

Related Motions

NEET MA filed the following motions on June 16, 2026:

- NEET MA Motion for Leave to File Answer to the Petition to Intervene of Phillip Tarcy *Nunc Pro Tunc*
- NEET MA Motion for Leave to File Answer to the Petition to Intervene of Christine Tarcy *Nunc Pro Tunc*
- NEET MA Motion for Leave to File Preliminary Objections to the Protest of Angela Fox *Nunc Pro Tunc*

Also on June 16, 2026, NEET MA filed Answers to the Petitions to Intervene of Phillip Tarcy and Christine Tarcy and Preliminary Objections to the Protest of Angela Fox. Responses to the *nunc pro tunc* motions are not due until July 6, 2026. 52 Pa. Code § 5.103(c). However, in the interests of settling party statuses as far in advance of the July 29, 2026 prehearing conference as possible, we will exercise our authority pursuant to 52 Pa. Code § 1.2(c) to provide a ruling prior to the deadline for responses to the *nunc pro tunc* motions. We will grant the *nunc pro tunc* motions in order to evaluate NEET MA's answers and preliminary objections on their merits and, as explained above, we find that Mr. Tarcy, Ms. Tarcy, and Ms. Fox have established standing on the basis of their initial pleadings alone. Therefore, we will waive the requirement to provide 20 days for responses to NEET MA's *nunc pro tunc* motions because providing a ruling now will not affect the substantive rights of Mr. Tarcy, Ms. Tarcy, or Ms. Fox. 52 Pa. Code § 1.2(c).

Parties Not Demonstrating Standing

Joni Bowers and Lu Swihart filed a petition to intervene in this proceeding, but provided no discernible averments of facts to indicate what personal interest they may have in

this proceeding. In other words, their submissions were completely blank and included no narrative or indications as to their interest in this proceeding. Therefore, there is no basis to establish their standing, and their petitions to intervene will be denied.

Party Status

As a result of the above, we find that Charity Grimm Krupa; Linda Maust-Jacobs; Thomas John Bozek III; David J. Browne; Charlies Cieszynski Jr.; Dianne Cieszynski; Justine Davis; Cindy Dawson; Gerry Dawson; Baily Dennis; Barbara Dennis; Dustin Dennis; John Dennis; Perry Dennis; Wendy Dennis; Allen Ellsworth; Angela Fox; Joseph Gabeletto; Sheila Grimm; Harold Harrison; Donna Hopkins-Harrison; John Houze; Kristle Krichbaum; Eunice Mastronicola; Stephanie McCandless; Lisa Mesich; Sharon Oberlechner; William Oberlechner; Janet Pennington; Joseph Pennington; Judith Pupek; Michael Pupek; Alice Rishel; Kathy Rishel; Larry Rishel; Travis Rishel; Phillip Tarcy; Christine Tarcy; Mary Wilson; Robert Zuchowsky; and Susan Zuchowsky, have all established their standing to participate in this proceeding.

Further, the Center for Coalfield Justice; James E. Rockis, Quarter Pine Tree Farm Christmas Shoppe, LLC and J.E. Rockis Rental & Supply, Inc.; Office of Consumer Advocate; County of Fayette; Elizabeth G. Arthur, 2012 Irrevocable Trust;¹³ Ponderosa Properties; and Raymond Waddell II and Samantha Wright have either filed petitions to intervene or protests in this proceeding which have not been contested by NEET MA. Therefore, we will grant the petitions to intervene of these parties or otherwise recognize their party status.

However, we note that, pursuant to Paragraphs 8, 9, and 10 of our May 18, 2026 Procedural Order, parties that have not affirmatively elected to be treated as active parties will be treated as inactive parties. Parties should refer to our Procedural Order for further instructions on choosing active or inactive party status.¹⁴ Currently, the active parties include NextEra Energy

¹³ At the May 6, 2026 prehearing conference Elizabeth Arthur indicated that the Elizabeth G. Arthur, 2012 Irrevocable Trust would participate in this proceeding as an inactive party. However, Ms. Arthur and the Elizabeth G. Arthur Trust are advised that, should the Elizabeth G. Arthur Trust wish to participate in this proceeding as an active party, trusts must be represented by an attorney. 52 Pa. Code §§ 1.21, 1.22.

¹⁴ The Procedural Order is available here: <https://www.puc.pa.gov/pcdocs/1931091.pdf>.

Transmission MidAtlantic, Inc.; the Office of Consumer Advocate; Center for Coalfield Justice; James E. Rockis, Quarter Pine Tree Farm Christmas Shoppe, LLC and J.E. Rockis Rental & Supply, Inc.; Charity Grimm Krupa; Linda-Maust Jacobs; and Ponderosa Properties.

Finally, we note that, on May 29, 2026, the OCA filed a letter indicating that Robert L. Stickles and Catherine L. Stickles; and James R. Stickles and Eglantina Stickles would like to participate in this proceeding as active parties. However, these prospective parties have filed neither protests or petitions to intervene in this proceeding.¹⁵ Should they wish to seek participation in this proceeding, a protest or petition to intervene must be filed with the Commission.

THEREFORE,

IT IS ORDERED:

1. That the NEET MA Motion for Leave to File Answer to the Petition to Intervene of Phillip Tarcy *Nunc Pro Tunc*, NEET MA Motion for Leave to File Answer to the Petition to Intervene of Christine Tarcy *Nunc Pro Tunc*, and NEET MA Motion for Leave to File Preliminary Objections to the Protest of Angela Fox *Nunc Pro Tunc* are granted;

2. That the Petitions to Intervene of Charity Grimm Krupa; Linda Maust-Jacobs; Thomas John Bozek III; Charles Cieszynski Jr.; Dianne Cieszynski; Justine Davis; Cindy Dawson; Gerry Dawson; Joseph Gabeletto; Harold Harrison; Donna Hopkins-Harrison; John Houze; Sharon Oberlechner; William Oberlechner; Joseph Pennington; Alice Rishel; Kathy Rishel; Larry Rishel; Travis Rishel; Phillip Tarcy; Christine Tarcy; Robert Zuchowsky; Susan Zuchowsky; the Center for Coalfield Justice; James E. Rockis, Quarter Pine Tree Farm

¹⁵ OCA states that, according to Robert Stickles, in an e-mail dated May 28, 2026, these parties filed a single, joint protest. However, the protest does not currently appear in Commission records. Parties should refile or contact the Commission's Secretary's Bureau for assistance.

Christmas Shoppe, LLC and J.E. Rockis Rental & Supply, Inc.; Elizabeth G. Arthur, 2012 Irrevocable Trust; and Ponderosa Properties are granted;

3. That the Petitions to Intervene of Joni Bowers and Lu Swihart are denied;
and

4. That the Preliminary Objections of NextEra Energy Transmission MidAtlantic, Inc., seeking dismissal of the Protests of Charity Grimm Krupa; Linda Maust-Jacobs; Thomas John Bozek III; David J. Browne; Baily Dennis; Barbara Dennis; Dustin Dennis; John Dennis; Perry Dennis; Wendy Dennis; Allen Ellsworth; Angela Fox; Sheila Grimm; Kristle Krichbaum; Eunice Mastronicola; Stephanie McCandless; Lisa Mesich; Janet Pennington; Judith Pupek; Michael Pupek; and Mary Wilson are denied.

Date: July 1, 2026

_____/s/
John M. Coogan
Administrative Law Judge

_____/s/
Erin L. Gannon
Administrative Law Judge

A-2026-3060856 - 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

A-2026-3060921, G-2026-3060941 & G-2026-3060942 - APPLICATION OF NEXTERA ENERGY TRANSMISSION MIDATLANTIC, INC., (1) TO BEGIN TO FURNISH AND SUPPLY ELECTRIC TRANSMISSION SERVICE IN GREENE COUNTY AND FAYETTE COUNTY, PENNSYLVANIA; (2) FOR CERTAIN AFFILIATED INTEREST AGREEMENTS

(Revised 07/1/2026)

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