

**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 #2

Denying Preliminary Objections to Protest of Susan Hager

The above-captioned proceedings relate to two applications filed by NextEra Energy Transmission MidAtlantic, Inc. (NEET MA or Applicant) at the dockets identified above. Consistent with prior orders issued in this matter, those applications will be referenced herein as the Siting Application and CPC Application.¹

Relevant to the instant Order, on June 8, 2026, Susan Hager filed a Protest in the Siting Application and CPC Application proceedings.

¹ The Siting Application was assigned PUC docket number A-2026-3060856. The CPC Application and affiliated interest agreements were assigned PUC docket numbers A-2026-3060921, G-2026-3060941, and G-2026-3060942.

On June 29, 2026, NEET MA filed preliminary objections to Susan Hager's protest. The preliminary objections included a notice to plead.

On July 1, 2026, we issued Prehearing Order #1, which addressed the status of all entities who filed petitions to intervene and protests by May 29, 2026.

Ms. Hager did not file a response to the preliminary objections.

For the reasons stated below, NEET MA's preliminary objections to Ms. Hager's Protest will be denied.

DISCUSSION

Legal Standards

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. *County of Allegheny v. Commonwealth*, 490 A.2d 402 (Pa. 1985); *Commonwealth 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.*, Docket No. C-2016-2577571 (Opinion and Order entered July 20, 2017)

Analysis

NEET MA's preliminary objections contest Ms. Hager's standing to participate in these proceedings. As explained below, we find that Ms. Hager has demonstrated her standing to participate in this proceeding.

Ms. Hager filled out a form wherein she averred she is a ratepayer and landowner that will be negatively impacted by the MARL Project filed routes. In response, NEET MA asserts that: Ms. Hager only alleges general interests and harms; residential ratepayers are represented by the OCA; and Ms. Hager 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.

We find that Ms. Hager, like other parties to these matters who completed and filed the same or similar protest form, has demonstrated standing to participate in this proceeding. She has averred or indicated that she will be personally impacted by the proposed project, as a landowner and/or resident near the proposed project. Further, she has variously averred or indicated that she may be negatively affected, including, e.g., financial impacts, health risks, and loss of scenery. NEET MA avers that Ms. Hager is not a landowner 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 pleading filed by Ms. Hager, and we will not rely on NEET MA's averments in disposing of the preliminary objections.

Although NEET MA avers that the OCA represents the interests of residential ratepayers, we find that, as described above, Ms. Hager has sufficiently raised her specific interests apart from the OCA in this proceeding.

NEET MA separately asserts that the protest is deficient because it raises 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 preliminary objections 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 Ms. Hager has not indicated that she is an attorney or is currently 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 (Opinion and 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 protestant avers or indicates that she is a landowner/resident who would be negatively affected by the project. Therefore, Ms. Hager may be able to further articulate her interests in this proceeding and what relief the Commission could provide her.

As a result of the above, we find that Susan Hager has established her standing to participate in this proceeding.

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. Ms. Hager should refer to our Procedural Order for further instructions on choosing active or inactive party status.²

THEREFORE,

IT IS ORDERED:

1. That the Preliminary Objections of NextEra Energy Transmission MidAtlantic, Inc., seeking dismissal of the Protest of Susan Hager is denied.

Date: July 14, 2026

/s/
John M. Coogan
Administrative Law Judge

/s/
Erin L. Gannon
Administrative Law Judge

² The Procedural Order is available here: <https://www.puc.pa.gov/pcdocs/1931091.pdf>.

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 07/2/2026)

GARRETT P LENT ESQUIRE
DAVID B MACGREGOR ESQUIRE
HAYLEY E WILBURN ESQUIRE
POST AND SCHELL
17 NORTH 2ND STREET 12TH FLOOR
HARRISBURG PA 17101-1601
717.612.6032
717.731.1970

glent@postschell.com

dmacgregor@postschell.com

hwilburn@postschell.com

Served via eService July 14, 2026

(Counsel for NextEra Energy Transmission)

TRACY C DAVIS ESQUIRE
NEXTERA ENERGY TRANSMISSION
5920 WEST WILLIAM CANNON DRIVE
BLDG 2
AUSTIN TX 78749
512.236.3141

tracy.c.davis@nexteraenergy.com

Served via email July 14, 2026

ANNA GALANIS ESQUIRE
NEXTERA ENERGY TRANSMISSION
700 UNIVERSE BOULEVARD
JUNO BEACH FL 33408
561.691.2542

anna.galanis@nexteraenergy.com

Served via email July 14, 2026

JACOB GUTHRIE ESQUIRE
MELANIE EL ATIEH ESQUIRE
JOSIAH B. HARMER
OFFICE OF CONSUMER ADVOCATE
555 WALNUT STREET
5TH FLOOR FORUM PLACE
HARRISBURG PA 17101
717.783.5048

jguthrie@paoca.org

melatieh@paoca.org

jharmar@paoca.org

Served via eService July 14, 2026

BENJAMIN C DUNLAP JR ESQUIRE
COHEN SEGLIAS GREENHALL &
FURMAN PC
240 NORTH 3RD STREET 7TH FLOOR
HARRISBURG PA 17101
717.234.5530

bdunlap@cohenseglias.com

Served via eService July 14, 2026
*(Counsel for James E Rockis, Quarter Pine
Tree Farm Christmas Shoppe LLC and JE
Rockis Rental and Supply Inc)*

EVAN DIMOND JOHNS ESQUIRE
THOMAS L KLOEHN ESQUIRE
APPALACHIAN MOUNTAIN ADVOCATES
6101 PENN AVENUE SUITE 201
PITTSBURGH PA 15206
304.439.0303
773.332.0551

ejohns@appalmad.org

tkloehn@appalmad.org

Served via eService July 14, 2026
(Counsel for Center for Coalfield Justice)

J MICHAEL BECHER ESQUIRE
APPALACHIAN MOUNTAIN ADVOCATES
POST OFFICE BOX 11571
CHARLESTON WV 25339
mbecher@appalmad.org

Served via email July 14, 2026
(Counsel for Center for Coalfield Justice)

SETH SHERMAN
CENTER FOR COALFIELD JUSTICE
69 BEAU STREET SUITE 101
WASHINGTON PA 15301
412.229.7415

seth@centerforcoalfieldjustice.org

Served via email July 14, 2026
(Counsel for Center for Coalfield Justice)

CHARITY KRUPA
PO BOX 622
SMITHFIELD PA 15478
724.557.9608
charity@givemeliberty.co
Served via eService July 14, 2026

LINDA MAUST-JACOBS
510 BRADDOCK ROAD
MARKLEYSBURG PA 15459
724.329.4498
724.570.5412
pnut474@gmail.com
Served via eService July 14, 2026

PONDEROSA PROPERTIES
PO BOX 912
GRANVILLE, WV 26534
paulkokot@yahoo.com
jeffkostik@yahoo.com
Served via email and USPS First Class Mail
July 14, 2026

THOMAS BOZEK
875 WYMPS GAP ROAD
PO BOX 170
SMITHFIELD PA 15478
724.208.5613
tommyguitar4@aol.com
Served via eService July 14, 2026

DAVID BROWNE
249 OLD WATERWORKS ROAD
DILLINER PA 15327
724.324.9085
724.678.6533
djbrowne058@gmail.com
Served via email and USPS First Class Mail
July 14, 2026

CHARLES CIESZYSKI JR
58 MAIN STREET
SMITHFIELD PA 15478
Served via USPS First Class Mail
July 14, 2026

DIANE CIESZYSKI
58 MAIN STREET
SMITHFIELD PA 15478
Served via USPS First Class Mail
July 14, 2026

JOHN M PURCELL ESQUIRE
JOHN M PURCELL PC
55 EAST CHURCH STREET
UNIONTOWN PA 15401
724.437.2711
jackpurcell146@gmail.com
Served via eService July 14, 2026
(*Counsel for the County of Fayette*)

JUSTINE DAVIS
1160 GEROGES-FAIRCHANCE ROAD
SMITHFIELD PA 15478
Served via USPS First Class Mail
July 14, 2026

CINDY DAWSON
204 BARTON HOLLOW ROAD
SMITHFIELD PA 15478
Served via USPS First Class Mail
July 14, 2026

GERRY DAWSON
204 BARTON HOLLOW ROAD
SMITHFIELD PA 15478
724.333.7170
dawson_gerry@hotmail.com
Served via eService July 14, 2026

BAILEY JANE DENNIS
185 RISHEL ROAD
GIBBON GLADE PA 15440
baileysahm@gmail.com
Served via email July 14, 2026

BARBARA DENNIS
185 RISHEL ROAD
GIBBON GLADE PA 15440
barbdennis50@gmail.com
Served via email Mail July 14, 2026

DUSTIN DENNIS
185 RISHEL ROAD
GIBBON GLADE PA 15440
dustindennis223@gmail.com
Served via email July 14, 2026

JOHN DENNIS
333 CANAAN CHURCH ROAD
GIBBON GLADE PA 15440
wendydennis63@gmail.com
Served via email July 14, 2026

PERRY DENNIS
185 RISHEL ROAD
GIBBON GLADE PA 15440
Served via USPS First Class Mail
July 14, 2026

WENDY DENNIS
333 CANAAN CHRUCH ROAD
GIBBON GLADE PA 15440
wendydennis63@gmail.com
Served via email July 14, 2026

ELIZABETH ARTHUR TRUSTEE
1431 EAST CAPITOL STREET
SOUTHEAST
WASHINGTON DC 20003
850.566.6768
egarthur1@gmail.com
Served via eService July 14, 2026

ALLEN ELLSWORTH
32 KYLE AVENUE
FAIRCHANCE PA 15436
camper3155@atlanticbb.net
Served via email July 14, 2026

ANGELA FOX
477 DINNERBELL ROAD
OHIOPOLE PA 15470
724.963.9862
keithfox477@verizon.net
Served via email July 14, 2026

JOSEPH GABELETTO
247 MCKRACKEN SCHOOL ROAD
FARMINGTON PA 15437
jgabeletto@yahoo.com
Served via email and USPS First Class Mail
July 14, 2026

SHEILA GRIMM
49 FAYETTE STREET
SMITHFIELD PA 15478
Served via USPS First Class Mail
July 14, 2026

SUSAN HAGER
105 RANKIN ROAD
FARMINGTON PA 15437-1101
724.323.3967
shager369@gmail.com
Served via eService July 14, 2026

HAROLD HARRISON
19 SOUTH MAIN STREET
FAIRCHANCE PA 15436
304.282.9528
wantaharley4me@yahoo.com
Served via eService July 14, 2026

DONNA HOPKINS-HARRISON
19 SOUTH MAIN STREET
FAIRCHANCE PA 15436
304.282.9528
lawis4me@yahoo.com
Served via eService July 14, 2026

JOHN HOUZE
605 FALLEN TIMBERS ROAD
POINT MARION PA 15474
Served via USPS First Class Mail
July 14, 2026

KRISTLE KRICHBAUM
251 CHURCH STREET
SMITHFIELD PA 15478
240.474.3774
724.322.6959
kristle.krichbaum@gmail.com
Served via eService July 14, 2026

EUNICE MASTRONICOLA
411 PIKE SCHOOL ROAD
MARKLEYSBURG PA 15459
Served via USPS First Class Mail
July 14, 2026

STEPHANIE LYNNE MCCANDLESS
714 VENTURE DRIVE
MORGANTOWN, WV 26508
304.612.4010
stephaniem200@gmail.com
Served via eService July 14, 2026

LISA MESICH
326 2ND STREET
ADAH PA 15410
Served via USPS First Class Mail
July 14, 2026

SHARON OBERLECHNER
2754 MORGANTOWN ROAD
SMITHFIELD PA 15478
Served via USPS First Class Mail
July 14, 2026

WILLIAM OBERLECHNER
2754 MORGANTOWN ROAD
SMITHFIELD PA 15478
Served via USPS First Class Mail
July 14, 2026

JANET PENNINGTON
715 TAYLORTOWN ROAD
DILLINER PA 15327-1649
724.998.0854
pen2980@hotmail.com
Served via eService July 14, 2026

JOSEPH PENNINGTON
7104 MORGANTOWN ROAD
POINT MARION PA 15474
304.376.5114
penrod12@yahoo.com
Served via eService July 14, 2026

JUDITH D PUPEK
119 COOLEY ESTATES ROAD
SMITHFIELD PA 15478
412.582.6062
Served via USPS First Class Mail
July 14, 2026

MICHAEL PUPEK
119 COOLEY ESTATES ROAD
SMITHFIELD PA 15478
724.317.6848
Served via USPS First Class Mail
July 14, 2026

ALICE RISHEL
2812 DINNERBELL FIVE FORKS ROAD
FARMINGTON PA 15437
Served via USPS First Class Mail
July 14, 2026

KATHY RISHEL
2810 DINNER BELL FIVE FORKS ROAD
FARMINGTON PA 15437
Served via USPS First Class Mail
July 14, 2026

LARRY RISHEL
2812 DINNERBELL FIVE FORKS ROAD
FARMINGTON PA 15437
Served via USPS First Class Mail
July 14, 2026

TRAVIS RISHEL
2810 DINNER BELL FIVE FORKS ROAD
FARMINGTON PA 15437
Served via USPS First Class Mail
July 14, 2026

CHRISTINE J TARCY
ZUTAR LLC
275 BARTON HOLLOW ROAD
SMITHFIELD PA 15478
724.984.1301
ptarcy@verizon.net
Served via eService July 14, 2026

PHILLIP C TARCY
275 BARTON HOLLOW ROAD
SMITHFIELD PA 15478
724.880.9532
ptarcy@verizon.net
Served via eService July 14, 2026

RAYMOND WADDELL AND
SAMANTHA WRIGHT
1102 WHITE WILLOW WAY
MORGANTOWN WV 26505
512.619.0877
ray_waddell31@yahoo.com
Served via eService July 14, 2026

MARY WILSON
215 FOX HOLLOW ROAD
SMITHFIELD PA 15478
Served via USPS First Class Mail
July 14, 2026

SUZAN ZUCHOWSKY
100 SROKA LANE
SMITHFIELD PA 15478
Served via USPS First Class Mail
July 14, 2026

ROBERT ZUCHOWSKY
100 SROKA LANE
SMITHFIELD PA 15478
suzu4@verizon.net
Served via email and USPS First Class Mail July 14, 2026