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August 6, 2026

VIA EFILING

Matthew Homsher, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Bldg.
400 North Street
Harrisburg, PA 17101

**Re: PETITION OF TRANSOURCE PENNSYLVANIA, LLC FOR
CONFIRMATION OF AN EXEMPTION FROM LOCAL ZONING
REGULATION AND FOR THE CONSTRUCTION OF BUILDINGS IN
CONNECTION WITH THE CONSTRUCTION OF A PROPOSED
ELECTRIC SUBSTATION IN GREENE TOWNSHIP, FRANKLIN
COUNTY, PENNSYLVANIA**

Dear Secretary Homsher:

Please find enclosed for filing the Protest of Greene Township, Franklin County, Pennsylvania. If you have any questions or concerns, please feel free to contact me at the address listed above.

Very Truly Yours,

SALZMANN HUGHES, P.C.

/s/ Kurt E. Williams

Kurt E. Williams

Enclosure

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Petition of Transource Pennsylvania, LLC for	:	
Confirmation of an Exemption from Local	:	
Zoning Regulation and for the Construction of	:	
Buildings in Connection with the Construction	:	Docket No. P-2026-3062687
of a Proposed Electric Substation in Greene	:	
Township, Franklin County, Pennsylvania	:	

PROTEST OF GREENE TOWNSHIP, FRANKLIN COUNTY, PENNSYLVANIA

Pursuant to 52 Pa. Code § 5.51, and Transource Pennsylvania LLC’s (“Transource”) notice published on June 15, 2026, in the Chambersburg Public Opinion and on June 17, 2026, in the Waynesboro Record Herald, Greene Township, Franklin County, Pennsylvania, a township of the second class organized under the laws of the Commonwealth of Pennsylvania (“Greene Township”), hereby protests the above-captioned proceeding. In support thereof, Greene Township submits as follows:

1. The name and contact information of the Petitioner is:

Greene Township
1145 Garver Lane
Chambersburg, PA 17202

2. The names and contact information for Greene Township’s counsel for receiving service of all documents in this proceeding are:

Kurt E. Williams, Esq.
Salzmann Hughes, P.C.
354 Alexander Spring Road, Suite 1
Carlisle, PA 17015
Phone: 717-249-6333
kwilliams@salzmannhughes.com

Greene Township agrees to accept electronic service to the attorney listed above.

3. On May 21, 2026, the Transource filed an application seeking a certificate of public

convenience to provide transmission service in portions of Franklin County, Pennsylvania necessary to operate transmission facilities for Project 9A West at the Commission's Docket No. A-2026-2062675 (the "Application" or the "Certificate of Public Convenience Application").

4. Contemporaneously with the Application, Transource filed a separate application seeking the Commission's approval of the siting and construction of the 230 kV transmission line known as Project 9A in a portion of Franklin County, Pennsylvania, at the Commission's Docket No. A-2026-3062686, as well this petition for confirmation of an exemption from local zoning regulation and for the construction of buildings in connection with the construction of a proposed electric substation in Greene Township at the Commission's Docket No. P-2026-3062687 (the "Petition" or the "Zoning Exemption Petition").

5. Pursuant to Section 1103(a) of the Public Utility Code, the Commission shall grant a certificate of public convenience "only if the [C]ommission shall find or determine that the granting of such certificate is necessary or proper for the service, accommodation, convenience, or safety of the public." 66 Pa.C.S. § 1103(a).

6. To warrant such a finding, Transource must demonstrate "a public need or demand for the proposed service, the inadequacy of existing facilities for service in the proposed service territory, and [Transource's] fitness." *In re Evansburg Water Company*, 81 Pa. P.U.C. 152 (Pa. P.U.C. 1994) (citing *Seaboard Tank Lines, Inc. v. Pennsylvania Public Utility Commission*, 502 A.2d 762 (Pa. Cmwlth. 1985); *Warminster Township v. Pennsylvania Public Utility Commission*, 138 A.2d 240 (1958)).

7. The fitness component is comprised of (1) the "technical capacity to meet the need in a satisfactory fashion;" (2) "the financial ability to give reliable and responsible service to the public;" and (3) a deference to the Public Utility Code and the Commission's orders and

regulations, or legal fitness. *In re Evansburg Water Company*, 81 Pa. P.U.C. 152 (citing *Re: William O'Connor*, 54 Pa. P.U.C. 547 (Pa. P.U.C. 1980)).

8. At his point in the proceedings, the Commission has not made a finding on the Application that the certificate of public convenience would be necessary or proper or that Transource has demonstrated that it possesses any aspect of the fitness component to provide electric transmission service and operate transmission facilities in Franklin County, thus Transource has not been granted approval to operate as a public utility in Franklin County.

9. Notwithstanding the foregoing, the Petition addresses a proposed substation control building planned in Greene Township. *See* Petition ¶ 7.

10. In the Petition, Transource requests to be exempt from all local zoning, land development, and other land use regulation generally, and specifically in Greene Township. *See* Petition ¶ 14.

11. To be eligible for such an exemption, the utility proposing the exemption must have already been granted approval to operate as a public utility in that location. 53 P.S. § 10619 (applying to “a public utility corporation”).

12. Section 619 of the Municipalities Planning Code (the “MPC”) provides that municipal zoning is inapplicable “to any . . . proposed building . . . to be used by a public utility corporation, if, upon petition of the corporation, the Pennsylvania Public Utility Commission shall, after a public hearing, decide that the . . . proposed situation of the building in question is reasonably necessary for the convenience or welfare of the public.” *Id.*

13. The MPC provides further that the Commission shall “ensure that both the corporation and the municipality in which the building or proposed building is located have notice of the hearing and are granted an opportunity to appear, present witnesses, cross-examine

witnesses presented by other parties and otherwise exercise the rights of a party to the proceedings.” *Id.*

14. The Commission’s regulations permit a protest where a person has an interest or a right in the proceeding and the person has standing to protest. 52 Pa. Code § 5.52(a)(1)&(3).

15. First, Greene Township has an interest in the proceedings and rights that are implicated by the proceedings.

16. The Second Class Township Code authorizes the Board of Supervisors of Greene Township to “plan for the development of the township through zoning, subdivision and land development regulations under the . . . Municipalities Planning Code.” 53 P.S. § 66516.

17. The United States Supreme Court long ago held that municipal zoning “is a valid exercise of [municipal] authority.” *Village of Euclid, Ohio v. Ambler Realty Co.*, 272 U.S. 365, 397 (1926).

18. Consequently, Greene Township has an interest in these proceedings and maintains a right to regulate zoning and land development within its boundaries unless the Commission “after a public hearing, decide[s] that the . . . proposed situation of the building in question is reasonably necessary for the convenience or welfare of the public.” 53 P.S. § 10619.

19. The interests and rights of Greene Township are further demonstrated by its residents who are owners of property in Greene Township which will be impacted by the proposed Transource electric substation building.

20. Second, Greene Township has standing to participate in this proceeding because it has an interest in the outcome.

21. Specifically, Greene Township holds the “express power to zone with respect to public utility company buildings where the Commission ha[s] determined that the present or

proposed location of such buildings was *not* reasonably necessary for the convenience or welfare of the public.” *Newtown Township v. Philadelphia Electric Company*, 594 A.2d 834, 836 (Pa. Cmwlth. 1991) (emphasis in original); *see also Duquesne Light Company v. Upper St. Clair Township*, 105 A.2d 287, 292 (Pa. 1954) (“the Commission . . . is entrusted with the vital determination of *necessity*.”) (emphasis in original).

22. Furthermore, Greene Township’s due process rights are directly implicated by the Petition.

23. “Section 916 of the MPC provides that it is the Commission’s responsibility to ensure that the municipality in which the proposed building is located be provided with notice of the public hearing and an opportunity to be heard, and to otherwise exercise the rights of a party to the proceeding.” *Newtown Township*, 594 A.2d at 837.

24. Respectfully, Greene Township clearly satisfies the Commission’s standards for filing a protest in this proceeding.

PROTEST

25. Greene Township protests Transource’s Petition for the following reasons.

26. First, the Commission has not yet decided Transource’s Application for a certificate of public convenience to provide transmission service in portions of Franklin County, Pennsylvania.

27. Accordingly, Transource is not currently a public utility subject to the MPC Section 619 exemption in Greene Township, and it is therefore premature to apply the MPC exemption for public utilities to Greene Township’s potential regulation of the proposed electric substation building.

28. If the Commission determines that Transource lacks the fitness required to provide

electric transmission service and operate transmission facilities in Franklin County or otherwise finds that the granting of such certificate public convenience is not necessary or proper for the service, accommodation, convenience, or safety of the public, then the Section 619 exemption will not apply and the Petition would be moot.

29. Second, Greene Township maintains a statutory right to regulate the zoning and land development of the proposed electric substation building if the Commission “determine[s] that the proposed location of the building is *not* reasonably necessary for the convenience or welfare of the public.” *Newtown Township*, 594 A.2d at 836.

30. If the Commission grants Transource’s Application by finding that Transource has the required fitness and that granting the certificate of public convenience is necessary, only then should the Commission consider whether Transource’s proposed building is reasonably necessary for the convenience or welfare of the public and therefore exempt from Greene Township zoning and land development regulations.

31. In the event the Commission undertakes that consideration, Greene Township has a statutory due process right to notice of a hearing and the “opportunity to appear, present witnesses, cross-examine witnesses presented by other parties and otherwise exercise the rights of a party to the proceedings.” 53 P.S. § 10619.

32. Greene Township therefore respectfully requests that the Commission grant its Protest and deny the Petition.

33. In the alternative, Greene Township respectfully requests that (1) the Commission make a determination on the Application prior to considering the Petition and, (2) if the Commission grants the Application, ensure that Greene Township receives notice and an opportunity to participate in the hearing on the Petition pursuant to Section 619 of the MPC.

34. Greene Township timely submits the instant Petition in accordance with the August 12, 2026, deadline for filing formal protests established by the public notice of the Petition.

WHEREFORE, Greene Township respectfully requests that the Commission grant its Protest and deny Transource Pennsylvania, LLC's Petition. In the alternative, Greene Township requests that the Commission (1) require that Transource Pennsylvania, LLC's Certificate of Public Convenience Application be decided first before opening the public hearing required for the Zoning Exemption Petition, and, (2) if the Commission approves the Certificate of Public Convenience Application, conduct the statutorily required public hearing and investigation for the Zoning Exemption Petition.

Respectfully submitted,

SALZMANN HUGHES, P.C.

Date: August 6, 2026

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*Solicitor to Greene Township, Franklin
County, Pennsylvania*

VERIFICATION

I, Shawn M. Corwell, on behalf of Greene Township, Franklin County, Pennsylvania, hereby state that the facts set forth in the foregoing document are true and correct to the best of my knowledge, information, and belief, and that I expect to be able to prove the same at a hearing in this matter. This verification is made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.



Name: Shawn M. Corwell
Title: Township Supervisor
Greene Township, Franklin County,
Pennsylvania

Date: 8/5/2026

CERTIFICATE OF SERVICE

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

Via E-Service or E-Mail

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Guildford Township Supervisors
Attn: Don Clapper, Chairman
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Chambersburg, PA 17202
gtsups@guilfordtp.us

Via Regular Mail

Pennsylvania Department of Environmental
Protection
P.O. Box 2063
Market Street State Office Building
Harrisburg, PA 17105-2063
Attn: Office of Field Operations

Pennsylvania Historical Museum &
Commission
Chairman
300 North Street
Harrisburg, PA 17120

Borough of Waynesboro
Attn: Jason Stains, Borough Manager
55 East Main Street
Waynesboro, PA 17268

West Penn Power Company
341 White Pond Drive
Akron, OH 44320

Pennsylvania Electric Company (PENELC)
341 White Pond Drive
Akron, OH 44320

Texas Eastern Transmission, L.P.
5400 Westheimer Court
Houston, TX 77056

Dominion Energy
5000 Dominion Boulevard
Glen Allen, VA 23060

Pennsylvania Department of Transportation
Secretary
Room 1200
Transportation and Safety Building
Harrisburg, PA 17120

Franklin County Planning Department
272 North Second Street
Chambersburg, PA 17201
Contact: Quentin Clapper, Planning Director

Washington Township Supervisors
Attn: Scott Stine, Chairman
11798 Buchanan Trail East
Waynesboro, PA 17268

Potomac Edison Co.
341 White Pond Drive
Akron, OH 44320

Rockies Express Pipeline, LLC
4200 West 115th Street Suite 350
Leawood, KS 66211

Columbia Gas Transmission Corp.
700 Louisiana Street
Houston, TX 77002

SALZMANN HUGHES, P.C.

Dated: August 6, 2026

/s/ Kurt E. Williams
Kurt E. Williams
Counsel for Greene Township