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August 10, 2026

Via E-Filing

Matthew L. Homsher, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor
Harrisburg, PA 17120

Re: 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 Transmission Service in portions of Franklin County, Pennsylvania Necessary to Operate Transmission Facilities for Project 9A West; and for any Other Approvals Necessary
Docket No. A-2026-3062675

Dear Secretary Homsher:

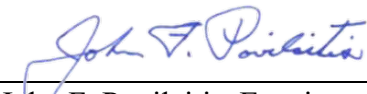
Enclosed for filing please find Transource Pennsylvania, LLC's ("Transource PA") Answer to Coalition to Protect Franklin County's Petition to Intervene in the above referenced matter.

Copies of the Answer are being served according to the attached Certificate of Service.

Thank you for your attention to this matter.

Sincerely,

BUCHANAN INGERSOLL & ROONEY PC

By: 
John F. Povilaitis, Esquire

JFP/psm
Enclosure

cc: Administrative Law Judge Emily A. Farren (via email)
Administrative Law Judge Steven K. Haas (via email)
Certificate of Service

**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 : Docket No. A-2026-3062675
Offer, Render, 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 :

**ANSWER OF TRANSOURCE PENNSYLVANIA, LLC. IN OPPOSITION TO THE
PETITION TO INTERVENE OF THE COALITION TO PROTECT FRANKLIN
COUNTY**

TO ADMINISTRATIVE LAW JUDGES EMILY A. FARREN and STEVEN K. HAAS :

Transource Pennsylvania, LLC (“Transource PA” or the “Company”), by and through its attorneys, hereby files this Answer in Opposition to the Petition to Intervene (“Petition”) filed by the Coalition to Protect Franklin County (“Coalition”), pursuant to the regulations of the Pennsylvania Public Utility Commission (“Commission” or “PUC”) at 52 Pa. Code § 5.61, and respectfully requests that the Petition be dismissed with prejudice for failure to clearly demonstrate standing to participate in this proceeding unless it can timely show standing as required by Pennsylvania law.

The several numbered paragraphs of the Protest are answered as follows:

- 1-2. There are no allegations of fact in these paragraphs requiring a response herein.
3. Denied. After reasonable investigation, Transource PA lacks knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph including, without limitation, the Coalition’s alleged mission and legal status, and demands proof thereof, if relevant, at hearing.

4. Denied. After reasonable investigation, Transource PA lacks knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph including, without limitation, the address, number, nature and type of people considered to be part of the Coalition or how these people are “involved” in this alleged non-profit corporation, and demands proof thereof, if relevant, at hearing. It is further averred that Transource PA has requested information from the Coalition’s counsel about the nature of Coalition’s membership in an email dated July 21, 2026, attached as Attachment 1, and has not received any response thereto. The purpose of that email and related request was to determine if any of the Coalition’s actual members own property on/over which the preferred transmission line is proposed to traverse in order to determine if the Coalition has the legal standing to participate in this proceeding.

The Coalition should not be permitted to participate in this proceeding unless it timely and clearly identifies at least one of its actual members who has a direct, immediate and substantial interest in the outcome of this proceeding, such as owning property in Franklin County.

Under Pennsylvania law, “[i]n seeking judicial resolution of a controversy, a party must establish as a threshold matter that he has standing to maintain the action.” *Stilp v. Commonwealth*, 940 A.2d 1227, 1233 (Pa. 2007). “[T]he core concept of standing is that a person who is not adversely affected in any way by the matter he seeks to challenge is not aggrieved thereby and has no standing to obtain a judicial resolution of his challenge.” *Fumo v. City of Phila.*, 972 A.2d 487, 496 (Pa. 2009) (citing *Wm. Penn Parking Garage, Inc. v. City of Pittsburgh*, 346 A.2d 269, 280-81 (Pa. 1975)).

To have standing, a party must establish that its interest is substantial, direct, and immediate. *See Del-Aware Unlimited. v. Commonwealth*, 551 A.2d 1117, 1121 (Pa. Cmwlth. 1988) (citation omitted); *1000 Grandview Ass’n v. Mt. Washington Assocs.*, 434 A.2d 796, 797

(Pa. Super. 1981) (citation omitted); *see also George v. Pa. PUC*, 735 A.2d 1282, 1286 (Pa. Cmwlth. Ct. 1999) (explaining that the three requirements for a party to have standing are: (1) the party must have a substantial interest in the subject matter of the litigation; (2) the interest must be direct; and (3) the interest must be immediate and not a remote consequence).

The Pennsylvania Commonwealth Court has identified the three requirements for standing 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. Both the immediacy and directness requirements primarily depend upon the causal relationship between the claimed injury and the action in question.

George v. Pa. PUC, 735 A.2d 1282, 1286 (Pa. Cmwlth. Ct. 1999) (citations omitted).

Dismissal for lack of standing is proper where the petitioner organization neither identifies its affected members nor pleads sufficient facts to permit a court to determine that they have a substantial, direct and immediate interest. *Lincoln Party by Robinson v. General Assembly*, 682 A.2d 1326, 1330 (Pa. Cmwlth. 1996).

Despite requests, the Coalition has not provided to Transource PA specific information on which the Company can reasonably determine if at least one of its actual members has a substantial, direct and immediate interest in this proceeding to support standing for the organization. Consistent with the legal requirement that a proposed intervenor allege specific facts to support a substantial, immediate and direct interest in a proceeding, the Coalition's

unsubstantiated allegations of general harm to unspecified individuals do not satisfy the requirements for standing in Pennsylvania. Accordingly, absent identifying in a timely manner at least one specific member of the Coalition who has an immediate, substantial and direct interest in the outcome of this proceeding, the Petition must be denied since no basis has been with alleged upon which standing can be conferred.

5. The allegations in this paragraph constitute conclusions of law that do not require a response thereto.

6. Denied. After reasonable investigation, Transource PA lacks knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph including, without limitation, the number, nature and type of people “involved” in the Coalition, the composition of its “Board” and whether any individual on the Coalition’s Board owns property the proposed transmission line will traverse, and demands proof thereof, if relevant, at hearing. Transource PA incorporates herein its response to Paragraph 4 above. Further, the last sentence of this paragraph constitutes a conclusion of law requiring no response herein.

7. Denied. To the extent the allegations in this Paragraph do not constitute a conclusion of law requiring no response herein, they are denied. After reasonable investigation, Transource PA lacks knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph including, without limitation, the number, nature and type of people “involved” in the Coalition, the composition of its “Board” members and whether any individual on the Coalition’s Board owns property the proposed transmission line will traverse, and demands proof thereof, if relevant, at hearing. Transource PA incorporates herein its responses to Paragraphs 4 and 6 above.

8. Denied. To the extent the allegations in this Paragraph do not constitute a conclusion of law requiring no response herein, they are denied. After reasonable investigation, Transource PA lacks knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph including, without limitation, the nature and type of people “involved” in the Coalition, the composition of its “Board” and whether any individual on the Coalition’s Board owns property the proposed transmission line will traverse, and demands proof thereof, if relevant, at hearing. Transource PA incorporates herein its responses to Paragraphs 4, 6 and 7 above.

9. Denied. After reasonable investigation, Transource PA lacks knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph including, without limitation, what the Coalition claims it “would raise” in the proceeding, and demands proof thereof, if relevant, at hearing.

(a) Denied. After reasonable investigation, Transource PA lacks knowledge or information sufficient to form a belief as to the truth of the allegations in this subparagraph including, without limitation, what the Coalition claims constitutes “heavy-handed negotiation tactics,” a failure to provide accurate, complete information to landowners and the selective use of resources to buy off opposition, and demands proof thereof, if relevant, at hearing.

(b). Denied. To the extent the allegations in this subparagraph do not constitute a conclusion of law requiring no response herein, they are denied. It is further averred that the need for the proposed transmission line project known as the “9A West Project” (and the transmission service those facilities will provide) has been determined previously by the federally mandated process implemented by PJM Interconnection, L.L.C, (“PJM”). It is averred that PJM is a Federal Energy Regulatory Commission (“FERC”)-approved Regional Transmission Organization

charged with ensuring non-discriminatory access and the reliable and efficient operation of the electric transmission system under its functional control and coordinating the transmission of electricity in all or parts of thirteen states, including Pennsylvania, and the District of Columbia. Further, the 9A West Project (i) was borne out of PJM's Regional Transmission Expansion Plan ("RTEP") process¹ (which has been directed and approved by FERC), (ii) has been authorized and approved by the PJM Board of Directors to address specific reliability and/or congestion needs in the transmission system, and (iii) is required to be completed in accordance with PJM's Operating Agreement and a Designated Entity Agreement that has been signed by PJM and Transource PA and filed with FERC. Finally, it is averred that the U.S. Third Circuit Court of Appeals recently held that, "when an RTO has selected [a multi-state transmission line project] for inclusion in a regional transmission plan as part of its federal mandate, a state regulator cannot, consistent with the Supremacy Clause, reject the project based on a lack of 'need.'" *Transource Pa., LLC v. DeFrank*, 156 F.4th 351, 379 (3rd Cir. 2025), affirming *Transource Pa., LLC v. DeFrank*, 705 F. Supp. 3d 266 (M.D. Pa. 2023). Thus, while the Commission holds authority over siting and construction of a project, *it may not deny a project based on FERC's determination of need* as erroneously suggested by the Coalition. *Id.* at 378.

(c). Denied. After reasonable investigation, Transource PA lacks knowledge or information sufficient to form a belief as to the truth of the allegations in this subparagraph including, without limitation, the Coalition's claims that the proposed route of the transmission line traverses a route already heavily burdened by multiple electric and gas corridors and that

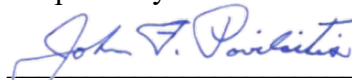
¹The RTEP is an annual planning process that encompasses a comprehensive series of detailed analyses to ensure electric power continues to flow reliably to customers under stringent reliability planning criteria. PJM Manual 14B outlines the RTEP process and reliability criteria used for this process. PJM Manual 14B is available at: <http://www.pjm.com/~media/docunients/manuals/ml4b.ashx>,

existing right-of-way are an alternative to Project 9A West, and demands proof thereof, if relevant, at hearing.

(d). Denied. To the extent the allegations in this subparagraph do not constitute a conclusion of law requiring no response herein, they are denied. It is averred that the Coalition's claims relating to ratepayer savings and the weighing of proposed benefits and burdens are erroneously based on a legal standard inapplicable to the relief requested by Transource PA in this proceeding. Further, it is averred that PJM, as part of the RTEP process leading to the selection of the 9A West Project, has found that the project has a positive and robust benefit/cost ratio, which lead in part to PJM's directive to Transource PA to construct and operate the interstate 9A West Project to benefit a geographic region that is significantly larger than Franklin County Pennsylvania.

WHEREFORE, Transource Pennsylvania, LLC respectfully requests that the Administrative Law Judges (i) direct the Coalition to Protect Franklin County to timely identify at least one member who will be directly, substantially and immediately impacted by the outcome of this proceeding and, absent such timely identification, deny the Petition to Intervene of the Coalition to Protect Franklin County in this proceeding for the reasons specified above and (ii) grant Transource Pennsylvania, LLC such other relief as may be just and reasonable under the circumstances.

Respectfully submitted



Dated: August 10, 2026

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Alan M. Seltzer (PA ID No. 27890)

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Attorneys for Transource Pennsylvania, LLC

ATTACHMENT 1

From: Alan M. Seltzer
Sent: Tuesday, July 21, 2026 3:51 PM
To: bdunlap@cohenseglia.com
Cc: John F. Povilaitis <john.povilaitis@bipc.com>
Subject: Transource Pennsylvania

Ben:

Thanks for sending the Protests and Petitions to Intervene in the Transource PA matters at the PUC.

Would you mind sending us the list of the current members of the Coalition with a notation beside those members whose property is traversed by the proposed transmission line?

Thanks in advance.....Alan

Alan Seltzer
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(he/him/his)

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**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, : Docket No. A-2026-3062675
Render, 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 :

CERTIFICATE OF SERVICE

I hereby certify and affirm that I have this day served a copy of the attached document on the following persons in the manner specified in accordance with the requirements of 52 Pa. Code §1.54:

Via Email Only:

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Via U.S. First Class Mail:

Pennsylvania Bureau of Investigation
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Pennsylvania Public Utility Commission
Commonwealth Keystone Building
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Attn: Allison Kaster

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Date: August 10, 2026



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