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August 13, 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") Preliminary Objection to the Protest of Kyle McCausland ("Preliminary Objection") in the above referenced matter.

Copies of the Preliminary Objection (including a Notice to Plead) 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

Enclosures

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 :

NOTICE TO PLEAD

YOU ARE HEREBY ADVISED THAT, PURSUANT TO 52 PA. CODE § 5.101, YOU MAY FILE AN ANSWER TO THE ENCLOSED PRELIMINARY OBJECTION WITHIN TEN (10) DAYS OF THE DATE OF SERVICE HEREOF. YOUR ANSWER TO THE PRELIMINARY OBJECTION MUST BE FILED WITH THE SECRETARY OF THE PENNSYLVANIA PUBLIC UTILITY COMMISSION, P.O. BOX 3265, HARRISBURG, PA 17105-3265. A COPY SHOULD ALSO BE SERVED ON THE UNDERSIGNED COUNSEL FOR TRANSOURCE PENNSYLVANIA, LLC.

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Attorneys for Transource Pennsylvania, LLC

**BEFORE THE
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**PRELIMINARY OBJECTION OF TRANSOURCE PENNSYLVANIA, LLC. TO THE
PROTEST OF KYLE MCCAUSLAND**

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

Transource Pennsylvania, LLC (“Transource PA” or the “Company”) hereby files this Preliminary Objection, pursuant to the regulations of the Pennsylvania Public Utility Commission (“Commission” or “PUC”) at 52 Pa. Code § 5.101, and respectfully requests that the Protest (“Protest”) filed by Kyle McCausland (“Protestant”) and posted on the PUC Docket of this proceeding on July 27, 2026¹ be dismissed in its entirety and with prejudice because the Protestant lacks standing to raises any issues for adjudication by the Commission in this proceeding.²

In support of this Preliminary Objection, Transource PA represents as follows:

I. BACKGROUND

1. On May 21, 2026, Transource PA filed, pursuant to the Pennsylvania Public Utility Code (“Code”), at 66 Pa.C.S. § 1101, an application requesting all necessary authority, approvals,

¹Transource PA notes that it was never served a copy of this Protest.

² While Transource PA is limiting this Preliminary Objection to Standing as noted further below, its decision not to address the substantive issues alleged in the Protest shall not be deemed to be acquiescence to the relevance or lawfulness of those issues in this proceeding. Transource PA specifically reserves its rights to address the lawfulness and/or propriety of the issues addressed in the Protest later in this proceeding.

and certificates of public convenience from the Commission necessary to authorize Transource PA to begin to furnish and supply electric transmission service as a Pennsylvania public utility within portions of Franklin County, Pennsylvania (“CPC Application”).

2. The CPC Application was filed in connection with the 9A West Project, which involves the siting and construction of the new Rice-Ringgold 230 kV Transmission Line that will extend approximately 28.8 miles to connect the existing Ringgold Substation located near Smithsburg, Washington County, Maryland and the new Rice Substation to be located in Franklin County, Pennsylvania. Approximately 24.4 miles of the 9A West Project will be located in Pennsylvania and approximately 4.4 miles will be located in Maryland.

3. The 9A West Project was borne out of PJM Interconnection LLC’s³ (“PJM”) planning process known as the Regional Transmission Expansion Plan and Market Efficiency Analysis, which previously selected and identified the original transmission project known as “Project 9A.”

4. On July 30, 2025, the PJM Board of Managers found that the 9A West Project is still needed to establish market efficiency and reduce regional congestion costs and supports the prompt construction of needed infrastructure in the region.

5. Contemporaneously with the CPC Application, Transource PA filed, in accordance with 52 Pa. Code § 57.72, an application requesting Commission approval of the siting and construction of a proposed new electric substation and double-circuit Rice-Ringgold 230 kilovolt (“kV”) electric transmission line and related facilities in a portion of Franklin County,

³PJM is a regional transmission organization that coordinates the movement of wholesale electricity in all or parts of 13 states and the District of Columbia. <https://www.pjm.com/about-pjm>

Pennsylvania which, as noted above is referred to as the 9A West Project (the “Siting Application”).

6. As noted above and in the Siting Application, the 9A West Project is needed to, among other things, enhance market efficiency and relieve regional congestion and related costs within the PJM area.

7. Contemporaneously with the CPC Application and the Siting Application, Transource PA filed, in accordance with 52 Pa. Code § Section 5.41 and Article VI of the Pennsylvania Municipalities Planning Code (as reenacted and amended December 21, 1988, P.L. 1329, 53 P.S. §§ 10601-10619.1) (“MPC”), a 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, Franklin County, Pennsylvania (“Zoning Petition”).

8. Contemporaneously with the CPC Application, Siting Application and Zoning Petition, Transource PA filed with the PUC a Motion to Consolidate Proceedings and For Timely Disposition (“Consolidation Motion”).

9. The PUC issued a Telephonic Prehearing Conference Notice on June 3, 2026 advising of a Telephonic Prehearing Conference for Wednesday, August 19, 2026 at 10:00 AM in connection with the CPC Application, Siting Application and the Zoning Petition. As discussed further below, the Prehearing Conference was rescheduled to October 29, 2026.

10. Notice of the CPC Application, Siting Application and the Zoning Petition proceeding was published in the June 13, 2026 issue of the *Pennsylvania Bulletin*. That Notice

also indicated that formal protests and petitions to intervene in accordance with 52 Pa. Code (relating to public utilities) should be filed on or before August 12, 2026.

11. On June 25, 2026, Office of Consumer Advocate (“OCA”) filed (i) an Answer Opposing the Consolidation Motion, (ii) a Protest to the CPC Application, (iii) a Protest to the Siting Application, and (iv) an Answer to the Zoning Exemption Petition.

12. On June 26, 2026, the OCA filed (i) an Amended Protest to the CPC Application, and (ii) a letter requesting that the OCA’s original Protest be to the CPC Application be removed from the on-line PUC docket.

13. On June 29, 2026, a Notice of Appearance on behalf of the Coalition to Protect Franklin County was filed in the CPC Application docket by Benjamin C. Dunlap, Jr., Esquire at Cohen Seglias Pallas Greenhall & Furman PC.

14. On July 2, 2026, Transource PA filed a letter at the CPC Application docket indicating that while it was not filing an Answer to the OCA’s Protest, such failure to file an Answer should not be construed as concurrence in the grounds alleged in the OCA Protest.

15. On July 2, 2026, Transource PA also filed a letter with the PUC in connection with the CPC Application, Siting Application and Zoning Petition Dockets indicating its intention to file and serve a timely Reply to the OCA’s Answer to the Consolidation Motion. That letter also requested that the PUC publish notice of the Consolidation Motion in newspapers of general circulation. Transource PA filed a Reply to the New Matter in the OCA’s Answer to the Consolidation Motion on July 15, 2026.

16. On July 2, 2026, Transource PA filed a letter with the PUC enclosing Affidavits of Publication of the Notice required by the PUC to be published in general circulation newspapers.

17. On August 3, 2026, the ALJs issued Interim Order #1 which, among other things, (i) directed Transource PA to republish notification of the filing of the CPC Application and the newly established Prehearing Conference of October 29, 2026; (ii) extended the deadline for filing Protests and Petitions to intervene in this proceeding to October 15, 2026; (iii) directed Transource PA to update its service list for the proceeding; (iv) struck from the record a letter filed by Transource PA on July 2, 2026 in the proceedings for the CPC Application, Siting Application and Zoning Petition; (v) struck from the record Transource PA's Reply to the New Matter of the Office of Consumer Advocate filed on July 15, 2026 in proceedings for the CPC Application, Siting Application and Zoning Petition; and (vi) noted that the Motion for Consolidation will be ruled upon by separate order following the October 29, 2026 Prehearing Conference.

18. Attachment 1 contains the protests and petitions to intervene that have been filed to date in connection with the CPC Application.

19. Transource PA was not served with the Protest. Transource PA learned of the Protest from a review of pleadings posted on the Commission's docket. In an abundance of caution and to ensure a timely response, this Preliminary Objection is being filed within 20 days of the date included on the posted Protest.

II. STANDARD OF REVIEW

20. The Commission's Rules of Administrative Practice and Procedure permit the filing of preliminary objections. 52 Pa. Code § 5.101; *see also Equitable Small Transportation Intervenors v. Equitable Gas Company*, Docket No. C-00935435 (Final Order entered July 18, 1994).

21. Pursuant to the Commission's regulations, preliminary objections in response to a pleading may be filed on several grounds, including:

- (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 the proceeding.

52 Pa. Code § 5.101(a) (emphasis added).

22. The Commission's procedure regarding the disposition of preliminary objections is similar to that utilized in Pennsylvania civil practice. *Equitable Small Transportation Interveners*, Docket No. C-00935435 (July 18, 1994).

23. A preliminary objection in civil practice seeking dismissal of a pleading will be granted only where relief is clearly warranted and free from doubt. *Interstate Traveller Services, Inc. v. Pa. Dept. of Environmental Resources*, 406 A.2d 1020 (Pa. 1979); *Rivera v. Philadelphia Theological Seminary of St. Charles Borromeo, Inc.*, 595 A.2d 172 (Pa. Super. 1991). The Commission has adopted this standard. *Montague v. Philadelphia Electric Company*, 66 Pa. PUC 24 (1988).

24. The Commission may dismiss a pleading without hearing if, in its opinion, a hearing is not necessary in the public interest. 52 Pa. Code § 5.21(d); *see also Lydine Dutton v. Cordia Communications Corporation*, Docket No. F-2010-2201413 (Initial Decision entered March 10, 2011; Order entered September 22, 2011) (citing 66 Pa.C.S. § 703(b)).

25. In ruling on preliminary objections, the Presiding Officer must accept as true all well-pled allegations of material facts as well as all inferences reasonably deducible therefrom. *Stilp v. Cmwlth.*, 910 A.2d 775, 781 (Pa. Cmwlth. 2006) (citing *Dep't of Gen. Servs. v. Bd. Of Claims*, 881 A.2d 14 (Pa. Cmwlth. 2005)). However, the Presiding Officer need not accept as true conclusions of law, unwarranted inferences from facts, argumentative allegations, or expressions of opinion. *Stanton-Negley Drug Co. v. Dep't of Pub. Welfare*, 927 A.2d 671, 673 (Pa. Cmwlth. 2007). Notwithstanding, any doubt must be resolved in favor of the non-moving party. *Stilp*, at 781.

26. In addition, the Presiding Officer must determine whether, based on the factual pleadings, recovery is possible. *See Rok v. Flaherty*, 527 A.2d 211, 214 (Pa. Cmwlth. 1987). Indeed, for preliminary objections to be sustained, it must appear with certainty that the law will permit no recovery. *See Stilp*, at 781; *Milliner v. Enck*, 709 A.2d 417, 418 (Pa. Super. 1998).

III. **PRELIMINARY OBJECTION**

A. Preliminary Objection – Protestant Lacks Standing

27. Transource PA incorporates Paragraphs 1-26 above as if fully set forth herein.

28. The Protest should be dismissed because the Protestant's property is not traversed by the Proposed Route of the 9A West Project or an identified alternative route. The Protestant's only interest is highly attenuated and non-substantial in that it has not surpassed the general

interest of all citizens, and because the general interests of ratepayers and consumers within the affected counties are adequately represented by the OCA, which has filed an Amended Protest and will be participating in this proceeding for this very reason. Therefore, the Protestant lacks standing to file a Protest in this proceeding.

29. 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)).

30. 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); *1000 Grandview Ass’n v. Mt. Washington Assocs.*, 434 A.2d 796, 797 (Pa. Super. 1981); *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).

31. 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).

32. The Commission has sustained preliminary objections where the Protestant presents mere “unsupported speculation and a general concern regarding the community but makes no particular allegations of direct effects upon Protestant if the Application is granted.” *Application of Artesian Water Pennsylvania, Inc., for approval to begin to offer, render, furnish, or supply water service to the public in additional territory in portions of New Garden Township, Chester County, Pennsylvania*, 2015 Pa. PUC LEXIS 195*, *12 Docket No. A-2014-2451241 (April 29, 2015).

33. Based on the address contained in the Protest, Transource PA has determined that the Protestant does not appear to reside anywhere in Franklin County, Pennsylvania, which is where portions of the 9A West Project is proposed to be located, constructed and operated. As reflected in the Affidavit of Barry A. Baker, Attachment 2, Transource PA has determined that the address shown on the Protest is not located within the right-of-way (“ROW”) corridor for the Proposed Route or within the ROW corridors for any of the Alternate Routes of the 9A West Project.

34. In addition, the Protestant has provided no information about his *specific interests and of the specific harms that he would suffer*. Rather, the Protest alleges general interests and

harms that do not surpass the common interest of all citizens in procuring obedience to the law and repeats similar if not identical allegations in Protests filed by other people who appear to live and/or own property within Franklin County.

35. Accordingly, the Protest does not establish the manner in which the 9A West Project will cause the Protestant specific direct or immediate harm, as he does not appear to be a landowner of property that will be traversed by the 9A West Project and does not appear to even live in Franklin County.

36. The Protestant has not asserted any facts regarding the specific injury that result to him from the Commission's approval of the CPC Application. While the Protest contains unsupported speculative and general concerns, it includes no allegation of the direct or immediate effects the granting of the CPC Application will specifically have on the Protestant.

37. No basis has been alleged upon which standing could be conferred.

38. Therefore, the Protestant has no interest, let alone a substantial, direct, and immediate interest necessary to confer standing to bring the Protest about the CPC Application.

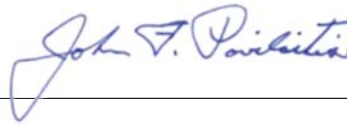
39. As noted above, the same or substantially similar form Protest has been submitted by other Protestants. The submission of these other Protests and potential participation in the above-captioned proceedings by these other Protestants has the potential to create a multitude of duplicative information within the evidentiary record.

40. It would not be within the interests of judicial economy and efficiency to allow Protestants with identical general concerns to submit discovery and testimony into the record to the extent that the information would be redundant.

IV. CONCLUSION

WHEREFORE, Transource Pennsylvania, LLC respectfully requests that the Protest filed by Kyle McCausland in the above-captioned proceeding be dismissed in its entirety pursuant 52 Pa. Code § 5.101(a)(1) and (a)(7) for, among other things, lack of standing.

Respectfully submitted,



Dated: August 13, 2026

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Attorneys for Transource Pennsylvania, LLC

ATTACHMENT 1

**ATTACHMENT 1 – LIST OF PROTESTANTS/PETITIONERS
CPC APPLICATION AS OF AUGUST 13, 2026**

Mandy Mitchell
Lewis Kauffman
Karen Diller
Shawn Corwell
Colby and Leah
Nitterhouse
Amy Appleby
Dawn Buckner
Franklin Co. Farm Bureau
Dennis Sirbaugh
Allen and Lori Rice
Shawn High
Debra Kase
William Nitterhouse/Smith
Properties
Sara Kitzmiller
Cindy Mason
Jodi Mattison
Barbara Murdock
Alice Nell
Cathy Prieston
Fred and Doreen Rice
Margaret Rettger
Jacob Rice
Anthony Nofi
Jacqueline Morrison
George Meckley
Judy Sollenberger
Rebecca Zentz
Mike Cosey
Kelsie Rice
Debra Guyer
Linda Green
Robert Nace
Ronald Swartz
Jody Nace
Daniel Hartman
Jeri Hartman
Brittany Huntoon
Dawn Noyes
Contance Funk
Detta Wolfe
Debra Taylor
Jill Kessler
John Funk
Julie Eckels

DC Farms, LLC
David and Maria Rice
Laurie Viozzi
Andrew Newman
Edgar Hoffeditz, II
Brechyn Chace
Pam Stitely
Nick Nalevanko
Nicholas Haines
Marlene Mitchell
Mark Flohr
Kathy Stratton
Julie Nofi
Ralph Thompson
RoseAnn Thompson
Alec Yohn
Steven Mitchell
Rodney Meyer
Erica Martelli
Caitlin Ramsey
Karen Benedict
Jacob Graybill
Kelsey Hammond
Joy Holloway
Jennifer Graybill
Jennifer Culbertson
Grace Hammond
Emily Rice
Edmund Daly
Dane Anthony
Constantine Cois
Shawn Gerhart
Savannah Graybill
Sandra Fielhauer
Melody Shuman
Mary Noyes
Marina Putt
Linda Gayman
Leslie Sease
Janice Schwanebeck
Christine Elmer
Teresa Anthony
Terence Putt
Tanya Nitterhouse
Nathan Graybill
Cheyanne Rice

Cheryl Evans
Brenda Fitzsimmons
Bill Mawn
Vicki Gibbs
Betty Baker
Richard and Gale Crist
Catherine Stasko
Chad Pugh
Cheryl McAuley
Cindy Shoemaker
David Weagly
Clay Henninger
Denton Benedict
Evan Crider
Jacqueline Morris
Jeffrey Feldman
Kendra Thompson
Kim Chilcote
Kimberly Summers
Kristine Frank
Kylie Thomas
Lila Benedict
Michelle Henninger
Melodie Anderson-Smith
Nancy Heckman
Olivia Moore
Stephen Stasko
Patricia Chitterhouse
Suzanne Gessay
Will Pananes
Vickie Howe
Franklin Co. Agricultural
Land Preservation Bd
Janet Pollard
Franklin County Area
Development Corporation
Pennsylvania Farm Bureau
Brian P. Askins
Sarah M. Gadd
Fred Nasredine
Lemma & O'Connor
Investors LLC
Brienne Grove
Elizabeth & Joel Knepper
Maryanne and Dale Bohn
Josephine McDonald

Daniel Eigenbrode
Dale Rice
Alex and Jaima Leshner

Kay Marlene Knode
Laura Gettings
Linda Pottinger

Kathryn Thompson

ATTACHMENT 2

**BEFORE THE
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AFFIDAVIT OF BARRY A. BAKER

Under penalty of perjury state the following facts and information under oath:

1. My name is Barry A. Baker and my business address is 625 West Ridge Pike, Suite E-100, Conshohocken, PA 19428.

2. I am employed by AECOM Technical Services Corporation (“AECOM”) as a Vice President and Eastern United States (“U.S.”) Regional Practice Lead for the Environmental Planning & Permitting Practice. I also serve as a Senior Project Manager and Technical Lead in the AECOM energy market sector.

3. In the roles described in Paragraph 2 above, I manage a practice of approximately four hundred individuals who are responsible for environmental, cultural resources, and information technology services. Additionally, I serve as a Technical Lead for electric transmission and distribution services on the east coast of the United States.

4. I have been providing consulting services to Transource Pennsylvania, LLC (“Transource PA”) in connection with a proposed high voltage electric transmission line to be constructed and operated in portions of Franklin County, Pennsylvania, which is called “Project 9A West.”

5. I am familiar with the proposed route of the transmission line to be constructed as part of Project 9A West and have reviewed the pleadings filed in this matter by Kyle McCausland.

6. I am also familiar with the geographic boundaries of Franklin County, Pennsylvania.

7. I have reviewed the address provided by Kyle McCausland in his Protest in this proceeding and, based on my knowledge of Project 9A West, the geographic boundaries of Franklin County, Pennsylvania, and utilizing the Franklin County Web Parcel Viewer available through the Franklin County GIS (Geographic Information System) Mapping Portal, <https://gisportal.franklincountypa.gov/>, I have determined that the address provided by Kyle McCausland in the Protest filed in this matter is not located within the geographic boundaries of Franklin County, Pennsylvania.

I hereby state that the facts above set forth 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 held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 (relating to unsworn falsification to authorities).



Dated: August 13, 2026

By: _____
Barry A. Baker

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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:

Pennsylvania Office of Small
Business Advocate
555 Walnut Street, 1st Floor Forum Place
Harrisburg, Pennsylvania 17101
Attn: NazArah Sabree
ra-sba@pa.gov

Pennsylvania Office of Consumer Advocate
555 Walnut Street 5th Floor Forum Place
Harrisburg, Pennsylvania 17101-1923
Darryl A. Lawrence, Consumer Advocate
Ryan Morden, Assistant Consumer Advocate
Melanie Joy El Atieh, Deputy Consumer
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Russell Reddig, Secretary
Stephanie Zimmerman, Director
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Bureau of Farmland Preservation
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stzimmerma@pa.gov

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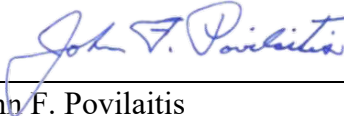
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