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August 19, 2026

VIA ELECTRONIC FILING

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

**Re: Letter of Notification of PECO Energy Company Filed Pursuant to
52 Pa. Code §§ 57.71 *et seq.* for Approval of the Siting and Construction of the
220-09 Line Tap Project Located in East Whiteland Township, Chester
County, Pennsylvania
Docket No. A-2025-3054731**

Dear Secretary Homsher:

Enclosed for filing in the above-captioned proceeding is the Answer of PECO Energy Company to the Motion of Julianna Ferris for Leave to File Reply to PECO Energy Company's Answer.

Copies of the Answer have been served on the parties listed on the Certificate of Service.

If you have any questions, please call me directly at 215.963.5384.

Very truly yours,



Kenneth M. Kulak

KMK

Enclosure

c: Per Certificate of Service (w/encls.)

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**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**LETTER OF NOTIFICATION OF PECO :
ENERGY COMPANY FOR APPROVAL :
TO CONSTRUCT THE 220-09 230kV :
TRANSMISSION LINE TAP LOCATED IN : Docket No. A-2025-3054731
EAST WHITELAND TOWNSHIP, :
CHESTER COUNTY, PENNSYLVANIA :**

CERTIFICATE OF SERVICE

I hereby certify and affirm that I have this day served a copy of the **Answer of PECO Energy Company to the Motion of Julianna Ferris for Leave to File Reply to PECO Energy Company's Answer** on the following persons in the manner specified in accordance with the requirements of 52 Pa. Code § 1.54:

VIA ELECTRONIC MAIL

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Dated: August 19, 2026

Counsel for PECO Energy Company

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**LETTER OF NOTIFICATION OF PECO :
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TRANSMISSION LINE TAP LOCATED IN :
EAST WHITELAND TOWNSHIP, :
CHESTER COUNTY, PENNSYLVANIA :**

**ANSWER OF PECO ENERGY COMPANY
TO THE MOTION OF JULIANNA FERRIS
FOR LEAVE TO FILE REPLY TO PECO ENERGY COMPANY'S ANSWER**

Pursuant to 52 Pa. Code § 5.103(c), PECO Energy Company (“PECO” or the “Company”) files this answer to the Motion of Julianna Ferris for Leave to File Reply to PECO Energy Company’s Answer (the “Motion”). The Motion seeks leave to file a proposed reply (“Proposed Reply”) to PECO’s July 24, 2026 Answer (“Answer”) to the pending petition filed by Ms. Ferris on July 14, 2026 (the “Rescission Petition”).

In the Rescission Petition, Ms. Ferris requests that the Pennsylvania Public Utility Commission (the “Commission”) rescind its October 9, 2025 order in the above-referenced docket (the “LON Approval Order”) approving PECO’s Letter of Notification (“LON”) for the 220-09 230kV Transmission Line Tap Project (the “Project”) to provide service to a new customer. For the reasons set forth below, the Motion should be granted solely with respect to allowing Ms. Ferris’s response to PECO’s affirmative defense that she lacks standing but otherwise denied in its entirety.¹

¹ The Motion did not include the required notice stating that a responsive pleading must be filed within 20 days of the date of service of the Motion. 52 Pa. Code § 5.103(b). In light of Ms. Ferris’s status as a *pro se* litigant, PECO does not object to the Motion on these grounds.

1. Admitted.
2. Admitted.
3. Admitted to the extent that PECO acknowledges an e-mail copy of the filing was inadvertently sent to an incorrect address for Ms. Ferris on July 24, 2026, and promptly resent to the correct e-mail address for Ms. Ferris. By way of further response, PECO's Answer was properly deposited with an overnight delivery service on July 24, 2026, and the Commission has docketed PECO's Answer as being filed on July 24, 2026. As noted in PECO's Answer, counsel for PECO did not receive the Rescission Petition by e-mail but did receive a hardcopy of the Petition on the afternoon of July 15, 2026, in an envelope indicating it had been sent by a ground delivery service.
4. Admitted in part and denied in part. By way of further response, PECO does not agree that Ms. Ferris has standing for reasons set forth in the Answer but agrees that standing is an affirmative defense and the Administrative Law Judge should permit the portions of pages 2-5 of Ms. Ferris's Proposed Reply relating to standing to be included in this proceeding. PECO denies that PECO's Answer raises other "new matter" or affirmative defense to which Ms. Ferris is entitled to reply.

PECO further notes that on July 30, 2026, after filing the Rescission Petition, Ms. Ferris also filed a Petition for an Interim Emergency Order (the "Emergency Petition") requesting that the Commission stay and enjoin PECO from commencing or continuing construction of the Project due to her concerns about activities on the property of the customer (the "Customer Property"), which is located on a Superfund site. On August 11, 2026, the Commission issued a Secretarial Letter denying the Emergency Petition, noting that Ms. Ferris's allegations of immediate harm with respect to environmental issues were inconsistent with EPA's publicly stated position regarding the Customer Property. *See* Letter of Secretary Matthew L. Homsher to Ms. Julianna Ferris, Docket No. P-2026-3064335 (Aug. 11, 2026) ("August 11th Secretarial Letter"). On August 13, 2026, Ms. Ferris filed a petition seeking reconsideration of the August 11th Secretarial Letter.

Other than standing, the Motion identifies the following as “new matter” raised in PECO’s Answer: the location of PECO’s construction activities in proximity to the Foote Mineral Superfund property; the scope of “environmental matters” and 52 Pa. Code § 57.72(c)(14); and the Commission’s jurisdiction relative to the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. § 9601, et seq. (“CERCLA”).² In fact, PECO’s discussion of the location of its construction activities in the Answer responds directly to the Rescission Petition’s allegations.³ Similarly, PECO properly addressed the Rescission Petition’s allegations relating to the scope of “environmental matters” in PECO’s LON in light of Ms. Ferris’s own allegations relating to the text of the LON, the property of the customer (the “Customer Property”), the Foote Mineral Site, and the United States Environmental Protection Agency (“EPA”).⁴

5. Denied. 52 Pa. Code § 5.63(a) does not authorize the non-standing portions of the Proposed Reply, and Ms. Ferris’s desire for a “complete record”⁵ does not justify a second pleading. By way of further response, PECO states:

First, the actual location of PECO’s construction work described in the LON is not a new issue.⁶ While the Proposed Reply attempts to obfuscate what PECO is actually constructing, PECO’s Answer to the Rescission Petition cited the LON’s clear provisions explaining that

² Motion, ¶ 4.

³ See Rescission Petition, ¶ 12 (stating that “[t]he LON itself describes physical work on that property”).

⁴ Rescission Petition, ¶¶ 3, 9, 10, 11 & 13.

⁵ *Id.*, ¶ 5.

⁶ See, e.g., Rescission Petition, ¶ 12 (asserting that the “LON itself describes physical work on [the Foote Mineral Site].”).

PECO is constructing three monopoles with foundations entirely on PECO property.⁷ The portion of the Project on the Customer Property is an overhead line from the final monopole on PECO's property to the customer's own structures, and the Answer (like the LON) distinguished between PECO's construction activities on PECO property, vegetation clearance by the customer as part of the customer's construction activities, and future vegetation management on the customer property after construction.⁸ The Answer properly addressed and denied Ms. Ferris's construction allegations in the Rescission Petition.⁹

Second, the Answer explained that with respect to "environmental matters," the Rescission Petition rests on a fundamental mischaracterization of the language of the LON.¹⁰ PECO did not tell the Commission that "there were 'no environmental matters' on a Customer Property that is an active Superfund site," as the Proposed Reply insists.¹¹ PECO did advise the Commission in LON Paragraph 22 of the expected impacts of the Project in the context of streams, wetlands, soil disturbance, Pennsylvania Department of Environmental Protection permitting, and Pennsylvania Natural Diversity Inventory review, which the Answer properly referenced.¹² Under the Commission's regulations, no statement regarding the environmental status of a customer who will receive electric service via an overhead line is required for a

⁷ Answer, pp. 2-3 & ¶¶ 12 & 13; LON, ¶ 12.

⁸ *Id.* & LON, ¶ 18.

⁹ The Proposed Reply also appears to make new allegations that PECO will not perform work in accordance with OSHA requirements and all other applicable local, state or federal requirements. *See* Proposed Reply, p. 9. Consistent with the LON (¶ 15), all work will be performed in accordance with those requirements, and PECO denies the allegations.

¹⁰ Answer, pp. 6-7.

¹¹ Proposed Reply, p. 1.

¹² Answer, pp. 8-9 & ¶ 13.

LON.¹³ The Answer properly addressed Ms. Ferris’s allegations regarding “environmental matters,” including her allegations that the EPA had determined that certain activities such as vegetation management were “environmental matters,” and denied her erroneous interpretation of PECO’s LON.¹⁴

In light of the Proposed Reply, PECO emphasizes that Ms. Ferris’s disjunctive reading of “no environmental matters” in paragraph 14 of the LON (which she references in paragraph 9 of the Rescission Petition) is incorrect. To the extent Ms. Ferris wants Paragraph 14 to be interpreted as “[t]here is no pending litigation regarding the right-of-way *and no* environmental matters related to the Project,” that is not a proper reading; the phrase “or environmental matters” clearly is encompassed by “no pending litigation.”¹⁵ Notably, while Ms. Ferris’s allegations include references to EPA documents in both the Rescission Petition (¶¶ 3 & 11) and the Proposed Reply (pp. 9-11), she does not cite any actual litigation.

Finally, PECO properly referenced CERCLA and the Commission’s jurisdiction in denying Ms. Ferris’s allegations that the EPA has found certain activities to be “environmental matters” to question PECO’s statement regarding current litigation.¹⁶ PECO is not suggesting that the Commission lacks authority to review PECO’s LON, as the Proposed Reply suggests.¹⁷

¹³ While PECO referenced 52 Pa. Code § 57.72(c)(14) in its Answer, the Commission’s letter of notification regulations only require “the information described in subsection (c)(1)-(3), (5) and (6)” to be included in a letter of notification. Those provisions require a general description of the line, the need for the line, and a statement of the safety considerations which will be incorporated into the design, construction and maintenance of the proposed HV line and do not require all of the material PECO included in its LON application. *See* 52 Pa. Code § 57.72(d)(4).

¹⁴ Answer, ¶ 9.

¹⁵ Answer, pp. 6-7 & ¶¶ 9 & 12.

¹⁶ Rescission Petition, ¶ 8.

¹⁷ Proposed Reply, p. 13.

PECO properly demonstrated in the Answer that allegations about issues within the EPA’s jurisdiction could not transform PECO’s actual activities into “environmental matters” within PECO’s statement in the LON (or the Commission’s jurisdiction) and meet the *Duick* standard.¹⁸ Ms. Ferris’s reference to the *Marple* decision¹⁹ is also misplaced. In that case, the Commission was required to assess the environmental impacts of a natural gas distribution station being constructed by PECO. *Marple* does not stand for the proposition that the Commission must assess the EPA’s determinations relating to any customer property receiving electric service via an overhead transmission line or the consequences of any utility activity that an individual alleges is “environmental.”²⁰

Finally, Ms. Ferris objects to PECO’s request that the Commission treat the Recission Petition as a formal complaint if she cannot obtain relief under Section 703(g). It is simply not clear how the Recission Petition should be formally read as a complaint or how PECO should answer the Recission Petition as a complaint, and PECO only asked that Ms. Ferris be required to file a proper complaint.²¹

¹⁸ *Duick v. Pennsylvania Gas and Water Co.*, 56 Pa. P.U.C. 553 (1982); Answer, pp. 9-10.

¹⁹ *Twp. of Marple v. Pennsylvania Pub. Util. Comm’n*, 294 A.3d 965 (Pa. Commw. 2023), *reconsideration and reargument denied* (Apr. 25, 2023) (“*Marple*”).

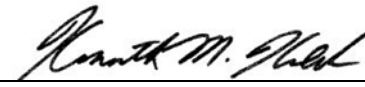
²⁰ See Answer, p. 8 (explaining that “[t]here are certain activities by a utility that are environmental and require environmental authorizations, but none of those are present in the Project”); see also *Twp. of Marple v. Pennsylvania Pub. Util. Comm’n*, 352 A.3d 1144, 1159 (Pa. Commw. 2026), *appeal denied*, 2026 WL 2386758 (Pa. 2026) (“The Intervenor’s greenhouse gas concerns with respect to leaks, downstream combustion, and alternatives reflect their opposition to PECO’s broader operations and to the natural gas industry as a whole. However, whether the use of natural gas is ‘wise or whether it is the best means to achieve the desired result are matters left to the legislature, and not the courts.’”) (citations omitted).

²¹ Answer, p. 2 n.2.

6. The averments set forth in Paragraph No. 6 are conclusions of law to which no response is required and, therefore, are deemed denied; to the extent they are allegations of fact, they are denied.

WHEREFORE, for the foregoing reasons, PECO respectfully requests that the Motion of Julianna Ferris for Leave to File Reply to PECO's Answer be denied.

Respectfully submitted,



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Counsel for PECO Energy Company

Dated: August 19, 2026

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VERIFICATION

I, Drew T. Davis, hereby state 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).

DATE: August 19, 2026



Drew T. Davis
Vice President, Transmission and Substation