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August 24, 2026

VIA ELECTRONIC FILING

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

Re: Petition of Julianna Ferris for Interim Emergency Order, Docket No. P-2026-3064335

**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 proceedings is the Answer of PECO Energy Company to the Petition of Julianna Ferris for Reconsideration of the Commission's August 11, 2026 Denial of Emergency Relief and Emergency Supplemental Notice and Renewed Request for Immediate Stop-Work Order.

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**

PETITION OF JULIANNA FERRIS FOR : DOCKET NO. P-2026-3064335
INTERIM EMERGENCY ORDER :

**LETTER OF NOTIFICATION OF PECO :
ENERGY COMPANY FOR APPROVAL :
TO CONSTRUCT THE 220-09 230kV : DOCKET NO. A-2025-3054731
TRANSMISSION LINE TAP LOCATED IN :
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 Petition of Julianna Ferris for Reconsideration of the Commission's August 11, 2026 Denial of Emergency Relief and Emergency Supplemental Notice and Renewed Request for Immediate Stop-Work Order** on the following persons in the manner specified in accordance with the requirements of 52 Pa. Code § 1.54:

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Dated: August 24, 2026

Counsel for PECO Energy Company

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

PETITION OF JULIANNA FERRIS FOR : DOCKET NO. P-2026-3064335
INTERIM EMERGENCY ORDER :

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

**ANSWER OF PECO ENERGY COMPANY
TO PETITION OF JULIANNA FERRIS FOR RECONSIDERATION OF THE
COMMISSION’S AUGUST 11, 2026 DENIAL OF EMERGENCY RELIEF
AND
EMERGENCY SUPPLEMENTAL NOTICE AND RENEWED REQUEST FOR
IMMEDIATE STOP-WORK ORDER**

I. INTRODUCTION

Pursuant to 52 Pa. Code § 5.572(e), PECO Energy Company (“PECO” or the “Company”) files this Answer to the “Petition for Reconsideration of the Commission’s August 11, 2026 Denial of Emergency Relief” of Ms. Julianna Ferris (the “Emergency Reconsideration Petition”), as supplemented by Ms. Ferris’s “Emergency Supplemental Notice and Renewed Request for Immediate Stop-Work Order” (the “Emergency Supplement”).

This is the second petition now pending before the Pennsylvania Public Utility Commission (the “Commission”) filed by Ms. Ferris, who is proceeding *pro se*. In her first petition filed on July 13, 2026, and docketed at A-2025-3054731 (the “Rescission Petition”), Ms. Ferris seeks rescission or amendment of the Commission’s October 9, 2025 order (the “LON Approval Order”) approving PECO’s Letter of Notification (“LON”) for construction of an overhead transmission line (the “Project” or “220-09 230 KV Transmission Line Tap”) to provide electric

service to a new data center customer (the “Customer”) located adjacent to PECO’s Planebrook substation in East Whiteland Township.

Ms. Ferris’s allegations in the Rescission Petition largely rest on contentions that PECO’s representation to the Commission in the LON that “[t]here is currently no pending litigation regarding the right-of-way or environmental matters related to the Project” was purportedly incorrect because the Customer’s property (the “Customer Property”) is on the Foote Mineral Superfund site (the “Superfund site”).¹ In its Answer to the Rescission Petition (the “Recission Petition Answer”), PECO explained that PECO’s statement in the LON was entirely correct, Ms. Ferris’s various claims regarding “environmental matters” lacked merit, and Ms. Ferris had generally failed to satisfy the Commission’s *Duick* standards for rescission or amendment of the LON Approval Order.²

In her Emergency Reconsideration Petition, docketed at P-2026-3064335 and the subject of this Answer, Ms. Ferris asks the Commission to reconsider its August 11, 2026 Secretarial Letter (the “August 11th Letter”) denying her “Petition of Julianna Ferris for Interim Emergency Order” (the “Emergency Petition”). In her Emergency Petition, Ms. Ferris sought to enjoin PECO from “commencing or continuing any construction, earth disturbance, or vegetation clearing activity associated with the Project on the Customer Property” because the Customer had received a permit from East Whiteland Township and Ms. Ferris believed that “there is no remaining

¹ See Rescission Petition, ¶¶ 9-15.

² See *Duick v. Pa. Gas and Water Co.*, 56 Pa. P.U.C. 553 (1982) (“*Duick*”) & Rescission Petition Answer, pp. 6-10 & ¶¶ 9-15. In the Rescission Petition Answer, PECO also asserted that Ms. Ferris lacked standing to seek rescission or amendment of the LON (pp. 5-6), and a motion by Ms. Ferris for leave to reply to PECO’s Rescission Petition Answer is pending before the Commission.

regulatory barrier preventing the Customer, or PECO, from breaking ground on this Superfund site immediately.”³ In its answer to the Emergency Petition (the “Emergency Petition Answer”), PECO again explained that it was not undertaking construction activities on the Customer property since the new overhead line went directly from a new pole on PECO’s Planebrook substation property to the Customer’s structures.⁴ PECO also explained that the construction of new poles on PECO’s property had already been completed and the overhead line had been installed without any earth disturbance on the property of the Customer (the “Customer Property”).⁵ In addition, PECO noted that the United States Environmental Protection Agency (“EPA”) had recently addressed the Superfund site and publicly stated that the EPA had “reviewed the redevelopment plans and **does not** expect the redevelopment to affect the remedy or the groundwater investigation at the site,” and “[c]ontaminated soil is not expected to be encountered during the redevelopment and the capped area is **not** part of the proposed redevelopment.”⁶

In denying the Emergency Petition, the Commission treated the Emergency Petition as an *ex parte* petition for emergency relief under Sections 3.2-3.4 of the Commission’s regulations and not a petition for interim emergency relief under Sections 3.6-3.10 as requested by Ms. Ferris.⁷ The August 11th Letter reviewed both the Emergency Petition and PECO’s Emergency Petition Answer and found that the Emergency Petition made “conclusory statements without factual

³ Emergency Petition, p. 2.

⁴ Emergency Petition Answer, pp. 4-5 & 8-9.

⁵ *Id.*, p. 2.

⁶ *Id.*, pp. 8-9 (citing EPA, “Foote Mineral Superfund Site FAQ,” July 2026, available at <https://semspub.epa.gov/work/03/2451793.pdf> (“EPA Foote FAQ”), FAQ #1 & #3 (emphasis in original)). The EPA also confirmed that the Customer’s earthwork activities currently occurring at the Superfund site are not on the capped portion of the Superfund site. *See id.*

⁷ August 11th Letter, p. 1.

support” and that Ms. Ferris had failed to show any need for immediate relief or that any injury would be irreparable if the Commission does not enjoin PECO.⁸ The Commission also concluded that enjoining PECO could compromise outage plans for other PECO projects and work designed to maintain and improve overall system reliability.⁹

In her Emergency Reconsideration Petition, Ms. Ferris makes two arguments: (1) the Commission erred in treating her interim petition for emergency relief as an *ex parte* petition for emergency relief to avoid a hearing required under Section 3.6(a) of the Commission’s regulations governing interim emergency orders; and (2) the Commission’s denial of emergency relief on the grounds that Ms. Ferris failed to satisfy the requirements of Section 3.2(b) is contradicted by PECO’s “own filed documents and the regulatory record.” As set forth below, neither argument has merit and the additional materials Ms. Ferris has included in her Emergency Reconsideration Petition do not satisfy the *Duick* standard. The Commission should therefore deny Ms. Ferris’s Emergency Reconsideration Petition.

PECO notes that on August 19, 2026, Ms. Ferris filed the Emergency Supplement based on equipment delivered to the Customer Property that an East Whiteland Township official stated were “control houses for PECO work to be done at a future time.” The same East Whiteland Township official subsequently clarified her statement and informed Ms. Ferris that “the delivery was not a PECO delivery nor was it on PECO property.”¹⁰ PECO has not undertaken any work on the 220-09 230 KV Transmission Line Tap beyond that authorized in the LON Approval Order,

⁸ *Id.*, pp. 3-4.

⁹ *Id.*, p. 4.

¹⁰ A copy of the subsequent e-mail sent by the East Whiteland Township official in response to Ms. Ferris is included as Attachment A to this Answer.

and PECO will seek separate Commission approval for any future upgrades as stated in the LON if the Customer's demand continues to increase.¹¹

In addition, on the evening of August 10, 2026, the Customer informed PECO that it would not be ready for energization of the overhead transmission line for the outage scheduled for August 31-September 13 as described in PECO's Answer to the Emergency Petition.¹² As a result, the outage necessary for energization of the overhead line and completion of the remaining Project work has now been rescheduled to September 2027.¹³ Simply put, there is no current PECO activity at the Customer Property that could create any emergency.¹⁴

II. THE COMMISSION SHOULD DENY THE EMERGENCY RECONSIDERATION PETITION BECAUSE MS. FERRIS HAS FAILED TO MEET THE *DUICK* STANDARD

In *Duick*, the Commission provided the following guidance on the criteria it would consider in deciding requests for reconsideration:

A petition for reconsideration, under the provisions of 66 Pa.C.S. § 703(g), may properly raise any matters designed to convince the Commission that it should exercise its discretion under this code

¹¹ LON, ¶ 11.

¹² The Commission issued the August 11th Letter the next day, before PECO was able to notify the Commission of this development.

¹³ While the Commission relied upon the earlier planned outage in determining whether a stay would be injurious to the public interest in the August 11th Letter, the Commission had already determined that the Emergency Petition had failed to meet the requirements for emergency relief. *See* August 11th Order, pp. 2-4 (discussing each requirement and explaining that all of the requirements "must be satisfied in order to obtain emergency relief from the Commission"). Rescheduling of the outage for September 2027 does not cure Ms. Ferris's failure to satisfy the other requirements for emergency relief and only underscores the lack of need for any emergency relief.

¹⁴ Ms. Ferris appears to concede that PECO's construction work for the Project is now complete. *See* Emergency Supplement, ¶ 2 ("Nothing about Phase 1 – a single tap on PECO's own property, **already completed** – calls for any control house at all.") (emphasis added).

section to rescind or amend a prior order in whole or in part. In this regard we agree with the Court in the Pennsylvania Railroad Company case, wherein it was said that “[p]arties . . . cannot be permitted by a second motion to review and reconsider, to raise the same questions which were specifically considered and decided against them. . . .” What we expect to see raised in such petitions are new and novel arguments, not previously heard, or considerations which appear to have been overlooked or not addressed by the Commission. Absent such matters being presented, we consider it unlikely that a party will succeed in persuading us that our initial decision on a matter or issue was either unwise or in error.

The Emergency Petition does not present any question that the Commission failed to consider in the August 11th Letter. Instead, it asks the Commission to decide the same questions differently: whether the Commission properly considered the Emergency Petition under Sections 3.2-3.4 of the Commission’s regulations; whether Ms. Ferris has demonstrated that any of PECO’s activities create an emergency where her right to relief is clear; whether any of PECO’s activities create any injury that would be irreparable; and whether her injunction was consistent with the public interest.

In an effort to meet *Duick* requirements for reconsideration of the August 11th Letter and her Emergency Petition, Ms. Ferris makes additional conclusory statements and unsupported allegations and attaches additional irrelevant documents from which she derives erroneous conclusions. But none of those allegations, statements or documents provide a basis for reconsideration of the Commission’s conclusion that Ms. Ferris failed to present facts demonstrating the existence of an emergency or any right to emergency relief. The August 11th Letter expressly considered Ms. Ferris’s assertions regarding potential earth and soil disturbance and groundwater migration, the EPA’s Third Five-Year Review Report, PECO’s LON certification and whether the LON Approval Order was entered on a record with incomplete facts, and the status

of PECO's construction. Ms. Ferris's efforts to reargue those issues is exactly what the *Quick* standard precludes.

While PECO addresses each of the numbered paragraphs of the Emergency Reconsideration Petition in Section III *infra*, PECO provides the following summary of key errors and mischaracterizations in the Emergency Reconsideration Petition.

The Commission properly treated the Emergency Petition as a Petition for Emergency Relief. In the August 11th Letter, the Commission considered the Emergency Petition “as an *ex parte* petition for emergency relief” under Sections 3.2-3.4 of the Commission's regulations and not an interim petition for emergency relief under Sections 3.6-3.10. The Commission explained that Sections 3.6-3.10 “pertain to interim petitions for emergency relief pending the outcome of an adversarial complaint proceeding before the Office of Administrative Law Judge.” Exercising its discretion under 52 Pa. Code § 1.2(a) in light of Ms. Ferris's *pro se* status, the Commission nevertheless considered her request for relief under its Emergency Order framework in Sections 3.2 and 3.4. Ms. Ferris objects to that treatment on the ground that it purportedly deprived her of a hearing required by Section 3.6a before the issuance of an interim emergency order.

The Commission's treatment of Ms. Ferris's Emergency Petition was entirely proper. As reflected in the August 11th Letter, the Commission's interim petition regulations pertain to adversarial complaint proceedings before a presiding officer who can conduct hearings and issue orders. For example, Section 3.1 defines an “interim emergency order” as an order issued by a “presiding officer”; Section 3.6a precludes issuance of an interim emergency order “until the presiding officer holds a hearing”; Section 3.7 provides that “a presiding officer will issue an order granting or denying interim emergency relief within 15 days”; and Section 3.10 addresses

Commission review of interim emergency orders and related material question certification by a “presiding officer.”¹⁵

In contrast, Ms. Ferris’s original Rescission Petition was filed under 66 Pa. C.S. § 703(g) and 52 Pa. Code § 5.572. The Rescission Petition is not a complaint, and it remains pending before the Commission itself. Rather than reject Ms. Ferris’s Emergency Petition outright, the Commission separately docketed it and considered the requested emergency relief under Sections 3.2 through 3.4. Nothing in the Public Utility Code or the Commission’s regulations suggest that a person can simply file a document labeled “petition for interim emergency order” and thereby compel the Commission to convert a pending Commission-level rescission request into an adversarial administrative law judge proceeding and appoint an administrative law judge, and the Commission was well within its discretion under 52 Pa. Code § 1.2(a) to evaluate the Emergency Petition using its existing Emergency Orders framework. Applying that framework, the Commission correctly determined that there was no emergency and Ms. Ferris was not entitled to any relief. Ms. Ferris has provided no basis for the Commission to reconsider its treatment of the Emergency Petition.

PECO is not a “lessee” of the Superfund site and the Comfort Letters and Soil Management Plan issued to the Customer do not establish any emergency. Throughout the Emergency Reconsideration Petition, Ms. Ferris asserts that PECO is “a lessee of a Superfund site.”¹⁶ This is not a fact the Commission “overlooked”; it is simply not true. As stated in the

¹⁵ See 52 Pa. Code §§ 3.1, 3.6a, 3.7 & 3.10.

¹⁶ See Emergency Reconsideration Petition, ¶¶ 1, 4, 6, 9, 20, & 24.

LON, PECO originally envisioned that an easement – not a lease – may be necessary for the overhead line.¹⁷ This has not proven necessary to date, and no such easement has been negotiated.

Based on this misconception that PECO is a lessee, Ms. Ferris appears to argue that PECO has a host of obligations as a “lessee” under comfort letters relating to the Superfund site, which she attaches as Exhibit 6 to the Emergency Petition. Again, this is not true. The comfort letters were issued to the Customer, not PECO, and plainly state their purpose:

The purpose of a comfort/status letter is to summarize the relevant information available to the EPA about a particular Site. The aim of this letter is to provide Sentinel II with information that may be relevant to the potential Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) liability concerns you have identified at the Property. This comfort/status letter summarizes relevant information available to the EPA on the Foote Mineral Co. Superfund Site (“Site”), as of the date of this letter. Our intent is that this information will enable Sentinel II to make informed decisions as they move forward with your plans regarding the Property.¹⁸

Consistent with their purpose, the comfort letters only suggest “reasonable steps” for the Customer as the Customer “seeks to reuse the property” and are “provided as a guide” to the Customer;¹⁹ they do not, as Ms. Ferris repeatedly argues, place any obligations on PECO. Nor does the “Soil Management Plan” Ms. Ferris attaches as Exhibit 7, which is a document prepared by a consultant to the Customer that provides procedures to the Customer “in the unlikely event [potentially contaminated soil] is encountered during earthwork activities” in which PECO is not engaged.²⁰

¹⁷ See LON Attachment 2, ¶ 7.

¹⁸ Emergency Reconsideration Petition, Exhibit 6, p. 1 (“Comfort Letter – Chester County Parcel 42-3-13”) & p. 7 (“Comfort Letter – Chester County Parcels 42-3-130.1, 42-3-130.2, 41-3-4”).

¹⁹ *Id.*, pp. 5-6.

²⁰ See Emergency Reconsideration Petition, Exhibit 7, p. 1.

While Ms. Ferris acknowledges that PECO provided the EPA’s July 2026 “Frequently Asked Questions” about the Superfund site, she never acknowledges that the EPA specifically stated that the “capped area” that is the focus of the soil remediation at the Superfund site **is not part of the proposed redevelopment**.²¹ Moreover, while Ms. Ferris argues (without any citation) that PECO should have submitted the Project to the EPA for approval, Ms. Ferris entirely ignores the EPA’s own July 30, 2026 statement on its website for the Superfund site that the “EPA does not recommend, propose, or approve specific Superfund development plans.”²² Similarly, Ms. Ferris fails to explain why the EPA’s 2024 Third Five-Year Review Report for the Superfund site can justify any emergency relief with respect to PECO providing electric service to the redevelopment when EPA has reviewed the redevelopment plans and determined nearly two years after the Third Five-Year Review Report that it does not expect the redevelopment to affect the EPA’s remedy or the groundwater investigation at the site.²³

In short, the Commission properly recognized in the August 11th Letter that Ms. Ferris’s original conclusory allegations did not support any emergency relief, and her new allegations and documents do not constitute “new and novel arguments, not previously heard, or considerations which appear to have been overlooked or not addressed by the Commission” as required by *Duick*.

PECO did not misrepresent the Project. In the Emergency Reconsideration Petition, Ms. Ferris makes various allegations that PECO “misrepresented” the Project with “no intention of conducting proper due diligence” and incorrectly stated in the LON that the project “would not

²¹ Emergency Petition Answer, Attachment C, Response to Frequently Asked Question No. 3.

²² Emergency Petition Answer, Attachment C, p. 1.

²³ Emergency Petition Answer, Attachment C, Response to Frequently Asked Question No. 1.

adversely impact other PECO customers.”²⁴ Again, these allegations are entirely without foundation, and the new documents Ms. Ferris provides do not support reconsideration or establish any basis for emergency relief.

In her original Emergency Petition, Ms. Ferris made a number of allegations that PECO had made false certifications to the Commission regarding the Project and its environmental status.²⁵ PECO addressed those allegations in its Answer,²⁶ and the Commission properly determined that Ms. Ferris’s allegations were conclusory and without factual support.²⁷ In attempting to justify reconsideration, Ms. Ferris incorporates additional documents in her Emergency Reconsideration Petition relating to potential future customer load and contends that PECO did not disclose potential future customer load to the Commission before the October 9, 2025 LON Approval Order.²⁸ Again, this assertion is incorrect. The LON specifically stated that PECO will seek separate Commission approval for any future upgrades if the Customer’s demand continues to increase above 150 MW.²⁹ PECO further advised the Commission of PJM’s analyses of both the proposed 150 MW of load and future potential 290 MW of load **before** the LON Approval Order in a letter filed with the Commission on October 1, 2025, responding to inquiries of the Commission’s Bureau of Technical Utility Services (“TUS”).³⁰ The letter also includes an

²⁴ Emergency Reconsideration Petition, ¶ 4. Ms. Ferris also asserts that PECO somehow created a “false sense of urgency,” but her Emergency Petition acknowledged that the Customer is ready to commence construction. *See* Emergency Petition, p. 3.

²⁵ *See* Emergency Petition, pp. 1 & 3.

²⁶ Answer to Emergency Petition, pp. 4-5 & 8-10.

²⁷ August 11th Letter, p. 3.

²⁸ Emergency Reconsideration Petition, ¶ 9.

²⁹ LON, ¶ 11.

³⁰ A copy of PECO’s October 1, 2025 letter filed with the Commission is attached to this Answer as Attachment B.

affidavit of a PECO executive in which PECO again emphasized that PECO would coordinate with PJM “for further analysis of Phase 2 prior to submitting any additional application to the Commission related to possible increased capacity to the Green Fig Data Center.”³¹

To the extent Ms. Ferris asserts that PECO’s communications regarding future potential customer demand, including PECO’s communications with the Commission, entitle her to a “clear right to relief” under the Commission’s emergency order regulations and further satisfy the *Duick* standard, she is wrong. There is no basis to presume that the Commission “overlooked” PECO’s responses to the Commission’s own data requests, nor does Ms. Ferris provide any new material as to how the project will harm any customer. The Commission should therefore deny Ms. Ferris’s Emergency Reconsideration Petition.

**III. ANSWERS TO THE AVERMENTS IN THE NUMBERED
PARAGRAPHS OF THE PETITION OF JULIANNA FERRIS FOR
RECONSIDERATION OF THE COMMISSION’S AUGUST 11, 2026 DENIAL OF
EMERGENCY RELIEF**

1. Denied. By way of further response, PECO states that it is not a lessee of the Superfund site, it has not made any commitments to the Customer that contradict representations to the Commission and East Whiteland Township, and PECO has not created any “false deadline” in light of the Customer’s planned construction and/or had any intention of not conducting proper diligence.

2. The allegations of Paragraph 2 are conclusions of law to which no response is required and, therefore, are deemed denied. The terms of the decision in *Duick v. Pennsylvania Gas and Water Co.*, 56 Pa. P.U.C. 553 (1982), speak for themselves, and PECO denies any

³¹ See *id.* (Affidavit of Drew Davis, ¶¶ 4-6).

allegation to the extent they vary from such terms. To the extent that the allegations are factual, they are denied.

3. The allegations of Paragraph 3 are conclusions of law to which no response is required and, therefore, are deemed denied. To the extent that the allegations are factual, they are denied.

4. PECO lacks knowledge with respect to the alleged representations made by the Customer to East Whiteland Township or the public and denies the remaining allegations. By way of further response, PECO states that it is not a lessee of the Superfund site nor is there any obligation to submit PECO's plans for the overheard transmission line to the EPA.

5. Denied; to the extent this paragraph contains a request for relief, no response is required.

6. PECO admits that it did not give to the Commission the Comfort Letters attached as Exhibit 6 to the Emergency Reconsideration Petition. The terms of the Comfort Letters speak for themselves, and PECO denies any allegations to the extent they vary from such terms. PECO denies the remaining allegations. By way of further response, as set forth in Section II *supra*, PECO is not a lessee of the Superfund site and did not "disregard" any duties; the Comfort Letters are addressed to the Customer and do not create any obligations for PECO. Furthermore, PECO did not provide a "biased selection of excerpts from the EPA Comfort Letters" to the Commission, nor is there any obligation for EPA to review PECO's scope of work (which, in any event, does not include any disturbance of the Superfund site).

7. Denied. The terms of the Environmental Covenant speak for themselves, and PECO denies any allegations to the extent they vary from such terms. By way of further response, neither the Comfort Letters nor the Environmental Covenant create any obligation for PECO to submit its plans for an overhead line to the EPA.

8. Denied, except that PECO admits that it has installed three poles on its own property.

9. The terms of the referenced documents speak for themselves, and PECO denies any allegations to the extent they vary from such terms and denies the remaining allegations in Paragraph 9.

10. PECO admits that the referenced document is a soil management plan, and denies any allegations with respect to that document to the extent they vary from that document. By way of further response, PECO states that the soil management plan creates no obligations for PECO and denies that PECO disregarded any binding obligation or is using any document “as a scapegoat with the Commission.” PECO lacks sufficient information to determine the accuracy of the averments made in Paragraph 10 regarding the EPA and the soil management plan, and, therefore, those averments are denied and proof thereof demanded, if relevant, at any hearing. PECO denies any remaining allegations in Paragraph 10.

11. PECO lacks sufficient information to determine the accuracy of the averments made in Paragraph 11, and, therefore, those averments are denied and proof thereof demanded, if relevant, at any hearing.

12. Admitted that PECO did not submit its plans for the overhead transmission line to the EPA because it was not required to do so. PECO denies the remaining allegations in Paragraph 12.

13. Admitted that PECO did not submit its plans for the overhead transmission line to the EPA because it was not required to do so. The terms of the LON speak for themselves, and PECO denies any allegations to the extent they vary from such terms. PECO denies the remaining allegations in Paragraph 13.

14. Admitted that PECO did not submit its plans for the overhead transmission line to the EPA because it was not required to do so. The terms of the Comfort Letters speak for themselves, and PECO denies any allegations to the extent they vary from such terms. PECO lacks sufficient information with respect to allegations regarding Petitioner and groundwater plumes to determine the accuracy of the averments made, and, therefore, those averments are denied and proof thereof demanded, if relevant, at any hearing. PECO denies the remaining allegations in Paragraph 14.

15. PECO lacks sufficient information to determine the accuracy of the averments made, and, therefore, those averments are denied and proof thereof demanded, if relevant, at any hearing.

16. Admitted that a high-voltage power line came down in Upper Providence, Pennsylvania, and transformers malfunctioned in Pottstown, Pennsylvania; PECO denies remaining allegations in Paragraph 16.

17. The allegations of Paragraph 17 are conclusions of law to which no response is required and, therefore, are deemed denied. To the extent that the allegations are factual, they are denied.

18. Admitted that a Building Blocks childcare facility and Church Farm School are located near the Customer Property; the allegations of Paragraph 18 are otherwise conclusions of law to which no response is required and, therefore, are deemed denied. To the extent that those allegations are factual, they are denied.

19. The allegations of Paragraph 19 are conclusions of law to which no response is required and, therefore, are deemed denied. To the extent that the allegations are factual, they are denied.

20. Admitted that PECO discussed the Project with the Customer in 2023 and initially targeted a Q4 2024 in-service date; otherwise denied except to the extent that the allegations of Paragraph 20 are conclusions of law to which no response is required and, therefore, are deemed denied.

21. The allegations of Paragraph 21 are conclusions of law to which no response is required and, therefore, are deemed denied. To the extent that the allegations are factual, they are denied.

22. Admitted that no hearing was held; the allegations of Paragraph 22 are otherwise conclusions of law to which no response is required and, therefore, are deemed denied.

23. The allegations of Paragraph 23 are conclusions of law to which no response is required and, therefore, are deemed denied. To the extent that the allegations are factual, they are denied.

24. The allegations of Paragraph 24 are conclusions of law to which no response is required and, therefore, are deemed denied. To the extent that the allegations are factual, they are denied.

25. The allegations of Paragraph 25 are conclusions of law to which no response is required and, therefore, are deemed denied. To the extent that the allegations are factual, they are denied; to the extent this paragraph contains a request for relief, no response is required.

**IV. ANSWERS TO THE AVERMENTS IN THE NUMBERED
PARAGRAPHS OF THE EMERGENCY SUPPLEMENTAL NOTICE AND
RENEWED REQUEST FOR IMMEDIATE STOP-WORK ORDER**

1. Admitted in part and denied in part. Admitted that a control house was delivered to the Customer; denied that the control house is for “PECO work to be done at a future time” or that the control house “will be stored on the existing pad.” The remaining allegations in Paragraph 1 are denied.

2. Admitted that PECO has installed the overhead line from PECO’s own property to the Customer’s property and that overhead line does not require any control house; PECO further admits that potential future growth of the Customer would be served by two new radial 230 kV feeds from PECO’s Planebrook substation after any required Commission approval; otherwise denied.

3. Admitted. By way of further response, PECO stated in the LON that it will apply to the Commission for an LON for future upgrades if the Customer's demand continues to increase and intends to do so when appropriate.

4. Admitted that Phase 2 did not pass PJM's do no harm analysis as of September 24, 2025, and that PECO has not yet submitted a letter of notification to the Commission for a future upgrade of capacity; the remaining the allegations of Paragraph 4 are denied.

5. Denied. By way of further response, PECO has not started any physical construction for any expansion of service to the Customer and will seek Commission approval before doing so.

6. Admitted that PECO is not undertaking any construction activities on the Customer Property that could affect the Superfund site and that PECO's construction to date has not created any ground disturbance on the Customer Property; otherwise denied, as PECO has not started any physical construction for any expansion of service to the Customer and will seek Commission approval before doing so.

7. Denied.

8. This paragraph contains a request for relief; no response is required.

9. Admitted to the extent that the document and video are attached; otherwise denied. By way of further response, PECO states that the communication from East Whiteland Township is incorrect as the control houses and crane are not for PECO and are not owned by PECO.

WHEREFORE, for the foregoing reasons, PECO respectfully requests that the Emergency Reconsideration Petition (as supplemented by the Emergency Supplemental Notice And Renewed Request For Immediate Stop-Work Order) be denied.

Respectfully submitted,



Kenneth M. Kulak (Pa. No. 75509)
Maggie E. Curran (Pa. No. 330545)
Morgan, Lewis & Bockius LLP
2222 Market Street
Philadelphia, PA 19103-3007
215.963.5384 (bus)
ken.kulak@morganlewis.com
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Anthony E. Gay (Pa. No. 74624)
Jeanne J. Dworetzky (Pa. No. 62389)
PECO Energy Company
2301 Market Street
Philadelphia, PA 19103
Phone: 267.533.1999
anthony.gay@exeloncorp.com
jeanne.dworetzky@exeloncorp.com

Counsel for PECO Energy Company

Dated: August 24, 2026

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

PETITION OF JULIANNA FERRIS FOR	:	DOCKET NO. P-2026-3054731
INTERIM EMERGENCY ORDER	:	
LETTER OF NOTIFICATION OF PECO	:	
ENERGY COMPANY FOR APPROVAL	:	
TO CONSTRUCT THE 220-09 230kV	:	DOCKET NO. A-2025-3054731
TRANSMISSION LINE TAP LOCATED IN	:	
EAST WHITELAND TOWNSHIP,	:	
CHESTER COUNTY, PENNSYLVANIA	:	

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 24, 2026



Drew T. Davis
Vice President, Transmission and Substation

Attachment A

On Fri, Aug 21, 2026 at 12:14 PM Catherine Ricardo <cricardo@eastwhiteland.org> wrote:

Julie,

Good afternoon. I wanted to clarify one point from this exchange below. The delivery was not a PECO delivery nor was it on PECO property. I have copied Britnee Sanseverino from PECO on this email as well. Thank you.

Catherine Ricardo

Assistant Township Manager

East Whiteland Township

209 Conestoga Road

Frazer, PA 19355

Direct: 610-897-4280

From: Julie Ferris <julieg186@gmail.com>

Sent: Wednesday, August 19, 2026 12:44 PM

To: Catherine Ricardo <cricardo@eastwhiteland.org>

Cc: Steven Brown <sbrown@eastwhiteland.org>; Muth, Senator Katie <Katie.Muth@pasenate.com>; Kelly Donia <kelly@doniadesigns.com>; Scott Lambert <slambert@eastwhiteland.org>; Ginny Kerslake <Gmarcillekerslake@fwwatch.org>; Tony Gianino <anthony.gianino2@gmail.com>; Rick Wall <richardwall07@gmail.com>; Peter Fixler <pfixler@eastwhiteland.org>; Clinton Smith <csmith@eastwhiteland.org>; Gaya <Krishnan.bindhuk1@gmail.com>

Subject: Re: Generators are being delivered

Catherine,

This response is unacceptable. The PUC public docket shows PECO does not have Commission approval for Phase 2 of this project - the phase this equipment is for. In a sworn Answer filed August 4, 2026, PECO attested to the Commission, under penalty of law, that it is "not undertaking any construction activities for the Project on the Customer Property" and that its construction "has not created any ground disturbance on the Customer Property."

Equipment for unapproved work is now on that same property.

Can you please provide a written explanation by 3PM as to why the Township is unaware of this? The PUC will be made aware of your email and the video.

Julie Ferris

On Wed, Aug 19, 2026 at 12:05 PM Catherine Ricardo <cricardo@eastwhiteland.org> wrote:

Julie,

We'll inquire further with the site contractor to seek clarity on your questions below. Thank you.

Catherine Ricardo

Assistant Township Manager

East Whiteland Township

209 Conestoga Road

Frazer, PA 19355

Direct: 610-897-4280

From: Julie Ferris <julieg186@gmail.com>

Sent: Wednesday, August 19, 2026 12:02 PM

To: Catherine Ricardo <cricardo@eastwhiteland.org>

Cc: Steven Brown <sbrown@eastwhiteland.org>; Muth, Senator Katie <Katie.Muth@pasenate.com>; Kelly Donia <kelly@doniadesigns.com>; Scott Lambert <slambert@eastwhiteland.org>; Ginny Kerslake <Gmarcillekerslake@fwwatch.org>; Tony Gianino <anthony.gianino2@gmail.com>; Rick Wall <richardwall07@gmail.com>; Peter Fixler <pfixler@eastwhiteland.org>; Clinton Smith <csmith@eastwhiteland.org>; Gaya <Krishnan.bindhuk1@gmail.com>

Subject: Re: Generators are being delivered

For what PECO work, Catherine? I have the Letter of Notification from PECO to the PUC and I'm currently involved with the PUC; this work is not in any approved scope of work by the PUC.

I have written confirmation from PECO that they're not doing work at the Superfund site, and they've legally attested to that.

Can the East Whiteland Board explain this?

On Wed, Aug 19, 2026 at 11:45 AM Catherine Ricardo <cricardo@eastwhiteland.org> wrote:

Good Morning,

Following up on Steve's email, we've received the following information today: delivery at the site is control houses for PECO work to be done at a future time. These control houses will be stored on the existing PECO pad, but no additional work will be done as it will require permits from the Township that have not been issued. We would also like to note that we've been advised a crane will be delivered to the site either today or tomorrow and will also be stored at the site. The site contractor has been directed by the Township that it may not use the crane for work beyond storage of same at the site. Delivery and storage such as this does not require permits. Thank you.

Catherine Ricardo

Assistant Township Manager

East Whiteland Township

209 Conestoga Road

Frazer, PA 19355

Direct: 610-897-4280

Attachment B

Morgan Lewis

Kenneth M. Kulak

Partner

+1.215.963.5384

ken.kulak@morganlewis.com

October 1, 2025

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 PECO Energy Company's Second Response to the Data Requests of the Bureau of Technical Utility Services ("TUS"), Question Nos. A-5 and A-6.

On April 14, 2025, PECO filed a Letter of Notification in the above-captioned docket requesting Commission approval to construct a new high voltage distribution tap from an existing transmission line and related structures (the "Project") to serve a new customer from PECO's existing Planebrook Substation in East Whiteland Township, Chester County, Pennsylvania. On June 5, 2025, PECO submitted responses to Data Requests A-5 and A-6 explaining that PJM Interconnection LLC ("PJM") began a "do no harm" ("DNH") reliability screening analysis for the Project on March 14, 2025. PECO also committed to providing TUS with the results of the DNH analysis and the project ID number assigned to the Project after PJM completed the analysis. PECO is providing the attached Affidavit, which explains that PJM provided PECO with notice that PJM has completed its DNH analysis with no violations by the Project and the Project has been assigned a project ID number.

PECO respectfully requests Commission review and approval of the Letter of Notification on or before the October 9, 2025 Public Meeting in order to allow construction to commence in November 2025.

As indicated on the enclosed Certificate of Service, copies have been served upon all parties of record.

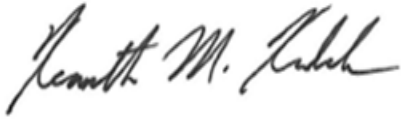
Morgan, Lewis & Bockius LLP

2222 Market Street
Philadelphia, PA 19103
United States

T +1.215.963.5000
F +1.215.963.5001

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

Very truly yours,

A handwritten signature in black ink, appearing to read "Kenneth M. Kulak". The signature is written in a cursive, flowing style.

Kenneth M. Kulak

KMK/ap
Enclosure

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

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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

AFFIDAVIT OF DREW DAVIS

1. My name is Drew Davis. My business address is PECO Energy Company, 2301 Market Street, Philadelphia, PA 19103.

2. I am employed by PECO Energy Company (“PECO”) as the Vice President of Transmission and Substations.

3. On April 14, 2025, PECO filed a Letter of Notification in Docket No. A-2025-3054731 requesting Commission approval to construct a new high voltage distribution tap from an existing transmission line and related structures (the “Project”) to serve a new customer from PECO’s existing Planebrook Substation in East Whiteland Township, Chester County, Pennsylvania. PECO explained that a new customer is currently planning to construct the Green Fig Data Center on property directly adjacent to the Planebrook Substation within PECO’s service territory and has requested service from PECO. The proposed Project is necessary to allow PECO to provide up to approximately 150 MW service from PECO’s existing Planebrook Substation to the Green Fig Data Center.

4. On June 5, 2025, PECO submitted a response to data request TUS-1-6 explaining that PJM Interconnection LLC (“PJM”) began a do no harm analysis for the Project on March 14, 2025. PJM studied the Project as “Phase 1,” modeling 150 MW of load. PECO had communicated to PJM that PECO is considering an additional customer request to provide an additional 140 MW service to the Green Fig Data Center for a total of 290 MW. In combination with Phase 1, PJM modelled 290 MW of load in the do no harm analysis as a separate “Phase 2.”

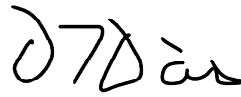
5. Only Phase 1 is subject to the Letter of Notification in Docket No. A-2025-3054731. PECO will seek any required approvals for transmission lines and structures related to Phase 2 in a separate filing.

6. On September 24, 2025, PJM provided an email to PECO confirming that the Project (i.e., Phase 1 for 150 MW of load) would pass the do no harm analysis. PJM separately identified that Phase 2 would not pass the do no harm analysis at this time, but that PJM could confirm Phase 1 and issue a supplemental ID number for the Project at this time. To be clear, the Project, identified as Phase 1 by PJM, passes the do no harm analysis and is not impacted by PJM’s further and separate discussions with PECO concerning Phase 2, which is not subject to PECO’s Letter of Notification in Docket No. A-2025- 3054731. PECO will coordinate with PJM for further analysis of Phase 2 prior to submitting any additional application to the Commission related to possible increased capacity to the Green Fig Data Center.

7. On September 26, 2025, PJM assigned supplemental ID number s3730.1 to the Project based on the satisfactory completion of the do no harm analysis.

8. PECO is providing PJM’s emails dated September 24, 2025, and September 26, 2025, as Exhibit 1 to this affidavit.

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: 09/30/2025

Drew T. Davis
Vice President, Transmission and Substation

From: Graham, Katherine <Katherine.Graham@pjm.com>
Sent: Friday, September 26, 2025 2:35 PM
To: Papp, Joseph:(Exelon); Tesfa, Nebiat; Bensala, Tarik
Cc: Malcolm, Jack F:(Exelon); Wharton, Matthew J.
Subject: RE: M-3 DNH Question

Hi Joe,

The S # for Phase 1 of PE-2024-008 is going to be s3730.1. The S # for Phase 2 will be issued once we confirm the violations we are seeing are not being caused by the project. I think sometime next week would be a good estimate for the timeline for this.

Thanks,

Katherine

From: Papp, Joseph:(Exelon) <joseph.papp@peco-energy.com>
Sent: Thursday, September 25, 2025 7:23 AM
To: Graham, Katherine <Katherine.Graham@pjm.com>; Tesfa, Nebiat <Nebiat.Tesfa@pjm.com>; Bensala, Tarik <Tarik.Bensala@pjm.com>
Cc: Malcolm, Jack F:(Exelon) <Jack.Malcolm@exeloncorp.com>
Subject: RE: M-3 DNH Question



External Email! Think before clicking links or attachments.

Contact the Support Center immediately if you click on a link or open an attachment that appears malicious.

Katherine,

Thank you for the explanation and thank you for sending the cases. We would like to have the supplemental ID # for Phase 1 issued now and then Phase 2 once we invalidate the overloads. Would you be able to send the Phase supplemental ID # today? We are in a bit of a time crunch to provide phase 1 DNH results to the PUC to complete the permitting process. It would be greatly appreciated if you could provide that soon.

I believe the idvs were intended to be added to the DNH as Phase 1 or Phase 2. They should not have not have both been applied in the same case. Jack Malcolm will confirm that.

Thank you,

Joseph Papp, PE

(he, him, his)

Sr Manager Transmission Regional Planning (ACE, DPL, PECO)

Joseph.papp@exeloncorp.com

T 667 313 1081

M 610 547 4913


exeloncorp.com

From: Graham, Katherine <Katherine.Graham@pjm.com>

Sent: Wednesday, September 24, 2025 9:48 PM

To: Papp, Joseph:(Exelon) <joseph.papp@peco-energy.com>; Tesfa, Nebiat <Nebiat.Tesfa@pjm.com>; Bensala, Tarik <Tarik.Bensala@pjm.com>

Subject: RE: M-3 DNH Question

Hi Joe,

We have two idv's that PECO provided – one titled for Phase 1 and the other for Phase 2. In Phase 1, a load of 150MW is added to the case. In Phase 2, two loads are added to the same bus and sum to 290MW. I am confirming with our consultants, but I believe we applied first Phase 1 and then Phase 2 of the idv's, meaning we modeled the 290MW load at the end. Please note – Applying Phase 1 and then Phase 2 idv's sequentially results in a different topology (see below). I don't think this is what would have had an effect on the results like this, but **please let us know which topology is correct (Apply Phase 1 idv then Phase 2 idv OR just Apply Phase 2 idv)?**

Since Phase 1 idv only adds 150MW, and since the overloads are so minor, **we believe that at least Phase 1 of the project would pass.** In this case, we could issue a supplemental ID # for this phase of the project now, and then issue the Phase 2 supplemental ID once we confirm that the overloads are invalid. Let us know if this sounds okay.

I also have the cases we used for this, and I will send those over to you now via Secure Share. I believe that the issues with the Phase 2 projects are not due to the loads but are rather due to different flows in this case versus the 2030 case.

Katherine Graham

From: Papp, Joseph:(Exelon) <joseph.papp@peco-energy.com>

Sent: Tuesday, September 23, 2025 12:04 PM

To: Graham, Katherine <Katherine.Graham@pjm.com>; Tesfa, Nebiat <Nebiat.Tesfa@pjm.com>; Bensala, Tarik <Tarik.Bensala@pjm.com>

Subject: M-3 DNH Question



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Contact the Support Center immediately if you click on a link or open an attachment that appears malicious.

Katherine, Nebiat and Tarik,

Can you provide some clarity if PJM studies the initial loading of our M-3 submissions? Our solutions have included an initial load and ultimate load. Does PJM only study the initial and ultimate load? Specifically if we have a phase 1 served via a temporary line tap and a phase 2 with the ultimate load and permanent configuration. Is the initial tap studied in DNH?

Thanks,

Joseph Papp, PE

(he, him, his)

Sr Manager Transmission Regional Planning (ACE, DPL, PECO)

Joseph.papp@exeloncorp.com

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M 610 547 4913



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**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**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 : **Docket No. A-2025-3054731**
Located in East Whiteland Township, :
Chester County, Pennsylvania :**

CERTIFICATE OF SERVICE

I hereby certify and affirm that I have this day served a copy of the **Supplemental Responses of PECO Energy Company to Data Requests of the Bureau of Technical Utility Services** on the following persons in the manner specified in accordance with the requirements of 52 Pa. Code § 1.54:

VIA ELECTRONIC MAIL

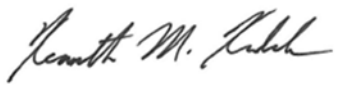
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Harrisburg, PA 17101-1921
dlawrence@paoca.org

Allison C. Kaster
Bureau of Investigation and Enforcement
PA Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor West
Harrisburg, PA 17120
akaster@pa.gov

Jordan Van Order
Bureau of Technical Utility Services
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor West
Harrisburg, PA 17120
jvanorder@pa.gov

NazAarah Sabree
Office of Small Business Advocate
Suite 1102, Commerce Building
300 North Second Street
Harrisburg, PA 17101
nsabree@pa.gov

Dated: October 1, 2025



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