

COMMONWEALTH OF PENNSYLVANIA



DARRYL A. LAWRENCE
Consumer Advocate

OFFICE OF CONSUMER ADVOCATE
555 Walnut Street, 5th Floor, Forum Place
Harrisburg, Pennsylvania 17101-1923
(717) 783-5048
(800) 684-6560

✕ @pa_oca
f /pennoca
FAX (717) 783-7152
consumer@paoca.org
www.oca.pa.gov

August 31, 2026

Via Electronic Filing

Matthew L. Homsher, Secretary
Pennsylvania Public Utility Commission
400 North Street
Harrisburg, PA 17120

Re: Transource PA's Certificate of Public
Convenience Application for Franklin
County; Docket No. A-2026-3062675

Dear Secretary Homsher:

For electronic filing, please find enclosed the Answer of the Office of Consumer Advocate (OCA) to Preliminary Objection of Transource Pennsylvania, LLC to the Protest of Megan Davidson in this proceeding.

Respectfully submitted,

/s/ Ryan Morden
Ryan Morden, Esq.
Assistant Consumer Advocate
PA Attorney I.D. # 335679
Email: RMorden@paoca.org

Enclosures

cc: Administrative Law Judge Emily A. Farren (Via Email Only: efarren@pa.gov)
Administrative Law Judge Steven K. Haas (Via Email Only: sthaas@pa.gov)
Certificate of Service

CERTIFICATE OF SERVICE

Application of Transource Pennsylvania, :
LLC for All of the Necessary Authority, :
Approvals and Certificate of Public :
Convenience to Begin to Offer, Render, : Docket No. A-2026-3062675
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 :

I hereby certify that I have this day filed electronically on the Commission's electronic filing system and served a true copy of the following documents, the Answer of the Office of Consumer Advocate (OCA) to Preliminary Objection of Transource Pennsylvania, LLC to the Protest of Megan Davidson, upon parties of record in this proceeding in accordance with the requirements of 52 Pa. Code Section 1.54 (relating to service by a participant), in the manner and upon the persons listed below.

Dated this 31st day of August 2026.

SERVICE BY E-MAIL ONLY

John F. Povilaitis, Esq.
Alan M. Seltzer, Esq.
Buchanan Ingersoll & Rooney
409 North Second Street
Suite 500
Harrisburg, PA 17101
john.povilaitis@bipc.com
alan.seltzer@bipc.com
Counsel for Transource PA

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

Jessica A. Cano, Esq.
American Electric Power Service Corporation
1 Riverside Plaza
29th Floor
Columbus, OH 43215
jacano@aep.com
Counsel for Transource PA

Alison Kaster, Esq.
Bureau of Investigation and Enforcement
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
2nd Floor, Room-N201
Harrisburg, PA 17120
akaster@pa.gov
Director of I&E

Benjamin C. Dunlap, Jr., Esq.
Cohen Seglias Pallas Greenhall & Furman PC
240 North 3rd Street, 7th Floor
Harrisburg, PA 17101
bdunlap@cohenseglias.com
Counsel for Coalition to Protect Franklin County

Tori L. Giesler, Esq.
FirstEnergy Service Company
2800 Pottsville Pike
P.O. Box 16001
Reading, PA 19612
tgiesler@firstenergycorp.com
Counsel for Mid-Atlantic Interstate Transmission, LLC

Amy Appleby
9224 Newburg Road
Newburg, PA 17240
taxoffice@gmail.com
Pro Se

Karen I. Benedict
Rodney A. Meyer
5413 Manheim Road
Waynesboro, PA 17268
karrib@gmail.com
hotrod.meyer@gmail.com
Pro Se

Brian D. Brechbill
3820 Fetterhoff Chapel Road
Chambersburg, PA 17202
Brian.Brechbill@plantpioneer.com
Pro Se

Mark Richard Flohr
1479 Falling Spring Road
Chambersburg, PA 17202
mflohr@flohrpools.com
Pro Se

Seth A. Mendelsohn, Esq.
Saxton & Stump, LLC
4250 Crums Mill Road, Suite 201
Harrisburg, PA 17112
smendelsohn@saxtonstump.com
Counsel for Chambersburg Area School District

Natalia Messenger, Esq.
FirstEnergy Service Company
10 West Broad Street, Suite 1170
Columbus, OH 43215
nmessenger@firstenergycorp.com
Counsel for Mid-Atlantic Interstate Transmission, LLC

Elizabeth Knepper
Joel Knepper
3889 Church Road
Chambersburg, PA 17202
joel@knepperremodeling.com
Pro Se

Janet Pollard
626 Coldspring Road
Fayetteville, PA 17222
jpollard@explorefranklincountypa.com
Pro Se

Allen Rice
Lori Rice
1430 Henry Lane
Chambersburg, PA 17202
hs.salonandwellness@gmail.com
Pro Se

David D. Rice
Maria Eloisa A. Rice
3572 Church Road
Chambersburg, PA 17202
RiceBusinessServices@gmail.com
Pro Se

Daniel Hartman
5868 Olde Scotland Road
Shippensburg, PA 17257
danielrexhartman@gmail.com
Pro Se

Edgar R. Hoffeditz, II
Ruth S. Hoffeditz
1520 Spring Side Drive East
Chambersburg, PA 17202
mytuckeboy@gmail.com
quilting316@comcast.net
Pro Se

Mandy Mitchell
818 Brookens Road
Fayetteville, PA 17222
vanillagravity@hotmail.com
Pro Se

Patrice L. Nitterhouse
7202 Fairway Drive South
Fayetteville, PA 17222
patti@pennhomes.com
Pro Se

Guilford Township Supervisors
115 Spring Valley Road
Chambersburg, PA 17202
GTSups@guilfordtwp.us
Pro Se

Pennsylvania Dept. of Agriculture
2301 North Cameron Street
Harrisburg, PA 17110
stzimmerma@pa.gov
Pro Se

Rob Kauffman
Rich Irvin
Chad Reichard
Members, House of Representatives
166 South Main Street
Chambersburg, PA 17201
rkauffman@pahousegop.com
Pro Se

Fred E. Rice
Doreen K. Rice
3210 Church Road
Chambersburg, PA 17202
fredrice33@gmail.com
Pro Se

Brandon Stouffer
Lemma & O'Connor Investors LLC
1181 Falling Spring Road
Chambersburg, PA 17202
brandon@brandalellc.com
Pro Se

Ronald Swartz
2209 Cider Press Road
Chambersburg, PA 17202
RLSwartz@outlook.com
Pro Se

Laurie F. Viozzi
2723 Newcomer Road
Chambersburg, PA 17202
strongtaurus05@gmail.com
Pro Se

DC Farms LLC
5730 Orphanage Road
Waynesboro, PA 17268
allenr@dreamheifers.com
Pro Se

Franklin County Agricultural Land
Preservation Board
272 North Second Street
Chambersburg, PA 17201
planning@franklincountypa.gov
Pro Se

Constantine A. Cois
112 Granny Smith Lane
Fayetteville, PA 17222
ccois@protonmail.com
Pro Se

SERVICE BY MAIL ONLY

Melodie Anderson-Smith
3820 Clubhouse Drive
Fayetteville, PA 17222

Dane Anthony
Teresa C. Anthony
21 Kensington Drive
Chambersburg, PA 17202

Betty L. Baker
237 Justine Drive
Chambersburg, PA 17201

Kimberly Calimer
Daniel Eigenbrode
3136 Church Road
Chambersburg, PA 17202

Mike D. Casey
Jacqueline Morrison
2204 Sollenberger Road
Chambersburg, PA 17202

Brechyn Chace
Spencer Pheil
6167 Greenbriar Terrace
Fayetteville, PA 17222

Kim Chicote
18303 Dry Run Road West
Spring Run, PA 17262

Richard Christ
Gale M. Christ
6971 Old Course Road
Fayetteville, PA 17222

Shawn M. Corwell
478 Allen Drive
Chambersburg, PA 17202

Samuel L. Beard
Kathleen McKenzie
134 Onyx Drive
Chambersburg, PA 17202

Maryanne J. Bohn
Dale A. Bohn
4140 Church Road
Chambersburg, PA 17202

Dawn Buckner
3675 Cascades Drive
Fayetteville, PA 17222

Karen N. Diller
1284 Falling Spring Road
Chambersburg, PA 17202

Julie Eckels
19732 Swailes Road
Willow Hill, PA 17271

Christine E. Elmer
1452 Nittany Drive
Chambersburg, PA 17202

Cheryl Evans
Leslie Sease
1061 Willowbrook Drive
Chambersburg, PA 17202

Kelly Eyer
980 Cranberry Drive
Chambersburg, PA 17202

Jeffrey L. Feldman
5225 Heisey Road
Shippensburg, PA 17257

Sandra Fielhauer
7128 Sandwich Lane
Fayetteville, PA 17222

Jennifer Culbertson
7599 Nyesville Road
Chambersburg, PA 17202

Edmund J. Daly
614 East Catherine Street
Chambersburg, PA 17201

Megan Davidson
50 Water Street
Walnut Bottom, PA 17266

Kristen F. Frank
4755 Rambor Road
Chambersburg, PA 17202

Constance R. Funk
John S. Funk
260 Wilkinson Lane
Fayetteville, PA 17222

Sarah M. Gadd
Fred Nasredine
6472 Greenbriar Circle
Chambersburg, PA 17202

Linda K. Gayman
2560 Edenville Road
Chambersburg, PA 17202

Shawn M. Gerhart
2381 Sollenberger Road
Chambersburg, PA 17202

Suzanne Gessay
147 Echo Drive
Chambersburg, PA 17202

Laura B. Gettings
4761 Range Runner Drive
Fayetteville, PA 17222

Vicki Gibbs
969 Crestwood Drive
Chambersburg, PA 17202

Anne H. Finucane
2760 Springview Drive
Chambersburg, PA 17202

Maribeth A. Fish
Shannon M. Jackson
333 South Coldbrook Avenue
Chambersburg, PA 17201

Brenda Fitzsimmons
6828 Old Course Road
Fayetteville, PA 17222

Lauren Formosa
1852 Woodduck Drive East
Chambersburg, PA 17202

Carol Gribble
5805 White Church Road
Shippensburg, PA 17257

Brianne Grove
3410 Church Road
Chambersburg, PA 17202

Debra Guyer
38 McIlvaine Lane
Chambersburg, PA 17202

Nicholas A. Haines
Detta Wolfe
217 West Gay Street
Waynesboro, PA 17268

Grace Hammond
17894 Amberson Road
Spring Run, PA 17262

Kelsey Hammond
1004 South 4th Street
Chambersburg, PA 17201

Jeri Hartman
5868 Olde Scotland Road
Shippensburg, PA 17257

Jacob Graybill
Jennifer Graybill
Nathan Graybill
Savannah Graybill
611 Forest Road
Chambersburg, PA 17202

Linda J. Greene
6336 Green Briar Lane
Fayetteville, PA 17222

Donna Hildebrand
305 Martin Lane
Wallingford, PA 19086

Joy Holloway
3895 Alfalfa Lane
Fayetteville, PA 17222

Vicki K. Howe
3535 Inverness Court
Chambersburg, PA 17202

Brittany Huntoon
1444 Scotland Avenue
Chambersburg, PA 17201

Debra S. Kase
3295 Springview Drive
Chambersburg, PA 17202

Lewis D. Kauffman
1179 Stanley Avenue
Chambersburg, PA 17201

Jill C. Kessler
11415 Hearthwood Drive
Waynesboro, PA 17268

Sara Kitzmiller
1037 Greystone Court
Chambersburg, PA 17202
Kay Marlene Knode
5927 Sampache Drive
Shippensburg, PA 17257

Nancy L. Heckman
2363 Adin Lane
Chambersburg, PA 17202

Clay Henninger
5730 Olde Scotland Road
Shippensburg, PA 17257

Michelle Henninger
5744 Olde Scotland Road
Shippensburg, PA 17257

Shaun High
6857 Penny Lane
Orrstown, PA 17244

Christine Landis
950 Westminster Avenue
Hanover, PA 17331

Marie Lanser Beck
12005 Gehr Road
Waynesboro, PA 17268

Alex Leshner
3853 Church Road
Chambersburg, PA 17202

Bill Mann
Tracy Mann
466 Bear Valley Road
Fort Loudon, PA 17224

Erika Martelli
183 Harvest Lane
Chambersburg, PA 17202

Cindy L. Mason
647 Wills Drive
Chambersburg, PA 17202

Jody Mattison
4680 Range Runner Drive
Fayetteville, PA 17222

Aaron L. Miller
Church Road Properties
3799 Church Road
Chambersburg, PA 17202

Mandy Mitchell
818 Brookens Road
Fayetteville, PA 17222

Marlene Mitchell
Steven Mitchell
3663 Cascades Drive
Fayetteville, PA 17222

Jacqueline S. Mowen
118 Walnut Street
Waynesboro, PA 17268

Barbara Murdock
3847 Farmstead Drive
Fayetteville, PA 17222

Jody L. Nace
Robert J. Nace
6923 Saint Annes Drive
Fayetteville, PA 17222

Nick Nalevanko
389 Town Drive
Greencastle, PA 17225

Andrew S. Newman
493 Sollenberger Road
Chambersburg, PA 17202

Colby Nitterhouse
Leah Nitterhouse
2479 Newcomer Road
Chambersburg, PA 17202

Tanya K. Nitterhouse
Sunny Hill Properties
550 Cleveland Avenue, Suite 108
Chambersburg, PA 17201

Cheryl McAuley
6788 Saint Annes Drive
Fayetteville, PA 17222

Kyle McCausland
35674 Kanawha Valley Road
Pliny, WV 25082

Josephine M. McDonald
3652 Church Road
Chambersburg, PA 17202

George E. Meckly
817 North Penn Hall Drive
Chambersburg, PA 17201

William K. Nitterhouse
33 Acres Cider Press Road
Chambersburg, PA 17201

Anthony S. Nofi
Julie Nofi
3898 Farmstead Drive
Fayetteville, PA 17222

Alice A. Noll
3678 Cascades Drive
Fayetteville, PA 17222

Dawn Noyes
Mary A. Noyes
426 West Main Street
Fayetteville, PA 17222

Kathy Palmer
347 Wagners Lane
Newville, PA 17241

Will G. Pananes
1708 Alexander Avenue
Chambersburg, PA 17201

Linda L. Pottinger
6276 Merion Drive
Fayetteville, PA 17222

Marina R. Putt
Terence Putt
528 Briar Lane
Chambersburg, PA 17202

Gregory Rettger
Margaret E. Rettger
2282 Adin Lane
Chambersburg, PA 17202

Cheyenne Rice
3122 Black Gap Road
Chambersburg, PA 17201

Dale E. Rice
3404 Church Road
Chambersburg, PA 17202

Emily Rice
1877 Stitely Road
Chambersburg, PA 17202

Kelsie Rice
1529 Linden Road
Chambersburg, PA 17202

Jacob Rice
3122 Black Gap Road
Chambersburg, PA 17202

Janice L. Schwanebeck
Milton N. Schwanebeck
8797 Hades Church Road
Waynesboro, PA 17268

Cindy L. Shoemaker
193 Mill Road
Chambersburg, PA 17201

Melody Shuman
14 Cambridge Court
Chambersburg, PA 17201

Cathy M. Prieston
263 Westover Way
Chambersburg, PA 17202

Dennis E. Sirbaugh
6835 St. Annes Drive
Fayetteville, PA 17222

Carl Pugh
2607 Stone Quarry Road
Chambersburg, PA 17202

Judy K. Sollenberger
3262 Portrait Way
Chambersburg, PA 17202

Catherine L. Stasko
Stephen F. Stasko
1407 Quilters Court
Chambersburg, PA 17202

Pam Stitely
3344 Anthony Highway
Chambersburg, PA 17202

Kathy B. Stratton
1301 Stanley Avenue
Chambersburg, PA 17202

Kimberly Summers
5697 Bikle Road
Chambersburg, PA 17202

Debra Taylor
10516 Garnes Road
Mercersburg, PA 17236

Kylie Belle Thomas
215 East Baltimore Street
Greencastle, PA 17225

Ralph W. Thompson
Rose Ann C. Thompson
165 Topaz Drive
Chambersburg, PA 17202

Chad Slagenweit
1049 Bedford Street
Claysburg, PA 16625

David E. Weagly
199 President Avenue
Shippensburg, PA 17257

Alec Yohn
683 Raeann Drive
Greencastle, PA 17225

Rebecca Zentz
6416 Bent Oak Drive
Fayetteville, PA 17222

Claire Hunter
Vincent J. Cahill
11458 Country Circle Drive
Waynesboro, PA 17268

Cole Mankin
Teal Mankin
1472 Newcomer Road
Chambersburg, PA 17202

Carrie Armstrong
4018 Frecon Road
Chambersburg, PA 17202

Laura D. Aines
Donald S. Aines, Jr.
1507 Walker Road
Chambersburg, PA 17202

Barbara L. Aldrich
Christopher D. Aldrich
4340 Pump House Road
Waynesboro, PA 17268

Donna J. Baker
2195 Cider Press Road
Chambersburg, PA 17202

Kathryn L. Thompson
6659 Bent Oak Drive
Fayetteville, PA 17222

Kendra Thompson
P.O. Box 161
Mercersburg, PA 17236

Laurie F. Viozzi
2773 Newcomer Road
Chambersburg, PA 17202

Franklin County Farm Bureau
185 Franklin Farm Lane
Chambersburg, PA 17202

Carla Wiley
Kevin L. Wiley
1316 Mower Road
Chambersburg, PA 17202

Debra McKenzie
6149 Spring Knoll Drive
Harrisburg, PA 17202

Craig Nitterhouse
1785 Falling Spring Road
Chambersburg, PA 17202

Jennifer Barnhart
4970 Marion Main Street
Chambersburg, PA 17202

Richard E. Bender
4087 Frecon Road
Chambersburg, PA 17202

Denton Benedict
1883 Ragged Edge Road
Chambersburg, PA 17202

Jackie Berkstresser
1446 Springside Drive East
Chambersburg, PA 17202

James Blankerbaker
Julie Blankerbaker
6826 Swilkin Lane
Fayetteville, PA 17222

Tammy Breon
5039 Marion Main Street
Chambersburg, PA 17202

Alexander D. Geanaros
1439 Quilters Court
Chambersburg, PA 17202

Dean Guidi
3735 Farmstead Drive
Fayetteville, PA 17222

Robert Jacobs, Jr.
4095 Frecon Road
Chambersburg, PA 17202

Joshua Mayhugh
3980 Frecon Road
Chambersburg, PA 17202

Sherrie McCleary
226 Lantern Lane
Chambersburg, PA 17201

Pamela Moore
3600 Fox Hill Drive
Chambersburg, PA 17202

Jeffrey L. Myers
4051 Frecon Road
Chambersburg, PA 17202

Joseph W. Rebok
37 Linoak Road
Chambersburg, PA 17201

Frederick G. Soper
Vanessa A. Soper
32 Woodbriar Drive
Chambersburg, PA 17202

Jessica Berkstresser
641 Wallace Avenue
Chambersburg, PA 17201

Connie Breay
190 Echo Drive
Chambersburg, PA 17202

Juanita Garber
Zane Garber
200 Ott Road
Shippensburg, PA 17257

Jarrett H. Gelsinger
4119 Heiple Court
Greencastle, PA 17225

Karen I. Herman
540 Bender Avenue
Chambersburg, PA 17201

Pamela Knepper
11357 Coal Hollow Road
Greencastle, PA 17225

Katie McNew
1105 Willow Brook Drive
Chambersburg, PA 17202

John A. Miller
144 North Church Street
Waynesboro, PA 17268

Taylor Nitterhouse
5151 Trehers Road
Fayetteville, PA 17222

Donna Palesky
20 Oregon Street
Mercersburg, PA 17236

Jesse A. Reichard
Tonya A. Reichard
3920 Pump House Road
Waynesboro, PA 17268

Allan Stine
867 Cider Press Road
Chambersburg, PA 17202

Beth Thoresen
597 South 4th Street
Chambersburg, PA 17201

Deborah Umbreit
331 Briar Lane
Chambersburg, PA 17202

Virginia Sourbier
1148 Levi Lane
Chambersburg, PA 17201

Jerry B. Thomason
Lynda P. Thomason
3174 St. Andrews Drive
Chambersburg, PA 17202

Beth M. Underkoffler
3934 Frecon Road
Chambersburg, PA 17202

Eugene F. Weber
3585 Glen Abbey Drive
Chambersburg, PA 17202

Respectfully submitted,

/s/ Ryan Morden

Ryan Morden, Esq.
Assistant Consumer Advocate
PA Attorney I.D. #335679
Email: RMorden@paoca.org

Counsel for:

Darryl A. Lawrence
Consumer Advocate

Office of Consumer Advocate
555 Walnut Street
Forum Place, 5th Floor
Harrisburg, PA 17101-1923
717-783-5048

Dated: August 31, 2026

Jacob Guthrie, Esq.
Assistant Consumer Advocate
PA Attorney I.D. # 334367
Email: JGuthrie@paoca.org

Melanie Joy El Atieh, Esq.
Deputy Consumer Advocate
PA Attorney I.D #209323
Email: MElatieh@paoca.org
Email: OCATransource2026@paoca.org

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Application of Transource Pennsylvania, :
LLC for All of the Necessary Authority, :
Approvals and Certificate of Public :
Convenience to Begin to Offer, Render, : Docket No. A-2026-3062675
Furnish and/or Supply Transmission Service :
in portions of Franklin County, Pennsylvania :
Necessary to Operate Transmission Facilities :
for Project 9A West; and for any Other :
Approvals Necessary :

ANSWER OF THE OFFICE OF CONSUMER ADVOCATE
TO PRELIMINARY OBJECTION OF TRANSOURCE PENNSYLVANIA, LLC. TO THE
PROTEST OF MEGAN DAVIDSON

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

Pursuant to Sections 5.61 of the Public Utility Commission’s regulations, the Pennsylvania Office of Consumer Advocate (OCA) files this Answer to Preliminary Objection of Transource Pennsylvania, LLC. to the Protest of Megan Davidson (Objection).¹ The OCA respectfully requests the ALJs disregard the argument in Transource of Pennsylvania, LLC’s (Transource) Objection’s that individual ratepayers are “adequately represented by the OCA.”² The OCA further requests that if the ALJs find Ms. Davidson’s Protest to be deficient, that Ms. Davidson be directed, without prejudice, to re-file their Protest up until the Protest Deadline of October 15, 2026, and/or permit them to clarify statements contained in their Protest at the October 29, 2026 Prehearing Conference.

¹ 52 Pa. Code § 5.61.

² Objection ¶ 28.

The allegations in Transource's Objection paragraphs 1-27 and 29-40 are admitted and denied by the OCA consistent with the discussion below in this Answer. In addition, the OCA further states that: (a) no response is required to the legal conclusions in the Objection; (b) the Objection contains various purported facts that are based on information in the possession of Transource and are, therefore, denied. To the extent that these paragraphs include conclusions of law, no response is required; (c) to the extent the Objection references Commission documents, all of these documents speak for themselves, and any factual allegation in the Objection that is contrary to and/or not corroborated by those documents is specifically denied; and, (d) as to any remaining factual averments contained in the Objection which are not expressly addressed by this Answer, the OCA denies them consistent with the responses and discussion herein.

The OCA specifically denies Paragraph 28.³ By way of further response, Ms. Davidson's Protest speaks for itself. The OCA submits the Commission's principle from *Carlock v. United Telephone Co. of Pa.* is applicable to this matter.⁴ In *Carlock* the Commission decided that certain pretrial pleadings, namely a Motion to Dismiss and/or a Motion for More Specific Pleading, "should not be granted against unrepresented complainants who are pursuing small claims until they have at least had an oral opportunity to explain their position."⁵ The reasoning behind the Commission's *Carlock Order* resonates in the case of Ms. Davidson.

We . . . do not . . . rule out the possibility that pretrial motions can be granted in such cases, only that such motions should not be granted on the pleadings. The ALJ must first develop a sufficient record.

³ Paragraph 28 fully states: "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." Objection ¶ 28.

⁴ *Richard Carlock v. The United Telephone Company of Pennsylvania*, Docket No. F-00163617, Opinion and Order (July 14, 1993) (*Carlock Order*); *Richard Carlock v. The United Telephone Company of Pennsylvania* 1993 Pa. PUC LEXIS 199.

⁵ *Id.* at *9-10.

In more complex cases with counsel participating, the record is likely to include depositions, answers to interrogatories, admissions and supporting affidavits. Answers to the motion may include similar filings. Certainly, in our view, unrepresented complainants cannot be expected to navigate through such complex procedural territory. Rather than relying on pleadings, the ALJ has an affirmative duty to ensure the development of a record that reasonably presents the underlying grievance.⁶

Furthermore, the *Carlock* decisions has recently been applied to determine whether *pro se* protestants should have their protest dismissal for lack of standing, in which case the presiding officers determined dismissal was inappropriate without giving the *pro se* protestants the opportunity to further articulate their interests in the proceeding.⁷

Additionally, there is no provision in the Public Utility Code or Regulations or doctrine that provides that, when considering a party's objections to a consumer's complaint, protest, petition to intervene, and/or answer on the basis of standing, the Commission shall or may take into consideration whether the Office of Consumer Advocate is a party to the proceeding. The General Assembly expressly provides that any person with an interest in regulated utility matters is empowered to participate in Commission proceedings⁸ and did not qualify that provision by stating participation in matters before the Commission depends on the relative participation by other parties. Separately, the General Assembly created the Consumer Advocate for a different purpose, which is to "represent[s] the interest of consumers as a party."⁹ Further, "[n]othing contained [in the OCA enabling statute] shall in any way limit the right of any consumer to bring

⁶ *Id.* at *10.

⁷ *Letter of Notification of PPL Electric Utilities Corporation filed pursuant to 52 PA Code Chapter 57 with respect to the approval to build approximately 1.1 miles of new parallel double circuit 230 kV transmission taps that are needed to connect the existing Susquehanna-Harwood #1 & #2 transmission lines on the New Tomhicken 230 kV switchyard that are respectively located in Luzerne County, Pennsylvania*, Docket No. A-2025-3059443, Prehearing Order #2 at 6 (Issued Apr. 14, 2026).

⁸ See 66 Pa. C.S. § 701.

⁹ 71 P.S. § 309-4.

a proceeding before either the commission or a court.”¹⁰ In establishing the OCA, the General Assembly did not intend to impact the standing of any party before the Commission.¹¹ The OCA’s enabling statute does not provide that the OCA represents the interests of individual consumers, such as Ms. Davidson, as Transource attempted to suggest the rights of an individual consumer and the role of the OCA can be merged; rather, the statute makes clear that any person, corporation, or municipal corporation that uses or may use Commission-jurisdictional public utility services is part of the class of consumers represented by the OCA.¹² Any assertion that the OCA’s participation in this proceeding precludes the ability of a consumer to participate should be affirmatively rejected, consistent with the OCA’s enabling statute, the Commonwealth Court’s interpretation of the statute, and Commission precedent on this issue.¹³

WHEREFORE, the OCA respectfully requests when considering Transource’s Objection, the ALJs reject the Company’s argument that individual ratepayers are “adequately represented by the OCA.” The OCA further requests that if the ALJ’s find Ms. Davidson’s Protest to be deficient, that Ms. Davidson be directed, without prejudice, to re-file their Protest up until the Protest Deadline of October 15, 2026, and/or permit them to clarify statements contained in their Protest at the October 29, 2026 Prehearing Conference.

¹⁰ 71 P.S. § 309-6.

¹¹ *South River Power Partners, L.P., v. Pa. Pub. Util. Comm’n*, 673 A.2d 422, 426-27 (Pa. Cmwlth. 1996).

¹² 71 P.S. §§ 309-1, 309-4.

¹³ See *Pa. Pub. Util. Comm’n v. Phila. Gas Works*, Docket No. R-2017-2586783 (Prehearing Order #2 issued Apr. 7, 2017) at 10-11.

Counsel for:
Darryl A. Lawrence
Consumer Advocate

Office of Consumer Advocate
555 Walnut Street
Forum Place, 5th Floor
Harrisburg, PA 17101-1923
717-783-5048

Dated: August 31, 2026

Respectfully submitted,

/s/Ryan Morden

Ryan Morden
Assistant Consumer Advocate
PA Attorney I.D. # 335679

Jacob Guthrie
Assistant Consumer Advocate
PA Attorney I.D. # 334367

Melanie Joy El Atieh
Deputy Consumer Advocate
PA Attorney I.D. # 209323

Email: OCATransource2026@paoca.org