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August 27, 2026

DATE OF DEPOSIT

VIA OVERNIGHT DELIVERY

AUG 27 2026

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

PA Public Utility Commission
Secretary's Bureau

**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 proceedings is the Answer of PECO Energy Company to the Petition to JHJ Childcare Inc to Intervene.

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**

DATE OF DEPOSIT

AUG 27 2026

LETTER OF NOTIFICATION OF PECO ENERGY COMPANY FOR APPROVAL TO CONSTRUCT THE 220-09 230kV TRANSMISSION LINE TAP LOCATED IN EAST WHITELAND TOWNSHIP, CHESTER COUNTY, PENNSYLVANIA	: : : : : : :	PA Public Utility Commission Secretary's Bureau DOCKET NO. A-2025-3054731
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**ANSWER OF PECO ENERGY COMPANY TO THE PETITION TO INTERVENE OF
JHJ CHILDCARE INC**

I. INTRODUCTION AND OVERVIEW

Pursuant to the 52 Pa. Code § 5.66, PECO Energy Company ("PECO" or the "Company") submits this Answer to the Petition to Intervene (the "Petition") of JHJ Childcare Inc ("JHJ") in the above-referenced proceeding. The Petition relates to the October 9, 2025 order (the "LON Approval Order") of the Pennsylvania Public Utility Commission (the "Commission") approving PECO's Letter of Notification ("LON") for construction of an overhead transmission line (the "Project") to provide electric service to a new data center customer (the "Customer") located adjacent to PECO's Planebrook substation in East Whiteland Township (the "PECO Property"). As explained below, JHJ is attempting to interject into this case alleged interests that are based on misrepresentations of facts related to the LON and the Project.

JHJ's alleged interest in this proceeding, as set forth in its Petition, arises from its geographic proximity to the Customer PECO plans to serve via an overhead line described in the LON Approval Order. The property owned by the Customer (the "Customer Property") includes property once owned by the Foote Mineral Co., which is a Superfund site. JHJ alleges concerns that construction related to the Project will disturb soil that the United States Environmental Protection Agency ("EPA") records show is contaminated and will pose a potential health risk to

children under JHJ's care. JHJ further states that it supports the petition of Julianna Ferris to pause construction and rescind the LON Approval Order (the "Rescission Petition").

As PECO explained in its Answer to the Rescission Petition (the "Rescission Petition Answer"), the Project does not require PECO to undertake construction activities on the Customer Property since the new overhead line was designed to be connected directly from a new pole on PECO's Planebrook substation property to the Customer's structures.¹ In addition, as PECO explained in the Rescission Petition Answer, the EPA recently addressed the Superfund site and publicly stated that it 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."² Separately, PECO also addressed concerns regarding the Project in responding to the Petition of Julianna Ferris for Interim Emergency Order (the "Emergency Petition") and explained that all 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 Customer Property.³ The Emergency Petition was denied by Secretarial Letter on August 11, 2027. In its August 11th Letter, the Commission found that the Emergency Petition made "conclusory statements without factual support" and that the petition failed to show any need for immediate relief or that any injury would be irreparable if the Commission does not enjoin PECO.⁴

¹ Rescission Petition Answer, pp. 7-8 & ¶ 12.

² *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.*

³ Emergency Petition Answer, p. 2.

⁴ August 11th Letter, pp. 2-4. On August 27, 2026, the Commission granted Ms. Ferris's Petition for Reconsideration of the August 11th Letter by "short-form" order, pending further review of and consideration on the merits of that petition.

While PECO specifically denies the material allegations in the Petition and JHJ has not met the Commission's requirements for intervention, it will not oppose JHJ's intervention in this proceeding should the Commission determine that granting such intervention will aid in the Commission's decision-making.

In further answer, PECO responds to the specific paragraphs of the Petition as follows:

II. ANSWER TO SPECIFIC AVERMENTS⁵

1. PECO admits the business address of JHJ. The Company lacks information or knowledge to confirm or deny the remaining averments made in Section 1 and, therefore, those averments are denied and proof thereof demanded, if relevant, at any hearing. By way of further response, as set forth above, the Project does not involve PECO constructing any structures on the Customer Property; the supportive structures for the Project, including three steel monopole structures and aluminum conductor, and steel reinforced conductors, will be located within existing property owned by PECO. The construction of new poles on PECO's property for the Project has already been completed and the overhead line has been installed without any earth disturbance on the Customer Property.

2. The averments set forth in Paragraph No. 2 are conclusions of law to which no response is required and, therefore, are deemed denied. By way of further answer, it is denied that JHJ's alleged interests are not already represented by someone else in this proceeding. The Petition clearly states that it is filed in support of the pending Rescission Petition and, as such, JHJ's interests are sufficiently represented by Ms. Ferris. Moreover, while JHJ noted that intervention may be permitted where participation may be in the public interest,⁶ JHJ offered no support as to

⁵ The paragraphs of JHJ's Petition are not numbered, but PECO has prepared numbered paragraphs in response to each section of the Petition.

⁶ See 52 Pa. Code § 5.72(a)(3).

why its participation in this proceeding will serve the public interest in light of the actual scope of the Project and the EPA's public statements.

3. Denied for the reasons set forth in Section I above.

III. CONCLUSION

WHEREFORE, for the foregoing reasons, PECO denies the allegations in the Petition and respectfully submits this Answer to the Petition to Intervene of JHJ Childcare Inc.

Respectfully submitted,



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Counsel for PECO Energy Company

Date: August 27, 2026

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**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, James M. Nee Jr., hereby state the facts set forth above 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).



James M. Nee Jr.
Director, Project Management

DATE: August 27, 2026

DATE OF DEPOSIT

AUG 27 2026

PA Public Utility Commission
Secretary's Bureau

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**LETTER OF NOTIFICATION OF PECO :
ENERGY COMPANY FOR APPROVAL :
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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 to JHJ Childcare Inc to Intervene** on the following persons in the manner specified in accordance with the requirements of 52 Pa. Code § 1.54:

VIA OVERNIGHT DELIVERY

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PA Public Utility Commission
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Corey Wegerbauer / JHJ Childcare Inc
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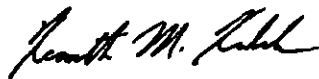
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AUG 27 2026

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Dated: August 27, 2026

Counsel for PECO Energy Company

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