

# Public Utility High Voltage Electric Transmission Lines in PA

**VIRTUAL INFORMATIONAL MEETING**

**HOSTED BY:**

**PA State Representatives:**

**Charity Grimm Krupa, 51<sup>st</sup> Legislative District**

**Bud Cook, 50<sup>th</sup> Legislative District**

**March 24, 2026**



PENNSYLVANIA OFFICE OF  
**CONSUMER ADVOCATE**

**Presentation by: Melanie Joy El Atieh**  
**Deputy Consumer Advocate**  
**PA Office of Consumer Advocate**

# Agenda

1. About the Office of Consumer Advocate (OCA)
2. About the Public Utility Commission (PUC)
3. OCA's role in transmission line cases before the PUC
4. Applications of NextEra Energy Transmission Mid-Atlantic, Inc. (NEET MA) relating to the MidAtlantic Resiliency Link Project (MARL Project)
5. Your options to participate in the process before the PUC
6. If you decide to become a party, overview of the PUC process
7. Relevant statutes and regulations

# Disclaimers

1. Any opinions expressed by the presenter are the personal opinions of the presenter and do not represent the official opinion of the Consumer Advocate.
2. Information contained in this presentation should not be construed as legal advice.

# About the Pennsylvania Office of Consumer Advocate (OCA)



PENNSYLVANIA OFFICE OF  
**CONSUMER ADVOCATE**

# OCA Background

- Independent state agency created by the General Assembly in 1976 to give the **everyday consumer** a voice in public utility regulation.
- Enabling statute is found at 71 P.S. §§ 309-1 thru 309-8.
- Purpose is to represent and advocate for the overall interests of consumers in public utility regulation **to keep utility service affordable, reliable, reasonable, and safe.**

# OCA Appears Before

OCA represents and advocates for the interests of PA utility consumers before the following bodies:



Public Utility Commission (PUC)



Federal Energy Regulatory Commission (FERC)



PJM Interconnection, LLC (PJM)



State and Federal Courts

# OCA is a Team of Advocates

Professional Attorneys and Paralegals

Subject Matter Experts

OCA Team of Advocates



Call Center Professionals and Administrative Professionals

Leadership

# OCA Leadership: The Consumer Advocate



- The Consumer Advocate is appointed by the Attorney General to lead the agency, subject to confirmation by the PA Senate.
- Darryl Lawrence currently serves as the Consumer Advocate of Pennsylvania.
- Attorney General Dave Sunday nominated Darryl Lawrence in February 2025, and the Pennsylvania Senate unanimously confirmed the nomination in June 2025.

# The Consumer Advocate's Core Responsibilities

- Represent the interests of utility consumers as a party before the PUC in any matter properly before the PUC and before any court or agency.
- Monitor and formally participate in all cases before the FERC, which impact the interest of Pennsylvania utility consumers.
- Determine the interests of consumers and if and how to advocate for those interests in any proceeding.
- In determining if and how to advocate, must consider the public interest, the resources available, and the substantiality of the effect of the proceeding on the interest of consumers.



electric



water/sewer



telephone



natural gas

# About the Pennsylvania Public Utility Commission (PUC)



# PUC Background



Stephen M. DeFrank  
Chairman



Kimberly M. Barrow  
Vice Chair



Kathryn L. Zerfuss  
Commissioner



John F. Coleman, Jr.  
Commissioner

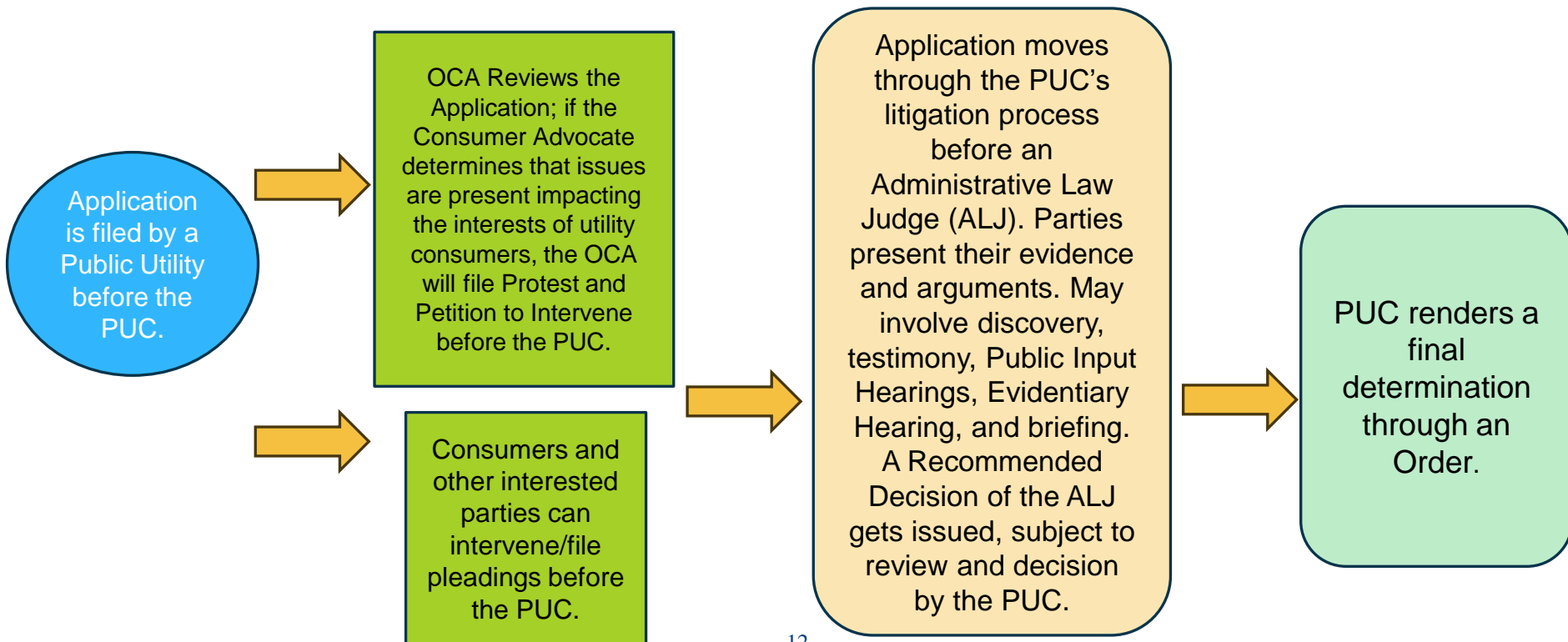
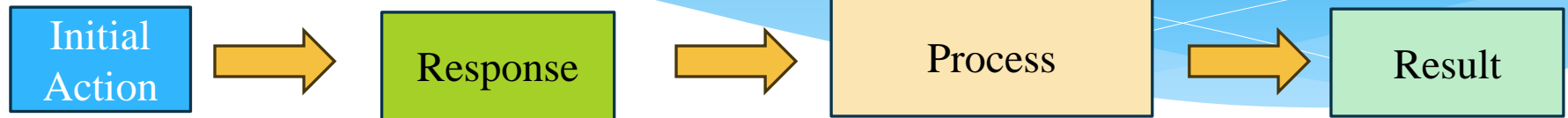


Ralph V. Yanora  
Commissioner

Five PUC Commissioners as of 3/24/26

- PUC oversees and regulates public utilities.
- PUC provides due process for interested parties who are concerned with and challenging a public utility's filing.
- PUC is comprised of five commissioners appointed by the Governor, subject to confirmation by the Pennsylvania Senate, for five-year terms.

# PUC is the Adjudicator while the OCA is an Advocate



# OCA's Role in in Transmission Line Cases Before the PUC



# For Directly Impacted Landowners, Tenants, and Occupants

The OCA is not your private attorney, but we can help through consumer education.

A public utility operating within its own certificated territory may enter your land for surveying or inspection purposes, without your consent, so long as it gives you 10-days prior notice, and utility is liable for any damage it may create. See 26 Pa.C.S. § 309.

NEET MA is not a certificated public utility in Pennsylvania, but it has applied to become one.

Unless and until NEET MA becomes a certificated public utility, as a landowner you may either give permission for land agents and other employees of NEET MA to access your property, or not.

Land Agent Code of Conduct, 52 Pa. Code § 69.3102:

<https://www.pacodeandbulletin.gov/Display/pacode?file=/secure/pacode/data/052/chapter69/s69.3102.html&d=reduce>

Eminent Domain power of utilities, 52 Pa. Code § 57.91:

<https://www.pacodeandbulletin.gov/Display/pacode?file=/secure/pacode/data/052/chapter57/subchapter69.html&d=reduce>

Applications of NextEra Energy  
Transmission Mid-Atlantic, Inc.  
(NEET MA)  
relating to the  
MidAtlantic Resiliency Link Project  
(MARL Project)



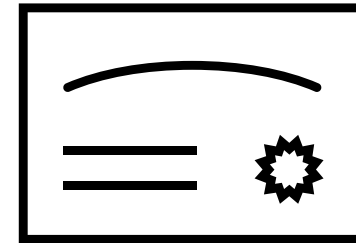
# NEET MA's Applications Before the PUC

NEET MA filed two Applications relating to the MARL Project before the PUC:

Separate but  
related  
Applications

## 1. CPC Application

PUC Docket No. A-2026-3060921



## 2. Siting Application

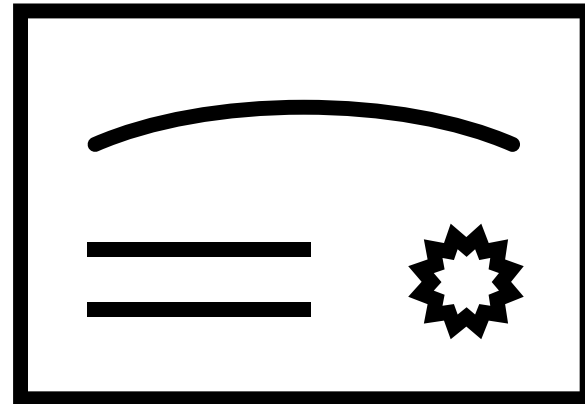
PUC Docket No. A-2026-3060856



# NEET MA's CPC Application

- Requests PUC to grant Certificate of Public Convenience (CPC) authority so that NextEra may begin Service as a Public Utility within (A-docket):
  - Greene County, and
  - Fayette County
- Requests PUC approval of certain affiliated interest agreements permitting NEET MA to receive support and construction services from its affiliates (G-dockets).
- Key Dates:
  - Filed: 3/3/26
  - *PA Bulletin* Publication date: 3/21/26
  - **Protest/Petitions to Intervene due: 5/1/26**

PUC Docket Nos.  
A-2026-3060921  
G-2026-3060941  
G-2026-3060942



# NEET MA's Siting Application

PUC Docket No.  
A-2026-3060856



- Requests PUC authorization to site a 500 kilovolt (kV) transmission line (aka public utility facilities) associated with the MARL Project in:
  - Dunkard Township, Greene County and
  - Springhill Township, Fayette County
- Key dates:
  - Application Filed: 3/3/26
  - *PA Bulletin* Publication date: 3/21/26
  - **Protest/Petitions to Intervene due: 5/1/26**

# Underlining Basis for Both Applications:

## PJM's Decisions



In the 2022 RTEP, PJM determined a need to address significant and widespread reliability criteria violations on the Bulk Electric System within the PJM Region.



PJM determined the reliability violations based on anticipated load growth and generation resource retirements within the PJM Region.

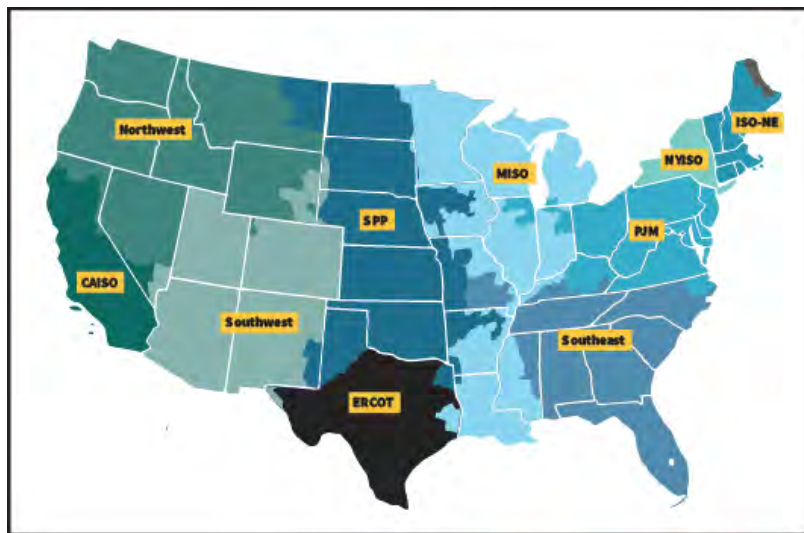


To address these reliability violations, PJM sought competitive proposals from transmission owners.



PJM's Board of Managers approved multiple transmission projects and improvements, including but not limited to the MARL Project.

# What is PJM?



- PJM is a Regional Transmission Organization (RTO) that is overseen by FERC.
- Areas served: 13 states + D.C. (including PA)
- People served: 67+ million
- As an RTO, PJM operates a competitive wholesale electricity market and manages the reliability of the interstate transmission grid.
- Referred to as the air traffic controller of the regional power grid that coordinates the movement of wholesale electricity across the 13 states + D.C.
- PJM does not own the transmission lines or generation power plants that it directs.

# PJM RTEP

- PJM conducts the Regional Transmission Expansion Planning Process (RTEP) on an on-going basis to identify reliability needs for the Bulk Electric System and areas of transmission system constraint that are increasing wholesale market prices.
- The RTEP process results in projects that are submitted to the PJM Board of Managers for approval to be included in the Regional Transmission Expansion Plan.
- PJM is responsible for ensuring the reliability and security of the Bulk Electric System.



# To Recap: the Underlining Basis for Both Applications is

## PJM's Reliability Need Determination and Project Selection



In the 2022 RTEP, PJM determined a need to address significant and widespread reliability criteria violations on the Bulk Electric System within the PJM Region.



PJM determined the reliability violations based on anticipated load growth and generation resource retirements within the PJM Region.

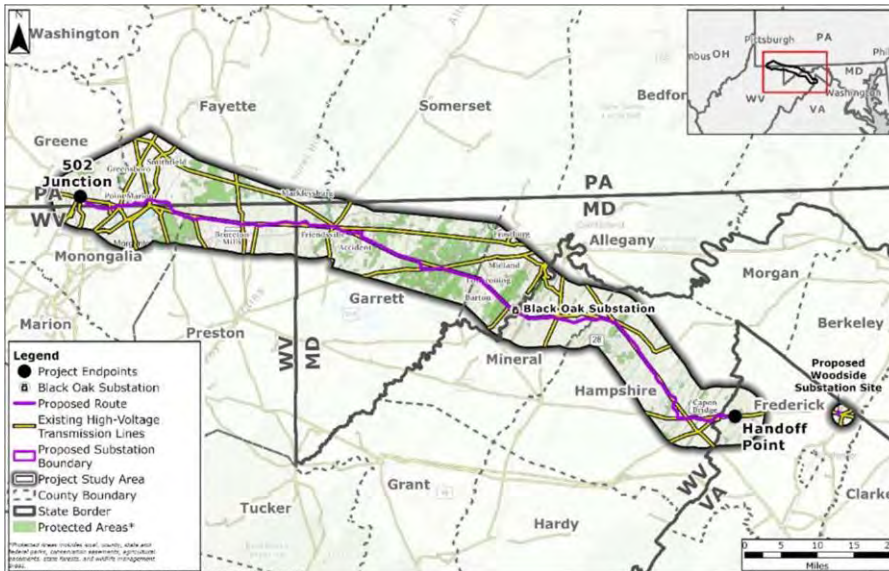


To address these reliability violations, PJM sought competitive proposals from transmission owners.



PJM's Board of Managers approved multiple transmission projects and improvements, including but not limited to the MARL Project.

# The MARL Project



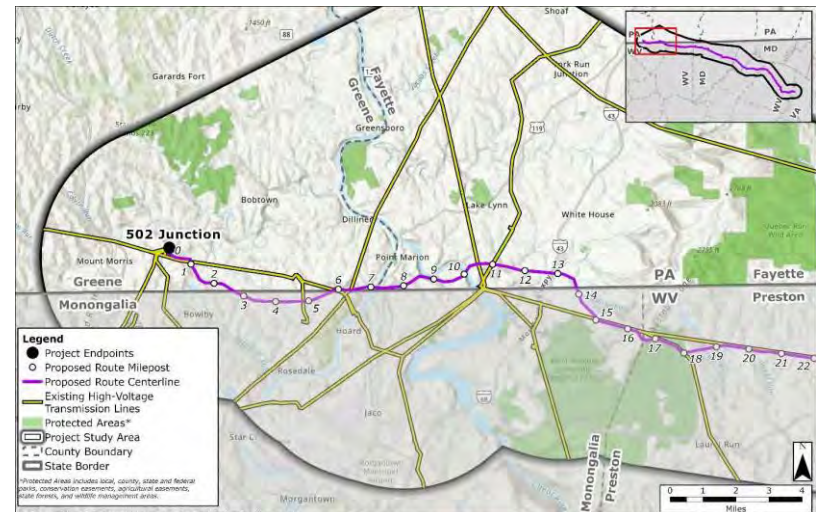
- The MARL Project involves the construction of a new 107.5-mile, bidirectional, 500kV transmission line.
- It traverses across Maryland, Pennsylvania, West Virginia, and Virginia.

# Routes and Rights of Way for the 500 kV Transmission Line

- In its Siting Application, NEET MA has proposed a preferred route and alternative routes for the PA portions of the transmission line.
- NEET MA is proposing to construct this line using new rights of way, including, where possible, new right of way that parallels and abuts existing right of way.
- In its CPC Application, NEET MA seeks the PUC's approval to become a certificated public utility. Unless and until NEET MA becomes a certificated public utility, it does not have the power of eminent domain to obtain right of way for the MARL transmission line.

# PA Portions of the MARL Project = Approx. 10.7 miles

- The 500 kV transmission line will extend about **10.7 miles** in total within Pennsylvania borders.
- Starting from the existing 502 Junction Substation in Dunkard Township, Greene County, then extending for approximately **2.7 miles** to the West Virginia border,
- Then extending through West Virginia for 3.1 miles,
- Then re-entering Pennsylvania in Greene County,
- Then traversing through Greene and Fayette Counties for **8.0 miles** and proceeding back into West Virginia.

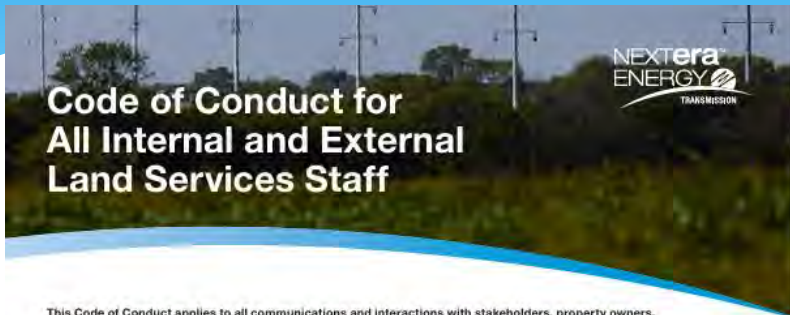


# PA Portions of the MARL Project

- Will require the installation of approximately 44 structures with an average height of 145 feet.
  - Taller structures may be used in certain locations to maintain appropriate clearances for certain structures and existing utility facilities.
  - The spans between the structures will be approximately 1,258 feet.
- Will largely consist of steel lattice towers. In certain areas, steel monopoles may be used to better accommodate topographical construction, or land use constraints.
- Will be a single-circuit 500 kV transmission line.



# NEET MA's Code of Conduct for Its Land Agents



This Code of Conduct applies to all communications and interactions with stakeholders, property owners, tenants and occupants of the real property by all land services employees and sub-contractors representing NextEra Energy Transmission subsidiaries.<sup>1</sup>

Such activities may include, but are not limited to, the performance of all negotiations for the acquisition of right-of-way, survey permitting, coordination and support activities, environmental and cultural assessments, geotechnical studies and all other activities conducted on real property not specifically owned by NextEra Energy Transmission subsidiaries. The only objective of these activities is to obtain voluntary agreements from all parties involved.

## Communication

All communications and interactions with stakeholders, property owners, tenants and occupants must be factually correct and made in good faith.

- Make truthful and accurate statements.
- Provide the party with the relevant contact information in case further communication is needed.
- Follow-up in a timely manner on all commitments to provide additional information.
- Acknowledge when the answer to a question is unknown but assure the party that the question will be investigated and the correct information will be provided later.
- Follow up promptly with the party to provide corrected information if the initial provided details are found to be incorrect.
- Provide maps and documents to keep the party properly informed.
- Represent the status of the project accurately by acknowledging its pending authorization from regulatory and permitting bodies.
- Send written communication when an agreement has been reached to ensure accuracy.

## Confidentiality

All communications and interaction with stakeholders, property owners, tenants and occupants of the property are to remain confidential.

- Discuss business dealings only with the appropriate party.
- Focus on professional topics and project-related discussions.

<sup>1</sup> NextEra Energy Transmission (Midlands), Inc. and NextEra Energy Transmission (Virginia), Inc. are subsidiaries of NextEra Energy Transmission, LLC.  
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- See Siting Application, Exhibit SP-3, attached to NEET St. No. 8, Direct Testimony of Sarah Powers
- Available at:
- <https://www.nexteraenergytransmission.com/content/dam/neet/us/en/pdf/neetmidatlantic/MC-SC-Land-Agent-Code-of-Conduct-Fact-Sheet-NEET-v2.pdf>

# Your Options to Participate in the Application Proceedings Before the PUC



# Ways for you to participate in the Application proceedings



File a protest or petition to intervene and become a party to the case



Submit an informal written objection letter or comment (without becoming a party to the case)



Testify at a Public Input Hearing (without becoming a party to the case)



Request a Property Visit (or Site View) along the Route

# Becoming a Party to the Case: What is a Protest?

- Protest – a formal pleading that states your objections and concerns.
- Filing a protest will make you an active “party of record” to the proceeding.
- As an active party, you will receive service of all discovery, testimony, motions, and other legal documents, and likewise you must serve all parties when you file a document.
- The Commission’s website provides instructions for filing a Protest: <https://www.puc.pa.gov/electricity/transmission-lines/>

# Sample Protest

## SAMPLE PROTEST

### BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

Application of NextEra Energy Transmission :  
MidAtlantic, Inc., filed pursuant to 52 Pa. Code :  
Chapter 57 Subchapter G, for approval to site : Docket No. A-2026-3060856  
and construct a 500 kV transmission line :  
associated with the MidAtlantic Resiliency Link :  
Project located in portions of Greene County :  
and Fayette County, Pennsylvania :

Application of NextEra Energy Transmission :  
MidAtlantic, Inc., for All of the Necessary :  
Authority, Approvals, and Certificates of Public : Docket No. A-2026-3060921  
Convenience (1) to Begin to Furnish and Supply :  
Electric Transmission Service in Greene County :  
and Fayette County, Pennsylvania; (2) for :  
Certain Affiliated Interest Agreements; and (3) :  
for any Other Approvals Necessary to Complete :  
the Contemplated Transactions :

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### PROTEST

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Before the Pennsylvania Public Utility Commission (Commission), pursuant to 52 Pa. Code Sections 5.51, *et seq.* and 66 Pa.C.S. §§ 1101, 1103, and 2102, [Name of Protestant] \_\_\_\_\_ files this Protest to the (A) Application of NextEra Energy Transmission MidAtlantic, Inc. (NEET MA or Company) for Commission approval to site and construct a 500 kV transmission line associated with the MidAtlantic Resiliency Link Project (MARL Project) located in portions of Greene County and Fayette County, Pennsylvania (Citing Application); and (B) the Application of NEET MA for All of the Necessary Authority, Approvals, and Certificates of Public Convenience from the Commission (1) to Begin to Furnish and Supply Electric Transmission Service in Greene County and Fayette County, Pennsylvania; (2) for Certain Affiliated Interest Agreements; and (3) for any Other Approvals Necessary to

1

- The OCA’s website contains links to relevant documents for the Applications.
- OCA’s website also contains a sample “fill in the blank” protest with instructions on how to e-file or paper file it.
- <https://www.oca.pa.gov/marl/>

# Becoming a Party to the Case: What is a Petition to Intervene?

- Petition to Intervene – A request to become a party to the case by showing a direct interest in the case.
- See 52 Pa. Code §§ 5.71-5.76 at <https://www.pacode.com/secure/data/052/chapter5/subchapAtoc.html>
- The ALJ may permit you to choose if you want to be an active or inactive party, but that is not a guarantee.
- **52 Pa. Code 5.76(a) – Limitation on participation in hearings:** Where there are two or more intervenors having substantially like interests and positions, the PUC or presiding officer may, in order to expedite the hearing, arrange appropriate limitations on the number of attorneys who will be permitted to cross-examine and make and argue motions and objections on behalf of the intervenors.

# Sample Petition to Intervene

## SAMPLE PETITION TO INTERVENE

### BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

Application of NextEra Energy Transmission  
MidAtlantic, Inc., filed pursuant to 52 Pa. Code :  
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Convenience (1) to Begin to Furnish and Supply :  
Electric Transmission Service in Greene County :  
and Fayette County, Pennsylvania; (2) for :  
Certain Affiliated Interest Agreements; and (3) :  
for any Other Approvals Necessary to Complete :  
the Contemplated Transactions :

### PETITION TO INTERVENE

Before the Pennsylvania Public Utility Commission (Commission), pursuant to 52 Pa. Code Sections 5.71 through 5.74, [Name of Petitioner] \_\_\_\_\_ hereby files this Petition to Intervene in the (A) Application of NextEra Energy Transmission MidAtlantic, Inc. (NEET MA or Company) for Commission approval to site and construct a 500 kV transmission line associated with the MidAtlantic Resiliency Link Project (MARL Project) located in portions of Greene County and Fayette County, Pennsylvania (Citing Application); and (B) the Application of NEET MA for All of the Necessary Authority, Approvals, and Certificates of Public Convenience from the Commission (1) to Begin to Furnish and Supply Electric Transmission Service in Greene County and Fayette County, Pennsylvania; (2) for Certain Affiliated Interest Agreements; and (3) for any Other Approvals Necessary to Complete

1

- The OCA’s website contains links to relevant documents for the Applications.
- OCA’s website also contains a sample “fill in the blank” petition to intervene with instructions on how to e-file or paper file it.
- <https://www.oca.pa.gov/marl/>

# Non-Party Option: What is an Informal Objection Letter?

- Informal Objection Letters and Comments can be filed. You will not become a party to the case.
- These documents should include the name of the case and the docket number.
- These documents should be mailed to the PUC at the following address:

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

# Non-Party Option: Public Input Hearings



- If you choose to be an active party to the case as a protestant or intervenor, you cannot testify at the Public Input Hearings.
- Instead, as a party to the proceeding, you are expected to participate in the evidentiary hearing process.
- This avoids a party unfairly getting “two bites at the apple.”

# Public Input Hearings

- PUC will set the date, times, locations of Public Input Hearings in a published notice.
- In-person and virtual options.
- OCA will request that PIHs be scheduled in these cases.



# Public Input Hearings Options



- You can choose to either:
  - testify under oath, or
  - make an unsworn statement.
- Members of the public can simply sit in and listen too.

# Public Input Hearings: Sworn Testimony



- If you testify under oath:
  - The ALJ will call you and administer the oath (swear you in).
  - You will start your oral testimony.
  - After you conclude your oral testimony, lawyers for the parties and the ALJ can ask you questions about your testimony.
  - Your testimony will be transcribed by the court reporter and will become part of the evidentiary record.
  - Parties in the case can rely on your testimony to support their position and arguments in the case.

# Public Input Hearings: Unsworn Statement

- If you make an unsworn statement:
  - The ALJ will call you to speak but not swear you in.
  - You will begin your statement.
  - After you conclude your statement, lawyers for the parties cannot ask you questions.
  - Your statement will not be made part of the evidentiary record.
  - Parties in the case cannot rely on your testimony to support their position and arguments in the case.



# Issues Raised in Testimony at Public Input Hearings

- Individuals can object to the Company's proposals for any relevant reasons.
- In past cases, public witnesses have raised such issues as:
  - The cost & need for the project
  - Safety & health concerns
  - Effects on the environment & the community
  - Effects on your individual property

# What can you expect at a Public Input Hearing? (part 1)

- ALJs preside over the Public Input Hearing
- ALJs place sign-up sheet at the door for those who wish to testify.
- ALJs call the hearing to order.
- ALJs state a summary of the proceedings:
  - What the utility filed and when
  - What has happened so far
  - What options you have to participate
- ALJs allow participants' counsel to introduce themselves and make a brief statement about their involvement.

# What can you expect at a Public Input Hearing? (part 2)

- Members of the public can simply sit and listen or provide information to the OCA lawyers off-the-record, for use as they see fit.
- When every witness has had a chance to speak, the ALJ declares the hearing “adjourned.”
- A few days later, the lawyers receive copies of the transcript, which is also placed in the formal PUC file.

# What can you expect at a Public Input Hearing? (part 3)



- Members of the press, including TV and newspaper reporters, can attend.
- Is there any limitation?
  - Yes. The ALJs can impose limits.
  - Individual rights to control information about oneself or dissemination of one's image is also important.
  - If a person objects to being photographed, videotaped or recorded by a reporter, the ALJ may instruct the reporter to turn off equipment during that person's testimony.

# Property Visits (Site Views) (part 1)

- Parties to the case, affected landowners, and state legislators can request property visits or site views along the proposed route.
- Treated similarly to Public Input Hearings
- It is the ALJ's/PUC's decision to schedule Property Visits/Site Views, if substantial public interest has been shown.

# Property Visits (Site Views) (part 2)

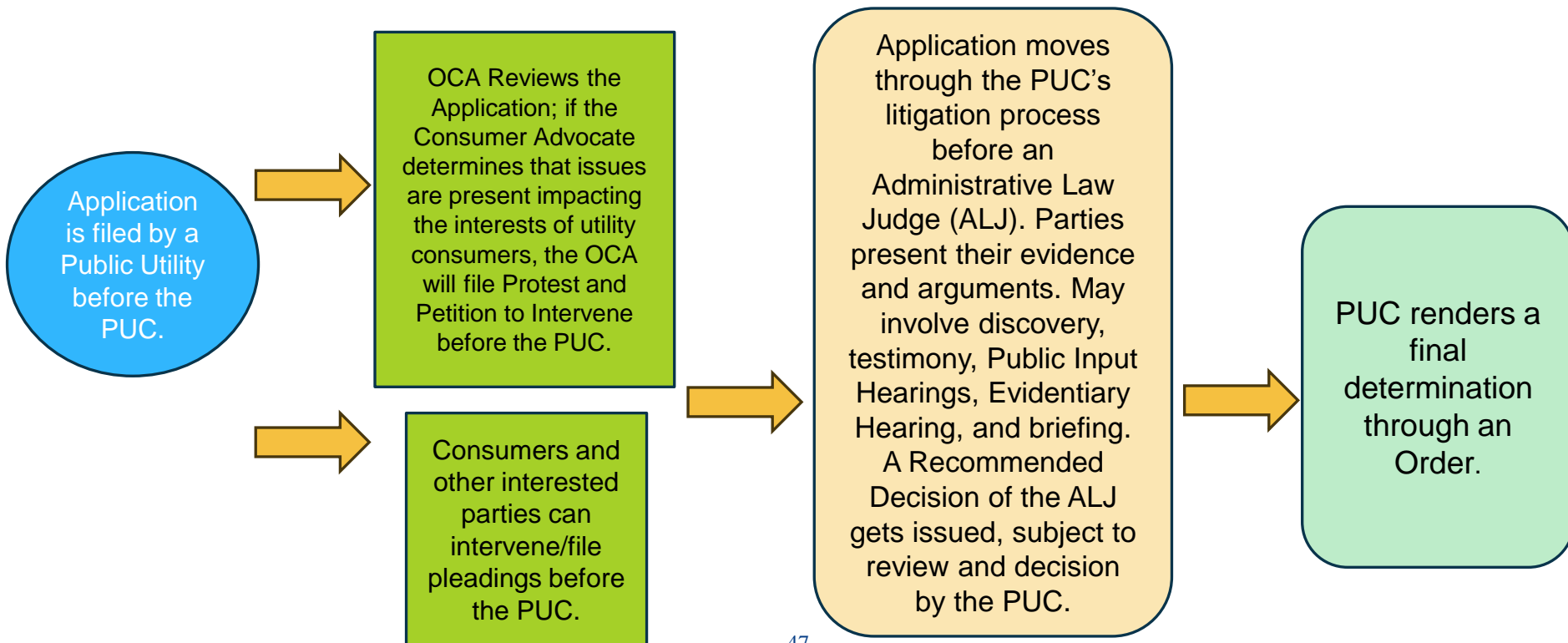
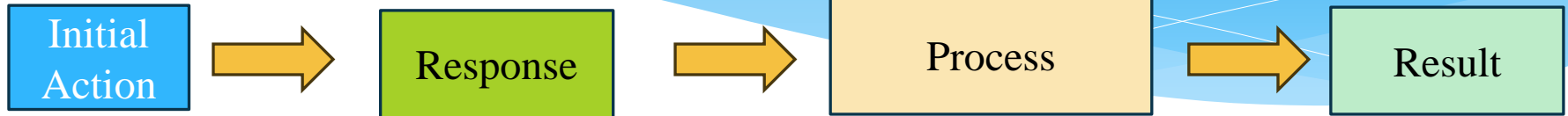
## ■ What to expect:

- Property visits provide an opportunity for the ALJs, attorneys and other interested parties to visit a specific location, generally an affected landowner's property, to conduct an on-site hearing to view the property and hear the specific concerns relating to the potential effect of the proposed project on the location.
- In addition to the ALJs, a PUC photographer will be present to take photographs at appropriate sites, and those photographs will be admitted into the official record and available to the parties for reference in this proceeding.
- The ALJs and photographer will determine which photographs are appropriate although deference will be given to request of the property owners or representatives who must be present during the view or it will be skipped and not subject to rescheduling.
- A court reporter will be present to record the viewing and any comments made will be on the record. ALJs and counsel present may ask questions regarding features of the property or site.
- Documents/exhibits will not be accepted from the property owners during the site views.

# If you decide to become a Party to the Application proceedings, Overview of the PUC Process



# PUC Process



# PUC Process



# Relevant Statutes and Regulations



# CPC Application to become a Public Utility

- **Statute:**
  - Public Utility Code, 66 Pa. C.S. §§ 1101-1103
  - Public Utility Code, 66 Pa. C.S. § 102, definition of “public utility” and interpretive PUC orders and case law
- To grant CPC authority to an applicant, the PUC:
  - must “ find or determine that the granting of such certificate is necessary or proper for the service, accommodation, convenience, or safety of the public.”
  - may impose “just and reasonable” condition.
- There is no legal deadline for the PUC to review and issue a final order on the proposed Siting Application.

# Siting Application for the Proposed Transmission Line

- **Statute:**
  - Public Utility Code, 66 Pa. C.S. § 1501, “adequate, efficient, safe, and reasonable service and facilities” and “in conformity with the regulations” of the PUC
- **PUC Regulations:**
  - 52 Pa. Code §§ 57.71 – 57.77
    - <https://www.pacodeandbulletin.gov/Display/pacode?file=/secure/pacode/data/052/chapter57/subchapGtoc.html&d=reduce>
    - The Siting Application must be served on all of those owning property within the proposed ROW, the governing body for planning in each township, borough or city where the line is to be located, and on several state agencies.
    - There is no legal deadline for the PUC to review and issue a final order on the proposed Siting Application.
  - 52 Pa. Code §§ 69.3101-69.3107
    - <https://www.pacodeandbulletin.gov/Display/pacode?file=/secure/pacode/data/052/chapter69/chap69toc.html&d=>

# Siting Application

- **PUC Regulation: 52 Pa. Code § 57.76(a)**
- PUC will issue its order and can either grant or deny the Application, in whole or in part, as filed or upon the terms, conditions or modifications, of the location, construction, operation or maintenance of the line as the PUC may deem appropriate.
- In order to approve the Siting Application for the proposed high-voltage line, the PUC must find:
  - That there is a need for it;
  - That it will not create an unreasonable risk of danger to the health and safety of the public;
  - That it is in compliance with applicable statutes and regulations providing for the protection of the natural resources of this Commonwealth; and
  - That it will have minimum adverse environmental impact, considering the electric power needs of the public, the state of available technology and the available alternatives.

# Eminent Domain CPC Application

- Statute: 15 Pa. C.S. §1511(a)(3)
  - Before a public utility may exercise its power of eminent domain, it must first seek and obtain a certificate of public convenience (CPC) for approval from the PUC.
- 52 Pa. Code § 57.75(i). The Applicant is entitled to consolidate the eminent domain application with the Siting Application.
- NEET MA has not submitted an eminent domain CPC Application at this time.

# Questions?

## Contact Information

Pennsylvania Office of Consumer Advocate  
555 Walnut Street  
5<sup>th</sup> Floor, Forum Place  
Harrisburg, PA 17101-1923

Toll Free: 1-800-684-6560  
Telephone: 1-717-783-5048  
Email: [consumer@paoca.org](mailto:consumer@paoca.org)



/pennoca



@pa\_oca

[www.oca.state.pa.us](http://www.oca.state.pa.us)