

The MD CPCN Intervenor Fact Sheet

Chapter 1

Disclaimer: This fact sheet is provided for informational purposes only and is not intended as legal advice. The information contained herein aims to provide a general understanding of the CPCN process and the role of intervenors. The Tri-County Coalition does not assume any responsibility for actions taken based on the content of this document. For tailored advice to your specific situation, the Coalition recommends consulting with an attorney familiar with the CPCN process.

What is the CPCN Process?

PSEG has submitted an application for a Certificate of Public Convenience and Necessity (CPCN) at the Maryland Public Service Commission (PSC) on December 31, 2024 (Case #9773). The PSC can issue or deny a CPCN permit. Approval provides authority to construct or modify generating stations or high-voltage transmission lines. This gives the utility authority of eminent domain.

Things to Watch/Read:

Stop MPRP, Inc. Webinar with Carolyn Elefant

In this webinar, Carolyn Elefant talks about the PSC CPCN process.

Stop MPRP, Inc. Blog Post on the CPCN Process

This blog post is a summary of the webinar and provides a good overview of the process.

Video of PSC Case No. 9471 (Transource Case)

This is one of the video recordings from Case No. 9471 at the Maryland PSC, which is also known as the Transource Case. This case is very similar to the MPRP case (In the Appendix you will find a document with important timestamps for easier navigation).

What is an Intervenor?

An intervenor is a person or entity who opposes or advocates for a particular project such as the Maryland Piedmont Reliability Project during the PSC CPCN process. Being an intervenor makes you party to the case and grants you certain rights to challenge the decision.

Who Can Intervene?

- Individuals
 - Organizations; Businesses
 - Municipalities; Counties
-
- If you are directly or indirectly affected
 - All ten routes will be submitted, so if you are anywhere within the study area, you might want to consider intervening
 - If it affects your organization or business
-
- Individuals can intervene on behalf of themselves (pro se), as this is a quasi-judicial hearing
 - Organizations, businesses, municipalities, and counties will need an attorney to represent them
 1. If you are the owner of a business or incorporated farm you can intervene as an individual and still talk about your farm or business (see “Shaw Orchards” in Appendix)
 2. If an organization or business decides to intervene as a “passive intervenor” the cost for an attorney may not be substantial
 3. If an organization would like to coordinate legal efforts, please reach out to MPRPOpposition@gmail.com
 - The PSC encourages counties to intervene

Why Intervening Might Be Important For You

- If you do not intervene and the PSC issues the CPCN permit, you might forfeit the right to participate in any further proceedings
- Intervenors preserve their right to judicial review
- Intervenors can present evidence, provide testimony, question witnesses and receive all filings

Definition of “Passive Intervenor”

“Passive intervenor” is not a term that is recognized by the PSC. However, it is a good descriptor for limiting your involvement to the petition phase while still retaining your right to negotiate and challenge decisions later down the line. What this entails is that you submit a petition to intervene, but do not provide testimony and you would not have to participate in cross examinations. The benefit of passive intervention would be the ability to monitor the case by receiving documents related to the case. You would also retain the ability to participate in further proceedings.

Sample Intervenor Petitions

Carolyn Elefant suggests to “stick to what you know and care about deeply. By focusing on personal, specific, and meaningful aspects of your situation, your intervention will carry greater weight and contribute valuable insights to the case” (see Stop MPRP, Inc. Blog Post).

Attached in the Appendix are Sample Intervenor Petitions.

For more information or if you have questions, please feel free to reach out to MPRPOpposition@gmail.com.

Appendix

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Petition to Intervene_Farmer with Similar Interest (1)	8-9
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**BEFORE THE
PUBLIC SERVICE COMMISSION
OF MARYLAND**

In The Matter Of The Application of
Transource Maryland LLC for a Certificate
Of Public Convenience and Necessity to
Construct Two New 203KV Transmission
Lines Associated with the Independence
Energy Connection Project in Portions of
Harford and Washington Counties,
Maryland

Case No. 9471

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PETITION TO INTERVENE OF THE HARFORD COUNTY COUNCIL

[EXHIBIT 1]

**Resolution 18-001
Attached**

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COUNTY COUNCIL
OF
HARFORD COUNTY, MARYLAND

Resolution No. 001-18

Legislative Session Day 18-003

January 16, 2018

Introduced by Council Members Shrodes, Vincenti and McMahan

A RESOLUTION in opposition to the application of Transource Maryland, LLC for a certificate of public convenience and necessity to construct a new 230 KV Transmission line in Northern Harford County.

RESOLUTION NO. 001-18

1 WHEREAS, Transource Maryland, LLC, has filed an application with the Maryland
2 Public Service Commission for a Certificate of Public Convenience and Necessity to construct
3 two new 230 KV transmission lines in Maryland; and

4 WHEREAS, one of the proposed transmission lines is requested to be constructed in the
5 northern tier of Harford County; and

6 WHEREAS, the proposed route for the construction of the requested transmission line in
7 Harford County transverses approximately 3.1 miles of farm land, the majority of which is
8 preserved agricultural land through permanent easements which were purchased by either
9 Harford County or the State of Maryland; and

10 WHEREAS, the Agricultural Article of the Harford County Code provides that the
11 easement creates an encumbrance upon the land which precludes the utilization of the land for
12 non-agriculturally related uses; and

13 WHEREAS, the Agriculture Article of the Annotated Code of Maryland provides that the
14 intent of the State Agricultural Preservation Program is, inter alia, to protect agricultural land and
15 woodland as open-space land; and

16 WHEREAS, the proposed 3.1mile route is located entirely in the Harford County Priority
17 Preservation Area which has as a goal the protection of natural, forestry, and historic resources
18 and the rural area character of the landscape associated with Maryland’s farmland; and

19 WHEREAS, the proposed project and route does not advance or enhance any goal or
20 objective of either the agricultural preservation programs or the Priority Preservation Area and,
21 in fact, will impair the rural character of the landscape; and

22 WHEREAS, the removal of land from agricultural conservation by eminent domain or
23 purchase of easements should the proposed application by Transource Maryland, LLC be
24 approved is not in the best interests of the citizens of Harford County and Maryland; and

25
26 WHEREAS, Transource Maryland, LLC has not provided any independent study,

RESOLUTION NO. 001-18

1 analysis, or explanation to support that there is no alternative route available for the proposed
2 project which does not impair agriculturally preserved land; and

3 WHEREAS, agriculturally preserved land inures to the benefit of all citizens of Harford
4 County and the State of Maryland, both currently living and for future generations to come; and

5 WHEREAS, there exists in the vicinity of the proposed route already established
6 transmission line easements and existing equipment which can be utilized by Transource
7 Maryland, LLC for their project rather than the seizure by eminent domain of new easements
8 from private property owners for the project; and


9 WHEREAS, the Public Utilities Article of the Annotated Code of Maryland requires the
10 Public Service Commission to give due consideration of the recommendation of the governing
11 body of a county in which a portion of the transmission line is proposed to be located; and

12 WHEREAS, the citizens and residents of Harford County have expressed vociferous
13 objection to the proposed transmission line project; and

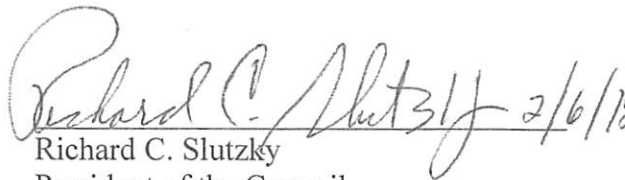
14 WHEREAS, the County Council has investigated and evaluated the proposed project and
15 determined that it is not in the best interests of the citizens of Harford County.

16
17 NOW THEREFORE, BE IT RESOLVED by the County Council of Harford County that
18 the County Council hereby recommends that the Public Service Commission deny the
19 application by Transource Maryland, LLC for a Certificate of Public Convenience and Necessity
20 to construct the proposed new 230 KV transmission line in Harford County.

ATTEST:



Mylia Dixon
Council Administrator

 2/6/18

Richard C. Slutzky
President of the Council

ADOPTED: February 6, 2018

Before the Public Service Commission of Maryland, Petition to Intervene, Case No. 9471

In the matter of the application of Transource Maryland LLC for a certificate of public convenience and necessity to construct two new 230kv transmission lines associated with the independence energy connection project in portions of Harford and Washington counties, Maryland.

Applicants Curtis Darrel Comer and Bonnie Comer, husband and wife, file this Petition to Intervene in the above captioned proceeding, and in support thereof state the following:

1. Curtis Darrel Comer and Bonnie Comer maintain a farm property located at 3000 Green Rd, White Hall, MD. The property is located north and west of Norrisville, MD. Transource Maryland LLC has notified us that this property will require an easement for construction of the Independence Energy Connection (IEC-East).
2. All correspondence related to this matter should be delivered to:

Curtis Darrel Comer and Bonnie Comer
3000 Green Rd
White Hall, MD 21161
410-692-2428

3. Curtis Darrel Comer and Bonnie Comer, have a direct and substantial interest in the outcome of these proceedings. Curtis Darrel Comer and Bonnie Comer's interests have not been adequately represented by any other party. The outcome will have a substantial impact on Curtis Darrel Comer and Bonnie Comer, and on their farm.
4. The approval and construction of the IEC-East would cause a substantial and deleterious effect. These reasons include:
 - Removal of tillable farmland from active production
 - Disruption of existing farm and agricultural operations
 - Deleterious effects on permanently preserved agriculture easement property
5. Curtis Darrel Comer and Bonnie Comer request permission to exercise the full rights afforded to any party to introduce evidence, cross-examine witnesses, engage in discovery, or exercise other rights available to a party. They also reserve the right to have an attorney represent them in this matter.

Therefore Curtis Darrel Comer and Bonnie Comer respectfully request the Commission grant this Petition to Intervene.

Respectfully submitted,


Curtis Darrel Comer


Bonnie Comer

January 24, 2018

Certificate of Service

Curtis Darrel Comer and Bonnie Comer have filed this Petition to Intervene by filing electronically using the MD PSC electronic filing system. Additional 18 hard copies, including a copy with an original signature, shall be received by the MD PSC Clerk within 24 hours.

Certified:



Curtis Darrel Comer



Bonnie Comer

January 24, 2018

Before the Public Service Commission of Maryland, Petition to Intervene, Case No. 9471

In the matter of the application of Transource Maryland LLC for a certificate of public convenience and necessity to construct two new 230kv transmission lines associated with the independence energy connection project in portions of Harford and Washington counties, Maryland.

Applicant Donald Edwards and Jody Lee Edwards file this Petition to Intervene in the above captioned proceeding, and in support thereof states the following:

1. Donald Edwards and Jody Lee Edwards reside at 5500 Norrisville Rd, White Hall, MD 21161. The property is located north and west of Norrisville, MD. Transource Maryland LLC has notified us that this property will require an easement for construction of the Independence Energy Connection (IEC-East).
2. All correspondence related to this matter should be delivered to:

Donald and Jody Lee Edwards
5500 Norrisville Rd
White Hall, MD 21161
(410) 459-4617

3. Donald Edwards and Jody Lee Edwards, husband and wife, have a direct and substantial interest in the outcome of these proceedings. Donald Edwards and Jody Lee Edwards interests have not been adequately represented by any other party. The outcome will have a substantial impact on Donald Edwards and Jody Lee Edwards, and on their farm.
4. The approval and construction of the IEC-East would cause a substantial and deleterious effect. These reasons include:
 - Removal of tillable farmland from active production
 - Disruption of existing farm and agricultural operations
 - Deleterious effects on permanently preserved agriculture easement property
5. Donald Edwards and Jody Lee Edwards request permission to exercise the full rights afforded to any party to introduce evidence, cross-examine witnesses, engage in discovery, or exercise other rights available to a party. They also reserve the right to have an attorney represent them in this matter.

Therefore Donald Edwards and Jody Lee Edwards respectfully request the Commission grant this Petition to Intervene.

Respectfully submitted,

Donald Edwards



Jody Lee Edwards



January 24, 2018

Certificate of Service

I, Donald Edwards, and Jody Lee Edwards, have filed this Petition to Intervene by filing electronically using the MD PSC electronic filing system. Additional 18 hard copies, including a copy with an original signature, shall be received by the MD PSC Clerk within 24 hours.

Certified:

Donald Edwards



Jody Lee Edwards



January 24, 2018

**BEFORE THE
PUBLIC SERVICE COMMISSION OF MARYLAND**

**IN THE MATTER OF THE APPLICATION)
OF TRANSOURCE MARYLAND, LLC FOR)
A CERTIFICATE OF PUBLIC)
CONVENIENCE AND NECESSITY TO)
CONSTRUCT TWO NEW 230 KV)
TRANSMISSION LINES ASSOCIATED)
WITH THE INDEPENDENCE ENERGY)
CONNECTION PROJECT IN PORTIONS)
OF HARFORD AND WASHINGTON)
COUNTIES, MARYLAND)**

Case No. 9471

**PETITION TO INTERVENE OF
BARRON TODD SHAW**

Pursuant to Maryland Code, Public Utilities, §3-106, Barron Todd Shaw respectfully petitions to intervene in the above-captioned proceeding.

On December 27, 2017, Transource Maryland, LLC applied to the Public Services Commission for a Certificate of Public Convenience and Necessity (“CPCN”) requesting authorization to construct the Maryland portions of two new 230 kV interstate electric transmission lines, the Independence Energy Connection East (“IEC-East”), and the Independence Energy Connection West (“IEC-West”).

In support of this Petition to Intervene, Barron Todd Shaw states the following:

1. I, Barron Todd Shaw, own and operate Shaw Orchards, LLC, a productive orchard and pick-your-own destination that has been in continuous operation by my family since 1909, and has been farmed by my family since the early 1800's.
2. I, Barron Todd Shaw, am the sole owner and steward of approximately 200 acres of property known as Shaw Orchards located at 5594 Norrisville Rd, White Hall, MD.
3. The land known as Shaw Orchards was permanently preserved by the Maryland Agricultural Land Preservation Foundation (“MALPF”) for the purpose of conservation and to preserve the “character” of the land for all time.

4. The Transource application of December 27, 2017 would site the proposed IEC-East along approximately 1700 feet of my property, requiring an easement on several acres.

The proposed power lines would have an immediate, adverse, and unalterable effect on the ongoing business concern of the orchard. These concerns include the effects of the high voltage power lines on the viewshed and character of the farm as it relates to the retail and pick-your-own operation, as well as concerns regarding food safety on horticultural crops covered by the Food Safety Modernization Act ("FSMA"), lost acreage, uncompensated future production, and other important issues that are relevant and material to this proceeding.

If this Petition is granted, Barron Todd Shaw may elect to participate in these proceedings through testimony, at hearing, or by filing. Barron Todd Shaw reserves the right to be represented in the proceedings by counsel.

Correspondence in this case should be addressed to:

Barron Shaw
445 Salt Lake Rd
Fawn Grove, PA 17321
barron@shaworchards.com
(717) 571-2368

Wherefore, for the reasons stated above, Barron Todd Shaw respectfully requests that the Commission grant permission to intervene in this proceeding.

Respectfully submitted,

A handwritten signature in cursive script that reads "Barron Todd Shaw". The signature is written in black ink and is positioned above a horizontal line.

Barron Todd Shaw
Owner, Shaw Orchards
White Hall, MD

James B. Rutledge, III, Esq.
jimrutledge@rutait.com

Rutledge & Aitken, LLC
410-628-0050 - Phone
410-628-0228 - Fax
www.RutledgeAitken.com

14346 Jarrettsville Pike
Suite 300
P.O. Box 395
Phoenix, MD 21131

February 2, 2018

Via Hand Delivery and E-filing

David J. Collins
Executive Secretary
Public Service Commission
6 St. Paul Street, 16th Floor
Baltimore, Maryland 21202

RE: **Case No. 9471**
In the Matter of the Application of Transource Maryland LLC
Petition to Intervene of Mary Beth Scott and Daniel John Scott

Dear Mr. Collins:

Enclosed please find for filing in the above proceeding an original and 17 hard copies of the Petition to Intervene of Mary Beth Scott and Daniel John Scott.

I have enclosed an additional copy which I am asking your office to stamp filed and return to me in the enclosed, postage prepaid envelope.

I have also filed the Petition by e-file today.

Thank you very much for your consideration.

Sincerely,


James B. Rutledge III

Enclosures

Cc w/ Encl: Daniel John Scott and Mary Beth Scott

**Before the
STATE OF MARYLAND
PUBLIC SERVICE COMMISSION**

In the Matter of the Application of	*	
Transource Maryland LLC for a Certificate	*	Case No. 9471
of Public Convenience and Necessity to	*	
Construct Two New 230KV Transmission	*	
Lines Associated with the Independence	*	
Energy Connection Project in Portions of	*	
Harford and Washington Counties,	*	
Maryland	*	

Petition to Intervene of Mary Beth Scott and Daniel John Scott

Mary Beth Scott and Daniel John Scott, individuals and owners of Harford County real property (collectively the “Scotts”), by and through their undersigned attorneys, James B. Rutledge, III and Rutledge & Aitken, LLC, and pursuant to §3-106 of the Maryland Public Utilities Article of the Maryland Annotated Code (“PUA”), hereby respectfully petition the Maryland Public Service Commission (the “Commission”) for leave to intervene in the above-captioned proceeding. In support thereof, the Scotts show and state as follows:

1. The Scotts are owners of real property located in Harford County, Maryland, containing 55.89 acres, more or less, the improvements thereon being commonly known as 5418 Norrisville Road aka MD Route 23 in the Norrisville community, being part of that land conveyed from Mary Beth Scott to Mary Beth Scott and Daniel John Scott, her husband, under a Deed dated July 17, 2012 which is recorded among the Land Records of Harford County, Maryland at Liber 9868, Folio 487, which property is referred to herein as the “Scott Farm.”
2. The Scott Farm is located directly on the pathway of the transmission lines

proposed by Transource Maryland LLC (“Transource MD”) on the segment of the IEC East¹ transmission line in Harford County, Maryland.

3. Transource MD seeks to seize by eminent domain a minimum of a 130-foot Right of Way across the Scott Farm to construct and maintain high voltage power lines.
4. Transource MD does not presently have the power of eminent domain and will only purportedly secure such power if the Commission grants its CPCN.
5. The Scotts vigorously oppose the IEC East Project and the proposed IEC East pathway in Maryland, and object to Transource MD entering, acquiring, or taking any part of the Scott Farm.
6. §7-207 of the PUA requires the Commission to take due consideration of the effect of the overhead transmission lines upon esthetics and historic sites, along with other factors.
7. None of the other parties to this proceeding adequately represent the interest of the Scotts, nor could any party do so.
8. The Scott Farm is unique in its esthetics and in the adverse impact on its esthetics that the overhead transmission lines will cause, both from the vantage point of the occupants of the Scott family homes on and next to the Scott Farm and from the vantage point of the community and public who enjoy the scenic vista afforded by the Scott Farm for those traveling north or south on Norrisville Road.
9. The Scotts have a direct, unique, and substantial interest to be defended in this proceeding that no other party can adequately represent, and the esthetic impacts

¹ For clarity, intervenors use certain defined terms set forth in the Transource MD Application without prejudice to challenging the underlying merits implied in any such terms.

that will be raised by the Scotts pertaining to the Scott Farm are both relevant and material to the outcome of these proceedings.

10. The proposed IEC East pathway in Maryland will do real harm to the esthetic and historic nature of the Norrisville community.
11. The proposed IEC East pathway will also cause substantial esthetic damage to the historic cemetery site on the grounds of Norrisville Methodist Church on Church Lane in Norrisville, from which the transmission lines and towers will be within open and obvious view from the historic cemetery site.
12. The Scotts are uniquely positioned and motivated to represent and advocate for the protection of the historic interests that are being harmed by the proposed IEC East pathway in Maryland, for the following reasons:
 - a. Petitioner Mary Beth Scott is a descendant of two of Harford County's most prominent citizens of the 18th and 19th Centuries, namely Matthew Wiley, Sr., Revolutionary War soldier and miller, and his son David Nelson Wiley, also a miller;
 - b. Mary Beth Scott's Great-Great-Great Grandfather David Nelson Wiley owned a substantial part of the Scott Farm as early as 1861;
 - c. The Scotts' children and grandchildren currently reside on and adjacent to the Scott Farm that was owned by their ancestors;
 - d. Mary Beth Scott's ancestors played a material role in the establishment of the community of Long Corner, now known as Norrisville, including the establishment of the area's Wiley gristmills featured on pages 186-191 in C. Milton Wright's *Our Harford Heritage* (1967, Library of Congress No.

67-31596). “The settlement of this territory [Norrisville] dates as far back of the Revolutionary War, and many of the oldest families in the Long Corner have been known in the neighborhood for more than two centuries.” *Id.*, pages 350-351.

e. As a living descendant of those founding families and owner of lands of her ancestors that are being directly impacted by the proposed transmission line pathway, Mary Beth Scott has a stake in the defense of the esthetic and historic interests different from any other party in these proceedings.

13. The issues that the Scotts seek to raise in opposition to the Application are both relevant and material to the statutory factors the Commission is required to take into due consideration.

14. The intervention of the Scotts in this proceeding is proper and should be granted.

15. The Scotts reserve the right to raise other relevant points in opposition of the Application for the Commission’s consideration as may be just and proper.

16. All correspondence to the Petitioners Scotts should be addressed to the attention of their attorneys:

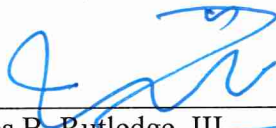
James B. Rutledge, III
Rutledge & Aitken, LLC
14346 Jarrettsville Pike
Suite 300
P. O. Box 395
Phoenix, MD 21131

Email: jimrutledge@rutait.com

Phone 410-628-0050/Fax 410-628-0228

WHEREFORE, Mary Beth Scott and Daniel John Scott respectfully request that the Commission grant their Petition to Intervene in Case No. 9471 and grant them all rights of a party to this proceeding, including the right to have notice of and to participate in all hearings and conferences, to introduce evidence, request and obtain subpoenas, cross-examine witnesses, submit briefs on the issues, and to present oral argument.

Respectfully submitted,



James B. Rutledge, III
Rutledge & Aitken, LLC
14346 Jarrettsville Pike
Suite 300
P. O. Box 395
Phoenix, MD 21131
410-628-0050

Attorney for Mary Beth Scott and Daniel John Scott

CERTIFICATE OF SERVICE

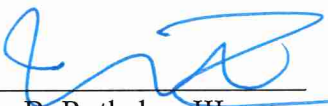
I hereby certify that on this 2nd day of February, 2018 an original and 17 hard copies and an electronic copy of the foregoing Petition to Intervene were filed with the Commission's Executive Secretary, David J. Collins, 6 St. Paul Street, 16th Floor, Baltimore, Maryland 21202 by hand delivery and by e-file, and

Further, that on this same date copies of the foregoing Petition to Intervene were served, by first-class mail, postage prepaid, to the following parties:

Michael A. Dean
Lloyd J. Spivak
Assistant Staff Counsel
Public Service Commission of Maryland
William Donald Schaeffer Tower
6 St. Paul Street, 16th Floor
Baltimore, MD 21202-6806

Gary L. Alexander
Mikhail Raykher
Assistant People's Counsel
Office of People's Counsel
6 St. Paul Street, Suite 2102
Baltimore, MD 21202

J. Joseph Curran, III
Francis William DuBois
Jessica M. Raba
Venable LLP
750 East Pratt Street
Suite 900
Baltimore, Maryland 21202
Counsel to Transource Maryland, LLC



James B. Rutledge, III
Rutledge & Aitken, LLC

Attorney for Mary Beth Scott and Daniel John Scott

**MACLEOD**
LAW GROUP LLC

Patrick W. Thomas
pthomas@mlg-lawyers.com

February 7, 2018

VIA E-FILING AND OVERNIGHT MAIL

David J. Collins, Executive Secretary
Maryland Public Service Commission
6 St. Paul Street, 16th Floor
Baltimore, Maryland 21202

*Re: Case No. 9471 – In the Matter of the Application of Transource Maryland LLC
for a Certificate of Public Convenience and Necessity to Construct Two New 230
kV Transmission Lines Associated with the Independence Energy Connection
Project in Portions of Harford and Washington Counties, Maryland*

Dear Mr. Collins:

Enclosed please find an original and seventeen (17) copies of the Petition to Intervene on behalf of STOP Transource Power Lines MD, Inc. for filing in the above-captioned proceeding.

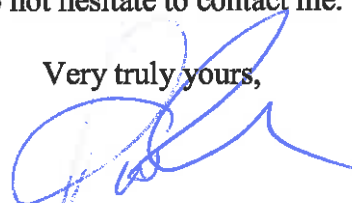
Please also enter the appearance of the following attorneys on behalf of STOP Transource Power Lines MD, Inc.:

Charles D. MacLeod
Email: cmacleod@mlg-lawyers.com

Patrick W. Thomas
Email: pthomas@mlg-lawyers.com

Should you have any questions, please do not hesitate to contact me.

Very truly yours,



Patrick W. Thomas

cc: All parties of record in Case No. 9471

**BEFORE THE
PUBLIC SERVICE COMMISSION
OF MARYLAND**

IN THE MATTER OF THE APPLICATION *
OF TRANSOURCE MARYLAND LLC FOR *
A CERTIFICATE OF PUBLIC * CASE NO. 9471
CONVENIENCE AND NECESSITY TO *
CONSTRUCT TWO NEW 230 KV *
TRANSMISSION LINES ASSOCIATED WITH *
THE INDEPENDENCE ENERGY CONNECTION *
PROJECT IN PORTIONS OF HARFORD AND *
WASHINGTON COUNTIES, MARYLAND *

* * * * *

**PETITION TO INTERVENE
OF STOP TRANSOURCE POWER LINES MD, INC.**

NOW COMES STOP Transource Power Lines MD, Inc. (“STOP Transource”), by its undersigned counsel, and hereby files this Petition to Intervene (this “Petition”) in the above-captioned matter pursuant to Md. Code Ann., Pub. Util. § 3-106, stating in support thereof:

1. STOP Transource is a non-stock, non-profit corporation organized under the laws of the State of Maryland and was formed, in part, to educate and organize Maryland and Pennsylvania residents affected by the Independence Energy Connection Project (the “IEC”), proposed to be constructed by Transource Maryland, LLC (the “Applicant”).

2. The Applicant seeks a Certificate of Public Convenience and Necessity (“CPCN”) from the Maryland Public Service Commission (the “PSC”) to construct two new 230 kV interstate overhead transmission lines as part of the Maryland portion of the IEC East Project, approximately three miles of which will be located in Harford County, Maryland.

3. In its Application filed with the PSC on December 27, 2017, the Applicant stated that it seeks rights-of-way and easements that must be 130 feet wide, 65 feet on either side of the proposed transmission line. (Application at 22.) The Applicant also seeks the ability to relocate

the centerline of any right-of-way or easement within a 500-foot corridor to accommodate “circumstances and concerns” that may arise. (*Id.*) To the extent the Applicant is unable to acquire any such rights-of-way or easements through agreement with the property owners, the Applicant intends to seize the same by eminent domain.

4. STOP Transource is comprised of concerned citizens in the vicinity of the IEC East Project, including certain owners of real property in Harford County whose land lies directly in the Applicant’s proposed route for the Project. STOP Transource is vehemently opposed to the IEC East Project as currently proposed as well as the Applicant’s taking of land, whether by agreement or by eminent domain.

5. Pursuant to Md. Code Ann., Pub. Util. § 7-207(e), the PSC shall take final action on a CPCN application only after due consideration of, among other factors, economics, esthetics, and historic sites.

6. The IEC East Project as proposed will have a significant and substantial impact on economics, esthetics, and historic sites in the vicinity of its proposed location, to the detriment of the members of STOP Transource, the other owners of real property within the Project’s proposed path, and the community at large. The members of STOP Transource have a direct, unique, and substantial interest in the above-captioned proceeding that cannot be adequately represented by any other party, which interest justifies the granting of this Petition.

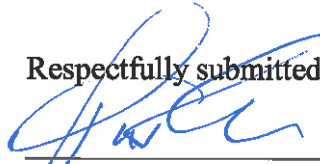
7. The issues STOP Transource seeks to raise are relevant and material to the above-captioned proceeding.

8. STOP Transource objects to the Applicant’s request for a waiver of the two-year pre-construction notice requirement set forth in Md. Code Ann., Pub. Util. § 7-208(c).

9. STOP Transource requests that it be added to the service list and designates the undersigned counsel to receive service on its behalf in this proceeding:

WHEREFORE, STOP Transource respectfully requests that the Maryland Public Service Commission grant it status as an intervening party to this proceeding with all of the rights afforded thereto.

Respectfully submitted,

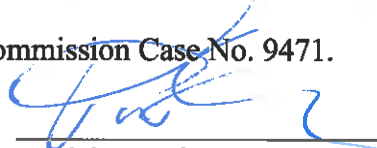


Charles D. MacLeod, Esq.
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 7th day of February, 2018, a copy of the foregoing Petition to Intervene was sent via first-class mail, postage pre-paid and/or electronic mail, to all parties of record in the Maryland Public Service Commission Case No. 9471.



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Courtesy of Wakefield Valley Citizens to Protect Farmland Coalition

Similar Transmission Line PSC Case Example—The Transource Case No. 9471

This case from 2017 was settled prior to the PSC decision and moved to existing right of ways. The 2017 Transource Project is similar to MPRP, but only stretched 5-miles through Harford County. The link to the archive of documents filed in this case [is here](#). The PSC hearing log is available on Maryland PSC's [YouTube page](#). Below are useful timestamps from a [June 2019 meeting](#) that was published on YouTube (7:44:32 hours). These notes provide insight on what testimony looks like.

- Public testimony starts at about the [38 minute mark](#) by the **Tanners and Scotts who own farms** and also talk about mortgage devaluation. Daniel Scott is a landowner who leases 55 acres for corn and soybean farming (50 minute mark).
- **Landowner, Baron Shaw owns an agritourism/pick your own** apples, peaches, strawberries business and also has soybean and corn acres and discusses aerial spraying issues and use of drones through a program with University of Pennsylvania. His testimony starts at [1:12:54](#). He is also an engineer so his testimony is interesting regarding how reconductoring was not considered but should have been due to age of existing lines.
- **Amy O'Neal represents STOP Transource Citizens Action Committee** (a non-profit like STOP MPRP, Inc. with 300 members). Her testimony starts at about [1:52:00](#) and ends at around 2:13:45. She talks about the project not benefitting citizens and local legislators and PJM attended meetings. It was opposed by Harford County Council and state legislators. They asked if it was a NIMBY organization to which Amy O'Neal responded that their interest was in getting it moved from a greenfield project onto existing right of ways using updated technology to the benefit of all. She was cross-examined a good bit and it is worth listening to. 6 bills were submitted in the legislature as the result of opposition and legislator support.
- There is a **lunch recess** during which the video stays on between 2:13:46 - 3:15:30.
- At [3:16:30](#) they discuss **MD Ag Preservation Foundation (MALPF) easements** related to whether the company is entering into commercial transmission or an electric company performing public service. If it is commercial activity it violates MALPF easements held by the Tanners. The testimony was stricken because the witness was not present and not an attorney.
- **Fred Kelly's (power plant assessor for Power Plant Research Program (PPRP) with the DNR) testimony** starts at [3:22:30](#). His testimony is exhibit 12 to the case files on-line. At 3:27:45 starts the meat of his cross examination regarding use of existing transmission lines or adding lines to existing towers on specific sections of the proposed line. He discusses the incompleteness of the early application and the fact that he was unaware of the existing lines in the area owned by BGE and the environment/habitat that existed. *Citizen groups made that site visit happen so it just goes to show how important feedback from citizens is to developing alternatives which were submitted through PPRP to PJM to test solutions. PPRP (representing the major branches of government)*

recommended to the PSC to deny the CPCN for the greenfield project. 3:42:43

discussion of property value impact in a nonspecific way. His testimony ends at 3:52:16.

- **Dwight Etheridge starts at [3:54:30](#) and lasts to 6:21:19. He is an Energy consultant on behalf of PPRP/DNR** and his testimony is **highly technical** in many places. At 4:04:30 his cross examination testimony begins. He discusses congestion that results in higher electric bills. He discusses PJM market efficiency projects to bring more power from PA into MD into BGE, PEPCO and primarily Dominion zones (Virginia). Peach Bottom area transmission carries high load and lines carrying more energy into Maryland would relieve congestion although it is not the biggest congestion issue in the PJM market area. He discusses the complexities of transmission developers working with existing utilities to develop existing lines without sharing data 4:34:30. At 5:04:49 he discusses the market monitor report used to prepare his testimony. At 5:30:00 he discusses complexities of having organizations upgrade existing structures. He also discusses PJM bundling proposals over time and not looking back at viable options from earlier projects. Their focus is too narrow at times on cost-benefit-ratio, not weighing aesthetics and public interest. They could direct consultants to go study infrastructure that exists and siting issues. PPRP is the entity responsible to take these factors into account. 5:52:00 gets into discussion of alternatives and what would be required of PJM and PPRP and implications of adding new generation in Maryland meeting state goals. This would reduce the requirement to relieve congestion from the north 6:02:00. At 6:16:32 they discuss solar getting added to the grid through increases capacity of the lines. Congestion and benefit cost ratio win developers proposals with PJM, not public interest or environmental issues.
- **Roger Austin, engineer** starts at [6:24:12](#) and ends at 7:03:21. 6:32:20 starts his cross examination. He talks about congestion, generation and the impact to prices. He also discusses new renewable generation and the ability to solve issues and meet state goals but could exacerbate congestion in the area. Senate Bill 516 related to Solar Generation was discussed. The good of the entire PJM region is not considered in this hearing, it is Maryland only for PSC. So Pennsylvania issues should not drive the decision 6:58:15. Doesn't this diminish the purpose of regional planning and cost allocation?
- **[7:19:25](#) closing summations start.** Impacts to Farming, MALPF easements overridden for cost benefit analysis to electric utility customers. We pay more for many services to benefit the whole. Socioeconomic factors are not considered by PJM. The commissioners wanted party's briefs to cover MALPF easements and statutory responsibilities, and consideration of local government concerns and aesthetics. An attorney mentioned the advantages to Marylander's of PPRP as opposed to PA with no entity like this representing state environmental and other issues. Demand forecasts in Maryland are flat and disruption to customers is evident. PJM issues with FERC application are discussed.

The above is only 7 hours of testimony from one of a dozen YouTube videos from the hearings on this one case. See [this link](#) to view the other days of testimony.