



Marple Safety Coalition Press Release
October 31, 2024

**Marple Township and Intervenors Appeal PUC Ruling
to the PA Commonwealth Court**

On Tuesday, October 22, 2024, Marple Township and Intervenors Ted Uhlman and Julie Baker, through their attorneys, filed Petitions for Review to the PA Commonwealth Court. They are appealing the recent decision of the PA Public Utility Commission (Docket No.: P-2021-3024328).

The case focuses on Exelon/PECO's proposed Gas Expansion Plant / Gate Station / Reliability Station / Methane Substation planned for the Corner of Sproul and Cedar Grove Roads in Marple Township. The issue first went to court in 2021.

Both appeals illustrate the failures of the PUC decision, citing many instances where its Final Decision ignored or misinterpreted its duties as a state agency under Article 1, Section 27 of the Pennsylvania State Constitution¹.

The appeal filed by the Intervenors particularly emphasizes the climate consequences due to the increased release of methane and carbon dioxide from the station itself, as well as the undocumented contention that there will be additional homes and businesses that would require the services of the Gas Expansion Plant.

Both appeals make the case that the PUC needs to change its processes for regulating residential methane distribution in light of the Pennsylvania State Constitution's Environmental Rights Amendment.

Intervenor and Marple Safe President Ted Uhlman stated "It is long overdue that the PA PUC finally begin to recognize and assess the climate impacts of oil and gas infrastructure on the local and larger community in regards to our state constitution, Article 1, Section 27."

¹ Article 1 § 27. Natural resources and the public estate. The people have a right to clean air, pure water, and to the preservation of the natural, scenic, historic and esthetic values of the environment. Pennsylvania's public natural resources are the common property of all the people, including generations yet to come. As trustee of these resources, the Commonwealth shall conserve and maintain them for the benefit of all the people.

Intervenor Julie Baker spoke from a particularly humane perspective when she stated, "On every level imaginable, THIS IS ABOUT THE CHILDREN. It is unconscionable that PECO Gas has conducted their design and engineering practice so short-sightedly, and without any regard whatsoever for informing, let alone engaging, this youth-oriented, pedestrian-friendly community."

Lora Snyder, the Marple Safe organizer, stated, "This case has been precedent setting, since the Commonwealth Court of PA, on appeal remanded the decision back to the PUC for reconsideration to perform a constitutionally sound environmental assessment of the PECO methane expansion project, which had not previously been required. In the past, the PUC claimed it did not need to consider the environmental consequences of its decisions, but the Court confirmed that they have a constitutional duty to do so." Lora emphasized, "This is a case of significant consequence."

As a local grassroots organization dedicated to protecting the health and safety of the community, Marple Safe opposes construction of the facility planned for the Corner of Sproul and Cedar Grove Roads in Marple Township. Marple Safe is proud to be associated with both Marple Township's and the Intervenor's appeals. Marple Safe is very grateful to J. Adam Matlawski, Esq. the Marple Commissioners, Devin McDougall, Esq. the Earthjustice Clean Energy Program, Robert McKinstry, Esq. and John Dernbach, Esq. for rendering their professional services in this endeavor.

Copies of the two Appeals are available at <http://www.marplesafe.com/files-and-notes.html>

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