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File #: 205388

March 3, 2026

VIA ELECTRONIC FILING

Matthew L. Homsher, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, Second Floor
Harrisburg, Pennsylvania 17120

**Re: Application of NextEra Energy Transmission MidAtlantic, Inc., for All of the Necessary Authority, Approvals, and Certificates of Public 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
Docket No. A-2026-**

Dear Secretary Homsher:

Enclosed for filing is the above-captioned Application of NextEra Energy Transmission MidAtlantic, Inc. ("NEET MA"). The associated \$350.00 filing fee has been paid by Post & Schell, P.C. as of the time of the filing.

Copies of this Application and accompanying appendices are being served by electronic mail, and by certified mail, return receipt requested, upon the parties indicated on the attached Certificate of Service. If you have any questions pertaining to the matter, please contact me at the addresses or telephone numbers provided above.

Respectfully submitted,



Garrett P. Lent

GPL/dmc
Enclosures

cc: Darren Gill – Bureau of Technical Utility Services (*via email*)

Matthew L. Homsher, Secretary

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Deb Becker – Bureau of Technical Utility Services (*via email*)

Jordan Van Order – Bureau of Technical Utility Services (*via email*)

Certificate of Service

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Application has been served upon the following persons, in the manner indicated, in accordance with the requirements of 52 Pa. Code § 57.72(d)(3).

VIA CERTIFIED MAIL: RETURN RECEIPT REQUESTED **AND ELECTRONIC MAIL**

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

Pennsylvania Office of Consumer Advocate
555 Walnut Street, 5th Floor
Forum Place
Attn: Darryl A. Lawrence, Consumer Advocate
Harrisburg, PA 17101
ra-oca@paoca.org

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

Dated: March 3, 2026



A handwritten signature in black ink, appearing to read "Darryl A. Lawrence", is written over a horizontal line.

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application Of NextEra Energy : Docket No. A-2026-_____
Transmission MidAtlantic, Inc., for All of :
the Necessary Authority, Approvals, and :
Certificates of Public 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 :

**APPLICATION OF
NEXTERA ENERGY TRANSMISSION MIDATLANTIC, INC.**

NextEra Energy Transmission MidAtlantic, Inc. (the “Applicant” or “NEET MA”) hereby files this Application requesting all necessary authority, approvals, and certificates of public convenience from Pennsylvania Public Utility Commission (“Commission”), pursuant to 66 Pa.C.S. §§ 1101, 1103, and 2102, authorizing NEET MA to begin to furnish and supply electric transmission service as a Pennsylvania public utility within Greene County and Fayette County, Pennsylvania (hereinafter, the “CPC Application”).

As explained below, PJM Interconnection, L.L.C. (“PJM”) identified a need to address significant and widespread reliability criteria violations on the Bulk Electric System (“BES”) that serves the PJM Region,¹ including Pennsylvania, due to load growth and anticipated resource retirements in the PJM Region. To address these reliability violations, PJM approved multiple

¹ The PJM Region includes all or parts of Delaware, Illinois, Indiana, Kentucky, Maryland, Michigan, New Jersey, North Carolina, Ohio, Pennsylvania, Tennessee, Virginia, West Virginia and the District of Columbia.

transmission projects and enhancements, including the MidAtlantic Resiliency Link Project (“MARL Project”). The MARL Project involves the construction of a new approximately 107.5-mile 500-kilovolt (“kV”) transmission line across Maryland, Pennsylvania, West Virginia, and Virginia, as well as a new Woodside 500/138 kV Substation in Virginia. The Pennsylvania portion of the MARL Project will extend approximately 10.7 miles from the existing FirstEnergy Corp. (“FirstEnergy”) 502 Junction Substation in Greene County, Pennsylvania for approximately 2.7 miles to the West Virginia border, extends through West Virginia for 3.1 miles, and then re-enters Pennsylvania in Greene County, and traverses through Greene and Fayette Counties for 8.0 miles, and then proceeds back into West Virginia (the “Pennsylvania Portions”). As explained below, NEET MA is obligated to construct the Pennsylvania Portions of the MARL Project.

Through this CPC Application, NEET MA herein seeks Commission approval to begin to furnish and supply electric transmission service to or for the public through the new 500 kV transmission line to be sited and located in Greene County and Fayette County as described more in detail below. NEET MA further seeks all other approvals and certificates appropriate, customary, or necessary under the Public Utility Code to carry out the transactions contemplated in this CPC Application in a lawful manner. In support of this CPC Application, NEET MA states as follows:

I. INTRODUCTION AND OVERVIEW

1. This CPC Application is filed by NEET MA. NEET MA’s address is as follows:

NextEra Energy Transmission MidAtlantic, Inc.
700 Universe Boulevard
Juno Beach, FL 33408

2. NEET MA's attorneys are:²

Tracy C. Davis (TX Bar # 24045758)
NextEra Energy Transmission, LLC
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David B. MacGregor (PA ID # 28804)
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NEET MA's attorneys are authorized to receive all notices, communications, pleadings, motions, orders, or other documents regarding this CPC Application.

3. The Application is organized as follows:

- a. Section II provides the legal standards applicable to the approvals requested in the CPC Application;
- b. Section III provides a description of NEET MA and other entities involved in the MARL Project;
- c. Section IV provides an overview of the proposed MARL Project and the electric service to be provided by NEET MA;
- d. Section V demonstrates that granting the certificate of public convenience requested in this CPC Application is necessary or proper for the service, accommodation, convenience, or safety of the public;

² An appropriate motion for admission *pro hac vice* will be submitted on behalf of Attorneys Tracy C. Davis and Anna Galanis once a docket number is assigned to this matter.

- e. Section VI addresses certain NEET MA affiliated interest agreements related to the MARL Project;
 - f. Section VII provides an overview of additional supporting data;
 - g. Section VIII identifies the other regulatory approvals required for the MARL Project;
 - h. Section IX sets forth a request for consolidation of related filings;
 - i. Section X describes the service and requested notice for this filing; and
 - j. Section XI sets forth the conclusion and requested approvals.
4. The Applicant submits, as explained in more detail herein, that all criteria necessary for granting of the required approvals pursuant to the Public Utility Code have been met and, therefore, this CPC Application should be approved without conditions.

II. LEGAL STANDARDS FOR COMMISSION APPROVAL

A. CERTIFICATE OF PUBLIC CONVENIENCE

5. Section 1101 of the Public Utility Code provides that “[u]pon the application of any proposed public utility and the approval of such application by the [C]ommission evidenced by its certificate of public convenience first had and obtained, it shall be lawful for any such proposed public utility to begin to offer, render, furnish, or supply service within this Commonwealth.” 66 Pa.C.S § 1101. Thus, before an entity may lawfully begin to furnish electric transmission service within the Commonwealth, it must first submit an application with the Commission requesting a certificate of public convenience.

6. A “public utility” is defined in Section 102 of the Public Utility Code as follows:

(1) Any person or corporations now or hereafter owning or operating in this Commonwealth equipment or facilities for:

(i) ... transmitting, distributing or furnishing ... electricity ... for the production of light, heat, or power to or for the public for compensation.

66 Pa.C.S. § 102.

7. The Pennsylvania Supreme Court has concluded that “the public or private character of the enterprise does not depend upon the numbers of persons by whom it is used, but upon whether or not it is open to the use and service of all members of the public who may require it.” *Drexelbrook Associates v. Pa. PUC*, 418 Pa. 430, 435, 212 A.2d 237, 239 (1965) (citations omitted). The Commonwealth Court found an entity provided service “to or for the public” when it placed no restrictions upon whom it served and provided service to the extent that capacity was available on its facilities. *Dunmire Gas Company v. Pa. PUC*, 413 A.2d 473, 474 (Pa. Cmwlth. 1980); *see also Waltman v. Pa. PUC*, 596 A.2d 1221 (Pa. Cmwlth. 1991), *aff’d*, 533 Pa. 304, 621 A.2d 994 (Pa. 1993) (holding that the public nature of the services were not changed by the fact that the only entities that would desire them were those engaged in high volume business).

8. Further, the Commission has explained that Federal Energy Regulatory Commission (“FERC”) regulated transmission companies are “public utilities” under Pennsylvania law if they: (1) own, maintain, or operate in the Commonwealth equipment or facilities used for the transmission of electricity, and (2) directly or indirectly serve Pennsylvania customers for compensation. *See Petition of American Transmission Systems, Incorporated for a Declaratory Order that it is not a Public Utility as Defined in 66 Pa.C.S. § 102 and is not Required to Obtain a Certificate of Public Convenience under 66 Pa.C.S. § 1102(A) to Own and Operate Equipment and Facilities in Pennsylvania Used Only to Furnish Interstate Electric Transmission*

Service Subject to the Jurisdiction of the Federal Energy Regulatory Commission, Docket No. P-2013-2388149 (Pa. PUC Order entered Aug. 11, 2016) (hereinafter “ATSI Order”).³

9. Section 1103 of the Public Utility Code sets forth the procedure to obtain certificates of public convenience. Under Section 1103, a certificate of public convenience will be issued if the Commission “shall find and determine that the granting of such certificate is necessary or proper for the service, accommodation, convenience or safety of the public.” 66 Pa.C.S. § 1103. The Commission has interpreted this section to require the applicant to demonstrate a public need⁴ for the service and the applicant’s fitness to provide the service. *See Chester Water Authority v. Pa. PUC*, 581 Pa. 640, 868 A.2d 384 (Pa. 2005); *Application of Newtown Artesian Water Company*, 2003 Pa. PUC LEXIS 40 (Pa. PUC Order entered July 1, 2003).

10. Demonstrating the applicant’s “fitness” involves three factors: (i) the technical capacity to meet the need in a satisfactory fashion; (ii) the financial ability to provide reliable and responsible service to the public; and (iii) legal fitness -- the ability to operate safely and legally.

³ *See also Joint Application of Mid-Atlantic Interstate Transmission, LLC (“MAIT”); Metropolitan Edison Company (“Met-Ed”) and Pennsylvania Electric Company (“Penelec”) for: (1) a Certificate of Public Convenience Under 66 Pa.C.S. § 1102(A)(3) Authorizing the Transfer of Certain Transmission Assets from Met-Ed and Penelec to MAIT; (2) a Certificate of Public Convenience Conferring Upon MAIT the Status of a Pennsylvania Public Utility Under 66 Pa.C.S. § 102; and (3) Approval of Certain Affiliate Interest Agreements Under 66 Pa.C.S. § 2102*, Docket Nos. A-2015-2488903, *et seq.*, 2016 Pa. PUC LEXIS 146 (Pa. PUC Order entered April 1, 2016) (approving settlement confirming that the Commission retains jurisdiction over interstate transmission lines transferred from a electric distribution company to an interstate transmission company).

⁴ While the Company describes the need for the MARL Project in this Section V.B., it also notes that the U.S. Third Circuit Court of Appeals recently held that, “when an RTO has selected [a multi-state transmission line project] for inclusion in a regional transmission plan as part of its federal mandate, a state regulator cannot, consistent with the Supremacy Clause, reject the project based on a lack of ‘need’.” *Transource Pa., LLC v. DeFrank*, 156 F.4th 351, 379 (3rd Cir. 2025), *affirming Transource Pa., LLC v. DeFrank*, 705 F. Supp. 3d 266 (M.D. Pa. 2023). Thus, while the Commission holds authority over siting and construction of a project, it may not deny a project based on FERC’s determination of need. *Id.* at 378. While this case law did not interpret a determination of whether there is a public need for the service contemplated by a new utility for purposes of obtaining a certificate of public convenience under Sections 1101 and 1103(a), NEET MA submits that PJM’s determination that there is a need for transmission service over the MARL Project and determination that NEET MA should construct, own, and operate the transmission facilities required to address this need demonstrates that there is a need for the electric transmission service contemplated by this application.

See McCloskey v. Pa. PUC, 195 A.3d 1055, 1066-1067 (Pa. Cmwlth. 2018); *Seaboard Tank Lines v. Pa. PUC*, 502 A.2d 762, 764 (Pa. Cmwlth. 1985).

11. As explained in Section V below, the electric transmission service to be furnished NEET MA through the new 500 kV transmission line associated with the MARL Project will be to or for the public for compensation, and the service it will provide is necessary or proper for the service, accommodation, convenience or safety of the public. Further, NEET MA is technically, financially, and legally fit to provide electric transmission service in Greene County and Fayette County, Pennsylvania as explained in Section V.

B. AFFILIATED INTEREST AGREEMENTS

12. Under Public Utility Code Section 2102, Commission approval is required for any affiliated interest contract before it can become effective. 66 Pa.C.S. § 2102(a). Public Utility Code Section 2101(a) defines an “affiliated interest” to include the following: “(1) Every corporation and person owning or holding directly or indirectly 5% or more of the voting securities of such public utility; and (2) Every corporation and person in any chain of successive ownership of 5% or more of voting securities.” 66 Pa.C.S. § 2101(a)(1)(2).

13. Public Utility Code Sections 2102(b) and (c) provide the standard for Commission review of an affiliate interest agreement:

(b) Filing and action on contract.... The [C]ommission shall approve such contract or arrangement made or entered into after the effective date of this section only if it shall clearly appear and be established upon investigation that it is reasonable and consistent with the public interest. If at the end of 30 days after the filing of a contract or arrangement, no order of rejection has been entered, such contract or arrangement, whether written or unwritten, shall be deemed, in fact and law, to have been approved. The commission may, by written order, giving reasons therefor, extend the 30-day consideration period. No such contract or arrangement shall receive the commission’s approval unless satisfactory proof is submitted to the commission of the cost to the affiliated interest of rendering the

services or of furnishing the property or service described herein to the public utility....

(c) Disallowance of excessive amounts. — If the [C]ommission shall determine that the amounts paid or payable under a contract or arrangement filed in accordance with this section are in excess of the reasonable price for furnishing the services provided for in the contract, or that such services are not reasonably necessary and proper, it shall disallow such amounts, insofar as found excessive, in any proceeding involving the rates or practices of the public utility. In any proceeding involving such amounts, the burden of proof to show that such amounts are not in excess of the reasonable price for furnishing such services, and that such services are reasonable and proper, shall be on the public utility.

66 Pa.C.S. §§ 2102(b) and (c).

14. As part of the MARL Project, NEET MA will receive certain corporate services from its affiliates through a service agreement with its key affiliates as explained in Section VI below. NEET MA also is a party to a corporate support services agreement with its affiliate, NextEra Energy Transmission Virginia, Inc. (“NEET VA”), which is responsible for constructing the portion of the MARL Project transmission line in Virginia and the Woodside Substation to be located in Virginia. NEET MA therefore requests approval of these agreements under 66 Pa.C.S. § 2102 to the extent deemed necessary by the Commission.

C. BURDEN OF PROOF

15. Section 332(a) of the Public Utility Code, 66 Pa.C.S. § 332(a), provides that the party seeking a rule or order from the Commission has the burden of proof in that proceeding. It is well established that “[a] litigant’s burden of proof before administrative tribunals as well as before most civil proceedings is satisfied by establishing a preponderance of evidence which is substantial and legally credible.” *Samuel J Lansberry, Inc. v. Pa. PUC*, 578 A.2d 600, 602 (Pa. Cmwlth. 1990). The preponderance of evidence standard requires proof by a greater weight of the evidence. *Commonwealth of Pennsylvania v. Williams*, 557 Pa. 207, 732 A.2d 1167 (1999). This

standard is satisfied by presenting evidence more convincing, by even the smallest amount, than that presented by another party. *Brown v. Commonwealth of Pa.*, 940 A.2d 610, 614, n.14 (Pa. Cmwlth. 2008).

16. Additionally, any finding of fact necessary to support an adjudication of the Commission must be based upon substantial evidence. *Met-Ed Indus. Users Group v. Pa. PUC*, 960 A.2d 189, 193, n.2 (Pa. Cmwlth. 2008) (citing 2 Pa.C.S. § 704). Substantial evidence is such relevant evidence as a reasonable mind might accept as adequate to support a conclusion. *Borough of E. McKeesport v. Special/Temporary Civil Service Commission*, 942 A.2d 274, 281 (Pa. Cmwlth. 2008). Although substantial evidence must be “more than a scintilla and must do more than create a suspicion of the existence of the fact to be established,” *Kyu Son Yi v. State Board of Veterinarian Medicine*, 960 A.2d 864, 874 (Pa. Cmwlth. 2008) (citation omitted), the “presence of conflicting evidence in the record does not mean that substantial evidence is lacking.” *Allied Mechanical and Elec., Inc. v. Pa. Prevailing Wage Appeals Board*, 923 A.2d 1220, 1228 (Pa. Cmwlth. 2007) (citation omitted).

17. If the applicant sets forth a *prima facie* case, then the burden shifts to the opponent. *McDonald v. Pa. Railroad Co.*, 348 Pa. 558, 36 A.2d 492 (1940). Establishing a *prima facie* case requires either evidence sufficient to make a finding of fact permissible or evidence to create a presumption against an opponent which, if not met, results in an obligatory decision for the proponent. Once a *prima facie* case has been established, if contrary evidence is not presented, there is no requirement that the applicant produce additional evidence in order to sustain its burden of proof. *District of Columbia's Appeal*, 343 Pa. 65, 21A.2d883 (1941). See, e.g., *Application of Pennsylvania Power & Light Co.*, Docket Nos. A-110500F0196, *et al.*; 1994 Pa. PUC LEXIS 65 (Oct. 21 1994) (holding that the company met its burden to prove that there was an immediate

need for the reinforcement of the power supply where the need for the project was uncontested and no party presented any evidence challenging the need for the project).

III. APPLICANT AND RELATED ENTITIES

A. APPLICANT

18. NEET MA is a corporation organized and existing under the laws of the State of Indiana (formerly a Delaware limited liability company) and is qualified to do business in the Commonwealth of Pennsylvania. NEET MA will be responsible for the Pennsylvania, West Virginia, and Maryland portions of the MARL Project. NEET MA is an indirect, wholly owned subsidiary of NextEra Energy Transmission, LLC (“NEET”), which is an indirect, wholly owned subsidiary of NextEra Energy, Inc. (“NextEra Energy”). NEET MA’s certificate of formation in Indiana and qualification to do business in Pennsylvania are provided in Appendix 6 to this Application.

19. NEET MA is a registered Transmission Owner in the PJM Region that currently owns 20 linear miles (40 circuit miles) of 345 kV transmission line in Indiana and conducts the business of transmitting electric power and energy through portions of Indiana. NEET MA is also a Qualified Transmission Developer in PJM and actively participates in PJM’s FERC-approved Order No. 1000 competitive transmission solicitation process.

20. NEET MA utilizes best practices and experienced personnel to deliver high quality transmission planning, engineering, procurement, construction, and operational expertise to customers in the PJM Region. NEET MA actively engages in PJM’s planning process as part of its continued efforts meet the reliability obligations concerning its existing facilities.

21. Upon receipt of all necessary approvals, NEET MA will construct, own, and operate the Pennsylvania, West Virginia, and Maryland portions of the MARL Project.

B. RELATED ENTITIES

22. NextEra Energy is a corporation organized and existing under the laws of the State of Delaware. NextEra Energy is the indirect parent of and wholly owns NEET, which is the indirect parent of and wholly owns NEET MA.

23. NEET was formed by NextEra Energy in 2007 to apply NextEra Energy's experience and resources in financing, developing, owning, and operating transmission facilities to projects across the U.S. and Canada. NEET serves as a holding company for NextEra Energy's regulated transmission utilities outside the State of Florida and is the immediate parent company of the applicant, NEET MA.

24. NextEra Energy, a Fortune 200 company, is a leading energy utility holding company and one of the nation's largest capital infrastructure investors with a presence in 49 states, revenues in calendar year 2025 of approximately \$27.4 billion, and approximately 17,400 employees as of December 31, 2025. Collectively, NextEra Energy subsidiaries own approximately 80 GW of electric generation in operation and approximately \$120 billion of planned investments in North American infrastructure through 2028. NextEra Energy also owns Florida Power & Light Company ("FPL"), which serves more than 12 million homes and businesses in Florida through 6 million customer accounts and operates and maintains approximately 93,000 miles of electrical lines, including 9,500 miles of high-voltage transmission lines. NextEra Energy also owns a competitive energy generation business, NextEra Energy Resources, LLC ("NextEra Energy Resources"), which, together with its affiliated entities, owns and operates approximately 42.56 GW of generation resources across the U.S. and Canada.⁵

⁵ Subsidiaries of NextEra Energy Resources own and operate four distributed generation projects in Pennsylvania. NextEra Energy Resources' subsidiaries, NextEra Energy Services Pennsylvania, LLC, Frontier Utilities Northeast, LLC, and New Wave Energy, LLC are licensed and operate as Electric Generation Suppliers

25. NEET is a limited liability company organized and existing under the laws of the State of Delaware and is an indirect, wholly owned subsidiary of NextEra Energy. Through various subsidiaries, NEET develops, finances, constructs, and maintains transmission assets across the United States and Canada. NEET operates through its regional subsidiaries to integrate renewable energy and strengthen the electric grid. NEET's portfolio includes approximately 2,100 circuit miles in 10 states and one province and eight regional transmission organizations ("RTO"), and numerous projects under development and construction in the United States and Canada.

26. NEET VA is a public service corporation incorporated under the laws of the Commonwealth of Virginia. NEET VA is an affiliate of NEET MA and an indirect subsidiary of NEET. Upon issuance of necessary approvals from the Virginia State Corporation Commission, NEET VA, together with certain affiliates, will finance, construct, own, operate, and maintain the Virginia portion of the MARL Project.

27. NextEra Energy Transmission New York, Inc. ("NEETNY") is an indirect wholly owned subsidiary of NEET. Founded in 2013, NEETNY currently owns and operates approximately 20 miles of 345 kV transmission line and associated high voltage transmission assets in the state of New York. Additionally, NEETNY operates control centers located in Saratoga County, New York around-the-clock to monitor and operate transmission lines for a number of NEET subsidiaries across the United States, including assets located in PJM Region.

28. NextEra Energy and its wholly owned subsidiaries, NEET and NEET MA, have their principal business offices in Juno Beach, Florida. A simplified organizational chart showing

("EGS") and Natural Gas Suppliers ("NGS"). In addition, NextEra Energy Resources' subsidiary, Symmetry Energy Solutions LLC, operates as an NGS. Finally, NextEra Energy Resources' subsidiaries, USOURCE LLC and Vanguard Energy Services LLC act as electric and natural gas brokers/marketers in the state.

the relationships between NEET MA and its parent company and certain key affiliates is provided as Appendix 1 to this Application.

IV. OVERVIEW OF THE MARL PROJECT

29. The MARL Project was selected by PJM through its 2022 Regional Transmission Expansion Plan (“RTEP”) process and resulting competitive solicitation process to address significant and widespread reliability criteria violations on the BES that serves the PJM Region, including Pennsylvania, due to load growth and anticipated resource retirements in the PJM Region. PJM has determined that the MARL Project is critically needed to meet the reliability needs for the Commonwealth of Pennsylvania and the greater PJM interconnection. The PJM Board of Managers (“PJM Board”) approved the MARL Project in December 2023 through PJM’s competitive solicitation process that sought from qualified transmission developers efficient and cost-effective solutions to PJM’s identified needs. PJM’s thorough and extensive RTEP analysis – informed by its modeling, testing, and load forecasting, as well as the application of transmission reliability planning criteria – concludes that if the MARL Project is not constructed, the bulk 500 kV transmission system currently serving Pennsylvania and the surrounding PJM Region is at risk of severe thermal and voltage reliability violations. Moreover, these conditions, if left unaddressed, could lead to widespread and extreme conditions, such as system collapse and blackouts as early as 2027. Figure 1 below depicts the forecasted generator 138 kV, 230 kV, and 500 kV thermal overloads along the West to East transfer corridor.

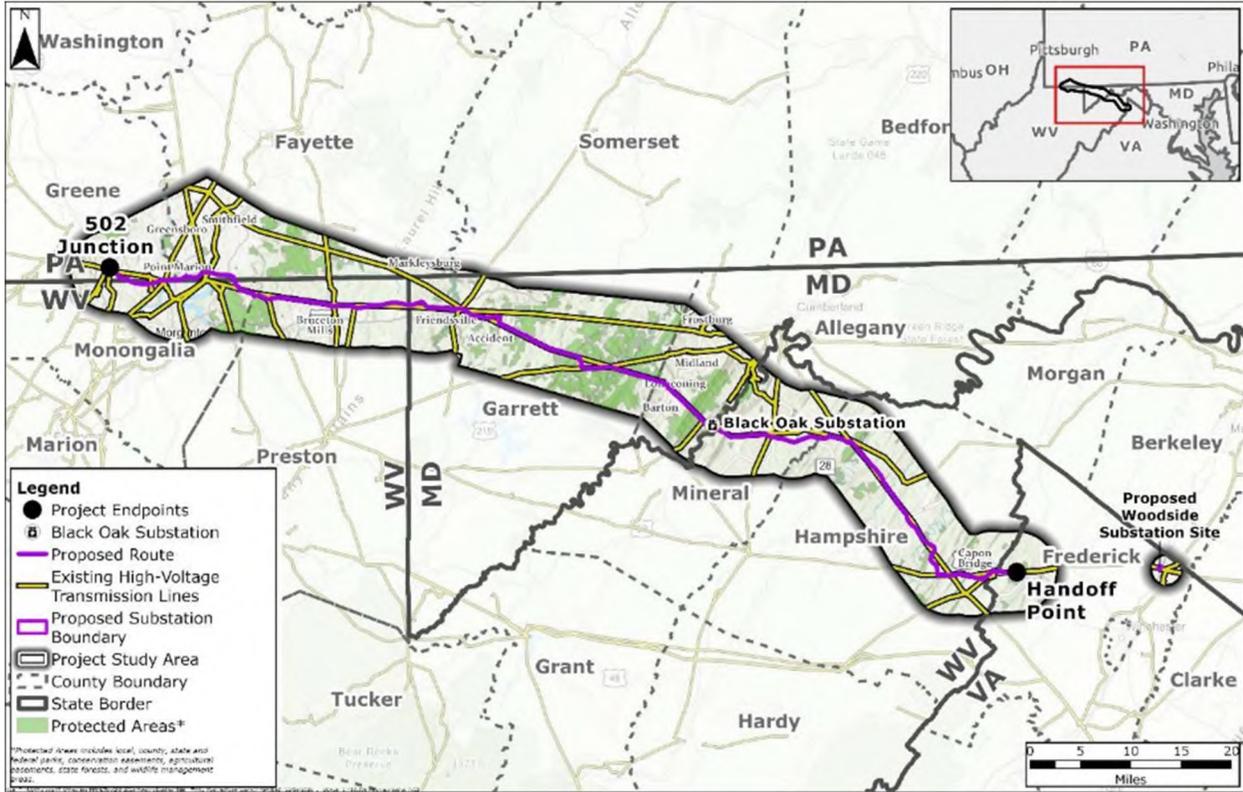
for a portion of the MARL Project located in Virginia to better take advantage of existing transmission line rights-of-way.

31. On February 21, 2025, PJM and NEET MA executed a Designated Entity Agreement (“DEA”) for the MARL Project. FERC accepted the DEA on May 8, 2025, in Docket No. ER25-1736-000. On November 21, 2025, NEET MA, NEET VA, and PJM executed an amendment to the DEA, which was filed with FERC in Docket No. ER26-860-000 on December 22, 2025 and was accepted by FERC on February 18, 2026. A copy of the DEA as amended is provided in Appendix 2 to this Application.

32. The Project is currently being developed to be in service by December 31, 2031; however, PJM has informed NEET MA that the need for reinforcements to the existing BES is so substantial that the MARL Project is needed closer to 2027/2028. Therefore, PJM is asking NEET to take all reasonable actions to obtain the necessary approvals and complete construction of the MARL Project as soon as practicable.

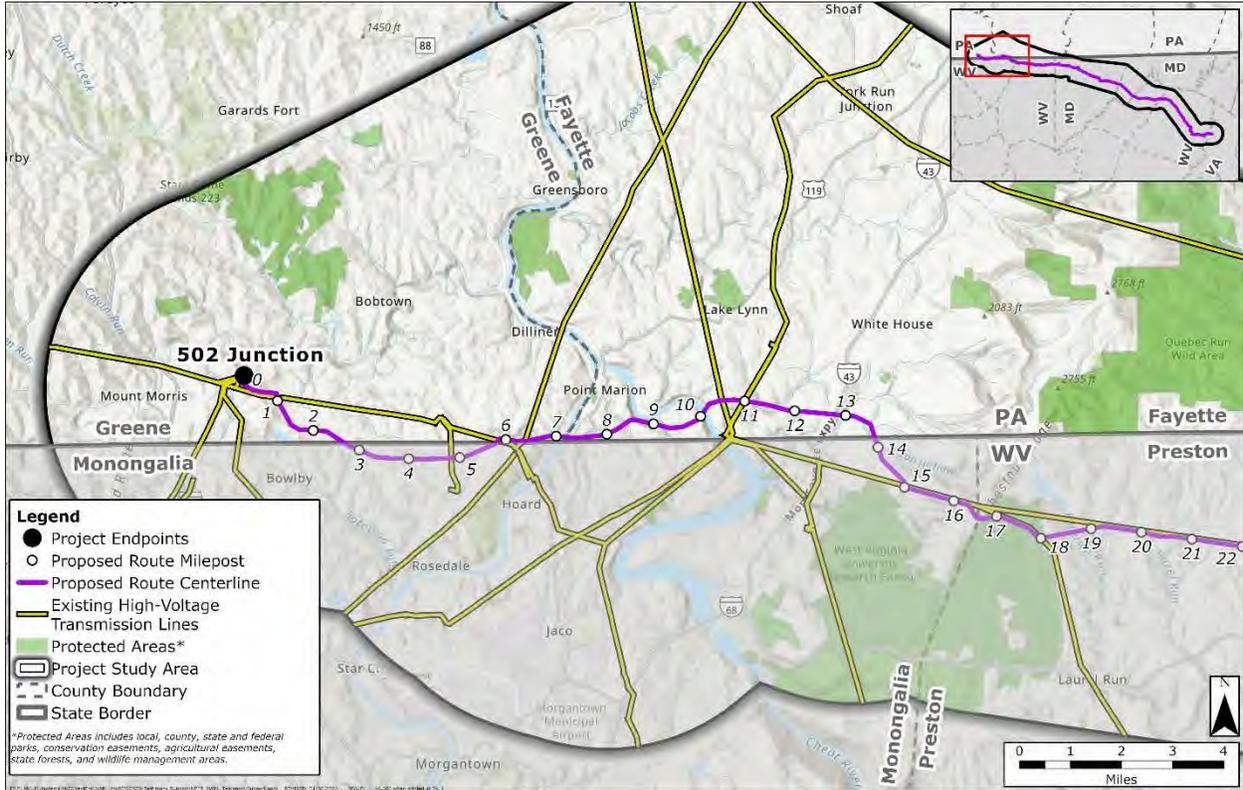
33. As explained above, and pertinent to this CPC Application, the MARL Project is an approximately 107.5-mile, 500 kV transmission line and associated structures, equipment, and other facilities necessary to operate the transmission line that will traverse portions of Pennsylvania, West Virginia, Maryland, and Virginia along a proposed route shown in the map shown in Figure 2 below (the “Proposed Route”).

Figure 2: MARL Project Overview Map



34. Within Pennsylvania, the MARL Project involves the construction of a new approximately 10.7-mile 500 kV transmission line in Pennsylvania from the existing FirstEnergy 502 Junction Substation in Greene County, Pennsylvania to the West Virginia border, and then re-enters Pennsylvania in Greene County and traverses through Greene and Fayette Counties before proceeding back into West Virginia. The Pennsylvania Portions of the MARL Project are shown on Figure 3 below.

Figure 3: Pennsylvania Portions of the MARL Project Proposed Route



35. The costs for the MARL Project will be recovered through transmission rates subject to FERC’s exclusive jurisdiction and will be allocated by PJM to Load Serving Entities under the terms of PJM’s FERC-approved Open Access Transmission Tariff.⁷

36. Pursuant to Section 1.5.8(j) of Schedule 6 of the PJM Operating Agreement and Schedule C of the DEA, NEET MA is responsible for construction, ownership, maintenance, and operation of the Pennsylvania Portions of the MARL Project.

37. Contemporaneously with this CPC Application, NEET MA is filing an Application with the Commission for approval of the siting and construction of the Pennsylvania Portions of a

⁷ It is well-established that FERC has exclusive jurisdiction over interstate transmission rates, 16 U.S.C. § 824(b), and is authorized to determine whether such rates are just and reasonable. 16 U.S.C. §§ 824d, 824e. *See also, Nantahala Power & Light Co. v. Thornburg*, 476 U.S. 953, 956-957 and 966 (1986) (states must give effect to FERC-approved rates and agreements affecting those rates).

new 500 kV transmission line associated with the MARL Project in portions of Greene County and Fayette County, Pennsylvania (the “Siting Application”). A detailed description of the MARL Project, including the need for and siting of the project, is provided in the Siting Application and its supporting appendices and testimonies.

V. REQUEST FOR A CERTIFICATE OF PUBLIC CONVENIENCE

A. NEET MA WILL PROVIDE SERVICE TO OR FOR THE PUBLIC

38. As explained above, upon receipt of all necessary approvals, NEET MA proposes to provide electric transmission service through a new 500 kV transmission line that will, upon Commission approval, be sited to extend 2.7 miles from the existing 502 Junction Substation in Greene County, Pennsylvania to the Pennsylvania-West Virginia border. The MARL Project will continue for 3.1 miles in West Virginia before re-entering Pennsylvania and continue for 8.0 miles through Greene and Fayette Counties in Pennsylvania before continuing for 93.7 miles across West Virginia, Maryland, and Virginia where it will interconnect with new 500 kV transmission lines to be constructed by FirstEnergy and Dominion Energy in western Frederick County, Virginia.

39. The MARL Project, including the Pennsylvania Portions of the project, will be part of the interconnected interstate electric grid that provides electric service to more than 67 million people throughout the PJM Region, including Pennsylvania customers. The Pennsylvania Portions of the MARL Project will be interconnected with existing transmission facilities of Pennsylvania electric distribution companies (“EDCs”) and interstate/intrastate transmission companies, which ultimately provide retail electric service to Pennsylvania customers.

40. As a PJM Transmission Owner, NEET MA will be required by federal law to provide open access to the systems associated with the MARL Project, including the Pennsylvania

Portions to be located in Greene County and Fayette County, Pennsylvania.⁸ Thus, NEET MA will hold itself out and may be required to directly serve interconnection transmission customers, electric generators, independent power producers, and suppliers through the facilities and equipment to be located within Pennsylvania.

41. Although NEET MA will be compensated through FERC-regulated interstate rates for the electric transmission services it will provide,⁹ the Commission will have jurisdiction over the siting, reliability, and safety of the overhead high voltage electric transmission lines associated with the Pennsylvania Portion of the MARL Project, as well as any NEET MA affiliated interest agreements.¹⁰

42. Under these facts, NEET MA submits that it will provide electric transmission service to or for the public for compensation.

⁸ FERC Orders No. 888 and 889 require all public utilities owning and/or controlling transmission facilities to offer non-discriminatory open access transmission service. *See Promoting Wholesale Competition Through Open Access Non-discriminatory Transmission Services by Public Utilities; Recovery of Stranded Costs by Public Utilities and Transmitting Utilities*, Order No. 888, FERC Stats. & Regs. P 31,036, 61 Fed. Reg. 21,540 (1996), *clarified*, 76 F.E.R.C. 61,009 and 76 F.E.R.C. 61,347 (1996), *on reh'g*, Order No. 888-A, FERC Stats. and Regs. P 31,048, 62 Fed. Reg. 12,274, *clarified*, 79 F.E.R.C. 61,182 (1997), *on reh'g*, Order No. 888-B, 81 F.E.R.C. 61,248, 62 Fed. Reg. 64,688 (1997), *on reh'g*, Order No. 888-C, 82 F.E.R.C. 61,046 (1998); *Open Access Same-Time Information System and Standards of Conduct*, Order No. 889, FERC Stats. & Regs. P 31,035, 61 Fed. Reg. 21,737 (1996), *on reh'g*, Order No. 889-A, FERC Stats. & Regs. P 31,049, 62 Fed. Reg. 12,484 (1997), *on reh'g*, Order No. 889-B, 81 F.E.R.C. 61,253 (1997).

⁹ *See* Footnote 7, *supra*.

¹⁰ *See Piedmont Environmental Council v. FERC*, 558 F.3d 304, 310 (4th Cir. 2009) (the siting of electric transmission lines is reserved for the states); 16 U.S.C. § 824(o)(i)(3) (“[n]othing in this section shall be construed to preempt any authority of any State to take action to ensure the safety, adequacy, and reliability of electric service within that State, as long as such action is not inconsistent with any reliability standard”); *Application Of TrAILCo For Approval For A Certificate Of Public Convenience To Offer, Render, Furnish Or Supply Transmission Service In The Commonwealth Of Pennsylvania*, Docket Nos. A-110172, et al., 2008 Pa. PUC LEXIS 1034 (Order entered Dec. 12, 2008) (states can exercise their authority to review certain affiliated interest agreements relating to transmission service and facilities without intruding on FERC’s rate jurisdiction). *See also ATSI Order*, pp. 29-30 (Commission asserted authority over interstate electric transmission facilities for purposes of siting, reliability, safety, and affiliated interest agreements).

B. SERVICE TO BE FURNISHED BY NEET MA IS REASONABLY NECESSARY FOR THE ACCOMMODATION OR CONVENIENCE OF THE PUBLIC

43. There is a clear need for the service to be provided by NEET MA, as established by PJM's review of the interstate electric transmission grid and determination that the MARL Project is one of several solutions that are collectively necessary to maintain the reliability of the grid. As explained in this CPC Application, as well as NEET MA's supporting evidence and the Siting Application filed contemporaneously herewith, the MARL Project is critically needed to prevent extensive, severe, and widespread thermal overloads and potential voltage collapses, including system collapse and blackouts, which could compromise the overall system reliability in the PJM Region, impacting Pennsylvania residents and businesses.¹¹

44. Specifically, the PJM 2022 RTEP Window 3 identified significant changes on the PJM system due to significant electric generation retirements and electric load growth. Importantly, through the 2022 RTEP process, PJM – informed by its modeling, testing, load forecasting, and the application of its transmission reliability planning criteria – concluded that if the MARL Project is not constructed, the bulk 500 kV transmission system currently serving Pennsylvania and the surrounding PJM Region is at risk of becoming severely overloaded.

45. Without the additional 500 kV transmission lines to transfer power west to east to meet the region's projected load growth, PJM has determined that as early as 2027, the existing 500 kV transmission lines in Maryland and Virginia will become severely overloaded and at risk of voltage collapse. These thermal overload violations and voltage collapse violations are so severe and widespread that if left unaddressed, the consequences could compromise the overall

¹¹ See footnote 4, *supra*.

system reliability in the PJM Region, including for Pennsylvania customers, and could lead to widespread and extreme conditions, including system collapse and blackouts.

46. To address these reliability issues, PJM selected a group of projects following a competitive solicitation, including the MARL Project (baseline b3800) as one of the solutions for the West need region. Pursuant to Schedule 6 of PJM's Amended and Restated Operating Agreement and the DEA that has been executed with PJM, NEET MA is obligated to complete the MARL Project, including the Pennsylvania Portions.

47. The MARL Project is a major component of the collective electrical solutions selected by PJM to best address the reliability violations identified in the PJM 2022 RTEP Window 3. Specifically, PJM concluded that the modified MARL Project was a more efficient or cost-effective solution to address the reliability needs for west to east transfers and offers a third 500 kV supply line to the growing load center in the Dominion Energy zone in Virginia. Additionally, the MARL Project offered cost containment commitments to encourage the timely and cost-effective completion of the Project.

48. The need for facilities comprising the MARL Project, which will facilitate the provision of electric transmission service contemplated by this application, is described in further detail in the Siting Application and supporting documentation filed contemporaneously herewith.

C. NEET MA HAS THE REQUISITE TECHNICAL, LEGAL, AND FINANCIAL FITNESS

1. Technical Fitness

49. NEET MA will have the required managerial and technical experience to own and operate the transmission facilities to be sited within Greene County and Fayette County, Pennsylvania as described above.

50. As explained above, NEET MA is an indirect subsidiary of NEET, which is an indirect subsidiary of NextEra Energy. NEET MA will be able to draw on the significant resources, experience, and industry leading project management practices of NextEra Energy and its subsidiaries.

51. The NextEra Energy companies typically operate under a support services model, which enables the overall organization to apply a best practices philosophy, a highly skilled workforce, and economies of scale across its companies, including NEET MA. Through this model, NextEra Energy assigns experienced operation and support service personnel to the Project. The NextEra Energy companies offer vast experience in building, operating, and maintaining transmission infrastructure throughout the U.S. and Canada and a proven ability to do so with industry-leading safety, reliability, and cost effectiveness. Through these affiliates, NEET MA's MARL Project will have access to Engineering and Construction, Integrated Supply Chain, Environmental Services, Power Delivery, and Regulatory and Legal support services.

52. NEET MA's ability to rely on the substantial and highly qualified expertise within the NextEra Energy corporate family to develop, construct, own, operate, and maintain the MARL Project will help it effectively manage costs, deliver the Project on schedule, and manage efficient and reliable future operations. The significant economies of scale attendant to using available affiliate resources will benefit Pennsylvania customers.

53. Safety is a core value and a cornerstone of NextEra Energy's commitment to the health and well-being of our customers, our employees, and the community. The NextEra Energy enterprise has embraced a "ZeroToday!" safety culture, an initiative to drive employees' safe behaviors and practices in daily work supported by Human Performance Excellence tools to help an individual maintain positive control of a work situation and avoid risks that can turn into unsafe

conditions and the Voluntary Protection Program (“VPP”) of the Occupational Safety and Health Administration (“OSHA”).

54. Through this focus, NextEra Energy maintains one of the strongest safety records in the industry, consistently ranking within the industry top-decile on safety metrics. NEET MA’s affiliate, NextEra Energy Transmission New York, Inc. (“NEETNY”), which will provide 24/7 operations oversight for the MARL Project, has never had an OSHA recordable incident. This track record demonstrates that NEET MA will have a strong focus on safety with respect to its Pennsylvania operations.

55. NextEra Energy and its subsidiaries also place a strong emphasis on reliability of service. For example, collectively, NEET subsidiaries had an availability percentage in 2024 of 99.996% across all transmission-operating utility assets in the U.S. and Canada.

56. The MARL Project will receive 24/7 oversight and coordination from NEETNY’s primary and backup control centers located in Saratoga County, New York. NEETNY currently employs five North American Electric Reliability Corporation (“NERC”) and PJM-certified transmission operators who continuously staff these control centers around-the-clock to monitor and operate transmission lines for a number of NEET subsidiaries across the country. After the MARL Project is constructed and placed into service, NEET MA and NEET VA will transfer functional control of the transmission facilities to PJM.

57. NEET MA and NEET VA plan to hire local operations staff in the project area to provide day-to-day operations and maintenance support. The MARL Project also will be supported by existing NextEra Energy Power Delivery staff members, NEET Operations personnel, and qualified and specialized construction and maintenance contractors and equipment vendors familiar to the region.

58. By leveraging the extensive experience and unique capabilities of NEE and its subsidiaries, NEET MA will have the necessary experience and expertise to successfully construct, own, operate, and maintain the proposed electric transmission facilities within Pennsylvania.

2. Financial Fitness

59. NEET MA will have the financial fitness to construct, own, operate, and maintain the proposed electric transmission facilities within Pennsylvania.

60. NEET MA is managed financially through its affiliate and indirect parent companies. Financial oversight resides with the business management function at NEET, with other affiliates providing support in areas such as accounting, tax, cash management, IT financial systems, and treasury services.

61. As of December 31, 2025, NextEra Energy's total assets were approximately \$212.7 billion. NextEra Energy's most recent Form 10-K, including the financial statements and discussion of liquidity, is provided in Appendix 3.

62. More specifically, NEECH – the entity within the NextEra Energy organization that finances infrastructure projects outside the state of Florida and NEET's indirect parent company – had approximately \$15.3 billion of net available liquidity, as of December 31, 2025, primarily consisting of bank revolving line of credit facilities, letter of credit facilities, cash and cash equivalents, less letters of credit issued under the credit facilities, and commercial paper outstanding. Furthermore, NEECH has access to and regularly secures financing in public and private debt capital markets on behalf of certain NextEra Energy operating subsidiaries. Additionally, NEECH enjoys exceptional access to credit and the capital markets to meet its capital requirements, supported by its maintenance of substantial operating cash flows and strong investment grade credit ratings.

63. In addition to the strong balance sheets, both NextEra Energy and NEECH have strong credit ratings of A- from S&P and Baa₁ from Moody's. The most recent S&P and Moody's credit reports for NextEra Energy and NEECH are provided in Appendix 4.

64. NEET MA intends to finance the MARL Project with a combination of equity and third-party debt, maintaining an actual capital structure in line with the regulatory capital structure commitments included within NEET MA's DEA and discussed further below. The equity will be provided by NEECH, and the debt will be provided by NEET MA's existing debt facility which will be upsized as the project progresses.

3. Legal Fitness

65. Upon receipt of Commission approval, NEET MA will be legally fit to construct, own, and operate transmission facilities within the Commonwealth of Pennsylvania.

66. As previously mentioned, NEET MA is an indirect subsidiary of NEET, which is an indirect subsidiary of NextEra Energy. NextEra Energy and its subsidiaries are in compliance in all material respects with federal and state laws in the jurisdictions in which they operate. None of the entities have been prosecuted, indicted, or investigated for criminal activity.

VI. REQUEST FOR APPROVAL OF AFFILIATED INTEREST AGREEMENTS

67. NEET MA will rely on the experience, expertise, and best practices developed by NextEra Energy and its subsidiaries in order to construct, own, operate, maintain, finance, and manage the Pennsylvania Portions of the MARL Project. NEET MA will receive affiliate services from its affiliated operating and holding companies, pursuant to the affiliate services agreement described below. NEET MA also will provide certain services to its affiliate, NEET VA, pursuant to a separate agreement.

68. First, NEET MA receives affiliate services from its affiliated operating and holding companies, pursuant to a Corporate Support Services Agreement executed with NEER, NEET, FPL, and NEETNY (“NEET MA Corporate Support Services Agreement”). Pursuant to this agreement, these affiliates provide NEET MA with corporate support services, including control center services, such as transmission line and substation operations, protection and control services, and system monitoring, and other corporate support services such as administrative services, accounting, business management, corporate real estate, corporate security, environmental, human resources, information management, legal, procurement/integrated supply chain, regulatory affairs, and treasury. An executed copy of the NEET MA Corporate Support Services Agreement is provided in Appendix 5.

69. Second, NEET MA is a party to a separate Corporate Support Services Agreement under which it, and other NextEra Energy affiliates, will provide services to NEET VA (the “NEET VA Corporate Support Services Agreement”). NEET MA and NEET VA anticipate that, during construction of the transmission line, NEET MA may pay certain invoices on NEET VA’s behalf. NEET MA will allocate costs attributable to the Virginia portions of the MARL Project to NEET VA and provide NEET VA with other services as needed, pursuant to this written agreement. An executed copy of the NEET VA Corporate Support Services Agreement is provided as part of Appendix 5.

70. NEET MA will receive or provide service under the terms and conditions of these agreements. These agreements are with “affiliated interests” of NEET MA as the term is defined in Section 2102(a) of the Public Utility Code, 66 Pa.C.S. § 2102(a).

71. The affiliate services provided under these agreements are billed using three methods: direct billed, direct assigned, or allocated. Wherever possible, charges are direct billed.

Charges are direct assigned when direct billing is not feasible, but a direct measure of cost causation exists. Finally, charges are allocated if direct billed charges are not feasible or no direct measure of cost causation exists. All direct billed, direct assigned, and allocated costs for services provided are charged in a consistent manner and result in the same pricing for NEET MA as is charged to any other affiliates.

72. The services to be provided through these agreements are necessary and proper for NEET MA to successfully construct, own, operate, and maintain the Pennsylvania Portions of the electric transmission lines associated with the MARL Project. Through these services, NEET MA will be able to use and rely on the extensive experience and expertise of its affiliates in the areas of finance, construction, operation, and maintenance of high voltage electric transmission facilities.

73. For these reasons, NEET MA requests Commission approval of the above-identified agreements pursuant to Section 2102 of the Public Utility Code, 66 Pa.C.S. § 2102.

VII. ADDITIONAL SUPPORTING DATA

74. The following Appendices, containing additional information in support of this Application, are attached hereto:

- Appendix 1 – Simplified Organizational Chart showing NEET MA and Key Affiliates
- Appendix 2 – Designated Entity Agreement
- Appendix 3 – NextEra Energy’s Most Recent Form 10-K
- Appendix 4 – S&P and Moody’s Credit Reports for NextEra Energy and NEECH
- Appendix 5 – Executed Copies of the NEET MA Corporate Support Services Agreement and NEET VA Corporate Support Services Agreement
- Appendix 6 – NEET MA Organizational Documents

75. Additional supporting information is provided in the testimony and exhibits submitted with NEET MA's Siting Application for the MARL Project, which is being filed contemporaneously herewith. As indicated below, NEET MA is requesting this CPC Application be consolidated with the Siting Application for purposes of hearing and decision.

VIII. OTHER REQUIRED REGULATORY COMMISSION APPROVALS

76. The MARL Project involves a multi-state interstate 500 kV transmission line that traverses Pennsylvania, West Virginia, Maryland, and Virginia, and will require regulatory approvals from each of these jurisdictions.

77. With respect to Pennsylvania, the MARL Project will require Commission approval of this CPC Application, as well as the Siting Application that will be filed contemporaneously herewith.

78. In Maryland, West Virginia, and Virginia, the MARL Project will require certificates of public convenience and necessity from the respective state utility commissions.

IX. REQUEST FOR CONSOLIDATION OF RELATED PROCEEDINGS

79. As explained above, contemporaneously with this CPC Application, NEET MA is filing a Siting Application with the Commission for a finding and determination that the Pennsylvania Portions of the 500 kV transmission line associated with the MARL Project is: (i) needed; (ii) will not create an unreasonable risk of danger to the health and safety of the public; (iii) in compliance with applicable statutes and regulations providing for the protection of the natural resources of this Commonwealth; and (iv) will have minimum adverse environmental impact, considering the electric power needs of the public, the state of available technology and the available alternatives. 52 Pa. Code § 57.76(a). The transmission line that is the subject of the

Siting Application is directly related to the public utility service to be provided by NEET MA as a Pennsylvania electric transmission public utility if this CPC Application is approved.

80. Because the facts, evidence, and approvals required for the above-referenced proceedings are interrelated with the issues and evidence to be presented and addressed for this CPC Application, NEET MA herein requests, pursuant to 52 Pa. Code § 57.75(i)(1), that these Applications and associated proceedings be consolidated and considered simultaneously for purposes of hearings and decision.

X. NOTICE

81. NEET MA is serving copies of this filing on the Commission's Bureau of Investigation and Enforcement, the Office of Consumer Advocate, and the Office of Small Business Advocate. A service list is attached to the cover letter that accompanies this CPC Application. NEET MA respectfully requests that the Commission publish notice of this filing in the *Pennsylvania Bulletin* with a reasonable deadline for intervention in this proceeding. NEET MA will provide any additional forms that may be required by the Commission.

XI. CONCLUSION

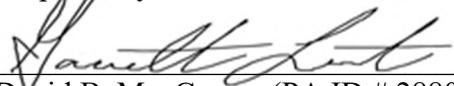
WHEREFORE, NextEra Energy Transmission MidAtlantic, Inc. respectfully requests that the Pennsylvania Public Utility Commission: (1) consolidate this CPC Application with the Siting Application contemporaneously filed herewith; (2) grant all necessary and customary approvals and issue the necessary certificates of public convenience under the Public Utility Code to begin to furnish and supply electric transmission service to or for the public within a transmission corridor to be sited and located from the 502 Junction Substation in Greene County and Fayette County, Pennsylvania to the West Virginia border; (3) approve the affiliated interest agreements identified herein; and (4) grant any and all approvals necessary to carry out the transactions contemplated in this CPC Application.

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**Motion for admission pro hac vice to be submitted*

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**Motion for admission pro hac vice to be submitted*

Dated: March 3, 2026

Respectfully submitted,



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*Counsel for NextEra Energy Transmission
MidAtlantic, Inc.*

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application Of NextEra Energy : Docket No. A-2026-_____
Transmission MidAtlantic, Inc., for All of :
the Necessary Authority, Approvals, and :
Certificates of Public 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 :

and

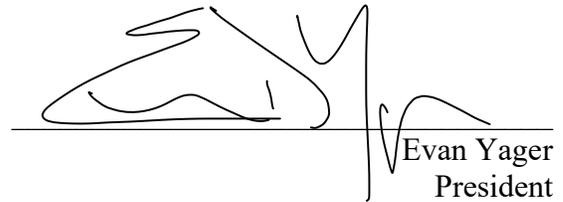
Application of NextEra Energy : Docket No. A-2026-_____
Transmission MidAtlantic, Inc., Filed :
Pursuant to 52 Pa. Code Chapter 57 :
Subchapter G, for Approval to Site and :
Construct a 500 kV Transmission Line :
Associated with the MidAtlantic Resiliency :
Link Project Located in Portions Of Greene :
County and Fayette County, Pennsylvania :

VERIFICATION

I, Evan Yager, state that I am President of NextEra Energy Transmission MidAtlantic, Inc.;

that I am authorized to make this Verification on behalf of NextEra Energy Transmission MidAtlantic, Inc. and that the facts set forth are true and correct to the best of my knowledge, information and belief. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. § 4904 (relating to unsworn falsification to authorities).

Dated: March 3, 2026



Evan Yager
President
NextEra Energy Transmission MidAtlantic, Inc.