

IN THE MATTER OF THE APPLICATION OF \*  
THE POTOMAC EDISON COMPANY D/B/A \*  
ALLEGHENY POWER FOR A CERTIFICATE \*  
OF PUBLIC CONVENIENCE AND NECESSITY \*  
TO CONSTRUCT THE MARYLAND SEGMENTS \*  
OF A 765 KV ELECTRIC TRANSMISSION \*  
LINE AND A SUBSTATION IN FREDERICK \*  
COUNTY, MARYLAND. \*

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BEFORE THE  
PUBLIC SERVICE COMMISSION  
OF MARYLAND

\_\_\_\_\_  
CASE NO. 9223  
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February 25, 2011

**HEARING EXAMINER'S RULING ON OPEN MOTIONS**

At the Motions Hearing held on February 24, 2011, the following rulings were made;

1. The Motion of the Maryland Chamber of Commerce to Intervene Out-Of-Time was granted.
2. All Motions to dismiss the case with prejudice and without prejudice were denied.<sup>1</sup>
3. The Petition of Staff regarding the justification for the proposed Path transmission line was denied.
4. The Motion to suspend the Procedural Schedule was granted, with the applicants proffer that the one year FERC backstop timeframe will not begin to run until Supplemental Testimony is filed by the Applicant.

\_\_\_\_\_  
Dennis H. Sober  
Hearing Examiner

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<sup>1</sup> A finding that the application was complete was made but no finding of fact that the proposed substation was integral to the project was made, that Ruling was held in abeyance.

February 25, 2011

In the matter of the application of \*  
The Potomac Edison Company d/b/a \*  
Allegheny Power for a Certificate \*  
of Public Convenience and Necessity \*  
to construct the Maryland segments \*  
of a 765 kV electric transmission \*  
line and a substation in Frederick \*  
County, Maryland. \*

Case No. 9223

To All Parties of Record:

Enclosed please find a copy of the "Hearing Examiner's Ruling on Open Motions" issued today in the above-referenced matter.

Also enclosed is an updated service list for this matter.

Very truly yours,

Kathleen Berends  
Management Associate

lw  
Enclosures

cc: Blaine R. Young, President, Board of County Commissioners for  
Frederick County  
Margaret Koogle  
Gerald Freeman