

# Electric Transmission Siting



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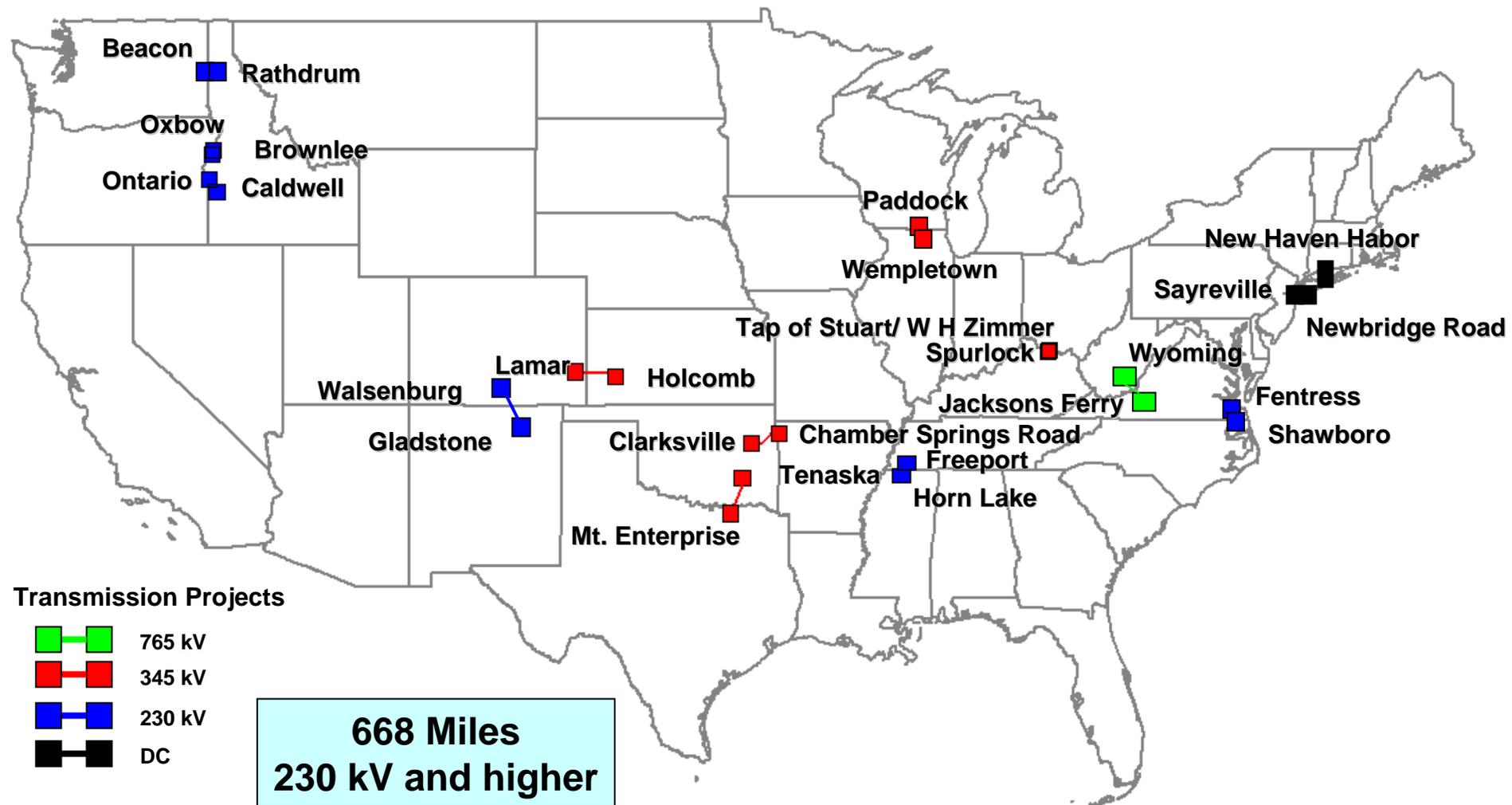
# Meeting Tomorrow's Energy Needs

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## Provisions of section 1221 of the Energy Policy Act 2005

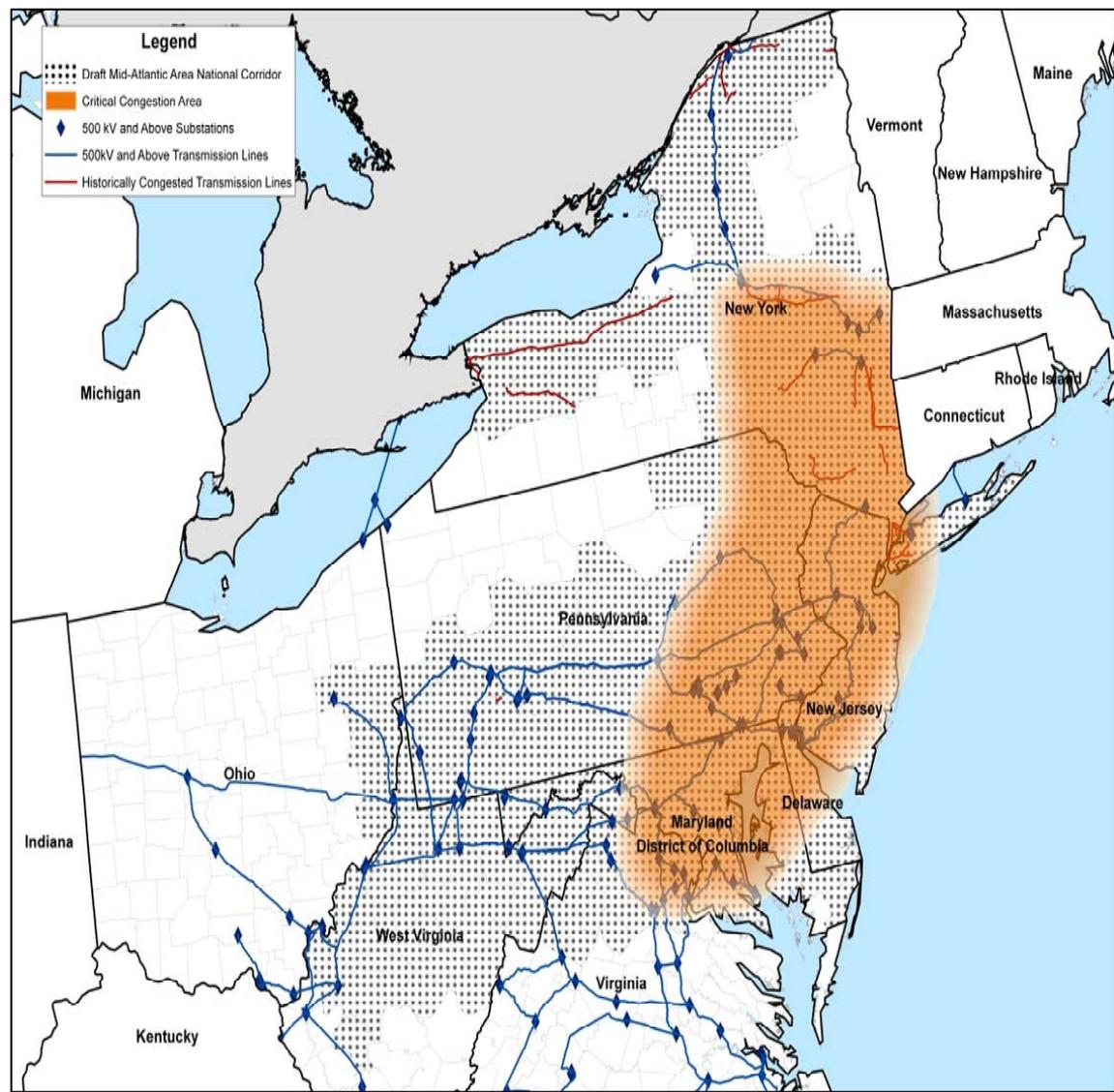
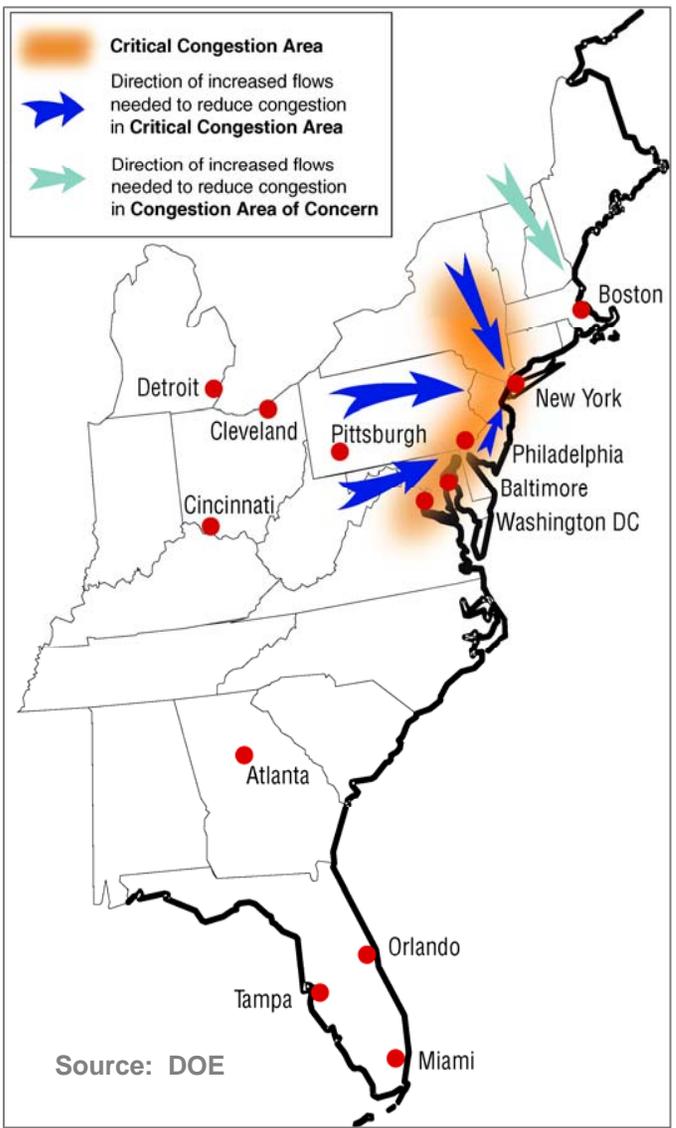
- ⇒ DOE issues national congestion study (August 2006)
- ⇒ DOE may designate National Interest Electric Transmission Corridors (NIETCs) following study completion (designation issued 2007)
- ⇒ Commission may issue a construction permit following corridor designation and statutory time periods

# Since 2000, 14 transmission lines have been built that physically cross state borders



Sources: NERC Summer and Winter Assessments, WECC Existing Generation and Significant Additions and Changes to System Facilities Reports and FERC's Transmission Database

# Results of DOE's Congestion Study and Final Mid-Atlantic Corridor Designation



# Commission's Transmission Siting Authority

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**The Commission is authorized to:**

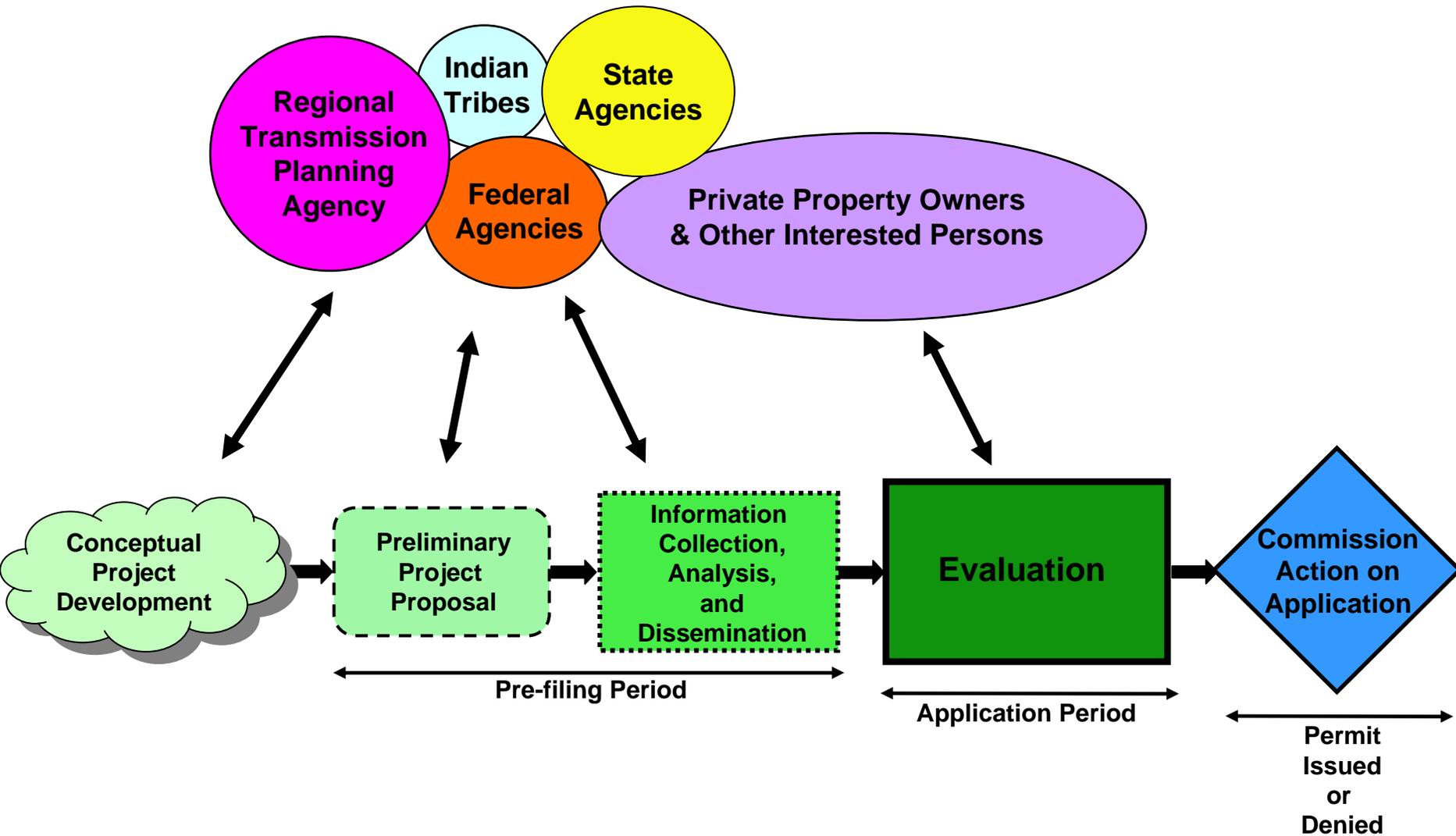
- ⇒ Issue construction permits only for facilities located in corridors designated by DOE**
- ⇒ Act as lead agency**
- ⇒ Commission must find that proposed facilities meet specific statutory criteria**

# Rulemaking

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- ⇒ **Notice of proposed rulemaking (NOPR) issued June 16, 2006**
- ⇒ **Final Rule approved November 16, 2006**
- ⇒ **Order on rehearing issued May 17, 2007**
- ⇒ **Request for court review filed on July 10, 2007**

# Stakeholders Help Transmission Project Take Shape Through a Variety of Formal and Informal Input



# Permit Process - Pre-filing

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**In the pre-filing process the participants will:**

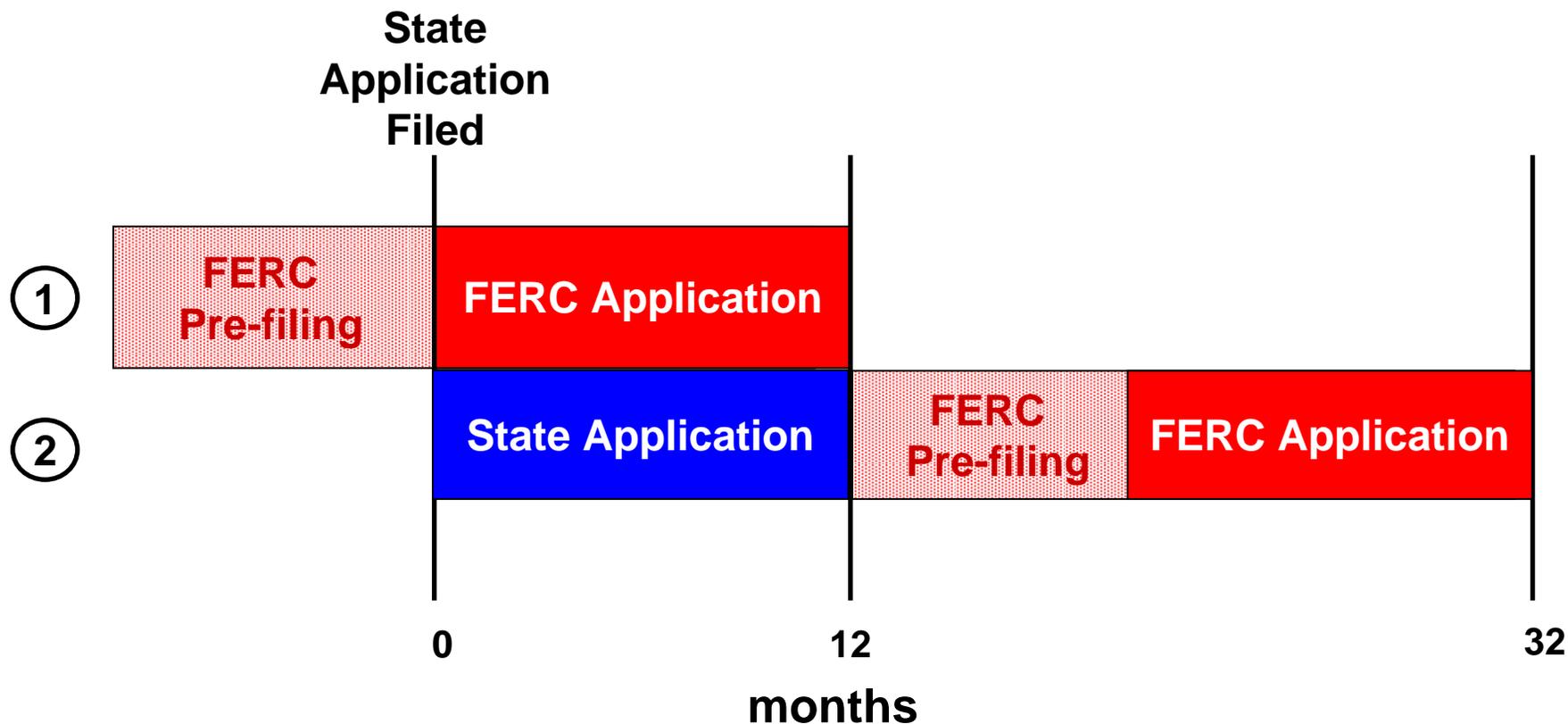
- ⇒ Implement a project participation plan to inform and to include states and other interested entities in the application process**
- ⇒ Gather information necessary to complete the application including information generated in a state proceeding**
- ⇒ Work to resolve issues at the local, state, and regional level**

# Permit Process - Application

Following filing of an application FERC will:

- ⇒ Complete the environmental review process in consultation with affected state(s)
- ⇒ Coordinate all federal authorizations for the proposed facilities
- ⇒ Conduct a thorough evaluation of the record recognizing the input of the state(s)
- ⇒ Prepare an order on the merits
- ⇒ Decide on the application within one year as required by EPCA

# Permit Process - Timelines



- ① EAct would have allowed pre-filing to start prior to state application
- ② Final Rule addresses state concerns and allows pre-filing to begin 12 months after application is filed with state

# The Five Myths of FERC's Transmission Siting Authority

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- ⇒ Eminent domain will be the primary method used to acquire ROW
- ⇒ FERC will not hold local community meetings
- ⇒ FERC will not consider alternatives to proposed routes
- ⇒ Landowners will be denied a role and not be protected
- ⇒ FERC will not consider the State record