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United States  
Department of Energy

Office of Electricity Delivery and Energy Reliability

British Columbia Transmission Corporation

OE Docket No. PP-22-4

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Presidential Permit Amendment  
No. PP-22-4

September 5, 2007

# PRESIDENTIAL PERMIT AMENDMENT

## British Columbia Transmission Corporation

### Order No. PP-22-4

#### **I. BACKGROUND**

The Office of Electricity Delivery and Energy Reliability (OE) of the Department of Energy (DOE) has responsibility for implementing Executive Order (EO) 10485, as amended by EO 12038, which requires the issuance of a Presidential permit for the construction, operation, maintenance, and connection of electric transmission facilities at the international borders of the United States.<sup>1</sup> DOE may issue such a permit if, after obtaining favorable recommendations from the Secretary of State and the Secretary of Defense, it determines that the issuance of the permit is in the public interest.

On March 26, 2007, British Columbia Transmission Corporation (BCTC), a Canadian corporation, filed an application with OE to amend Presidential Permit PP-22, which authorized the construction, operation, and maintenance of seven, single-conductor, 132,000-volt (132-kV) submarine cables and three, single-conductor, 260-kV direct current submarine cables, which cross the U.S. international border twice in the Strait of Georgia. The international electric transmission facilities authorized by Presidential Permit PP-22 do not connect to any U.S. electrical facility, but rather connect

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<sup>1</sup> The authority to grant Presidential permits for electric transmission lines at the U.S. international border pursuant to EO 10485 was transferred from the Federal Power Commission to DOE by EO 12038, dated February 3, 1978, and made effective as of October 1, 1977, the effective date of the Department of Energy Organization Act (42 U.S.C. 7101 *et seq.*). The authority to administer the International Electricity Regulatory Program through the regulation of electricity exports and the issuance of Presidential permits has been delegated to the Director of the Office of Electricity Delivery and Energy Reliability in Redelegation Order No. 00-002.10A issued on January 30, 2007.

the mainland of British Columbia, Canada, and Vancouver Island, passing through approximately 7.5 miles of U.S. territorial waters in the Strait of Georgia. BCTC proposes to replace the three southernmost 132-kV cables with three new submarine cables and to increase the operating voltage of the new cables to 230-kV.

Presidential Permit PP-22 was originally issued to British Columbia Electric Company, LTD on March 10, 1955, by the Federal Power Commission (FPC). The FPC granted amendments to PP-22 on July 21, 1955, and on February 4, 1958, authorizing the installation of additional cables. On August 24, 1967, the FPC granted the latest amendment to PP-22, which authorized the construction, operation, and maintenance of three 260-kV direct current cables. The permit amendment also changed the name of the permit holder to British Columbia Hydro and Power Authority, which was the successor in interest to British Columbia Electric Company.

BCTC is the successor to British Columbia Hydro and Power Authority for purposes of the construction, operation, maintenance, and connection of the subject transmission lines. Therefore, BCTC requests that PP-22 be amended to name BCTC as the Permittee.

Notice of BCTC's application to amend Presidential Permit PP-22 was placed in the *Federal Register* on April 24, 2007, (72 FR 20332) requesting that comments, protests, or petitions to intervene be submitted to DOE by May 24, 2007. None were received.

## **II. DISCUSSION**

As part of its permit amendment application, BCTC submitted technical studies which demonstrate that the permitted facilities constitute a radial connection between the British Columbia transmission system and Vancouver Island and do not connect to any portion of the U.S. electric power grid. Therefore, electric transmission over the permitted facilities could have no effect on the operation or reliability of the U.S. electric system.

The Secretary of State concurred in the issuance of this amendment to Presidential Permit PP-22. The Secretary of Defense also concurred, but requested the inclusion of several provisions for notifying and coordinating the installation of the new facilities with the Department of the Navy. DOE has agreed to include the requested provisions as conditions in the amended permit with the addition of Article 11 to the permit.

## **III. FINDING AND DECISION**

In determining whether issuance of a permit for a proposed action is in the public interest, DOE considers the environmental impacts of the proposed project pursuant to the National Environmental Policy Act (NEPA) of 1969, determines the project's impact on electric reliability by ascertaining whether the proposed project would adversely affect the operation of the U.S. electric power supply system under normal and contingency conditions, and any other factors that DOE may also consider relevant to the public interest.



DOE has determined that this action is among those classes of actions not normally requiring preparation of an environmental assessment or an environmental impact statement and, therefore, is eligible for categorical exclusion (CX) under Appendix B to Subpart D; paragraph B4.6 of the revised DOE Regulations implementing NEPA. Specifically, this CX is for the addition or modifications to electric power transmission facilities that would not affect the environment beyond the previously developed facility area. Documentation of the use of this CX has been placed in this Docket.

DOE has assessed the impact that the installation and operation of the proposed international transmission facilities would have on the reliability of the U.S. electric power supply system. Based on the information in the docket and as discussed above, DOE has determined that amending PP-22 , as requested by BCTC, and as conditioned herein, would not adversely impact the reliability of the U.S. electric power supply system.

Based upon the above, DOE has determined that amending Presidential Permit PP-22 to allow BCTC to replace and upgrade the three southernmost 132-kV submarine cables described in Article 2 of Presidential Permit PP-22 with new submarine cables to be operated at 230-kV and as conditioned herein is consistent with the public interest.

#### **IV. ORDER**


Pursuant to the provisions of EO 10485, as amended by EO 12038, and the Rules and Regulations issued thereunder (Title 10, Code of Federal Regulations, §205.320-329), Presidential Permit PP-22 issued by the FPC to British Columbia Electric Company, LTD. on March 10, 1955, and amended on July 21, 1955, February 4, 1958, and August 24, 1967, is further amended by: (1) substituting British Columbia Transmission Corporation (BCTC) for British Columbia Hydro and Power Authority as the Permittee and holder of the permit, (2) substituting the Department of Energy for references in the permit to the Federal Power Commission or the Commission, (3) authorizing BCTC to replace the three southernmost 132-kV submarine cables described in Article 2 of Presidential Permit PP-22, as amended, with new submarine cables to be operated at 230-kV; and (4) adding the following Article 11 to the permit, provided that all other terms and conditions of Presidential Permit PP-22, as amended, shall remain in full force and effect:

Article 11. The Permittee shall provide marine cable construction details to the U.S. Naval Seafloor Cable Protection Office (NSCPO) for comment, at [nscpo@navy.mil](mailto:nscpo@navy.mil), prior to finalizing the installation plans. The Permittee shall coordinate crossing procedures of any U.S. military cables with NSCPO, and shall not cross any U.S. military cables until authorized to do so by NSCPO.

The Permittee shall notify NSCPO prior to any repair or recovery of the marine cable. In no case shall such notification be less than 24 hours prior to seabed activity.

The Permittee shall provide the Department of the Navy (DON) 24-hour advance notice of the exact location of scheduled cable-laying operations, and real-time information on actual position of such operations, to enable DON to de-conflict submerged and surface U.S. Navy vessel operations in the vicinity. DON point of contact for such coordination is: Mr. Rich Melaas, CNRNW Functional Manager for Range Support, Phone: (360) 257-3315; e-mail: richard.melaas@navy.mil.

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