Electric Transmission Siting

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Meeting Tomorrow’s Energy Needs


- 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.
Results of DOE’s Congestion Study and Final Mid-Atlantic Corridor Designation
Commission’s Transmission Siting Authority

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

- 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

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 EPAct
EPAct would have allowed pre-filing to start prior to state application.

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

- 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