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UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

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London/Marmet and Winfield Docket No. P1175-013
Hydroelectric Projects Docket No. P1290-011
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Country Inn & Suites
By Carlson
105 Alex Lane
Charleston, West Virginia 25304
Wednesday, November 12, 2008

The public hearing, pursuant to notice, convened at 2
p.m. before a Staff Panel:

- KIM CARTER, Civil Engineer, Federal Energy
Regulatory Commission
- JENNIFER ADAMS, Wildlife Biologist, FERC
- ALLEN KRAMER, Aquatic Biologist, FERC
- TERESA ROGERS, Appalachian Power

1 PROCEEDINGS

2 MS. CARTER: I'd like to welcome you to the
3 scoping meeting for the London/Marmet and Winfield Projects.

4 As we begin, I'd like to take care of a few
5 administrative items. One of the first things that I'd like
6 for you to all fill out for me, please, is the registration
7 form. I think Allen will be passing those out for me. If
8 you have anything that you would like to present, there will
9 be a time a little bit later on where you can make an oral
10 presentation.

11 There's also an agenda, an ILP licensing process
12 schedule back at the table as well.

13 Another thing that I'd like to mention is that we
14 have a stenographer here, so if anyone would like to make
15 any comments or say anything, please state your name and
16 then what agency you're with or who you represent, and then
17 you can continue with your comments.

18 In the interest of keeping time, if there's
19 anything that you all would like to talk about and we
20 haven't made it to that segment, we'll try to put those
21 issues into the 'parking lot' issue, and we'll come back and
22 go over those. So if you have any questions or anything
23 like that, you can also either hold those to the end or just
24 go ahead with the question as we go on.

25 While we are here, Commission Staff conducts

1 scoping to identify issues associated with evaluating the
2 environment effects of proposed action and alternatives. We
3 expound on this purpose in Section 2.1 of the scoping
4 document, and there is also a copy of the scoping document
5 at the back table as well.

6 Additionally, the stakeholders in the ILP process
7 will review scoping to identify information and study needs
8 that ultimately will be used to develop the operational and
9 environmental recommendations. If any of you are familiar
10 with the licensing process of any of the other hydro
11 projects and the traditional scope of the meetings, you know
12 that the Commission Staff usually stands up front, we hold
13 the meeting, and then we go home. But the new ILP process
14 is more of an interactive process; and we also take part in
15 it as stakeholders as well, as any other resource agency
16 group or the public that has involvement.

17 The ILP regulations outline certain purposes for
18 scoping, which include starting the scoping of issues,
19 revealing and discussing existing conditions and resource
20 management objectives, reviewing and discussing existing
21 information and making preliminary determination of
22 information and study needs. Reviewing, discussing and
23 finalizing the process plan, and discussing cooperating
24 agency status and public involvement.

25 Now I'll turn the meeting over to Appalachian

1 Power so they can explain the project and their proposals.

2 (Adjusting slide projector)

3 MS. ROGERS: My name is Teresa Rogers, I'm with
4 Appalachian Power Company. I'm going to be giving you a
5 project overview and a review of the information in the PAD,
6 as far as what our proposal is at this time.

7 If you wouldn't mind, could we go around the room
8 so I know who everybody is? That might help everybody,
9 actually.

10 Charlie, would you start and tell them what you
11 do?

12 MR. CAMPBELL: Charles Campbell, Maintenance
13 Supervisor for the Marmet and London and Winfield.

14 MR. GALKEY: I'm Alan Galkey with American
15 Electric Power, Service Corporation. I'm an aquatic
16 biologist in the Environment Servicing Department.

17 MR. BLEDSOE: I'm Kerry Bledsoe, I'm Hydropower
18 Coordinator for the West Virginia Division of Natural
19 Resources.

20 MR. SLESHER: I'm Larry Slesher, American
21 Electric Power, Supervisor of Hazardous Dispatch.

22 MS. PARCELL: I'm Liz Parcell, Appalachian Power
23 Company, working on licensing.

24 MR. SIMS: I'm Frank Sims, I'm the Manager of
25 Hydro Generation for AEP.

1 MR. BEALE: Henry Beale with the Labor Union,
2 Charleston.

3 MR. MORRIS: Rodney Morris, I'm with the
4 Operating Engineers, Charleston, West Virginia.

5 MR. KRAMER: My name is Allen Kramer, I'm with
6 FERC, and I'm an aquatic biologist and senior technical
7 expert for this branch.

8 MS. ADAMS: My name is Jennifer Adams, I'm a
9 wildlife biologist for the Federal Energy Regulatory
10 Commission.

11 MS. CARTER: And I'm Kim Carter, again, with
12 FERC, Civil Engineer.

13 MS. ROGERS: To give maybe a little bit of
14 background about Appalachian Power Company. We've already
15 gone through the introductions of our staff that's here
16 today; but we are an operating company of American Electric
17 Power, and we operate 17 hydroelectric facilities in West
18 Virginia, Virginia, Ohio, Indiana and Michigan. And our
19 total megawatts for our hydro is 889.

20 The Hydro Generation Office is located in
21 Roanoke, Virginia, and our operations center, which actually
22 operates the plant, is also located in Roanoke, Virginia.

23 Appalachian Power is the Federal Energy
24 Regulatory Commission licensee for London/Marmet and
25 Winfield Hydroelectric Projects. We operate the powerhouse

1 that's adjacent to the Corps of Engineers' locks and dams.
2 So the locks and the dams and the reservoirs are not part of
3 the licensed hydroelectric facilities.

4 Our current license was issued in September of
5 1983, and it expires in January of 2014. That's why we're
6 here; we're getting ready to apply for a new license.

7 The London and Marmet project, there are two
8 developments. It's one license, but it's two developments.
9 Both the London and the Marmet are powerhouses. The London
10 development is at River Mile 82.8 in Handley, West Virginia.
11 There are three generator units in the London Development;
12 there is one fixed blade propeller unit and two adjustable
13 blade Kaplan units. The authorized capacity is 14.4
14 megawatts total, and the hydraulic capacity is 10,000 cfs.

15 Marmet is located at River Mile 67.7. It's in
16 Marmet, West Virginia, and there's also three generating
17 units at that plant as well; one fixed and two adjustable
18 blade Kaplan units. The authorized capacity at that plant
19 is 14.4 megawatts, and the hydraulic capacity is 10,000 cfs
20 as well.

21 Then the third project is the Winfield Project,
22 and it's located at River Mile 31.1 in Winfield, West
23 Virginia. There are also three generating units there. All
24 three of them are adjustable blade Kaplan units. The
25 authorized capacity is 14.76 megawatts and the hydraulic

1 capacity is 10,600 cubic feet per second.

2 The operations of the hydroelectric facilities
3 are coordinated with the Corps' locks and dams, I mentioned
4 before, where we're the powerhouses adjacent to the Corps'
5 facilities.

6 In general, when the stream flow is less than the
7 full discharge of the turbines, then the maintenance of
8 those pool elevations within certain limits is the
9 responsibility of Appalachian. If the stream flow then
10 exceeds that turbine discharge, the Corps of Engineers
11 controls the levels. And at any time, the Corps may make a
12 request for us to maintain certain levels for special
13 navigation purposes.

14 Under our current license, the allowable
15 fluctuation is three feet. At London, now we haven't been
16 operating that full three feet, but that is what's in our
17 license, the license that we have right now. The maximum
18 drawdown would be a rate of .5 feet per hour.

19 At Marmet, the allowable fluctuation is .3 feet
20 from elevation 589.7 to 590, and there is a maximum drawdown
21 right there as well, .5 feet per hour. But due to limited
22 storage capacity and that impoundment, the operations at
23 Marmet pretty much mimic those of London.

24 And then at Winfield, the allowable fluctuation
25 is .2 feet, from elevation 565.8 to 566, with a maximum

1 drawdown rate of .5 feet per hour. And then the Winfield
2 also pretty much mimics the operation of Marmet and London.

3 Now in our Pre Application Document, we had
4 proposed different things as far as what we think we'll need
5 to do under our license up to this point; and one of those
6 is looking at that three foot that I mentioned a few minutes
7 ago at London. I guess during the pre-filing period, there
8 were some comments on that three foot, so we decided to go
9 back and look at it a little closer. But if we do decide
10 that we do want to maintain that three foot, then we would
11 do the study on the impacts of the wildlife, riparian
12 vegetation and stream bank stability.

13 As far as water resources, we're looking at
14 conducting a study on the impact of each one of those
15 developments on dissolved oxygen, and then for fish and
16 aquatic resources, we're looking at conducting a desktop
17 study of the fish entrainment and mortality. And because of
18 how this process works, we would be working with the
19 different stakeholders in preparing that study plan.

20 And then for cultural resources, we'll be
21 consulting with the West Virginia State Historic
22 Preservation Office, and prepare an Historic Properties
23 Management Plan for both of the projects, which is all three
24 of the developments. And the HPMP will describe the
25 procedures Appalachian would follow prior to undertaking

1 any project-related actions that could affect those
2 properties.

3 For recreation, every six years we're required to
4 file a form with the FERC, it's called a FERC Form 80. And
5 it's a summary of the recreation use at each one of our
6 facilities. And we have one due in March of 2009, so we
7 really couldn't wait for re-licensing, so we're already
8 doing some counts at the fishing accesses at each of the
9 plants; we're already doing that.

10 We have set up a web site for re-licensing; it
11 will contain any filings that we make, any information that
12 we receive from any agencies or individuals that are
13 interested in the process; and it's at KanawhaHydro.com. So
14 that's how we're going to be communicating a lot during re-
15 licensing with the stakeholders, is through that web site.

16 Anybody have any questions so far?

17 (No response.)

18 All right, I'll go back and turn it over to Kim.

19 MS. CARTER: As many of you may or may not know,
20 FERC established the Integrated Licensing Process in July
21 2003. Appalachian Power is familiar with the process;
22 they're using it for the re-licensing of Smith Mountain as
23 well as Clear Lake project.

24 As far as the ILP, a licensee must file a Pre-
25 Application Document when they file their Notice of Intent

1 to file a license application for a new license. The PAD
2 provides a basis for the Integrated Licensing Process. It
3 summarizes the available environmental information and known
4 project impact sufficiently enough to enable the licensing
5 of participants to define issues and study needs very early
6 in the process. It also is a basis for our scoping
7 document; it forms a foundation of environmental analysis.

8 We envision that the ILP will improve timeliness
9 in processing license applications while also ensuring that
10 we adequately protect the affected environment. The key to
11 the ILP is early participation by all, including us. Unlike
12 the traditional process used in licensing, we are involved
13 from the very beginning. We scope the project within 90
14 days of the Notice of Intent to File a license application,
15 and the PAD; and a study plan is developed within the first
16 six to eight months.

17 Because the ILP is a schedule-driven process, the
18 first six months to a year will be very busy for all
19 stakeholders. Scoping comments, study requests and study
20 plan development are all required to be completed within the
21 first year of the Notice of Intent.

22 To keep on track, there's a process plan and
23 schedule established by and for all parties, including us,
24 with a time frame for each step in the pre- and post-filing
25 stages. The pre-filing stage represents the time prior to

1 Appalachian Power submitting a license application by
2 January 2012.

3 We will go into more detail about the dates on
4 the process plan at the end of the meeting; however, for the
5 time being, we will go with the dates that we have on the
6 following slides.

7 Before we really go into the process plan, I want
8 to give a brief overview; just a summary. The process plan
9 is essentially a schedule. If you have a copy of the colored
10 block chart, that's what the process plan is.

11 To represent the process plan, we have developed
12 triangles that show the three stages of the process plan for
13 pre-filing activities. The triangle is broken up into:
14 scoping, study plan development, and conducting the studies,
15 and developing the necessary environmental measures.

16 One thing I cannot stress enough is that the
17 first year of the process plan is very busy for all
18 stakeholders and the dates by which the information is
19 needed comes up really fast. The key to the ILP is early
20 participation. Today's scoping meeting is very important
21 because it is designed to provide insight into any
22 information gaps and to review, discuss, and finalize the
23 process plan and schedule.

24 The process plan, which will be described in the
25 following slides, is also available in Appendix A of the

1 scoping document. During the comment period, you will have
2 an opportunity to comment on the process plan. Again, don't
3 be concerned with the dates that are shown in red; they may
4 change. We'll discuss that a little bit later on.

5 Comments on the scoping document and PAD, as well
6 as any requests for studies, must be filed by the
7 participants, including the Commission Staff, by December
8 12, 2008. Study requests should address each of the seven
9 criteria set out in the regulations which are shown on this
10 slide right here. Also, I made a copy -- that's also at the
11 back table, if you want to pick that up on your way out, if
12 you don't have it right now.

13 In order to better focus the study requests,
14 specific criteria were developed, and these are the
15 criteria:

16 To define the goals and objectives of the study,
17 and the information to be obtained.

18 If applicable, explain the relevant resource
19 management goals of the agency or tribe with jurisdictional
20 authority.

21 Describe any existing information concerning the
22 subject of the study proposal and why additional information
23 is needed to fill in any information gaps.

24 Explain any relevant public interest
25 considerations if the requester is not a resource agency

1 group.

2 Explain the nexus between the study and the
3 project effects, and how information obtained will be used
4 to develop license recommendations.

5 Demonstrate that the proposed study and its
6 methodology is consistent with accepted scientific practice
7 and will address tribal concerns.

8 And describe the cost and level of effort
9 associated with the proposed study.

10 Appalachian Power will file their proposed study
11 plan by January 26, 2009. It's typically 45 days after the
12 scoping comment due date.

13 While study disputes may arise after the filing
14 of the proposed study plan, we are hoping that such disputes
15 can be resolved informally. To informally resolve any
16 disagreements with the study proposal between the filing and
17 study plan and when the comments are due, participants in
18 the process, including Commission Staff, will hold a study
19 plan meeting. This meeting will occur around February 25,
20 2009.

21 Participants will have until April 2009 to file
22 comments on the Appalachian Power study proposal plan. Once
23 the comments are filed, Appalachian Power will file a
24 revised study plan, if necessary. And that's typically
25 within 30 days of a comment closing date.

1 Commission Staff will issue a study plan
2 determination with any modifications within 30 days of
3 Appalachian Power filing the revised study plan, or by June,
4 2009. The study plan will include a schedule for periodic
5 review and modification. The applicant must conduct studies
6 in accordance with approved study plan.

7 In June 2010, Appalachian Power must prepare and
8 provide a progress report. This report is expected to
9 describe as progress in implementing the study plan and
10 schedule and the data collected. The report will also
11 describe any proposed modifications of the study plan. Also
12 in June 2010 there will be an initial study report meeting,
13 and the opportunity for stakeholders to comment on the
14 progress report.

15 The preliminary licensing proposal or draft
16 license application is due by September 2010. Concurrent
17 with its filing of the preliminary license proposal,
18 Appalachian Power plans to submit its Section 401 Water
19 Quality application. The license application is due by
20 January 31, 2012. It can be filed earlier, but that's the
21 drop-dead date. It has to be filed two years before the
22 license expires.

23 To bridge the gap between the burden of
24 developing a complete draft application and providing
25 sufficient information for agencies and participants to

1 evaluate the merits of the applicant's proposal, the ILP
2 requires that the applicant prepare a preliminary license
3 proposal that explains its existing and proposed operations,
4 describes any proposed environmental measures and includes a
5 draft environmental analysis of those measures. If anybody
6 is familiar with that, that would be just like the Exhibit E
7 of the license application.

8 Completion of the draft license application is
9 optional. Appalachian Power is encouraged to file drafts of
10 any required biological assessments and any historic
11 properties management plan. Participants have until
12 December 2011 to file comments on the draft proposal,
13 including any additional studies with a showing of any
14 extraordinary calls, as already discussed.

15 Does anyone have any questions at this time?

16 (No response.)

17 All right. On this slide, you see the post-
18 filing activities. I'm not going to go into too much detail
19 about this, because right now we're in the pre-filing stage.
20 So once we make it through those stages and steps, then
21 we'll go to the post-filing steps. But as of right now, the
22 most important thing on this slide is the application due
23 date, which is January 31, 2012.

24 Teresa covered some of these issues. In
25 reviewing the PAD for London/Marmet and Winfield we

1 identified a variety of issues that fall into multiple
2 resource areas. These resource areas include water, aquatic
3 and terrestrial resources; rare, threatened and endangered
4 species, and recreation and land use. I'll briefly outline
5 issues that we identified in the scoping document. I want
6 to remind everyone that this list of issues is not meant to
7 be exhaustive, but rather just a list that's preliminary in
8 nature. And also, let's keep in mind that the projects are
9 located at Corps of Engineers facilities, so that's one
10 thing that we also want to focus on.

11 With water resources, we need to discuss the
12 effects of the proposed project operation on water quality
13 and water quantity. For the aquatics resources, we want to
14 look at the effects of current project operation on
15 shoreline spawning, fish species, and on littoral habitat at
16 the London development, and we want to look at the effects
17 of current project operation on fish movement and passage,
18 survival at all of the developments.

19 The terrestrial resources, we want to look at the
20 effects of continued operation and maintenance of the
21 project, including the transmission line areas, on wetlands,
22 riparian, or littoral habits and associated wildlife within
23 the project's boundary.

24 For the rare, threatened and endangered species,
25 we want to look at the effects of continued project

1 operation and maintenance, including transmission line areas
2 on potentially-occurring federally-listed endangered
3 species: the Running buffalo Clover, the Pink Mucket
4 Pearlymussel; Northern Riffleshell; Fanshell; Tubercled
5 Blossom Pearlymussel; and we want to look at the Indiana and
6 Virginia Big-Eared bats.

7 And another species of concern, we want to look
8 at the Spectaclecase Mussel, and the Osprey.

9 As far as the recreation and land use, we want to
10 look at the adequacy of existing public access, including
11 the angler access facility at the London development and
12 recreational facilities in the project boundary to meet
13 current and future recreation demand, the effects of the
14 continued operational fishing opportunities within the
15 project area.

16 And for cultural resources, we'll be discussing
17 the effects of the proposed action and alternatives on
18 properties that are included in or eligible for inclusion in
19 the National Register of Historic Places.

20 In Section 4.2 of the PAD and also Section 3.13
21 of the scoping document, you'll find a list of potential
22 studies or other information gathering activities proposed
23 by Appalachian. In the next few slides, I'll briefly go
24 over those studies and/or information gathering. And Teresa
25 again also mentioned some of this information, as well.

1 These information gathering activities and
2 studies go into five categories. We'll look at the project
3 operations, recreation, water resources, fish and aquatic
4 resources, and cultural resources.

5 As far as the project operations, Appalachian
6 hired a consultant to investigate the operational efficiency
7 of London development to determine the impacts of such
8 drawdowns, the three foot drawdown that Teresa mentioned
9 earlier, on the wildlife, riparian vegetation, and stream
10 bank stability. I think in the application it was mentioned
11 that the report was due in August 2008; and I guess from
12 there, Appalachian will be able to determine whether or not
13 the three feet drawdown is still something that can be done
14 without any problems.

15 Yes.

16 MS. ROGERS: We are still internally looking at
17 that three feet. So what would be helpful for us in this
18 part of the process -- because I know you'd kind of like to
19 know which way we're going, and I don't have an answer for
20 you yet -- but if when you're doing your comments on that,
21 if you could comment on, if we do decide to retain that
22 three feet, this is what you would want to see versus -- and
23 if you don't, if you decide not to, then 'this is not an
24 issue anymore' kind of thing -- that would be helpful.

25 MS. CARTER: Recreation. Appalachian Power is

1 currently making periodic user counts of fishing access
2 facilities to determine how many users are taking advantage
3 of the existing recreation facilities, at both London/Marmet
4 and Winfield. Teresa mentioned earlier, too, that they are
5 going to be filing a Form 80 with FERC to discuss some of
6 the recreation facilities. From that study, I believe you
7 all will determine if there's a need for any site
8 enhancement.

9 Water resources, Appalachian proposed to study
10 the impact of each development on dissolved oxygen. Fish
11 and aquatic resources, Appalachian proposes to perform a
12 desktop study of fish entrainment and mortality. Cultural
13 resources, Appalachian proposes to consult with the West
14 Virginia State Historic Preservation Office and prepare an
15 HPMP, a Historic Properties Management Plan for the
16 projects.

17 Before we open the meeting to questions and
18 answers, do we have anyone who has a prepared statement that
19 wishes to present at this time?

20 (No response.)

21 I just want to reemphasize that if you do plan to
22 file study requests that you use each one of these criteria
23 to develop your study requests so that we can use it as part
24 of our record to determine whether or not this is a study
25 that's feasible.

1 Does anyone have any questions?

2 MR. BLEDSOE: Is this the general question and
3 answer period now, or is it just on that last part.

4 MR. KRAMER: Back up to the slide previous. That
5 explained filing.

6 MS. CARTER: Anyone who wants to file any
7 comments and/or study requests, you can send that
8 information to our D.C. office; and that information has to
9 be filed by December 12th. You can also send it
10 electronically if you go through our web site, www.FERC.gov.
11 You can step through the web site and see how you can
12 electronically file comments or study requests.

13 We'll open it up for questions and answers right
14 now.

15 MR. BLEDSOE: Do you want me to go through all my
16 questions, or just go around the room one at that time?

17 MS. CARTER: However you want to do it, but
18 please state your name first.

19 MR. BLEDSOE: Okay. My name is Kerry Bledsoe
20 with the West Virginia Division of Natural Resources, and I
21 guess first thing I want to ask about -- and I hate to sound
22 so trivial here, but this is the first PAD that I've seen
23 that was copyrighted. And there is a statement here that
24 says there is no reproduction, transmission or distribution
25 by any means of this document.

1 I hope the statute of limitations is fairly short
2 on this, because I've transmitted this document to all of my
3 biologists, in three different offices already.

4 MS. ROGERS: It is on our website as well.

5 MR. BLEDSOE: And it's on the FERC website. So I
6 don't quite understand what the ominous warning here is all
7 about.

8 MS. ROGERS: I guess, if someone decided they
9 wanted to try to get our license and they used our PAD to
10 apply, we'd have a problem with it.

11 MR. BLEDSOE: All right. That was for
12 clarification.

13 I'd like to state first, officially that my
14 comments or my questions now are not my official statement;
15 that the DNR will provide a written statement by December
16 the 12th. So I just have some questions for clarification.

17 One of which is, in the PAD, you don't describe
18 the operation -- well, you do describe the operations to
19 some extent, but you don't describe the facilities that you
20 have at each of your hydros. You've got turbines there.
21 First, I'd like to know if those turbines are the original
22 turbines. Are those the ones that were -- have they ever
23 been changed out, or are those the original? And what are
24 the specifications for those.

25 Now I understand some of this might violate your

1 critical infrastructure, and obviously you can't answer
2 that. And I'm not asking for answers for these questions
3 today, but I think when we're evaluating fish entrainment
4 and impingement, mortality, whether we want to -- how we
5 want to phrase our request for that study, we need to know
6 about the exceedance, probability of flows, what -- you have
7 three turbines in some of your hydros? What is your
8 operations; you do operate all three of them at various
9 rates, or do you operate one and then you kick on a second,
10 do a third? Some places you've got one of one type and two
11 of another type; what's the configuration? Are they one
12 near shore, are they in the middle?

13 I mean, there's very little information in the
14 PAD to describe the different components that we would be
15 using to assess entrainment and impingement. So, for
16 example, there's no real description of the intake screens
17 or the trash racks, which is talked about on page 2.4; and
18 we'd like to have rack spacing, are they diagonal, are they
19 straight on? Things of that nature, we'd like to have that
20 information made available.

21 And then on page 2.9, you do talk a little bit
22 about flows, but we would like to see percent exceedance
23 flow so that we'll know approximately how often you operate
24 at various regimes or that you don't operate at when we're
25 excessive, over 10,000 cfs I think is when you stop,

1 facilities that actually shows where your transmission line
2 runs, from the facility to the main line would be helpful,
3 since it will also be part of the evaluation for terrestrial
4 impacts.

5 My last question, I guess, is kind of to FERC:
6 In previous PADs that I've reviewed, the study requests are
7 generally fairly well outlined in the PAD; they cover most
8 of the components that you have. This one doesn't have
9 that.

10 Normally what we do when we make a study request
11 or we write a letter to you for a study, we say we agree
12 with the study request if the licensee has already made a
13 good case for. So we don't go back and reinvent the wheel.
14 We don't provide all information or try to lay out a case
15 for why those studies need to be done if they've already
16 done that.

17 My question is, will that be forthcoming? Or do
18 we as an agency, if we agree that these studies are
19 necessary, do we have to then make the written request,
20 protocol for this particular one? Because in the past I
21 haven't done that. I usually say: We agree with everything
22 that the licensee is going to study. And then we may have,
23 in addition to, we might want these studies. But we don't
24 go back and re-put down all that information for the ones
25 that they've already agreed to do.

1 I guess my other question is, is it conceivable
2 that a license would agree to do a study, would propose it,
3 but FERC would say "No, you don't need to do it"? Because
4 if that's the case, obviously we would want to bolster that
5 one that we thought was necessary. That information is not
6 in this PAD, so that's why I'm asking. I haven't run across
7 this before; I've run across several PADs already, and most
8 of them have a fairly detailed description of study
9 requests.

10 So that's pretty much it for me. Thank you.

11 MS. ROGERS: There will be a proposed study plan
12 that's filed. Is that what you're thinking? That does
13 outline -- yes.

14 MR. KRAMER: Allen Kramer with FERC.

15 In my experience with these ILPs, unless an
16 applicant has been talking with the agencies and other
17 stakeholders early on to try to develop the studies, the
18 PADs generally don't have a significant outline of the
19 studies, or basically just presenting some thoughts and some
20 -- you know, if an applicant has given it some thought and
21 laid out what they think they might want to do.

22 That has been the case on, a project I worked on,
23 is that was the extent of it in the PAD. Over the course of
24 the next few months, you will have continuing interactions
25 with the applicant to try to develop these studies a little

1 bit more.

2 From a formal standpoint, you file these study
3 requests following these criteria, and from that, the
4 applicant then develops that detailed study plan that you're
5 talking about; and that's filed as part of the proposed
6 study plan. And then from that point there's a meeting to
7 talk about what is in the proposed study plan, whether you
8 agree with the studies. If you disagree, why do you
9 disagree? What would you like to see different? And then
10 there's an iterative process over the next six to eight
11 months to get to a point where the Commission will say
12 'Okay, here's the study plan that the licensee shall
13 implement.' And then you go forward from there.

14 So informally the conversation can go on; I'm not
15 going to speak for Appalachian Power in terms of how they
16 are going to want to proceed with this, but informally,
17 conversation can go back and forth amongst parties; and from
18 the standpoint of developing this study plan there are just
19 some key areas where formal comments are necessary, as the
20 regulations stipulate.

21 So I don't know if that answers your question or
22 not.

23 MR. BLEDSOE: Kind of does. I guess my big issue
24 is that on December 12th, we have to make study requests.
25 In previous letters that I've written to the Commission, if

1 we agree with all of the requests that are in the PAD, we
2 don't go back and substantiate the seven or how many -- five
3 steps, whatever there are, for the study request. We don't
4 do that; we just say 'we concur with those study requests'
5 we might say, but in addition, we may want something -- and
6 for the ones that weren't listed in the PAD that we want to
7 be considered, we go through that detailed requirement
8 that's, prospectus.

9 What I think I'm hearing you say is for this
10 particular one, we need to do that for all of the study
11 requests, including the ones that are in here already.

12 MR. KRAMER: Yes. If you want to protect your
13 interests to make sure that you get what you believe you
14 need to have, in a proper evaluation from the State's
15 standpoint, you need to make sure that those studies that
16 you put -- you know, 'this is exactly what we want.'

17 MR. BLEDSOE: Okay, good.

18 MR. KRAMER: And to answer your other question
19 about--

20 MR. BLEDSOE: It was the question about whether
21 you ever -- even though we both make a request, but you
22 might make a ruling that you don't think that it's
23 necessary?

24 MR. KRAMER: As a general rule, we don't disagree
25 with something that an applicant might propose to do.

1 However, we have been known to, in a study plan
2 determination, say there are certain things where the
3 Commission just does not like to go, that we believe is not
4 under Commission jurisdiction.

5 If something like that is wrapped in to the study
6 plan, what will typically happen is the Commission will say
7 -- they'll approve a study plan minus some piece of it
8 because it doesn't fall under our jurisdiction. But then
9 we'll say, 'the applicant, they've agreed to do it, they're
10 free to do it if they'd like. It might be a great thing,
11 but it's just something that we're not going to formally
12 approve as part of that study plan.' We have done that
13 before.

14 MS. CARTER: Other questions?

15 I'm sorry, I think you had a question about the
16 transmission lines?

17 MR. BLEDSOE: I just had a request that, a figure
18 or a more exact description of the location of the
19 transmission lines at all three sites be provided -- it's
20 not in here now that I can tell -- because the transmission
21 line is part of the project area, and will be part of any
22 terrestrial evaluations that have taken place. It was a
23 request additional information.

24 MS. ADAMS: Jennifer Adams with FERC.

25 We discussed that when we visited the projects

1 today, and I had the same questions, Mr. Bledsoe. So we're
2 going to get some information about which transmission lines
3 were regulated under this project, because we had the same
4 questions as well.

5 MS. CARTER: For the most part, the one line
6 diagrams are in the application, are in the PAD. They help
7 to try to give some input onto where the lines are going to.

8 I don't know if you all received the CEII
9 information.

10 MR. BLEDSOE: That's I guess another issue, and I
11 guess I have to make a request through you to get the Volume
12 II, is that correct, through FERC?

13 MR. KRAMER: There is a standard process to go
14 through; however, if you can work with an applicant, in this
15 case Appalachian Power, they may be willing to provide
16 information that would otherwise be unavailable to you in a
17 timely manner.

18 MR. BLEDSOE: Just a letter of request to you,
19 Teresa, be okay?

20 MS. ROGERS: Yes.

21 MR. BLEDSOE: Okay.

22 MS. CARTER: Any more questions or comments, or
23 requests?

24 There is one last thing that we want to go over;
25 the process plan schedule. It's not really too clear up

1 here, I thought it was going to be bigger on my screen. But
2 if you look at it, the red text represents the dates that
3 FERC calculated. The blue texts are the dates that
4 Appalachian had calculated.

5 What happened was, Appalachian filed the PAD one
6 day earlier than was expected, so we had to go by the date
7 that the application was actually filed in our office. So
8 it kind of threw everything off by a day.

9 When you get down to about 16 and 17, though,
10 those dates -- there was a big gap in the dates that were
11 provided from Appalachian versus what we'd calculated. Box
12 No. 16, FERC calculated September 3rd, and Appalachian had
13 listed August 12 of 2011. This particular box, this
14 particular phase, it has to be no later than 150 days before
15 the application is due. The application is due January
16 31st, 2012, so we count back 150 days.

17 And of course if the information is ready, it can
18 be processed and filed earlier; but we just wanted to point
19 that out, because in the process plan and the application,
20 those dates are a little bit different. Also that last box
21 where there's comments on the preliminary license proposal,
22 it's about five or six days off, I believe. FERC is looking
23 at December 2nd, 2011, and Appalachian was looking at
24 November 10th, 2011. So we want to just kind of open that
25 up for discussion, if anyone has anything against the dates

1 that FERC has proposed.

2 MS. PARCELL: Is that what's in the scoping
3 document?

4 MS. CARTER: Yes. And these dates we listed in
5 the scoping document.

6 MR. BLEDSOE: The scoping document.

7 MS. CARTER: Yes.

8 MR. BLEDSOE: And these are correct, is what
9 you're saying?

10 MS. CARTER: Yes. But as far as what was in the
11 application, in the PAD, the dates are a little bit
12 different. So we just wanted to make everyone aware that
13 those dates are different and if there's any problems with
14 possibly meeting those dates, then we can discuss it and
15 come up with a date that's feasible for everyone.

16 MS. ROGERS: Works for us.

17 MS. CARTER: Teresa said it works for her.

18 Well, I guess that concludes our scoping meeting
19 for the London/Marmet and Winfield projects. So thank you,
20 everyone, for coming out.

21 (Whereupon, at 3 p.m., the meeting concluded.)

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