

COMMITTEES:
AGRICULTURE, NUTRITION,
AND FORESTRY
BANKING, HOUSING AND
URBAN AFFAIRS
FOREIGN RELATIONS
SPECIAL COMMITTEE ON AGING
JOINT ECONOMIC

United States Senate

WASHINGTON, DC 20510

July 6, 2007

The Honorable Samuel W. Bodman
Secretary of Energy
United States Department of Energy
1000 Independence Avenue, SW
Washington, DC 20585

Dear Mr. Secretary:

I am writing to express my objection to the proposed U.S. Department of Energy's (DOE) designation of the Mid-Atlantic Area National Interest Electric Transmissions Corridor (NIETC), which would encompass a large swath of Pennsylvania. My objection to the proposed designation is founded on several concerns.

First, though DOE was required by law to consult with the states, it has disregarded widespread opposition from Pennsylvania. On June 27, 2007, both houses of the Pennsylvania General Assembly overwhelmingly passed resolutions opposing the NIETC designation, with a Senate Resolution passing unanimously and a House Resolution passing with strong bipartisan support by a vote of 188 to 11. Additionally, Pennsylvania Governor Ed Rendell communicated his clear opposition in a letter to you dated June 8, 2007. Opposition is equally strong among local government officials in Pennsylvania. For example, the Southwest Pennsylvania Commission, an organization representing a 10-county region (the counties of Armstrong, Allegheny, Beaver, Butler, Fayette, Greene, Indiana, Lawrence, Washington, and Westmoreland) opposes the designation. Opposition is not limited to Pennsylvania alone. It is my understanding that the governors of West Virginia, New York, Connecticut, New Jersey, and Virginia have all voiced concerns over the designation. This broad multi-state resistance clearly indicates that Pennsylvania and other states were not adequately consulted.

Second, the designation of the NIETC is both premature and unnecessarily preemptive of states' authority. It takes decisions regarding siting of transmission lines out of the hands of the states, where it has traditionally been held, and gives them to the federal government. A federal process that circumvents all state and local authority is not necessary, since it has not been shown that state and local governments are failing to site transmission lines necessary for regional electric reliability. Yet the NIETC process is usurping the authority of the Pennsylvania General Assembly, the Pennsylvania Public Utility Commission, and numerous local governments to act in the best interests of its citizens.

Third, the sheer breadth of the designated area - encompassing 50 of the state's 67 counties - cannot be considered a "corridor." Indeed, transmission lines could be located virtually anywhere in Pennsylvania. Therefore, there is a serious question whether the designation of an area this wide exceeds the authority of your office under the National Energy Policy Act of 2005. Further, the justification for this wide swath across Pennsylvania has not been demonstrated. Before any such decision is made, an intensive and public study should be taken on what is needed for regional reliability and the specific steps necessary to achieve it. Otherwise, Pennsylvania will be forced to shoulder an undue burden based on the assumption that the region might, perhaps, need additional transmission siting at some time in the future.

Finally, and perhaps most importantly, the designation may threaten the historic, scenic, and environmental integrity of a significant portion of Pennsylvania. Captured within the designated "corridor" are numerous national and state parks, battlefields and other historic sites, as well as protected open spaces and habitats. The designation undermines our state's ability to preserve and protect these precious natural and historic assets. This risk is particularly unjustified in Pennsylvania, since it is likely that additional transmission lines would not benefit Pennsylvania consumers, but would instead benefit those in other states who have not developed necessary energy generating resources of their own.

For these reasons, I request that the Department of Energy not finalize the draft NIETC designation for Pennsylvania.

Thank you for the opportunity to express my concerns. Please accept this letter as part of the Public Comments to the draft National Interest Electric Transmission Corridor Designations, Docket No. 2007-OE-01.

Sincerely,



Robert P. Casey, Jr.
United States Senator

United States Senate

WASHINGTON, DC 20510

October 2, 2007

The Honorable Samuel Bodman
Secretary
United States Department of Energy
1000 Independence Avenue, S.W.
Washington, D.C. 20585

Dear Secretary Bodman *Sam*

We are writing regarding our disappointment over your Department's final designation of National Interest Electric Transmission Corridors (NIETC), specifically, the Mid-Atlantic corridor, which remains unchanged from the draft proposal, encompassing fifty out of sixty-seven counties in the Commonwealth of Pennsylvania. It is disheartening that after strong opposition from local and state governments and a public outcry of opposition that the Department plans to proceed with no changes.

While we understand the need to certify the reliability of our nation's electric grid, which is experiencing continued increases in demand, in order to prevent blackouts, we are concerned a corridor of this breadth is not consistent with state jurisdiction over the siting and evaluation of transmission projects. We also remain concerned that Pennsylvania, which generates power for much of the Northeast and Mid-Atlantic, will be inordinately impacted. As we stated in our previous individual letters to you on August 2, 2007 and July 6, 2007, we believe states and local communities should be given a fair chance to be fully involved in the siting and alignment of lines they determine are appropriate and necessary. As the Federal Electric Regulatory Commission (FERC) moves forward in implementing this designation, we would expect states and local communities to be inherently involved in the process.

Furthermore, we are aware of legislative proposals that would both repeal and amend Section 216 of the Federal Power Act (as added by the Energy Policy Act of 2005) which authorizes designation of these corridors in addition to a proposal to withhold funding from implementing these designations. Should states and local communities not be fully included in the FERC process, we will not hesitate to consider supporting such measures.

This is very important to our constituents and we appreciate your personal attention to this matter.

*Sam - this is
very damaging to
Pennsylvania*



Arlen Specter

Sincerely,



Robert P. Casey, Jr.

United States Senate

WASHINGTON, DC 20510

February 12, 2008

The Honorable Jeff Bingaman
Chairman
Committee on Energy and
Natural Resources
United States Senate
304 Dirksen Senate Office Bld.
Washington, DC 20510

The Honorable Pete V. Domenici
Ranking Member
Committee on Energy and
Natural Resources
United States Senate
304 Dirksen Senate Office Bld.
Washington, DC 20510

Dear Chairman Bingaman and Ranking Member Domenici:

The energy bill recently approved by both the Senate and House of Representatives makes important advances for our nation's energy independence and security with increased efficiency and alternative energy development. We are concerned, however, that the National Interest Electric Transmission Corridor (NIETC) program authorized under the Energy Policy Act of 2005 and implemented by the Department of Energy (DOE) and the Federal Energy Regulatory Commission (FERC) does not fully take into account other important options to our national grid such as investments in advanced electrical grid technologies, local generation of clean alternatives, and energy efficiency.

When Congress authorized Section 1221 of the Energy Policy Act of 2005, its intent was not to include such large swaths of land as were recently designated by DOE. Rather, the purpose was to ensure the grid's reliability to prevent potential blackouts in heavily congested regions. Only recently have the impacts become evident with DOE's final designation of the Mid-Atlantic and Southwest Corridors, which include portions of ten states, 220 congressional districts, and affect more than 72 million people.

Broad state and local opposition has arisen, in part, because some assert that DOE has failed to implement the NIETC program in accordance with the statutory requirements of Section 1221 to consult with states prior to designation, assess and evaluate transmission needs and non-transmission alternatives, and comply with existing federal laws protecting environmental quality and public lands. In addition, the Federal Energy Regulatory Commission (FERC) has issued a NIETC ruling that reverses long-standing policy and allows federal preemption of the states' transmission siting authority within the designated Corridors.

Despite receiving more than 2,000 comments of concern, DOE published its final designation of the two Corridors, covering over 116,000 square miles, on October 5, 2007 with only minor changes to the draft proposals. Private citizens, elected officials, public utilities commissions, and groups representing historic, land, and environmental interests have filed petitions in opposition to DOE's NIETC designation process. On December 5, 2007, DOE agreed to reconsider these comments. However, they did not stay the implementation of the program to allow for this substantive review.

In order to avoid continued conflict and adverse consequences, we urge you to take timely action to allow full consideration of the significant national and state implications of the NIETC

program. Congressional oversight is needed now because many of the ten designated states currently have applicable transmission projects pending before their public utility commissions with less than a year for final action before the Federal Energy Regulatory Commission may intervene. We strongly believe that the Energy and Natural Resources Committee must hold hearings and bring all pertinent information to bear on the determination of the broad implications of the NIETC.

Thank you in advance for your consideration of our request. We cannot overstate the importance of the impact of the NIETC program on our constituents and states. We look forward to working with you and your staffs to make sure that this issue and the concerns of our constituents get full and fair consideration.

Sincerely,

Bob Casey, Jr.

Allen Speer

Ben Cardin

George V. Voinovich

Frank R. Lautenberg

Chuck Schumer

Shirley

Hillary Rodham Clinton

Shirley Brown

John Z. Sawyer

Pat Tillis

Jim Webb

Robert Menendez

Tom Carper

Congress of the United States

Washington, DC 20515

May 15, 2007

The Honorable Samuel Bodman
Secretary, Department of Energy
1000 Independence Ave SW
Washington DC 20585

Dear Secretary Bodman:

We write today to express our concerns about the proposed schedule of the public comment meetings with respect to the recently issued draft National Interest Electric Transmission Corridors pursuant to Section 1221 of the Energy Policy Act of 2005. The draft Mid-Atlantic corridors alone affect the homes of almost 50 million Americans and over 116,627 square miles. The Department of Energy's intent was to hold just three public meetings, now there are seven, but this is still unacceptable.

Federal action of this magnitude absolutely must allow adequate input by interested homeowners, community groups, utilities commissions and government officials at all levels. Holding just seven public meetings in the middle of the work week simply does not accommodate the rights of American citizens to have their voice heard by federal officials.

Our constituents will be directly affected by this federal decision. Yet some would be required to drive up to 6 hours to attend a hearing being held in the middle of the week with only two weeks notice.

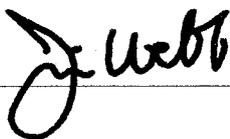
As the members of Congress representing the affected constituents, we feel the Department of Energy should hold a public meeting in every congressional district during evening hours when our constituents will be able to attend. Our constituents must have a full and adequate opportunity to be heard.

Due to the constricted time frame of the comment period, we urge you to extend the comment period for at least an additional 30 days to allow the department to conduct an adequate number of public meetings. Additionally, notice of these public meetings should be published in the newspaper of record in each affected county at least two weeks prior to the meeting date.

Thank you for taking steps to assure that the voices of our constituents will be heard.

Best wishes.

Sincerely,



Hillary Rodham Clinton Allen Feck ^{NJETC}

Bob Carey, Jr. Janne Kristin

105 / 1 Julia Chuck Schum

John Hall

Chris Smith

Cham Fadden

John Bell-Hughes

Bill Pascoe

John LeBard

JP Munro

Bob Filmer

Maurice Rimington

Robert E. Fox

Alan B. Mellona

J. Saxton

Donald Payne

Quinn Hunt

Miriel A. A.

Eric Carter

Tommy

Christopher P. Carey

Joseph Pitts

Allison J. Schwartz

Jan C. Porter

Walter F. F.

Rob A. Bundy

Fred H. Clatts

Alvin Sins

Russ Holt

Julian Davis

Mike Castle

Rail M. Hijahm

Tom Whell

Ann A Davis

Scott Ganett

Frank Pallen, Jr.

EGE Long

Congress of the United States

Washington, DC 20515

October 12, 2007

The Honorable Samuel Bodman
Secretary, Department of Energy
1000 Independence Ave SW
Washington DC 20585-0001

Dear Mr. Secretary:

With the announcement last week by the department designating two National Interest Electric Transmission Corridors, which include our constituencies, we write to seek federal investment in energy efficiency policies and new technologies to advance our nation's electric energy infrastructure in the designated areas.

The designation of National Interest Electric Transmission Corridors will force utility companies, regional transmission operators and even public regulatory boards to aggressively place the building of new transmission before the exploration of increased conservation and smart grid technology to meet electricity needs. We call on the Department of Energy to order an immediate study of cutting-edge alternatives using 21st century technology that can be utilized without resorting to the standard answer that building transmission infrastructure is the only solution.

We understand that the Department of Energy has already been investing in research and development of new technology to help upgrade America's energy infrastructure and reduce energy demand. This is a prime opportunity to put those efforts to work through a study examining possible savings associated with demand side management programs, smart grid technology or higher conductivity lines, among other options. Such a study also could provide possible rate restructuring options as well as demand side management targets to assist states, utilities and public regulatory boards considering new transmission infrastructure plans.

To build a reliable grid for the future, we recognize that we must start today to ensure America's economic and national security. With your partnership, the states and local regulators we represent can be better informed about measures available to them as they make decisions to help solve the congestion issues you have identified as well as protect our constituents' neighborhoods.

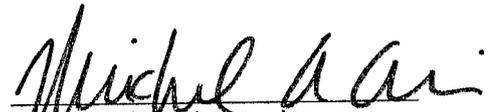
Best wishes.

Sincerely,

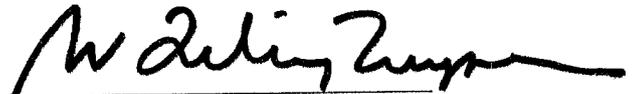

Frank R. Wolf
Member of Congress

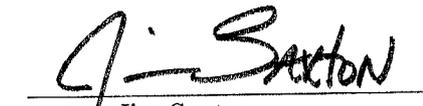

John Warner
United State Senator


Chaka Fattah
Member of Congress


Michael Arcuri
Member of Congress

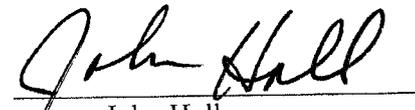

Albio Sires
Member of Congress


Rodney Frelinghusen
Member of Congress


Jim Saxton
Member of Congress

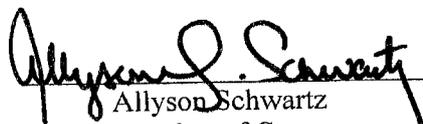

Maurice Hinchey
Member of Congress


Susan Davis
Member of Congress


John Hall
Member of Congress


John Murtha
Member of Congress


Chris Carney
Member of Congress


Allyson Schwartz
Member of Congress


Jim Gerlach
Member of Congress

Donald Payne
Donald Payne
Member of Congress

Joe Biden
Joe Biden
United States Senator

Raul M. Grijalva
Raul Grijalva
Member of Congress

Arlen Specter
Arlen Specter
United States Senator

10-12-07
NIETC

Todd R. Platts
Todd Platts
Member of Congress

Jim Webb
Jim Webb
United States Senator

John McHugh
John McHugh
Member of Congress

Bob Casey, Jr.
Robert Casey
United States Senator

Michael Castle
Michael Castle
Member of Congress

Tom Carper
Thomas Carper
United States Senator

Tom Davis
Tom Davis
Member of Congress

Chris Smith
Chris Smith
Member of Congress

Paul P. Kanjorski

Paul Kanjorski
Member of Congress

Scott Garrett

Scott Garrett
Member of Congress

Rush Holt

Rush Holt
Member of Congress

Jim Moran

Jim Moran
Member of Congress