

U.S. Department of Energy
Public Meeting on
Draft National Interest Electric Transmission Corridor Designations
Arlington, VA
May 15, 2007

Meeting Transcript

David Meyer: Well, good morning, ladies and gentlemen. I'm David Meyer from the Department of Energy, and I want to welcome you to our public meeting on the Draft National Interest Electric Transmission Corridor in the Mid-Atlantic area. But before we get started, I want to introduce some other folks here from the Department of Energy. The other two individuals up here, Poonum and Mary Morton, are, they are members of the team who helped us put together the Draft National Corridors, both corridors, the Eastern Corridor and the Western Corridor. And there are others here from, with the Department as well, particularly Mark Whinton, could you identify yourself, please? Yes, I think Mark is in the room. He may be outside. But in any event, we have, the point is that we have several people here from DOE, and although the three of us will be up here on the stage most of the time, listening to statements and comments, if you have particular questions that you want to pursue in a sidebar conversation, I'm sure there will be some of us here who will be available to you.

I also want to introduce Jody Erikson. Jody is going to be our facilitator today. Jody, are you in the room? Yes. Well, Jody will appear here in a little bit. And finally, I also want to recognize Lauren Giles, who is, Lauren is from Energetics, and Energetics is the company that has helped us a great deal in planning and arranging for these public meetings.

Our basic plan for today is that I will start off the meeting with a short presentation about the corridors, what the corridor is, what it's not, the rationale for it, and the next steps. And after that, then we will go into the receiving statements and comments. We will start off with statements by public officials, and then after we've heard from public officials who are here, who wish to speak, then we will turn to statements from individuals. And as you know, we are limiting those statements to two minutes, and the purpose is to be certain that all who wish to speak have an opportunity to do so. If, at the end of the day, everyone who wishes to speak has had the opportunity to do so on a first round basis, and if there's time still available before the close of the meeting, people will have an opportunity to present additional supporting material for their view.

This entire program is being recorded, and the record will be, the statements will be added to the public record for these meetings. The afternoon, we will break at about 12:15 to 1:30 for lunch, and then in the afternoon we'll start off again with a short presentation by DOE, then statements by public officials, and then again, statements from individuals.

So with that, I'm going to turn now to the summary of our proposal. And so I will start this off first with some background remarks about the Energy Policy Act of 2005. The Energy Policy Act gives a considerable amount of attention to transmission problems, to transmission issues, and that was in recognition of several points, the first being that a robust transmission grid is essential to delivering reliable and affordable electricity to consumers. And it's another key point is that there has been persistent underinvestment in the transmission sector for 25 years or more. And that's relative to demand growth. The demand has increased, but there has not been comparable

investment in the transmission sector. Such underinvestment has significant adverse effects. It leads to higher electricity prices, it leads to reliability problems, it leads to undue, or dependence on particular supply sources.

Electricity markets are now multi-state. They're regional, and they need to be planned, developed, and operated on a regional basis. Finally, much new generation capacity will be sited distant from load, from the cities, and so that means there will be an associated transmission component in order to make that generation capacity usable.

In recognition of these concerns, the transmission provisions in the Energy Policy Act include mandatory compliance with federally approved reliability standards, a requirement that states consider adopting policies directing utilities to strengthen demand response programs. Under the Constitution, the federal government cannot order states to do those things. It can recommend, require that they consider doing those things. The Act requires DOE to set efficiency standards for a wider range of consumer products. It requires first to provide financial incentives for new transmission investment. This was to help redress the longstanding imbalance in investment in the transmission sector. It requires DOE to publish every three years a national study of transmission congestion problems. We published the first study in August of 2006. And finally, it authorizes DOE to designate in appropriate areas national electric transmission corridors.

Designation would have two principal effects. It would signify that the federal government has concluded that a transmission congestion problem exists and requires timely solution. The second major effect would be that it would enable the Federal Energy Regulatory Commission under certain conditions to approve siting and construction of transmission facilities within the corridor.

And I want to spell out for you some of the conditions that are required for FERC to exercise that capacity. I also want to emphasize that FERC is not part of DOE. FERC is an independent regulatory body. Its members are appointed by the President and approved by the Senate. Now, turning to these preconditions, first, if the state does not have the authority to site the transmission project, there are some states who do not have that authority. Most of them are in the process of fixing that gap in their legislation. If the state does not have the authority to consider interstate benefits associated with the project, and again, there are some states whose laws do not permit that. But they are also making appropriate changes. If the state, if the applicant does not qualify for a state permit because it does not serve end use customers in the state. Or if the state has withheld approval of a proposed project for more than one year. And finally, if the state has conditioned its approval such that the project would not significantly reduce congestion or be economically feasible.

But there are some other additional requirements that FERC would have to meet if it were to assume jurisdiction before it could approve a transmission project. It would have to make several findings. It would have to find that the project would benefit consumers, that it would be in the public interest, that it would make mandatory, that it would make maximum use of existing towers and structures. So the point is that it should not be assumed that designating a corridor leads necessarily, or in any automatic way, to FERC's exercise of jurisdiction.

Let me go further about it's important to realize what the designation does not do. It does not determine how the affected area's congestion problems should be resolved. As I will explain in a few minutes, there are other ways to deal with those congestion problems. Designation would not propose, direct, order, or authorize anyone to do anything. Its effects are the two that I mentioned. It puts the spotlight on the congestion problem, and under certain conditions, it authorizes FERC to assert jurisdiction. Designation does not endorse any particular transmission project. It does not enable the circumvention of any, of compliance with any existing federal environmental review requirements.

So the purposes of today's meeting, we're not here to debate the merits of the Energy Policy Act. The Act requires DOE to do certain things and gives us the authority to do certain things. But we are not here to debate the merits of particular transmission projects or of non-transmission solutions to congestion problems. We wish to hear your views about whether designation of a corridor, national corridor in this area, is appropriate, and if so, where its boundaries should be drawn.

This map shows the area for the corridor. The orange area is the congested, the critical congestion area that we identified in August of 2006, and then the gray area is the part of the corridor, the corridor includes the orange area as well, so that the entire area shown with the grid or the cross-hatching is the corridor area.

Now, let me explain a little about the rationale for why the corridor is shaped the way it is. It wouldn't, it would have no beneficial or useful impact to confine the corridor to the congestion area only. Obviously, a corridor would need to terminate in the congestion area, but it needs to extend to alternative supplies, areas that have potential generation that could be delivered to the congestion area if sufficient transmission were available. And it, let me back up a moment and say that the people have asked us, "Well, what's special about that orange area?" Well, the orange area is congested, precisely because electricity demand in the area is growing, there is not sufficient generation within the orange area to enable meeting electricity demand, and it's increasingly difficult to bring electricity in from outside the orange area via transmission because the transmission lines are already heavily loaded. So it's when those lines are heavily loaded that you get this congestion problem in the orange area.

So relieving the congestion in the orange area, there are essentially three ways in which that could be done. One is to site new generation within the orange area. But that has, certainly it has potential air quality problems. Power plants require, have substantial water requirements. There are limitations on the fuel sources that can be used in areas of that kind, so that tends to increase electricity supply costs. It means that power plants sited within the orange area would almost inevitably have high production costs and would lead to higher consumer prices.

And another alternative way of dealing with the problem is to adopt more stringent demand management requirements. But those kinds of measures--and DOE supports them strongly, I might add--they work only if you have a great deal of very effective coordination among utilities, state agencies. You have to have coordination among several states in order, in this multi-state area, in order to achieve these results. There is progress being made on those, in such programs. That progress should go forward. We certainly hope it goes forward, but whether it will go forward on a pace that would avert the need for new transmission, that is not an easy question to answer.

So, in any event, there is, the alternative, then, is new transmission, that's the third option. And arguably, all three of these solutions, or all three of these options, are going to be needed as a combined approach to dealing with the problem.

This slide summarizes the discussion that I've already presented. The only additional point is that timely decisions and effective actions are needed. This is not a problem that will go away. It will, problems of this sort get worse if they are not attended to.

This slide shows some of the diversity of electricity, wholesale electricity prices across the PJM area. These, each of those colored paths represents a particular utility, and the pattern here shows that utilities in the western part of PJM have cost--these are monthly average costs over a period of 2.5 years--that their costs are substantially lower--hour after hour, week after week, day after day--than utilities in eastern PJM. And these cost differentials are in the range of as much as, on the small side, \$0.02 per kilowatt-hour, and in times of stress they can rise to much higher levels.

There are similar price patterns in New York. That is, the New York City area and Long Island experience very high electricity prices consistently, and then in upstate New York, both the northern part of the state and the western part of the state, electricity prices are substantially lower.

This slide shows major transmission constraints in PJM. Existing, these are existing constraints, constraints on existing lines. And these are problems that are projected to get worse over time. The most recent analysis published by PJM, the regional entity that does long-term transmission planning for this entire multi-state area, not including, there's a comparable organization in New York. I don't mean to include New York. But PJM's most recent analysis shows that reliabilities--without corrective action we will see reliability violations in northern Virginia by 2011, in eastern Pennsylvania and New Jersey by 2012, 2013, or 2014, and in central and western Pennsylvania not very long thereafter. So this isn't, and there are problems of a similar sort in New York as well. So it, I want, the point is that we aren't simply talking about a problem in the northern Virginia area. This is a much more widespread problem than that, and to a significant extent, it requires some regional thinking. That is, it is important for the states involved here to be talking with each other about what should this grid look like, what should this electricity supply system look like over the, say, 25 years from now? What should that system look like?

This slide shows capacity factor differences in New York. It shows that the low-cost generation capacity, regardless of where it is located, is heavily utilized. And then the blue lines show, the blue lines show capacity in downstate New York, in the city area, in the area of New York City, that is used at a higher level. When it does come into play, it is used at a, typically at a higher level than other plants that are cheaper to run in the upstate areas, but you can't access those plants in the upstate areas, again because of transmission limitations.

Let me talk briefly about the duration of these national corridors. The law is silent about any prescribed duration. In our analysis, we concluded that development of transmission capacity takes a long time, takes on the range of close to 10 years in most cases, or more. And consequently, a national corridor as designated needs to be in place for a considerable period of time. And it should not be rescinded at short notice. We propose an initial term of 12 years for a national corridor, although we also reserve the option of specifying some other period in a particular case if it seemed appropriate to do so. Designations could be renewed, modified, or rescinded by DOE after notice and consideration of public comments.

I want to speak a little bit about blackouts. The main point here is that blackouts, the blackout risk is real. The graphic here shows two blackouts. The one in the East is 2003. Another one that rippled across the West in 1996. Now, there are two kinds of blackouts. There are the major cascading blackouts of the kind shown here, and they occur when unexpectedly some transmission line or generation capacity or some combination goes offline and it produces, goes offline due to a breakdown or human error, and it produces an instability that ripples across the grid and causes other transmission lines and plants to shut down. Why do they shut down? They shut down automatically because they are equipped with devices that are intended to protect them in the event of disturbances of that kind. If they didn't have those protection devices, there would be a much greater risk of physical harm, physical damage to those facilities, and then it would be much more difficult to bring the grid back into operation, because you would have damaged facilities that might take months to repair.

The other kind of blackout is what one might call is, the short term is "rolling blackouts." Those are deliberate, short-term blackouts of a particular area, and it's planned as part of the, you rotate these rolling blackouts across an area, a larger area, in a predetermined way. And the object is when it's necessary to do this, it's because the area's ability, the ability of the grid operators, to meet electricity demand in the area, is that they are, they need to reduce demand in order to bring it into balance with the level of supply that they can provide. And meaning that the level of supply that they can provide from locally available generation, whatever happens to be running in

real time at that time, and what variable to import from the outside. Now, when rolling blackouts are needed, it's to prevent, reduce the likelihood of cascading blackouts of this sort. Neither is a pleasant experience, for sure. The cascading blackouts, any of these blackouts, are extremely inconvenient, disruptive, and expensive. In the case of the August 2003 blackout, the cost estimates ranged from \$4 billion to \$10 billion for the United States alone. There were substantial additional costs incurred in Canada as well.

So my point is that there is a blackout risk here. You can't, it should not be dismissed. I don't wish to dwell on it unduly. Grid operators and utilities work very hard every day to forestall these kinds of occurrences. But nonetheless, as experience shows, they can happen.

So my conclusions, then, transmission congestion is a major problem in the New York and PJM area. It will grow worse without sustained attention and appropriate action. By designating a national corridor, DOE will not prescribe solutions. Designation of a national corridor would not necessarily lead to federal pre-emption of state jurisdiction.

Next steps for DOE? We're now in the middle of a 60-day comment period that will end July 6, and after the close of the comment period, we will consider, review and consider all of the comments received and provide recommendations to the Secretary concerning possible designations. If a final designation is issued, there would be an automatic 30-day period for possible reconsideration by DOE.

We welcome your comments. You can provide oral comments here. If you have questions, you can direct them to me at the contact point shown. You can obtain full documentation concerning the Draft National Corridors on a Website that we maintain. There is direction there about where and how to file written comments, and I emphasize that the written comments must be received by July 6. So I'm going to close there, and we will now, I'll turn things over now to Jody, Jody Erikson is our facilitator, and we'll start off with comments from public officials who wish to speak.

Jody Erikson: Thanks, David. My name is Jody Erikson. I'm with the Keystone Center. We're an independent, neutral facilitation-mediation firm. We do public meetings, public process over time, as well as consensus-building efforts, so that's what I'm, I'm here in that capacity.

Process. Here's the process for today. Two minutes per person. I'll call a couple names at a time, so you'll sort of have a few minutes ahead to know you're next in line. The opportunity is to try to get as many people to speak in this time. As David said, we're going to make sure that, we're going to stick around and make sure that everybody who wants to speak gets their two minutes. I'm going to sit in the front. I have little timekeeper cards. Orange means you've got 30 seconds left. Red means, "Thank you very much." Be respectful. Take your two minutes. Let other people have their two minutes as well.

This is also, it's two minutes. I know that's not a long time, but there's also an opportunity to provide more detailed comments, either in writing, leave that outside, or via e-mail as the last slide had shown you. I know there's a lot of strong emotions in the room, which is totally fine. Just communicate constructively, and as David said, this is, their purpose is to really get an idea of the impact of the designation. So I know for many of you this is not necessarily a siting meeting, which is a challenge, because there are siting issues. But since they are not the siting folks, keep your comments to the designation and the impact of the designation.

We will start with public officials who have signed up and who I know are here. So we'll go ahead and get started.

Unidentified Audience Member: [Inaudible.]

Jody Erikson: Sure. One second.

Unidentified Audience Member: [Inaudible.]

Jody Erikson: Each speaker can talk for two minutes. So if you're, you can't give your minutes away.

Unidentified Audience Member: [Inaudible.]

Jody Erikson: So let me see the first. I'm going to start with the elected officials who signed up and are present, so go ahead, Scott Lingamfelter, Ray Graham, and Mary Bathry Vidaver.

M. Scott Lingamfelter: Good morning to my fellow members. I'm delegate Scott Lingamfelter, and I come before you today as a member of the Virginia House of Delegates representing Fauquier and Prince William County in the General Assembly. I speak also on behalf of my colleague and friend, Mark Coe, who was unable to be here today. I am proud to join the chorus of the voices from all parts of Virginia, especially my constituents in Fauquier and Prince William County. As a member of the House Militia Police and Public Safety Committee, I am very concerned about the impact that this new construction will have on adjacent properties. The unintended environmental and public health consequences of the transmission line. And the overall necessity of the project.

Specifically, it is abundantly clear to me that the infrastructure in the Elk Run area is so narrow that the size and scope of this project dwarfs the intended span of right-of-way and overburdens what right-of-way can possibly be handled. While I certainly understand the need to expand service to growing communities, my number one concern unequivocally is the quality of life of the Virginians I serve. There has not been a clear, convincing case made that shows exactly how the energy will benefit Fauquier County or Prince William County, or improve the lives and quality of life of the residents there. In fact, I've not seen one shred of evidence that shows this project being anything other than a tremendous burden on the infrastructure of Fauquier and the health, well-being, and property of its citizens. The honest, hard-working, good people who have spent their time, money, and efforts to fight for their families and their future have shown a powerful example of what sort of good can happen when people pull together. I am honored to stand with them today, and I promise you that I will not stop fighting until this project is halted.

Let me mention just one point in closing. There are many people in this room who are here today because the topic is energy and power. And I agree. It is a topic about energy and power. But make no mistake about it. The energy we are speaking of today is the energy of the people of this room and across Virginia who are protecting their property, and the power resides with you to do the right thing and protect their rights. I thank you very much.

Ray Graham: Thank you, ladies and gentlemen. My name is Ray Graham, and I'm a Supervisor in Fauquier County, and I represent that county today. And I stand before you as a proud local elected official from a community that cares. I represent what is good and beautiful about our country. We have created a community of scenic beauty, wonderful viewsheds, and a gorgeous landscape. I want to provide for you some information that will be useful in your designation fight.

We've worked very hard to keep our open space in Fauquier County. There's more than 77,000 acres of easements in our county. There's 10 Civil War battlefields. There's 29 sites that are on the Virginia and National Registry of Historic Places. There's 17,000 acres in historic districts. There's two scenic rivers, and our citizens have approved over time since 2004 the purchase of development rights with General Fund money to set aside land that will not be developed forevermore to continue that viewshed. We have set aside some 6,700 acres or more since 2004.

We are here today representing thousands of folks to tell you that enough is enough. We, the people of rural areas of our country, have time and again been victimized by the needs of jurisdictions that continually want more, bigger, faster. It's with this mindset that continually impacts our communities with the blight that you are about to designate. When there is a need in our local community, we went and got peaking plants that would provide our power for the next 30 years. We have no need for these sites. In addition, there was a, there was a, has been a significant amount of time, there has not been a significant amount of time for comments by 15 million people. There have been more than 50 meetings with power companies by your organization or more, with only four designated public hearings. I especially object to the meetings being in the rural areas of this community without being in those that's impacted.

And in closing, I'm just going to implore you that somehow you remove these negative impacts from our community and remove Virginia from the federal designation sites. Thank you.

Jody Erikson: So Bob Marshall--no, go ahead. I'm just letting you know who the next ones are. Bob Marshall and Corey Stewart.

Mary Bathry Vidaver: Good morning. My name is Mary Bathry Vidaver. I'm the Legislative Assistant to Loudoun County Supervisor Jim Burton. I'm here this morning representing Supervisor Burton and other members of the Loudoun County Board of Supervisors, who are having their regular business meeting this morning. In October 2006, the Loudoun County Board of Supervisors, in a rare 9-0 vote, unanimously passed a resolution opposing NIETC designation. At that time, a letter was sent to Secretary of Energy Bodman making the following requests before any designation was so made. That the Department of Energy consult with the affected counties, including Loudoun County. That the Department of Energy undertake a full programmatic environmental impact study, and that the Department of Energy conduct a full study of alternatives. As yet, the County has received no response to that letter.

This morning I have a second letter signed by Loudoun County Force Chairman, Scott York, which reads in part, "We were recently made aware of public hearings being held to potentially designate NIETC corridors throughout much of the mid-Atlantic states. Only one public hearing is scheduled for Virginia, on May 15th in Arlington. This one hearing, in a largely unaffected locality, is insufficient to adequately hear the anger and frustration of the hundreds of thousands of Virginians who will be affected by designating national interest corridors without clear regard of all the ramifications of this action. Loudoun County shares the concerns of all in the Commonwealth of Virginia who would be affected by these designated corridors."

I will submit the full text of both letters into the written record, as well as a copy of the Board's resolution from October. Thank you for this opportunity to comment. The Loudoun County Board of Supervisors continues to eagerly await a response to their earlier request.

Bob Marshall: Thank you very much. I'm State Delegate Bob Marshall. I represent the Thirteenth District and portions of Prince William and Loudoun. I find it a little more than ironic that the name of this hotel is called Doubletree. The Romans used trees to make crosses to carry out their form of capital punishment.

Daniel Webster defined due process in the Dartmouth College case as, "A law which hears before it condemns, which proceeds upon inquiry, and renders judgment only after trial." The Department of Energy, in establishing Draft National Interest Electric Transmission Corridor designations, has completely reversed Webster's venerable due process dictum. I can say this with complete confidence because of the following facts. Governor Kaine's office informed my staff that no Department of Energy notice of such draft designation was communicated to the Governor's Office before the DOE publication of its two draft corridors. The three Commissioners of the State Corporation Council, who are charged with regulation of electric utilities throughout

Virginia, informed me that they were not contacted by the Department of Energy regarding draft corridor designations. And last November 2006, Attorney General Bob McDonald, who represents Virginia consumers in utility concerns, in mind for Virginia's proud historic and environmental resources, reminded U.S. Energy Secretary Samuel Bodman, "That in determining the location of an NIETC, federal law requires that the federal government consult with its state counterparts." This has not occurred at this point. This notice and participation required by both federal law and due process requirements, includes Virginia officials and Department of Energy deliberations to establish congestion corridors in the Commonwealth, never happened at any point.

That is why on April 30, I urged Attorney General McDonald to sue the Department of Energy. The eminent domain powers you are turning over to private energy conglomerates can adversely affect the lives, liberties, homes, and businesses of more than 49 million citizens covering 116,000 square miles, yet you are holding only four public hearings? How many hours of consultation were provided to energy conglomerates? They certainly were not limited to hurried, two-minute presentations at inconvenient times when most Americans are at school or at work. George III gave American colonists more procedural consideration than the Department of Energy has given us in its NIETC designation. I am hopeful that a lawsuit will make the DOE start over and this time pay attention to the fundamental requirements of democratic government. Thank you very much.

Jody Erikson: Just a quick reminder about clapping in the middle. You're taking their two minutes. Corey Stewart, Chris Miller, Donna Widawski, and Daniel Thorne.

Corey Stewart: Good morning. I'm Corey Stewart. I represent the 400,000 residents of Prince William County. I appreciate you having this public hearing, but given the traffic in the area, it probably would have been more efficient to attend your one in San Diego. Prince William County is home to some of the most picturesque historical and environmentally sensitive lands, particularly in the western end of the County. Some of these areas are the most pristine in northern Virginia and all of Virginia, and in fact the country. We have as citizens spent decades preserving this land, preserving in particular Manassas National Battlefield, where for some of the Civil War buffs, was the location of the first major battle of the Civil War at Bull Run.

We have balanced development pressures with the need to preserve this land, with the need for more transportation infrastructure, and the need for more power. It's been a delicate balance. We have worked with power companies. We have worked with VDOT, we have worked with all of the other interests. Unfortunately, what the corridor does is take a sledgehammer to this delicate balance. I ask you, will the power companies, whose main concern is answering and protecting the interests of its shareholders, will they be as responsive, or in fact, even interested, in the interests and the concerns of the citizens once you give them this authority? I think the answer is clear they won't be. And that's why I'm here. I know that some of you on this panel do not support this legislation. You did not draft it, and you might not even have the power to withhold the imposition of the court order. But to the extent that you do, I would ask that you take the side of the citizens, preserve this delicate balance, and make sure that citizens continue to have the power to preserve their heritage and their history. Thank you very much.

Jody Erikson: Christopher Miller, Donna Widawski, Daniel Thorne.

Unidentified Audience Member: [Inaudible.]

Jody Erikson: Okay, John Stirrup, I know you're here. I thought Corey was speaking for you, but if you, if you just want to speak. If there's more elected folks, if you just want to stand in the back, that would be great, so I know that there's more of you there to go before we start down the list.

John Stirrup: Good morning. I'm Supervisor John Stirrup. It's my honor and privilege to represent the Gainesville Magisterial District of the Prince William County Board of Supervisors. The 70,000 citizens that I represent, their homes and their property rights, are all directly impacted by this NIETC corridor designation. I want to thank you for the opportunity to testify today. However, I've got to say that limiting it to two minutes does not allow ample time to address the concerns that I have and that my constituents continue to voice.

I firmly believe that you're doing a disservice and a significant injustice to the public and to our constitutionally guaranteed due process by holding only one lightly advertised hearing for an impacted area of tens of thousands of square miles. Our travel time today was somewhat limited, living in Virginia, but others have traveled from the western part of Virginia or West Virginia. I can't imagine what their commute was like. By only holding this hearing, it gives the public the impression that the draft designation is a foregone conclusion, and that we're merely an impediment or an inconvenience to your predetermined agenda. Multiple hearings should be held in all counties and jurisdictions affected, so it might be convenient for public participation, not the opposite.

Further, your issuance of the draft designation potentially runs contrary to the intent of Congress. Members and Senators will shortly be considering legislation, such as HR 809 and HR 829, to limit the federal role in transmission line sitings and correct this oversight. This was a minor title in the Energy Policy Act of 2005. Many members have publicly spoken against, about their reservations and opposition to Section 1221, which was not debated on the House floor and then authorized this unprecedented federal power grab. For the first time in our history, the authority of the states to approve the siting of transmission lines has been usurped by the federal government. The Tenth Amendment to the Constitution, I'll close with this, states, "The powers not delegated to the United States by the Constitution, nor prohibited by it to the states, are reserved to the states respectively, or to the people." How this designation comports with the U.S. Constitution has yet to be explained to me. Thank you.

Robert Lazaro: Good morning. My name is Robert Lazaro, and I'm the Mayor of the Town of Purcellville, which is located in Loudoun County, Virginia, and on behalf of our Town Council and the more than 6,500 residents of our community, I'm here to express our opposition to the Draft NIET Corridors. I would further add, as some of my governmental colleagues have mentioned, that holding only one public hearing in this region during the workday and work hours is insufficient to obtain public input. We believe that the designation of these corridors prior to environmental review, without adequate consultation with the Commonwealth of Virginia, and without an alternatives analysis, is a fundamental flaw and represents, in our opinion, a rush to judgment. I find it particularly ironic that our town, which receives a very small amount of federal funds, was required to undertake a limited environmental review to plant trees. Yet the Department is looking to set corridors that encompass more than 79 million acres in some of the most environmentally sensitive and historic lands in our country without any environmental review whatsoever. The town of Purcellville has gone to great lengths over the past several years to protect its historic and open spaces. These all add greatly to the quality of life in our community.

The approval of these corridors is the first step by utilities to [1] construct transmission lines that are not needed to serve the community in which they traverse, [2] to use this newly found authority to supersede local and state planning policies to benefit the company and not the residents, and [3] and worse, reward, in our case, a utility that is one of the worst in the nation in terms of implementing smart energy policies. Conservation first, condemnation never. Thank you for this opportunity to address you today. I respectfully request that you do not approve these corridors.

Jody Erikson: So I see one elected official, so we're going to go back to the list. Christopher Miller, Donna Widawski, Daniel Thorne, Barbara Kessinger, and Philip Tudura.

Robert Miller: Mr. Secretary, Mr. Mayor, my name is Robert Miller, and I am a member of the Madison County Board of Supervisors. My county asked you to remove Madison County from the National Interest Electricity Corridor. As in here, my hat symbolizes just how out of place gigantic electrical towers will be in our rural agricultural community. It would be a gross debasement of the landscape that our citizens, through voluntary conservation efforts, have carefully preserved. If eminent domain is employed in this corridor, state and local control and the empowerment of our county citizens is stripped away.

What remains and what is the damage done to the efforts of these citizens? The George Mason University Law School recently finished a study of environmental effects of eminent domain, from which I will paraphrase their conclusions. This study is referenced at the end of my remarks. The use of eminent domain poses significant environmental risks, particularly to private land conservation. Using eminent domain to justify development enables additional environmental harm by encouraging inefficient land use. Eminent domain can be used to facilitate unsustainable growth and operates as a tool for powerful political interest groups. Eminent domain is a threat to property rights, making individuals unlikely to invest in long-term private land conservation which may not bear fruit.

The study also found greater environmental quality and economic growth rates in regions where property rights are well defined. Security of property rights encourages owners to enhance their investments in the land. Where property are not secure, owners are unlikely to invest in improving or protecting the resource and are more likely to consume it as quickly as possible in a tragedy of the common scenario. In summary, this designation is out of place in our rural communities. It signals the end of 100 years of voluntary public conservation efforts, and it's an outdated paradigm of public policy and is unsustainable. My hat is off to you, Secretary Bodman, if you have the vision to avoid business as usual and instead plan for a new ethic and a new energy policy for our region and the nation. Thank you.

Jody Erikson: Just a couple of elected officials. Senator Escubier. Excuse my--I saw the handwriting, so Obenshain? And then hopefully back there you've got Chris Miller, Donna Widawski, Daniel Thorne, Barbara Kessinger, and Philip Scora.

Unidentified Participant on behalf of Senator Obenshain: I am speaking for Senator Obenshain of Rappahannock County. I think that he speaks for everybody in his county, which could not be more solidly lined up with his point of view. I will read his letter.

"I'm sorry I cannot be in attendance today, but other things have gotten in the way. As a State Senator in the Virginia General Assembly, I'm exceedingly aware of the issues at stake surrounding the proposed transmission corridors and the opposition that has been raised in my district and across Virginia. I maintain concerns about the impact of national transmission corridors in Virginia. Certainly, new power lines will impact property owners, adjacent properties, the environment, and other stakeholders. I am exceedingly troubled over the potential impact of this transmission corridor on the quality of life in my district and across the region, beyond Virginia into the other states impacted. I share some of the concerns expressed by Virginia Congressman Frank Wolf and others like Congressman Davis, who point to the broad usurpation of the rights of state and local governments to protect areas of environmental and historical significance. I'm also concerned about the just-adopted landmark eminent domain reform this year protecting the private ownership of land. The designation of electric transmission corridors will significantly undermine those protections and will further expose private landowners to condemnations for the benefit of private energy companies. My hope is that before finalizing the plans for the transmission corridor, the U.S. Department of Energy will re-evaluate its alternatives. I am sure that you can work cooperatively, and I thank you for your consideration."

Jody Erikson: Certain other people, I'm told, were there, so Chris Miller, are you here? Donna Widawski, are you here? If you guys can at least stand up, that would be great, so that I know that you're there. That's fine. We're on to the regular list.

Donna Widawski: I brought my own timer. I'm addressing this to Secretary Samuel Bodman. You don't know me, Mr. Bodman, because you never had a need to know me. I don't have high-powered lobbyists working on my behalf, nor was I part of the group of electric companies who gave over \$15 million in the last federal campaign cycle. My name is Donna Widawski. I'm a 47-year-old stay-at-home mom from Virginia whose only agenda is to do the right thing. This kitchen timer represents the marginalization of citizens' input into this NIETC designation. My question to you is this. Did you only give two minutes to speak to the CEO of Edison Electric, Tom Kuhn? And Steve Specker, CEO of Electric Power Research Institute, when you were a keynote speaker recently at a luncheon with them on May 7 in Redmond, Washington? Did the Department of Energy limit to two minutes the conversations they had with utility industry representatives and other energy special interest groups over a one-year period meeting more than 60 times?

Ordinary citizens were never part of DOE's decision-making process, nor were they represented before the Energy Department, while private companies seeking eminent domain powers were. I attempted to contact you directly, and although your staff was very polite, there was no time for you to meet with me. Mr. Bodman, this draft proposal is an insult to all hard-working citizens and reeks of influence. It's the large electric companies and lobbyists with cash and connections who have been given preferential treatment with this corridor proposal. They are the ones who have turned government into a game only they can afford to play. They believe that citizens like myself and those in this room are just a temporary bump on the road of government of, by, and for the privileged few.

There is an old saying out there. "The stink in the fish starts in the head." Mr. Bodman, this proposal stinks of influence and will have serious ramifications for generations to come if approved by you. Instead of taking direction from the power companies, how about doing what is right for all Americans? Thank you.

Jody Erikson: Daniel Thorne? Barbara Kessinger? Philip Fedora, Scott Billings.

Barbara Kessinger: My name is Barbara Kessinger. I reside in Kaymoor, West Virginia. Over the past 21 months, ordinary citizens like me have been virtually excluded from a supposedly public process. Not being regular readers of the Federal Register, we were not aware of the DOE's published notices. Not being affiliated with energy organizations, we were not invited to the DOE's 60-plus outreach meetings. Even during this draft designation public comment period, it's been difficult to participate. I've attempted unsuccessfully to obtain answers to several questions which are not adequately addressed in the DOE's Frequently Asked Questions link. I was never able to reach the technical and legal contact persons identified therein. Other individuals I did speak with, they were courteous, but they did not have technical or legal backgrounds. This has been very frustrating. To gain additional information and access thereto, I've submitted a broad Freedom of Information Act request. That request is being processed; however, my request for waiver of fees has been denied.

I've also requested that any documents that are released pursuant to my FOIA request be included in a reading room so other citizens can review them, but that request, I'm told, falls outside the scope of FOIA. I have reviewed documents in the DOE's documents claim, but my four sets of questions remain unanswered. This binder contains the questions on the front and copies of a couple dozen communications that have occurred during my attempts to become fully informed. As I stated in one of my e-mails, I need my questions answered to prepare my written comments. Again, this has all been very frustrating.

Other citizens, including our comrades in Pennsylvania, are having experiences similar to mine. Please consider designating a reading room that would provide access to more documents, and that would include a forum for citizens to ask and obtain answers to their questions. Please include my questions and your answers in the public record for the draft corridor designation process, just like you did for others at your Chicago conference. Thank you for this opportunity to speak today.

Jody Erikson: Phil Fedora, Scott Billing, Mitch Diamond.

Philip Fedora: Good morning. My name is Philip Fedora. I'm Assistant Vice President of Reliability Services at NPCC, Inc. Northeast Power Coordinating Council, Incorporated, is the international regional reliability organization for northeastern North America. NPCC, Inc., provides regional reliability member services and acts as a vehicle through which states and provinces can fulfill their political mandate to oversee the northeastern North American electric infrastructure through development, assessment and enforcement of regionally specific reliability criteria, including those addressing adequacy requirements.

The geographic area of NPCC totals approximately 1 million square miles and includes New York state, the six New England states, Ontario, Quebec, and the Maritime Provinces. The total population served is approximately 56 million people, and from an electric load perspective, 20% of the eastern interconnected load is served within the NPCC region. For Canadian electricity requirements, 70% of Canada's load is located within the NPCC region.

With that background, NPCC, Inc., respectfully submits the following comments for DOE's consideration regarding its Draft Mid-Atlantic Area National Corridor. While NPCC, Inc., supports DOE's approach to identify corridors for potential projects as opposed to specific routes for transmission facilities, the source and sink approach adopted may result in too narrowly defined corridor designations that may preclude consideration of additional transmission and supporting facilities outside of the specified corridor for the project that would be needed to meet NORC or ERO reliability standards and more stringent regional or local reliability criteria. These reliability considerations are not limited to the United States grid system, but can extend, in the case of the proposed draft mid-Atlantic area corridor, into Canada as well.

In closing, the draft mid-Atlantic corridor designation needs to be broad enough to allow for the complete reliable integration of any of the proposed corridor projects in order to mitigate any identified adverse reliability consequences beyond the immediate area where the projects are located. Thank you.

Jody Erikson: Scott Billing, Mitch Diamond, Bonnie Atkins.

Mitch Diamond: Good morning. My name is Mitch Diamond, and I'm an energy professional with over 30 years of experience advising senior energy executives and government decision makers on energy policy, technology, and business strategy. In my professional opinion, the designation of National Interest Electric Transmission Corridors is premature, and misses an important opportunity for good government energy policy. These proposed corridors are designed to enable the transfer of large quantities of coal-fired generation to coastal markets to relieve price congestion and some potential local overloads.

This designation has three major problems. One, this potential transfer of coal-fired electricity will have profound effects on greenhouse gas production, air pollution, water quality, fuel usage patterns, physical systems security, system vulnerability, and on pricing signals to producers and markets. No federal study of these effects has been conducted. Two, the designation of these corridors will provide a significant advantage to one solution, transmission, and a disadvantage to all other solutions, including technological improvements to the current network, demand side

programs, and local generation. Current power industry leadership is calling for a balanced approach to congestion utilizing all solutions and leading with demand side programs. This designation ignores such good advice. Three, the designation fails to set aside sensitive and historic lands in the proposed corridors. This immediately degrades the important investments that all levels of government and private citizens have made in protecting these important national and regional treasures.

A better approach would be for DOE to recommend an immediate demand response program in the congested areas, followed by a careful evaluation of the role all solutions, including transmission, could have on relieving congestion. The result would be a balanced and better received program that would more effectively meet national and regional needs. Thank you for your time.

Jody Erikson: Bonnie Akin, Elena Flashburn Kunkel, Mary Beth Martin, Elizabeth Shaw.

Bonnie Aitken: My name is Bonnie Aitken. I'm a resident of Clifton, Virginia, in Fairfax County. I own land in Fauquier County that will be damaged by the high voltage transmission line. I respectfully request that you do not designate any land for an NIETC corridor. Before you open Pandora's box, please consider some of the following unintended consequences. You will undermine the efforts that progressive states and their citizenry have accomplished using energy efficiency and conservation. This energy resource that they have used supplies 3% to 8% of the total energy needs for a lot of the northeastern states at a cost of \$0.024 cents per kilowatt-hour as opposed to \$0.08 per kilowatt-hour for coal-generated energy. You will note that most of the states in the Northeast Corridor are investing anywhere from \$7.00 to \$22.00 per capita and are using 3% to 8% of their energy from this resource, which they already have paid for. You will note that the states wishing to generate and transmit coal-fueled energy have no investment in conservation and have achieved a 0% to 0.3% energy saving, yet these states--Virginia, West Virginia, Pennsylvania, and Ohio--want you to allow them to build corridors to feed these fuel-efficient states with dirty greenhouse gas-emitting fuels at a great cost to the environment. If you, this NIETC corridor is not in our long-term national interest. You could turn the air conditioning down in buildings, too.

Another unintended consequence of this corridor will be extremely expensive litigation. People will be harmed, and they will have their day in court. This will tie up the designation for years in the courts. The Supreme Court has recently ruled carbon dioxide and other greenhouse gases are pollutants subject to regulation under the Clean Air Act, and the EPA has authority to protect the public from dangerous greenhouse gases. Use the money instead to put a solar panel on top of every roof.

Another unintended consequence will be that the utilities will have the legal right to condemn land wherever they choose. Can you imagine transmission power lines between the Capitol and the Washington Monument? This is what you will be allowing the power companies to do. There's more.

Jody Erikson: Elena Schlossberg-Kunkel, Mary Beth Martin, Elizabeth Shaw, Malcolm Baldwin.

Elena Schlossberg-Kunkel: I feel like this is really a meeting about citizens, because if they really wanted to know what our thoughts are, you'd think they'd have more meetings. And I want to point out this banner over here, because when I called the DOE, and I asked them, "How are you advertising for this meeting? How can you only be having one meeting in this whole area of, let's see, West Virginia, Pennsylvania," at that point there was only one. And he says, "Well, I put it in the trade magazine." Why would I read a trade magazine to find out about an NIETC? So citizens got together, we put money together. We stood on overpasses on 66 during morning rush hour, and I have to point out my good friend Judy here, because she and her daughter left their home at 6:30

in the morning. So we're standing out on overpasses to let citizens know this is coming. Be aware. This is what our democracy has been reduced to.

And so I want to say here today that we need to stay together, and I want to thank my friends from West Virginia and from Pennsylvania for coming all the way here, because this is the only meeting they offered citizens. This is, this is it? This is all you could do? It's disappointing. I also want to add that I hear a lot about this is, you know, this is we're not requiring transmission. We're not advocating transmission lines. But clearly, am I done? Okay. But clearly, let's see, 2005, PJM Allegheny, they're part of the process. 2006, they file. 2007, they want a designation to a transmission line to cheap dirty coal. Is this what we want as our energy policy? Is this what our democracy is about? And I'm going to close with one of my favorite quotes from Thomas Jefferson, which is, "Those seeking only profits, were they given total freedom, would not be the ones to keep our government secure and our rights"--No. Oh, no. "Our government pure and our rights secure."

Jody Erikson: For you. What is your name? Elena was a surprise, because she knew when her two minutes was up with her back turned to me. You get the prize for that one. Mary Beth Martin, Elizabeth Shaw, Malcolm Baldwin, Helen Marmoll.

Mary Beth Martin: My name is Mary Beth Martin, and I've resided in Rappahannock County, Virginia, since 1974. If I had time to share with you the background of the County, I believe you would appreciate the area as an important part of this nation's heritage. But two minutes will allow me only enough time to make my point in opposition to the proposed power line.

I have two issues with the corridor. The gargantuan power line would damage the views in Rappahannock County and the views from the Shenandoah National Park. Actually, a third of the county rises in the park. Each year, thousands of tourists visit it, and already it's one of the nation's most stressed national parks. Rappahannock County needs to protect the viewshed for its tourist industry as well. We need tourists and the income they provide restaurants, inns, local farms, and retail businesses.

My second point is that allowing Dominion Power to generate more electricity in old coal-burning power plants that were grandfathered in 30 years ago will further stress the air quality and ecology of areas downwind. These plants already spew enormous amounts of air pollution, cause haze, dangerous ozone levels, acid rain, and heavy metals. Pollution threatens the health of the residents, damages the water quality, and affects local agriculture that provides food for the greater Washington area. I believe Old Dominion Power plans to use the line as a corridor for electricity to metropolitan areas that could produce their own power in newer, more environmentally friendly plants that would help reduce greenhouse gas emissions. Please value the local economy, the health of the environment, and the well-being of the residents by denying the power company's request. Thank you for the opportunity to speak.

Jody Erikson: Elizabeth Shaw, Malcolm Baldwin, Helen Marmoll, Judith Almquist, Linda Burchfiel. Wow, we're moving right through this list. Rosemary Calvert. Yes, we're just, I'm just going down the line. I will call people who didn't stand up the first time, so Christopher Miller, I'm waiting for someone to stand. Daniel Thorne. If I called your name, come on up. I'm calling names, and you just need to be coming up in the order in which I've called them. So Christopher Miller, Daniel Thorne, Scott Billing, Elizabeth Shaw. Is that you? Okay, Malcolm Baldwin, Helen Marmoll. Are you Elizabeth Marmoll? Come on. Helen Marmoll, come up. So we'll have Helen, and then [inaudible].

Helen Marmoll: Well, by now you know my name is Helen Marmoll. All right? I stand before you in several capacities. First as a citizen of the United States extraordinarily disappointed in the Department of Energy, that as the federal government proposing to put forth something this important with this

far-reaching effect would make such an effort to basically--the impression you've given all of us--to reduce and hamper public participation. I encourage you to rethink this. There are dozens of people where I live who would have come if they could have done anything other than travel the 2.5 hours I traveled.

Secondly, it seems a foregone conclusion that you've decided this is the route to go. So I call your attention to a couple of things. It's your obligation to implement this law. If you view this is the way to do it, then it's your obligation to do it according to the intent of Congress. So number one, I assure you as a stockholder in Dominion Power, Dominion Power has no interest in doing the right thing. I know that. I'm a stockholder in the company. I assure you. I get everything they say in writing. They could care less about anything except profits. If you don't do something to preserve the public good, they will destroy it in the interest of their own profits. Take my word for it. I'm one of the owners. All right? Therefore, your supervision is needed. I will submit a written thing that gives you the details of why it's needed. You cannot leave them to decide how to do this.

Secondly, you must take serious consideration and implement regulations that say how this is going to be done, and take into consideration that we are still in the war on terror. Even I would know how to disrupt the entire Eastern Coast electrical grid if these 100-foot transmission towers went down the corridor. So please give this consideration, because you aren't helping us to be safe, and you aren't helping us to continue to live in a safe environment if you don't do that first. Thank you.

Jody Erikson: So I've gotten a couple of questions. And I'm just reading down the list. Once I call your name and I see you stand up, I'm going to know you're here. And once I get through the list of preregistered, we're going to be taking those people who signed up to speak in order that you signed up to speak out there. So Judith Almquist, Linda Burchfiel, Donna--sorry--Rosemary Calvert. Okay.

Judith Almquist: Good morning. My name is Judy Almquist. I live in Fauquier County, Virginia, and I've lived there for over 30 years. I've been promised by the experts at Dominion Power that my land is a target for the 500-kV power line they propose to build. A NIET corridor means different things to different people. To some, it simply means lines and marks on a color-coded map. To some, it means guaranteed huge dollar returns on investments. To some, it means unquestionable personal loss. Two minutes isn't much time, so feel free to read between the lines as I try to tell you as quickly as I can what a NIET corridor means to me.

I'm a retired widow. I have three houses and three apartments which I rent. It's my livelihood. I don't farm anymore, but a local farmer keeps longhorn cattle on my place, and that enables me to be in land use taxation. If approved, one of Dominion's 500-kV line routes will cross my property from one end to the other with towers that will be planted in the front yards of two or three of the houses, depending on how it's configured. Just the threat of the power line has resulted in a letter from the farmer saying, "If the power line comes, the cows go."

Two local realtors have told me that my property is worthless right now because nobody would buy it. If the power lines are built, experts tell me that I can expect the market value to be reduced by 75%. So there you have it. I gain nothing from this, but I lose my land value, my income, my land use tax rate, good neighbors, my children's inheritance, and that's all that I have worked and planned for over the years. And I offer you this as my definition of a NIET corridor. The regulation requires both a parochial conversion and a political conversion, and I'm here today to try to convert you to encourage the DOE to complete a thorough, well-rounded study before including Virginia in a NIET corridor designation. Thank you.

Jody Erikson: Rosemarie Calvert, Carol Overland, Linda--I'm sorry. Linda Burchfiel, I've got you first, then Rosemarie Calvert. Sorry. Reading them both.

Linda Burchfiel: That's okay. We don't need these eight new transmission lines, and we certainly don't need any more new coal-fired power plants. But Dominion says we do. Utilities will do all they can to encourage demand, because that's how they make their profits. That's the way the system is currently set up. Power companies' profit is tied to consumption, and the more we waste, the more they make. So at some point, we do need to be coupled as tie. And some states already have. These states have a forward-looking energy policy so that everyone benefits from increased efficiency--consumers, power companies, and the environment. Now, 2007. We have learned how destructive our wasteful energy policy is at all stages--extraction, mountaintop removal, strip mines. The transportation of it, the generation, and the consumption. So at some point we will need a new policy to limit all these noxious gases, the murky poisonings, the CO2 emissions. We have to be coupled, because the incentive is for the power companies to build more and more new fired power plants, transmission lines encourage consumption.

Jody Erikson: Okay. Now Rosemary Calvert, Carol Overland. I'm going to go back through quick, so the people I've already called, Christopher Miller. Okay. Daniel Thorne. Scott Billing, Elizabeth Shaw. Malcolm Baldwin.

Rosemarie Calvert: Hi. My name is Rosemarie Calvert, and I'm from Preston County, West Virginia. We're primarily a disenfranchised farming community, and our lands are historic, because they've been in our family for three, four, five or more generations. Designation of a national corridor in Preston County, West Virginia--excuse me--or any part of West Virginia--excuse me--is destructive and unnecessary. In the mere act of considering national corridors in our area with the resulting placement of transmission lines across our residential land, which is primarily forested family farmland, you tell those of us in rural settings that our lives, our families, our hard work, and our dreams can be subjugated for the express purpose of improving somebody else's quality of life.

At what point did family farms in rural America become disposable? And at what point did our health and welfare become meaningless? We find ourselves heartbroken at what seems to be our government's eagerness to prostitute our families and our lands as a quick solution for someone else's electricity consumption. Because of this national corridor designation, we no longer wake up with an eye toward the future. We wake up wondering if we're going to have a future. We worry about the health threat to our family members with heart disease, to our young children, to our breeding animals, and to the land that we spent generations protecting. And we worry about our safety when secluded, landlocked portions of our forested land is clear-cut for a 100-plus mile, 200-foot right-of-way, making us targets for arson, theft, vandalism, or worse.

Furthermore, this national corridor will have an unanticipated effect on what U.S. military leaders recently cited as this nation's most pressing national security issue, the water shortage. Since forests produce 50% of America's drinking water, deforesting hundreds of miles of Preston County or any portion of West Virginia or any part of this country, which is primarily, will further reduce this finite resource. Sacrificing water, which is life giving and in limited supply, for electricity, which is only life enhancing and is a renewable resource, will have catastrophic and irreversible effects for our future.

Jody Erikson: Carol Overland, Linda Budraker, David Christiansen. I'm looking for some kind of response. I've got David Christiansen. He's going to step up. Fred Banner. Karen Kennedy.

David Christiansen: My name is David Christiansen. I'm a resident of Prince William County. Let us assume for the sake of argument that within the mid-Atlantic corridor, a demonstrated need exists for bringing less expensive, coal-powered electricity to the Northeast. During the course of a transparent

public examination of the evidence, the majority of states, the affected utilities and other stakeholders concur on the best possible route for a transmission line. The determination is made that the existing infrastructure will be utilized from Mount Storm, West Virginia, through Dubbs, Maryland, and eastward toward the Baltimore-Washington, D.C. area. The current line would be enhanced to exercise eminent domain. The current line would be enhanced to modernize the congested infrastructure, obviating the need to exercise eminent domain for new lines through historic northern Virginia, part of which is a designated historic corridor containing many Civil War battlefields and other landmarks. Other major upgrades can then be made to the PGM network through parts of Pennsylvania, Delaware, and New Jersey to provide electricity to congested areas of New England. In keeping with this scenario, the Virginia State Corporation, after examining the application made by Dominion for a new transmission line, turns down the application. You can imagine the citizens of northern Virginia would be outraged if, at this juncture, the FERC then determines that the Commonwealth of Virginia is in noncompliance with the Energy Policy Act of 2005. And this is an outrage. Thank you.

Jody Erikson: Carol Overland, Linda Budraker, Karen Kennedy, Cale Jaffe. I see Cale stand up, so John Goodrich Mahoney, Maxine Roles. Cale, is that you coming up?

Cale Jaffe: My name is Cale Jaffe. I'm a staff attorney with the Southern Environmental Law Center and a lecturer at the University of Virginia School of Law. SELC will file more detailed comments before the close of the comment period, but today I just want to touch briefly on a few points related to compliance with the National Environmental Policy Act. To be clear, DOE should not go forward with these draft designations because of its failure to comply with NEPA. DOE claims that it's not compelled to complete an environmental impact statement at this time because FERC will conduct site-specific reviews for any transmission line application that proceeds. But relying on FERC's duties underneath, though, misses the point. The CEQ regulations implementing NEPA define major federal action to include "adoption of formal plans under which future agency actions will be based, and in effect will be significant under the regulations based in part on the degree to which the action may establish a precedent for future actions."

In short, an EIS is clearly envisioned for federal actions such as these corridor designations, which are necessary precursors to future actions with significant impact of their own. Moreover, even if FERC never receives an application, these DOE designations themselves have immediate and direct impact on the human environment. In Virginia, for example, Dominion Power has recently filed an application with the State Corporation Commission for construction of a line that would fall within a draft corridor designated by DOE. The one-year time clock imposed by a corridor designation would deny the state sufficient time to conduct its environmental impact analyses and would pressure the state to rubber-stamp the proposal. I'm submitting with my comments today a map that would highlight just a few of the resources that the FTC is required to protect under state law but would be threatened by a DOE corridor designation. In closing, nothing FERC will consider relieves DOE of its obligations to complete a programmatic EIS at this stage. Thank you very much.

Jody Erikson: Last for Linda Budraker, Karen Kennedy, Fred Banner, I did call you, I'm sorry. Fred Banner. So Fred Banner, Karen Kennedy, John Goodrich Mahoney, Maxine Roles, Amy Ressler.

Fred Banner: Thank you very much. My name is Fred Banner, President of Banner Power Company. I was compelled to come here today because about five or six years ago, when California had their problem, I was asked to get a solution. We had a solution. After the problem went away, the power company shrugged it under the mat. We have the answer, and it doesn't have to be one of the three ways that you propose to increase generation. We can do solar power. We can have a new power company that enables, when the grid gets overloaded, to go right into our power systems and offset the grid. We have the technology. I have it in my house right now. I can load

shade, so put power back into the grid as the grid needs it. This is where the money should be spent.

The overloaded transmission lines, the kinds of stress the utility company has, is minimal. It's typically under three hours. To build power plants or to use coal to put carbon into our atmosphere is totally unnecessary. As long as we know before there is a blackout or brownout when the grid is overstressed, we can provide energy right back to the grid through existing hardware that we have on the market. We can do this right over the Internet. We have new equipment that is available that the utility companies can make use of. But I don't think utility companies want to partner with us. We also are working, and I can't disclose with whom, but we will be taking certain industries off the grid. This is a, you know, some new projects that we have on the books that will also relieve stress from the grid. So look at what percent is overloaded, and that's the amount of percent that we will provide power to the grid for. This is really easy. Thank you very much.

Jody Erikson: Last call, Karen Kennedy, John Goodrich Mahoney, Maxine Roles. Again, I--Maxine, come on up, unless that gentleman--. After Maxine Roles, Amy Ressler. I'm looking for some indication you're here. Pat Parris, Mark Stevens.

Maxine Roles: Good morning. My name is Maxine Roles, and I am a resident of Paige County, Virginia, and I'm currently running for the senatorial seat of 26th District, an area that is impacted by the decisions made regarding the corridor designations that will allow a private property to be condemned for the use of putting in transmission lines. If approved, this would allow a private company to use federal eminent domain authority, no matter what the outcome is within each individual state.

On an initiative that impacts so many lives, how can this Department in good conscience even entertain this issue without more public hearings close to the areas that are impacted so that the people whose lives you are affecting--and we are talking hundreds of thousands--could have a say in the matter?

There are some other real issues that need to be addressed. It appears that we are talking about using coal-burning production in order to provide lower cost and therefore causing more environmental issues that would not be safe if we were using new, cleaner alternatives. Also, it appears that the cost factor is the primary reason for longer transmission corridors and more property forfeitures are being considered. Is it right to consider the cost benefits from claiming those whose lands to take and who's actually receiving the benefits of the lower cost of production? It is my understanding that the plans considered are only based on 12-year needs, so why are we not looking for a more long-term solution that would encourage clean generation and conservation?

In all areas of, and especially in the rural areas which I represent, you are talking about needlessly affecting national parks and historical areas and, in many cases, devastating agricultural and tourist businesses, the very industries these towns survive on and what many depend on for jobs. How can you consider any of this is a fair process with so little information and not enough real consideration of the alternative solutions for laying these lines, such as new technologies and other power sources? Looking at the existing corridors or putting lines underground and having recipients of this windfall for cheaper electric pay the costs? Virginia as a whole are certainly not--Virginia as a whole is certainly not benefiting from this plan. We are looking at letting corporate profits destroy lives and valuable land that is instrumental to preserving our country's history. What happened to the environmental impact study? The statement was supposed to be done before you take an action that affects the human environment. Exactly who do you represent? Big business or the American people?

Jody Erikson: John Goodrich Mahoney, Amy Ressler, Pat Parris, Mark Stevens. We'll get through this list faster than we think. Wayne Murphy. Leonard Hacker, Laurie Rickard.

Wayne Murphy: Good morning. My name is Wayne Murphy. I'm here today representing the Piedmont Homeowners' Association. We have a 1,600-family community in western Prince William County, Virginia, are in a potentially designated corridor area. First let me say that we are for viable, reliable, and to add power to our region. That's not our issue. How it is provided and who decides the taking of our land is our issue. This Dominion Power proposal to our state this year are two transmission lines that would pass through our county. We have closely examined their proposal and found at the outset it was solely driven by desire to build additional transmission capacity, capacity not needed in Virginia. It was desired to address only those, but not our specific needs. Other means to meet these power requirements that include more efficient existing transmission technology, rudimentary demand reduction schemes and low-point pole generation were not really considered. The current system in this country that the DOE is proposing rewards and incentivizes construction of transmission capability and not solving our energy problems.

We do have a means locally to address the single proposal to our local and state governments. The process is working. However, this expansive corridor designation would bypass those safeguards and carte blanche to the power monopolies to avoid rational justification and consideration of our state and local concerns. If an expedited infrastructure construction is deemed essential, the vast area currently characterized as the corridor effectively shuts out local and state concerns from New York to Virginia. Homeowners all over our country evaluate their property rights. The right use, the right to its private use is a fundamental element of America's soul. Our court local officials are called to answer those needs when they have to be abridged for what is deemed essential. Taking a property without reasonable process is wrong and in this day the nation would bypass that fundamental safeguard. We oppose the current designation. If a corridor is deemed essential, I urge you to narrowly and specifically define it and allow our neighbors to judge our needs and not bypass our republic. Thank you.

Jody Erikson: Pat Parris, Mark Stevens, are you Leonard? Leonard Hacker, Laurie Rickard. Just going to make sure you guys are getting ready. Mike Hackett--sorry--Hayatt, Heyeck? And John Anderson.

Leonard Hacker: Good morning. Dominion Electric has made it clear during all their hearings that if Virginia does not approve their plea or their plan, FERC will step in and approve their route. I am here to put on the public record the fact that Act 205 does not give FERC the right to allow Dominion Electric to capriciously designate a route, make no compromise with the [inaudible] as to changes and simply wait a year, and FERC will step in and automatically grant the route chosen by Dominican Electric. I believe folks should write immediately a public record informing Dominion Electric to cease and desist spreading false information and that they cannot expect FERC to force us to accept Dominion Electric's route without changes. It is not going to happen. FERC has the responsibility and duty and should and must include the safety and homeland security ramifications in their decision about a route. We are here to make it clear Dominion does not have eminent domain over everything, and FERC will not back them on that. Thank you.

Jody Erikson: Laurie Rickard, Mike Heyeck, right after Mike, John Anderson. Mitchell Story. William Golemon.

Michael Heyeck: Good morning. I'm Michael Heyeck from American Electric Power Service Corporation. I applaud the DOE for its leadership to implement key provisions of the 2005 National Energy Policy Act. The recently issued Draft NIETC designations report by DOE unquestionably documents the need for two specific corridors in the United States. It is absolutely clear that the nation needs to promote the investment of capital and deployment of technologies to address serious reliability, economic, and national security issues in large population centers.

The PGM RTO, through rigorous and open processes, has determined that the solution to address the mid-Atlantic area transmission congestion problem, and to lower consumer costs, involves new transmission reinforcements. It is therefore imperative that DOE act promptly and decisively to issue the NIETC designation for the mid-Atlantic corridor area.

AEP is painfully aware of the need to improve the process of siting transmission. Despite the well documented need by DOE and others for AEP's recently energized Jackson's Ferry, Wyoming, 765-kV line, it took 16 years to complete with 13 years devoted exclusively to siting. A major contributor to this delay was the lack of an effective lead agency approach for siting over federal land. It is critical that FERC, as delegated by DOE, act as lead agency for siting needed transmission lines over federal land. While FERC backstop siting authority is also critical to getting needed transmission built within the corridors designated as NIETCs, AEP is committed to work with state and local authorities in the siting process, as we have always done in the past. The existence of FERC backstop siting authority should not excuse anyone from working cooperatively with state and local authorities.

The nation enjoys the benefit of an interstate highway system that President Eisenhower envisioned over 50 years ago. Federal, state and local authorities, as well as private enterprise, worked side by side to bring that vision to reality. Imagine our economy and national security today without it. Thank you very much.

Jody Erikson: John Anderson? Mitchell Story? You're Mitchell Story? Okay, William Golemon, come on down. Come on down, it's like The Price Is Right. Robert Gertler? Craig Glazer.

William Golemon: Good morning. My name is William Golemon. I represent the Capon Valley Coalition, from a very scenic area of West Virginia near the Shenandoah Valley. There are presently five power lines crossing the mountain into Virginia within 10 miles of my home. Two new power lines are now proposed through our valley, twice and three times the size of the present giant power lines which destroy the scenic beauty of our area. These new power lines will do incalculable damage to our environment and economy. None of this power is used in West Virginia. Now 33 counties in West Virginia, more than half the state, are designated as a transmission corridor, opening the door for even further exploitation of the land and people of my state, where no hearing is held. There has been no environmental impact study on the effect of these power lines. Until the speaker preceding me, I had spoken to and heard from literally thousands of people on this issue and had not met one person who was in favor of it, except for two Allegheny Power officials, Dominion Power's counterpart in our state.

Why is DOE in such a hurry to designate NIETCs when there's bipartisan legislation now being considered in Congress, supported by many legislators, to repeal this egregious gift to the electric power industry? This is hardly a democratic process when the federal government appears to represent the interests of corporations like the late, unlamented ENRON instead of American citizens. Thank you.

Jody Erikson: They turn the AC off, and you can feel it immediately. Robert Gertler, Craig Glazer. I thought if it [inaudible]. After Craig, Jim Feeney. R.L. Armstrong.

Unidentified Audience Member: [Inaudible.]

Craig Glazer: Good morning. My name is Craig Glazer. I'm the Vice President of Federal Government Policy for PJM Interconnection. I do appreciate your holding this hearing, appreciate all the people that came so far to attend. You can think of PJM as the air traffic controller with a regional transmission organization, our mission to ensure the reliability of the electric power grid, keeping the lights on, if you will, from a vast area from Chicago to the Atlantic Ocean and from Virginia and North Carolina up to the New York border, including the states of Virginia and West Virginia.

As somebody mentioned, we have a professional staff made up of power system engineers who study the state of the electric grid and match it with reliability violations. These are violations that are designated by the North American Electric Reliability Council.

In your initial comments, we outlined a series of serious reliability issues in this area. For one, we are seeing substantial load growth. Our digital economy. People using more computers at home. Number two, the environmental laws are having an effect on this region. We're seeing more and more shutdowns of generation. People in this region will know just about a mile from here, we have a plant along the Potomac River station along the Potomac River, and in itself is the City of Alexandria is trying to have that plant shut down.

People talk a lot about clean energy. We have seen the good news story, as we've seen a growth in renewables. We have 16,000 megawatts of wind power generation in our queue waiting to come forward, and 3,900 megawatts alone in Allegheny Power System. These two charts show that since our initial comments, we in fact have seen additional reliability violations, and they're serious. The panhandle of West Virginia runs into problems in 2012. Northern Virginia, even assuming the Loudoun Line that's the subject of this is built, climbs into additional reliability violations in 2017. Central Pennsylvania in 2012. We also, you also have to look at the entire nation. The second chart shows New Jersey, Somerville, New Jersey 2013, Morristown 2016, Long Branch 2013. In short, these are serious issues. We think that the Department of Energy has gotten it right factually, and now we want to work with all of these people here to address these difficult siting issues as we go forward. Thank you very much.

Jody Erikson: This is public comments, so any of the public [inaudible]. So Jim Feeney, R.L. Armstrong, Jill Vogel. Margaret Blackman. Jacob Frank.

Jim Feeney: Good morning. My name is Jim Feeney. I live in Haymarket, Virginia. I'm speaking today as a concerned private citizen, but also based on my experience as a long-time employee with the Federal Energy Regulatory Commission. My concerns are with both the substance of the draft designation for the Mid-Atlantic Area National Corridor and the process for developing it.

First, the proposal stretches the definition of a corridor's geographic area to almost an absurdity. The proposal creates a super-transmission region, not a corridor. This over-reaching approach rightly sparks uncertainty and fear amongst space localities and citizens. It's not the way to proceed. Second, if a corridor is to be so far-reaching, then the responsibility for determining impact and evaluating alternatives should match that reach. Designation of the corridor will bring proposals to build transmission lines throughout a large area of the nation with the potential for major cumulative environmental impacts. Failure to assess any environmental impacts in the proposed corridor at this stage of the process is indefensible, and it does not comply with NEPA requirements. DOE is doing nothing, and FERC will only determine impacts on an individual case-by-case basis. There is now and will be no comprehensive assessment of impacts from coal-fired generation, no consideration of sensitive resources, no inclusion of state energy plans, and no procedures for taking private property and how that's to happen.

Thirdly, states have had almost no consultation during this corridor designation process, and their ability to craft down the energy policies is being compromised. While the corridor proposal says transmission is one possible solution, it doesn't look at any other solutions. Demand response, energy efficiency, conservation, additional generation, where do they fit? What happens? Fourth, utilities and regional transmission organizations have been present at the creation of the corridor proposals. They clearly see improved profits. What of consumers and states? What will they gain from a one-dimensional approach? Their inclusion is late in the process, little time, and they don't have any opportunity for reasonable proposals at this point. Please change the proposed draft corridor designation, both in substance and in process, so that it better contributes to a secure energy future and meets the aims of the Act. Thank you.

Jody Erikson: R.L. Armstrong? Jill Vogel? Margaret Blackman?

Les Armstrong: Good morning. Mr. Secretary, Mr. Meyer, members of the Department and other interested parties. My name is Les Armstrong. I'm a Virginia resident, and I'm a landowner in Fauquier County, Virginia. I'm here to address some serious concerns of mine about the proposed mid-Atlantic corridor designation currently under consideration. It considers a new construction of high-volume interstate transmission power lines as the only solution. In the April 27 issue of the Washington Post, Secretary Bodman calls fixing the mid-Atlantic congestion area a national problem. I'm concerned that the only proposed fix will create a bigger national disaster than the original problem.

I attended the two public information meetings sponsored by Dominion Power. It was a very frustrating experience. Any questions about alternatives or other options were dismissed as inadequate or insufficient. It became quickly apparent that there was only one issue to be considered, and that the information sessions were merely more than a public exercise of going through the motions for Dominion Power. Dominion and Allegheny Power only want to consider and pursue one alternative. Neither Dominion nor Allegheny Power have given, provided, or documented any legitimate consideration of other alternatives or solutions. They continue to be driven solely by their own selfish profit interest and not in the interest of the regional planning systems.

There are many viable alternatives. You heard them all today, although we did not reiterate them. Mr. Secretary, your Department has met in excess of 60 times with 17 or so power companies, yet you're only holding four meetings for a situation that involves nearly 50 million people and impacts hundreds of millions of acres of land in seven states. We need to hold more meetings and listen to more alternatives and commission outside studies until all options and alternatives are considered, and all options are exhausted prior to this designation. I acknowledge that a growing population and economy in the United States runs on electricity. It is important that this nation's transmission system be reliable and adequate. The strength of the nation requires and relies on cooperation of all levels of government, industry, and the people. That being said, we cannot allow our nation to knowingly accommodate one of these sectors at the expense of others. Thank you.

Jody Erikson: Jill Vogel? Margaret Blackman? Jacob Frank? Mary Bauer?

Jill Vogel: Good morning. I'm Jill Vogel. I'm a resident of Foster County, Virginia. I am a candidate for State Senate in the 27th District of Virginia. I represent, I hope to represent, about 180,000 farmers, business owners, property owners, in this community who are very, very much opposed to this designation. I've also worked on energy and conservation programs in the Commonwealth of Virginia. I was a former, I am a former trustee of the Virginia Outdoors Foundation, which has supported a program to promote the easement program in Virginia at the cost to private property owners as millions and millions of dollars in voluntary efforts to build a constructive conservation policy and program in the commonwealth. And without question, this designation will be devastating to that program and eviscerate so much of the progress that that program has made.

I believe I cannot emphasize enough the negative impact of this designation. Frankly, it amounts to a condemnation of property for, frankly, the benefit of private energy. It usurps the right of the Commonwealth of Virginia, the commonwealth which has, frankly, not been consulted to the degree to which it should have. It usurps the right to property owners which, frankly, is the most important. And ultimately, it abdicates the responsibility for the stewardship of our natural resources, our historic battlefields, our economy and our property rights to the parties who are least equipped to represent those interests. And namely, that is the shareholders of a for-profit enterprise. I believe that this designation is certainly premature, and it acts as a disincentive to the

many more progressive energy efficiency and conservation programs that should be utilized as part of our energy policy in this country. I will--I know I'm running out of time--I will just end this by saying, you know, I can refer to the science and a number of the other points that have already been made, but I will ultimately say that I dispute the designation. I don't believe it does anything to advance the real energy needs in this corridor. It doesn't do anything to address the congestion and, frankly, it will be devastating to our community. Thank you.

Jody Erikson: Margaret Blackman? Jacob Frank? Mary Bauer?

Mary Bauer: My name is Mary Bauer, and I'm a resident of [inaudible] County. I work in an electromagnetics lab, and I am here today as a private citizen to discuss my concerns about the electric pollutants of 50-year-old technology and rates of global warming. We have a strategic plan that integrates all energy concerns. Is death real? Is it a myth that what you can't see won't hurt you? There isn't a myth here, but I would like to ask why is it considered scientifically and morally acceptable in the power industry to perpetuate the attitude that there is no statistical correlation between these two factors, death and manmade electromagnetic fields that you can't see. Why isn't this corridor for superconductor power lines through the state of Virginia subject to legal action for the electrical pollutants that they produce that endanger the health and public welfare of the unsuspecting consumer? There are many worldwide legal citations that I could reference that should prompt the appropriate federal regulatory agency to step up to the plate and start to place restrictions on this utility like any other publicly consumed commodity that has to deal with pollution, breakdowns of the air we breathe and the water we drink.

In my opinion, we are past the point of diminishing returns on this issue. We have been debating in some manner for over 25 years that the landmark case in New York State Public Service Commission or the Pine Independent School District near Houston, Texas, in the early mid-'80s, and I would like to ask, "When is enough, enough?" What jurisprudence has been applied to look at the risk potential and to minimize it in an educated manner so that we can address some of the most elemental facets of moving forward and solving our energy problem?

I only have 30 seconds left, so I'm going to try and get through these, but there was a TV documentary in 1984 called "The Good, the Bad, and the Indefensible" about the bioeffects the power lines had on their cattle and hens. The hens laying near the 765-kilovolt power lines laid, as it were, scrambled eggs. Calves were being involuntary aborted, and cows produced significantly less milk. They couldn't see these electromagnetic fields, nor were they educated to understand them, but they most certainly were not offered a choice as to whether or not they wanted them. Why is this any different than second-hand smoke from cigarettes? Because you can't see it? This is real.

Let me read you an excerpt from bewisepolarize.com that documented the illnesses of Fish Pond, Gloucester, England, where 23 out of 30 residents in the town reported symptoms and illnesses that presented and worsened over a 10- to 15-year period, and where two-thirds of the residents lived within 100 meters of a 345-kilovolt power line. I'm being told I have to stop here. Basically, my request is for public education and disclosure about electromagnetic fields and the associated radiation hazard, public monitoring and regulation in electric pollutants that are generated, and deferral of any decision on whether the power line can be installed until an environmental impact study is--I will, sorry.

Jody Erikson: Matthew Sheedy? Donna Wood? On to the next page. Mitchell Radcliff? Rachlis okay, sorry.

Matt Sheedy: My name is Matt Sheedy, and I'm President of Virginians for Sensible Energy Policies. As part of the effort to create a modern energy policy in Virginia, our organization has been involved in a battle against Dominion Power's proposed 500-kilovolt transmission line through northern Virginia. We have learned that the energy policy in much of the U.S. is biased toward

transmission solutions which benefit the power companies but are detrimental to energy efficiency, the environment, property owners, and technological innovation. The facts surrounding Dominion's proposal provide an excellent example of why the federal government should not be creating additional incentives to build more transmission lines.

Please consider the following. Dominion's proposal to run a power line over some of the most environmentally protected and historically significant land in the country, which includes 80,000 acres of property in conservation easement, eight Civil War battlefields, and dozens of national and historic districts and sites. The FERC has already provided huge financial incentives to build more transmission capacity, which is why Dominion and other power companies have dramatically increased the number of lines proposed or under construction. At the FTC, where these cases are adjudicated, Dominion enjoys an overwhelming advantage because of its financial resources, its access to technical expertise, and most importantly, its enormous political influence in shaping the process. In fact, Dominion has never lost a transmission case.

Dominion refuses to meaningfully explore other innovative but less profitable solutions to our energy needs, such as demand management programs, renewable energy sources, and new technology. In 2006, Dominion ranked among the top utilities in the entire country on capital expenditures, and yet Dominion ranks last in expenditures on energy efficiency. Property owners in the path of this line will have their property taken for private gain and will often be undercompensated for the loss. Property owners adjacent to the line will receive no compensation for the damage they incur. This transmission line will subsidize some of the dirtiest coal-fired plants in the country. Dominion's currently the twentieth largest producer of greenhouse gases among the S&P 500. Given these facts, why should the federal government designate corridors that will provide the power companies further leverage and incentive to avoid developing a modern, efficient, and environmentally friendly energy policy? Thank you.

Jody Erikson: Donna Wood.

Donna Wood: Hello. My name is Donna Wood. I'm a citizen of the United States, land of the free and home of the brave. I hear an echo in this room, somewhat like the sound of one's own voice shouting from a mountaintop. Is it from one of the beautiful mountains in the northern Virginia landscape? This testimony today appears to be one-sided. Has any private citizen here come to speak in support of the DOE's recent announcement of the NIETC? This NIETC gives power to companies to govern the lives of people. We are all here, taking precious time away from our businesses, jobs, and families to request due process. It's amazing that something like the trial of a single public figure can be given more air time than something that affects more than 20% of our state.

We need to reset our priorities to solve the root of the problem instead of throwing money at it. The root of the problem is the use of energy and the abuse of natural resources. Demand response should be a required part of this process. Why can't the DOE require the cooperation of utilities and timely decisions and effective action on demand response programs? I'm encouraged by the attempt by media and marketing ads promoting the use of energy-conserving tools and products. We need to spend more power and energy on this to preserve our land and our future.

I'd also like to comment on one of the slides that was read that the transmission provision authorizes the DOE to designate appropriate areas as the corridor of the citizens if it finds that consumers are being adversely affected by transmission constraints or congestion. I didn't hear that totally outlined when the slides were being read, but I just want to say if the DOE supports requiring the cooperation of the utilities in timely decisions and effective action needed for lines, why can't they do the same for demand response programs and implementation? Thank you very much.

Jody Erikson: So Mitchell and then John Eric Nelson. David Hamilton. Michael Town.

Mitchell Rachlis: Good morning. My name is Mitchell Rachlis and I reside in Haymarket, Virginia. I'm speaking to you as a concerned citizen, a retired economist from the federal government, and an adjunct professor of finance at George Mason University. My primary concern is the logic used to determine congestion costs, operating costs, and implicitly, costs that would pass on to the consumer. It is a basic theorem of economics that all costs must be included in any analysis. If some costs are ignored, the amount produced and the amount bought will be economically inefficient. The classic example is the problem of pollution generated in one location which migrates downstream or downwind to cause harm to others. When such pollution is ignored, the amount produced is too much, the price too low, and harm too great for those lying downwind for economic efficiency to exist. Any analysis claiming it can determine the efficient solution when pollution exists just violates basic economics.

In the case of the corridor, the pollution is the coal-fired plants in the Midwest, and the harm occurs in the East as the plume of pollutants migrates with the wind. The analysis done today seems to assume pollution costs can be ignored. Such analysis artificially creates the impression that the corridor would best be served by transmitting power from the west to the east. This conclusion is not warranted. Once pollution costs are accounted for, other solutions, such as demand management or local plants using alternative, less polluting technologies, may prove to be more efficient. In summary, I believe any national energy and electric transmission policy needs to include all costs to ensure the efficient method is chosen and to ensure it serves the public interest. Until these costs are accounted for, neither DOE nor anyone else can determine where any corridor should be placed. Thank you.

Jody Erikson: John Eric Nielsen, David Hamilton, Michael Town. Randy Keith Miller. James--is that somebody standing up? James Hutzler. Robert Keller. Great. What's your name? Okay. We've got Dave Hofler and then Robert Keller, and I think we're going to take--oh, David Hamilton, come on down. Great. So we'll have three more, and then we'll go to lunch.

David Hamilton: Thanks. My name's Dave Hamilton, and I'm the Director of Global Warming and Energy Programs for the Sierra Club in Washington, D.C., and thanks for the opportunity to let us comment on this proposal. This is a, the bill that created these designations were a bad provision of a bad bill that was largely concocted between the federal government and energy companies without enough input from the public, from states, from local authorities, and this is reflective and metaphorical of how the bill was constructed. It isn't the only reason we oppose the energy policy after 2005, but it is emblematic of it. Circumvents local controls and their ability to evaluate their cultural values, their historical values, and what energy infrastructure moves through local territories, potentially runs roughshod over public lands and places designated as special in the law.

This process should maximize renewable energy, demand response, demand reduction, distributor generation, but those values are completely subsumed by congestion and we, the Sierra Club, totally agrees that reliability is a clear and important priority. But we're in a new world. It's 2007. We need to start to think about how we install energy infrastructure for the lowest carbon, you know, heaviest renewable energy, most energy efficiency resources, and not simply figure out how to let power companies build new coal plants and ship the power into metropolitan areas. This process should incorporate life cycle cost analysis for a variety of options before alternatives are designated, and just let me talk about this meeting for a second which is, if the Department was actually serious about wanting public input, they would have given more than 2.5 weeks' notice for the meeting, they would have scheduled it other than the middle of the day on a workday, and responded to people who signed up with the time that they could actually speak so they could get here. I'm 110, and apparently you've bypassed about 60 speakers. So thanks very much, and we will submit more detailed comments for the record.

Jody Erikson: We have two speakers left. I'm not sure, so it's Michael Town, Michael Town, come on down.

Michael Town: I'm Michael Town. I'm the Director of the Sierra Club's Virginia chapter. And I want to thank you for the opportunity to comment. I'm speaking on behalf of the Sierra Club's 17,000 members in the Commonwealth of Virginia. And the Virginia chapter is concerned that the NIET corridor designation gives utilities unprecedented access to federal eminent domain authority in Virginia where already a power line is being proposed through one of the most bucolic areas of our state. It's important that local and state governments have authority to determine the best way to use that property. And Virginians are concerned about the future of our energy policy as a whole and the impact of coal-fired power plants on global warming and on our environment at a time when our local and state governments here in Virginia are working to reduce energy demands for energy efficiency and conservation programs, programs that would reduce the need for new power lines. It is vital that federal programs do not undermine the state and local governments from being able to adopt these practices for energy solutions, and designating these corridors will harm the state's ability to effectively reduce our energy demand, and we think that this is an example of poor energy policy. So we urge the Department of Energy to perform a programmatic environmental impact statement which would include an analysis of alternatives to transmission that already, to address the congestion and reliability issues identified by the National Congestion Study. We're also concerned with the size and extent of the proposed corridor. We believe that the corridor is too broad in scope and that impacts, also harms the state's ability to make good energy choices for their communities, and we believe that more public input must be sought from more localities. We are shocked with how little opportunity the public is being given to be a part of this process, so we demand more transparency. We believe democracy only works when the public is given every opportunity to speak. So thank you very much, and we will be submitting more comments as well.

Jody Erikson: Great. Let me just say, Randy Keith Miller, are you back there? Great. And then James Hutzler.

Randy Keith Miller: I know we're all hungry, so I'll keep my comments to two minutes. My name is Keith Miller. I teach school in Arlington, Virginia, and reside in Haymarket, Virginia. I know that other people are concerned about this issue, because I read on Friday, May the 11th, in a letter to the Washington Post, Scott Snyder of Silver Spring wrote, "Regarding the May 5 front page article, 'Cloudy Germany of Power House and Solar Energy,' about how Germany is far ahead of the United States on solar energy. I was interested to see how many new markets for German manufacturing plants have been created along with thousands of jobs. This follows recent stories about how Brazil is out in front on ethanol production, and Japan has a 10-year lead in hybrid cars. Conservatives complain that when government picks winners and losers and interferes with the free market. The United States has an energy policy, too, and our government picks its own winners and losers. We are just betting on the wrong things. Coal, nuclear, oil, SUVs because of the pressure from special interests."

Your NIETC designation subsidizes and validates the national energy policy. Coal. Almost 60% of new generation, about 300 plants, are anticipated by 2030. This is from your Website. Coal is currently perceived to be an inexpensive resource because of the externalities of pollution and security are not reflected on consumers' bills. SO₂, NO_x, mercury, and especially troubling, CO₂, are unaccounted. Risk for the long, Napoleonic light communication lines of both coal and electricity are shared by the taxpayer, not consumers.

There is an alternative--renewable distributed generation. Given the true cost to consumers and taxpayers, it's more affordable, truly inexhaustible, clean and certainly more secure. I urge you to withdraw this NIETC designation because it fosters the wrong policy. We cannot and will not have new generations of polluting plants. Please lead us and the world and leave a legacy of clean, affordable energy.

Jody Erikson: Okay. For this morning, the final person will be James Hutzler.

James Hutzler: Yes, hi. I'm Jim Hutzler. I'm the Transportation Issues Chair for the Mount Vernon Group of the Virginia chapter of the Sierra Club. I'm also an Appalachian Trail maintainer for the Potomac Appalachian Trail Club. I'm here today because I want to talk about mandates. We should be here today, and the bottom line is we should be mandating conservation, not destruction. We should be mandating clear air, not coal-fired power plants. We should be mandating wilderness protection, not forest removal. Now is the time to mandate responsibility. Our nation's security depends on a transition from fossil fuel addiction to a culture of responsibility. National security has been used to justify what you are trying to do, but you are using national security as a red herring to maintain the status quo and to increase profits for polluting electricity producers. I would like to take a moment to speak about the building where we sit today. At least two sets of escalators serve this floor, but most steps are in evidence. Green building requirements are what a responsible Department of Energy should be mandating today. I thank you very much for your time, and appreciate being here. Thank you.

Jody Erikson: Very briefly, before you go to lunch. So as someone said, we're--the number that you were. So James was 113, was the 113th person to register period, not necessarily the 113th person for this meeting. So we have missed some folks. We've got some, when we come back, we're going to start with those elected officials. They're showing up this afternoon. We'll go back very quickly through people we missed who weren't here, and then we'll start back with Robert Keller. Be back here 1:30. Thank you all.

David Meyer: Welcome back, ladies and gentlemen, to our public meeting. We're going to resume. The basic plan here is that I'm going to make a very short statement about our corridor designation, what it is, what it's not, what effects it would have, what effects we don't think it would have. Then we're going to hear statements from elected officials and after those statements, then we'll go back into more statements from individuals. And once again, the statements by individuals will be two-minute statements, and we ask that you give us the headlines, as it were, from your position, and then if you want to submit additional remarks in written form, that we would appreciate that. Or if there's time at the end of the meeting and you wish to speak again, you will have that opportunity.

Now, let me speak here to the question about the effect of corridor designation. As there is, seems to be misunderstanding in some quarters about what the effects are and what effect designation would have and what effect it would not have. In our view, designation would have two principal effects. One is that it would signify that the federal government has concluded that a transmission congestion problem exists in a particular area and that it requires timely solution. At the same time, it would, the designation would not prescribe in any way what the solution ought to be. That's not our role. That's not our province. Other entities, other government agencies, state and federal, have those responsibilities, and we recognize that.

Secondly, designation of a corridor would enable the Federal Energy Regulatory Commission, under certain circumstances, to approve siting and construction of transmission facilities within the corridor. But that's only under a specific set of circumstances. States still have primary responsibility with respect to siting transmission facilities.

So let me go on, then, to the things that designation would not do. It would not determine how the affected area's congestion problem should be resolved. It would not propose, direct, order, or authorize anyone to do anything. It would not endorse particular transmission projects, and it would not circumvent compliance with existing federal environmental review requirements concerning transmission or other facilities.

So I'm going to stop there and turn things over to Jody Erikson, who is our facilitator, and we'll hear comments now from elected officials. Thank you very much.

Jody Erikson: Great. Thanks. We've got three Congressmen and one other public official that we're going to start with. We'll go back, and I'm going to go through those people that I called this morning to make sure that those people showed up this afternoon. Then we'll go back to the preregistered list. And then we'll get to those folks who signed up this morning. So Congressman Frank Wolf, go ahead and come on up, and then Congressman Hinchey.

Congressman Frank Wolf: Thank you very much. Good afternoon. I appreciate your allowing me to speak today. This is an extremely important issue and one that should be thoroughly vented, particularly when you consider the magnitude, the magnitude of the areas being considered for these transmission corridors. The mid-Atlantic designation alone stretches across eight states and the District of Columbia, encompassing more than 100,000 square miles and a population of almost 50 million people. Yet no environmental impact study has been conducted, no consideration of alternatives to build transmission facilities has been given, no adequate consultation with affected states, communities, and landowners has taken place, and if approved, this designation would be in place for 12 years.

This is, clearly is, a major federal action which requires an environmental impact statement. The states and the localities impacted by this proposed designation need to have a say in the process. We can't have huge transmission power lines cutting through existing neighborhoods or over a huge swath of open space, especially historical significant lands, and then deny the local communities the opportunity to weigh in.

In Virginia alone, the historical significance of some of the land that would fall under the designation is unparalleled. It is the land that George Washington surveyed and walked and Thomas Jefferson walked, Monroe's house, and I could go on and on and on. In Maryland and Pennsylvania, the Civil War battlefields at Antietam, 20,000 people died in one day, and Lincoln used it for the Emancipation Proclamation, and yet that's sort of in the corridor, and nobody just sort of, you know, focuses, not the kind of getting very much attention. Also in Gettysburg, which we all know that where Lincoln spoke, and if you read the latest book, "The Gettysburg Gospels," the impact, they all lie within the designated corridor. In New York, the proposed lines would go through the Upper Delaware Scenic River Basin, a habitat and scenic treasure that many have worked to protect.

Today we're sending a letter to Secretary Bodman signed by more than 40 members of Congress, including the two senators from the State of Virginia, Senator Warner and Senator Webb, asking that public meetings be held in every Congressional district impacted by these designations, and that the comment period be extended by at least 30 days. The federal government should not run roughshod over these communities. It just isn't right, and quite frankly, there never was a vote on this specific issue in the Congress.

Earlier this year, I, along with my colleague, Congressman David, introduced HR 829, the National Interest Electronic Transmission Corridor Clarification Act, to help provide some guidance in developing these corridors. I was hoping DOE would take into consideration the spirit of the proposed legislation in coming up with these designations while it worked its way through Congress, but sadly, it did not. While I fully recognize that our power supplies must be adequate and reliable, I'm concerned that these national interest designations will permit utility companies to continue to ignore the need for smart grid technology, superconductor wires and cleaner energy generation. I also believe they will attempt to thwart the efforts of the states, local governments, and regulatory commissions to operate under a comprehensive energy plan. Moreover, state regulatory authorities will lose any leverage they have over the utility companies to the most smart energy usage.

Again, I understand the need for reliable power, but all avenues must be explored as this process goes forward, and more than just what is best for the companies bottom line must be considered. So I appreciate your listening to this. I would again stress, I hope you'll take into consideration the letter. It's not asking too much that there be a hearing in every Congressional district that is going to be impacted. Because you know, a lot of times, and I don't know what this room is made up of, but many times at a hearing, there will be the registered lobbyist, the big law firms downtown, whether it be in Pittsburg or Richmond or in Washington, who will come, billing at a very high rate per hour. But the average citizen who has to drive for a long way, not billing for hourly. They do other jobs, so the closer we bring this back to where people live and the areas that are going to be impacted. So I would, at a minimum, I would hope that there would be a decision coming out of here that there would be a hearing whereby citizens that live in the area can drive there in a short period of time, so one hearing in every Congressional district. Again, thank you very much for the opportunity.

Jody Erikson: Congressman Hinchey?

Congressman Maurice Hinchey: Well, good afternoon, ladies and gentlemen. I am Maurice Hinchey. I represent the 22nd Congressional District in the State of New York, and I am here today to take this opportunity to give this statement before you, because the hearings that have been scheduled in New York make it impossible for me to attend either one of those, either the one in New York City or the one in the City of Rochester. They are both scheduled for working days of the Congress, and I will have to be here in Washington. And I think that the way that they're being scheduled also is making it very difficult for ordinary people who are being affected by these proposed transmission corridors to express their points of view as well, because none of the two hearings that are scheduled in New York are scheduled in areas that are directly affected by these proposed NIETCs. One is being held in New York City, and the other in Rochester. So if you really had a concern about what people thought, I think you would be holding these hearings in those areas where people are affected, and I urge you to reconsider the way in which you're going about this and reschedule additional hearings in the locations where people are directly affected by these proposals.

While I do appreciate the opportunity to speak today, I only wish that you might have consulted with these affected communities. So I intend to, myself, hold a public hearing on June 9 in the Congressional district that I represent. The Department of Energy is invited. In fact, in fact, your attendance is strongly requested and even recommended. Regardless, we'll hear from the people who have fallen victim to the centralized, heavy-handed, twentieth century energy policy, with or without the presence of the Department of Energy, and thus that testimony will be recorded and sent to you so that you can place it on your record. I hope that you will be there to listen to us directly. In fact, you have an open invitation to come visit the Upper Delaware Scenic and Recreational River to see firsthand why people who live in the Upper Delaware River Corridor want to protect their treasured scenic and recreational river. And that is a treasure that has been designated by the federal government back in 1968. And if you do come, I'll be very happy to be your host.

So why are we here today? I'm here today, first of all, to endorse and agree with everything that my friend and colleague who represents good, substantial enforcement in the State of Virginia, Frank Wolf, just said. He and I are working together on this issue in a bipartisan way, and I think that that will make us more likely to be effective. In recent years, federal energy policies have moved us further and further away from a rationally planned, regulated electric system, regulated for the public interest, to a market-based, for-profit deregulated system.

Unfortunately, these policies, mandated in part by the Federal Energy Policy Act of 2005, which I strongly opposed and voted against, have resulted in the erosion of state and local jurisdiction over proposed electric transmission projects. All the while, we are failing to deliver an energy system

that is environmentally sound, cost effective, reliable, and respectful of what local communities want and value, as well as the people in those communities. This drive towards deregulation and market control of our electric system has led to a less reliable system that fails to address critical public needs, including consumer protection for residents and businesses. Environmental conservation, protection of local community interests, and investments in much-needed infrastructure improvements. In the worst cases, it has led to serious market manipulation, such as in the case of ENRON, and failures to meet the demands for electricity in parts of this nation, including blackouts, even intentional, planned blackouts.

These deregulation policies have in many ways undermined demand reduction and conservation measures that could have helped the country eliminate--or at least significantly reduce--the need for additional electricity generation and transmission. The study and designation of National Interest Electric Transmission Corridors, or national corridors under the Energy Policy Act of 2005, is a major case in point. The proposal to site and construct large, centralized transmission lines to transport electricity over long distances impacts the nation, including the 22nd Congressional District in New York that I represent.

The Department of Energy has proposed two national congestion corridors that span 11 states and the District of Columbia. Parts of New York, Virginia, and Pennsylvania in particular are faced with the possibility of having major power line projects forced upon them due to this new federal designation. And some or all counties in Delaware, Ohio, Maryland, New Jersey, Pennsylvania, and West Virginia, and seven counties in southern California, three counties in western Arizona, and one county in southern Nevada--all of them are impacted as well.

In New York, this includes 48 of our state's 62 counties in the mid-Atlantic critical congestion area and designates the vast geographic area between northern Virginia and New York as a national corridor. That's why Frank Wolf and I are here today. I understand that these hearings are not focused on the legislation that led to the National Interest Electric Transmission Corridor designation process, but it's important for all of us to consider the context in which this law was developed and its subsequent consequences.

The Energy Policy Act of 2005 was developed through a highly secretive and suspect political process involving meetings between high-ranking members of the current administration and Republican Congress and energy corporations such as ENRON. This cynical process determined federal energy policy by a select few secreted away from public view and public input. The process excluded the input of stakeholders other than the energy industry, bypassing input from environmental, consumer, and public interest groups, as well as from most members of the Congress. It was legislated by fiat in the dark of the night. It allowed very little or no debate, few amendments, and no democratic participation in its drafting. The bill itself was unavailable to the majority of House members until right before it came to the House floor under a restrictive rule that required an expedited debate and led to extended arm-twisting in roll call votes.

Expediting energy development benefiting big energy seems to be this administration's mantra. We see this demonstrated very clearly now, when many members are just beginning to discover that their districts may be adversely impacted by these designations. Many are waking up to proposed designations of congested areas that are designed to lead to an expedited approval process. Many of our colleagues and their staff are now scrambling to learn enough to effectively comment within the 60-day comment period on this first round of DOE designations. Many still are unaware that, if designated as a congestion corridor, applicants within the corridor will be able to apply to construct massive power lines. And, if after one year passes without a state's approval, the federal government can step in and make those decisions for the states, undermining basic principles of the federal Constitution.

Given this condensed time line, few, if any, public utility commissions or other state energy decision-makers will have the ability to object or extend the time needed to fully consider these projects and their impacts on the public. This process is geared more toward expediting the approval and siting of transmission corridors than it is geared toward respecting states' rights to make important decisions about their residents' energy future and needs. States' rights and decisions must not be usurped by a heavy-handed, centralized, one-size-fits-all approach. But this is exactly what is happening.

By considering the states' decision time--condensing, rather, the states' decision time to one year, after which time FERC can take over the approval process, the administration is setting up states to fail to meet that arbitrary and unrealistic time line, and is setting the stage for public revolt over unwanted development. By requiring this expedited one-year deadline for state action, the Department of Energy will speed up a process that has been and should be done thoughtfully, thoroughly, and carefully by state authorities after assessing state and local concerns and impacts. To add insult to injury, and an ironic twist given this administration's purported belief in the rights of private property owners, the Federal Energy Regulatory Commission would then be allowed by law to use eminent domain authority on people's private personal property. That means if affected landowners balk or attempt to stop the siting and construction of high-voltage power corridors on their land, it may well result in the seizing of their hard-earned private property, and we are adamantly opposed to that. This would turn lives upside down in the name of expedition. What property is not taken but still impacted by the location of these lines will be dramatically reduced in value, and the esthetics and ecology of the immediate environment that brought people to live there in the first place will be ruined.

What is the hurry? Why rush this process? Apparently, the reason is to build unnecessary, massive, interstate transmission infrastructure that will probably be obsolete before its time. Infrastructure that is not only of debatable necessity, but also provides an archaic, twentieth-century, temporary fix to a problem that is begging for a twenty-first-century, long-term solution.

I'm deeply concerned that this policy will all but guarantee the continued generation of electricity from old, inefficient power plants, and that it may expand the market for dirty fuels by exporting power across state lines. And it will use transmission lines that are admittedly getting more efficient but are still, by the laws of physics, inefficient and lose energy over long distances. I'm also concerned that these twentieth-century answers will crowd out earnest, innovative, twenty-first-century efforts to increase efficiency and reduce demand while we diversify our energy portfolio, increase our supply and use of clean, renewable energy, and get back to a smaller scale, state-led, decentralized distribution energy system. Energy options that might vary from state to state or locale to locale depending upon state and local energy policies and the availability of supply options that were identified by these authorities.

Instead, the process has been driven not by the long-term energy needs of our nation or concerns of energy reliability, but rather by narrow political and economic interests, specifically those of the electric industry, fossil fuel and nuclear power companies, and other entrenched corporate interests which prefer business as usual. The result is a deeply flawed energy policy that is deliberately skewed towards augmenting corporate profits over the protection of the interests of states, local communities, consumers, private property owners and, of course, the environment. States' rights and private property rights were not protected in the law. In fact, they were overridden by that law. And by running over the traditional authority of states with regard to siting and permitting transmission facilities, the authors of this legislation and this NIETC process have contradicted and undermined the federalist system so wisely crafted in our Constitution.

In terms of implementing Section 1221, and the Department of Energy has also made determination thus far that our contradiction, our contradiction to current federal laws and procedures and which raise many serious concerns. These conclude--these include, rather--

proposing a geographic area for a national corridor that includes a protected river under the Wild and Scenic Rivers Act. This act prohibits the construction of massive power lines that would negatively impact the protected river corridor. Designating the Upper Delaware Scenic and Recreational River as part of the national corridor is in direct contradiction to current federal law, as it would adversely impact this designated river corridor recognized by Congress for its nationally significant historical, cultural, scenic, recreation, and environmental resources. Ignoring the provisions of the Administrative Procedure Act that requires meaningful public participation in federal policy decisions or rule-making, that is also not included or ignored. Also restricting public input to a handful of public hearings over the vast geographic area that would be impacted defies the mandate for meaningful public participation. This severely limits the ability of individuals and local communities to participate in this critical public policy debate, as many of them cannot travel many hours during the work week to participate in these hearings.

Proposing a designation of a national corridor, a major federal action that would have substantial impacts on the human environment, without issuing an environmental impact statement as required under NEPA, is also completely unacceptable. A national corridor designation will have legally binding impacts on states, federal agencies, and private citizens, and therefore must conform to NEPA regulations. Clearly designating national corridors will have very significant impacts on local communities, state and federal parks, cultural resources, including historic battlefields right here in the state of Virginia particularly, and on wildlife habitats that host endangered species. Again, furthermore, restricting the NEPA process to individual project proposals denies that these designations themselves constitute a major policy decision with broad and significant ramifications.

NEPA is triggered at the earliest decision-making point in such a process. It's got to be right there at the very beginning, and the Department of Energy is by no means exempt from that requirement. Failing to sufficiently consult with impacted states and stakeholders in developing both the congestion study released in August 2006 and the recently released Draft National Corridor Designation, also unacceptable. In fact, both the New York State independent systems operator--don't be nervous, I'm almost finished--in fact, both the New York State independent systems operator and the New York Public Service Commission both have expressed concerns and opposition to New York state being included in a national corridor, which is right. That's their responsibility. As we heard in a recent Congressional hearing on this matter, the Department of Energy also did not consult the number of states and energy oversight agencies whatsoever in the way that they've begun this process. Additionally, many public entities and private organizations have questioned the data and modeling used in both the congestion study and the subsequent designation proposal.

Finally, including New York state in a national corridor will undermine the ability of our state to determine and implement a comprehensive energy policy, just as it will do to the state of Virginia and every other state that is impacted. Such a designation would certainly tilt the playing field heavily towards the construction of new transmission facilities over other alternatives for dealing with electricity reliability, and those other alternatives include implementing demand response measures, promoting energy efficiency and conservation, adding new generation capacity closer to the areas in need of power, and prioritizing efficiency upgrades to existing power transmission lines--existing power transmission lines. In fact, the New York State agencies that commented on the national corridor study indicate that a national corridor designation in New York could very well serve to discourage the completion of new generation projects already in the planning process, particularly ones that are closest to the areas of high electricity demand.

For all these reasons, I strongly encourage the Department of Energy to suspend all actions on the designation of national corridors until Congress can clarify the process by which this will be done, and do so in a manner that is consistent with existing federal laws, as well as the federal Constitution, and is also respectful of the rights of states and the rights of private citizens. We

cannot continue to bury our heads in the sand and refuse to invest in alternative, renewable, clean sources of energy, or we are going to leave our children with a future dedicated to fixing the mistakes that would be made in that process. Or worse yet, having to live with the irreversible consequences, like the warming of the planet, thanks to our short-sighted, thoughtless, albeit expedited, energy choices.

In closing, I would like to take this opportunity to invite representatives of the Department of Energy to join me in the 22nd Congressional District of New York to listen to the concerns and questions of the communities that I represent, all of which will be heavily impacted by your decisions in this matter. Specifically, I have organized a public hearing in Sullivan County, New York, for Saturday, June 9, so that the residents of the Upper Delaware Valley, Southern Tier, and Hudson River Valley have the opportunity that they deserve to meaningfully participate in this public process. I hope that you will participate in this public forum and use this valuable opportunity to better understand the ramifications of these policy decisions by the Department of Energy.

Thank you again for the opportunity to testify here. I look forward to commenting in detail before the 60-day deadline expires. Thank you very much.

Jody Erikson: Okay. We have lots more comments to go. If you notice, we gave the Congressman a little more time than the two-minute limit. So Christopher Zimmerman is another elected official I'd like to bring up, and then we're going to start back with Chris Miller, which I'm going to call through the people we missed this morning. And you've got two minutes.

Christopher Zimmerman: And I know I don't get the time the Congressman got. But before Congressman Wolf leaves, I do want to thank him for coming here and to say something he doesn't usually get to hear me or any member of the Arlington Board say. I agree completely with what Congressman Wolf said today. Thank you very much. Mr. Meyer, Ms. Agrawal, and Ms. Morton, my name is Chris Zimmerman. I'm a member of the County Board of Arlington, Virginia, and I'm happy to be here today, and since our Chairman, Paul Ferguson, is on county business out of town, I have the honor of saying, "Welcome to Arlington, and thank you for holding this hearing." We do appreciate this opportunity to comment on the Draft National Interest Electric Transmission Corridors, and I've submitted formal remarks in writing, and I just want to make a few summary comments now.

Our Board, on behalf of our citizens, understands and appreciates the importance of a reliable electricity grid to our economic prosperity and security, both within our own locality and in the broader region of which we are part. We urge you to defer to the Commonwealth of Virginia's review and findings and require a more comprehensive review of optimal remedies for congestion. What we are particularly concerned about is the Department's interpretation of the statute authorizing the Department to perform these studies and designate such corridors, pre-empting important rights of the citizens of this state and our community.

Here in the state of James Madison and Thomas Jefferson, we particularly appreciate the value that no right is more fundamental to local government than land use and planning. If the two draft designations would have the federal government usurp state authority for siting electric transmission lines and could force the development of power line projects in cases where states have denied them, based on the public's best interest or a lack of adequate justification of need, allowing the Federal Energy Regulatory Commission to permit private corporations to use federal eminent domain powers to seize private property from unwilling sellers, we believe the Department ought to wait and support our state review process. Only if DOE can determine some manifest error or severe impediment to interstate commerce should the federal government consider pre-empting the interests of the citizens of our community.

I'd also like to say that we hope you would recognize the fact that our community and hundreds of others are acting to reduce reliance on such power transmission lines. Energy use in Arlington County facilities, for instance, dropped 6% between 2000 and 2005. And this year, under our new initiative, we adopted an action plan to increase our reliance on other forms and to reduce our uses still further. Certainly, I'd say that there's no need for DOE to undertake a comparative analysis that would otherwise duplicate the roles of Virginia and our communities.

And finally, let me just say we urge you to consider requiring non-transmission alternatives, such as demand management and energy efficiency. I note the President's Executive Order yesterday in this regard. And finally, we hope you'll look at the longer comments that we submitted and carefully consider the impact on local communities of the decision you're about to make. Again, thank you very much.

Jody Erikson: Christopher Miller. Daniel Thorne, you here? Scott Billing, are you here? Sorry, I've got one more. Elizabeth Shaw, are you here?

Christopher Miller: My name is Christopher Miller, and I'm President of the Piedmont Environmental Council. I apologize for not being here this morning when you called my name at first. I had a medical appointment that I couldn't break. I thank you for the opportunity to address you directly, although I have to say in two minutes, we feel it necessary to submit additional written comments because the effects of your proposal are so extensive, and our concerns with the process that you followed are so extensive that two minutes is not enough time.

Our organization has worked for 35 years with the communities and landowners in at least seven and many more of the counties that are included in the proposed designation in the mid-Atlantic. Our concern about the proposal and the proposed designation are extensive in detail, but they're very simple in principle. By establishing an over-broad area that implicates seven states, you put thousands of communities and nearly 50 million landowners and millions of acres of natural, historic, and recreational resources at risk from the unprecedented use of federal eminent domain. Of greater concern is that the Department of Energy has, in its notice filed with the Federal Register, openly refused to comply with the plain language of the Energy Policy Act of 2005 requiring an alternatives analysis, the National Environmental Policy Act and the National Historic Preservation Act, and they have done so by refusing to do a full evaluation of alternatives to new transmission, including generation, demand side management, even improvements to existing transmission resources prior to designation. Further, the Department of Energy has asked the public to comment on the appropriateness of this designation, without the public having the benefit of access to the documents on which your decision is based. And as a result, the Department is taking a major federal action which sets up a series of readily foreseeable consequences, including major changes to state energy planning, state transmission siting, capital investment in energy alternatives and increases of emissions from coal-fired electricity plants without the benefit of evaluation of the environmental impacts or the comparative value of those alternatives.

I'm being cut off, but I will ask you this. Report to the Secretary of Energy that the designation of corridors is the first step towards the taking of private property rights, and those rights are unique to American democracy. It's what differentiates us from every other country, and without the process that we've asked for, it's an unacceptable use of federal power and will be challenged all the way to the Supreme Court.

Jody Erikson: We have one more Congressman. Congressman Davis.

Congressman Tom Davis: Thank you very much. I'm here today to raise some serious concerns about DOE's designation of Draft National Interest Electric Transmission Corridors. Last summer, DOE designated two critical congestion areas, which included the Atlantic coast area from metropolitan

New York southward to northern Virginia and southern California. Based on this finding, DOE recently designated Draft National Interest Electric Transmission Corridors, or NIETC. Utility companies in these corridors may apply to FERC, which now has so-called backstop authority, to approve new transmission lines if the state process fails for a number of reasons. My concerns about this process sprang from three sources. First, what I call federalism and state autonomy issues. Second, the mindset with which we approach energy management challenges. And third, adequate time for public comment.

With respect to state autonomy, states have been in charge of the approval process for new transmission lines from the beginning. State statutes are set up to balance the interests of their citizens, who are equally consumers of energy, landowners, and consumers of the environment. For example, in my home state, when the Virginia State Corporation Commission reviews an application for a new transmission line, they are bound to consider not just need but also whether the new transmission line will minimize adverse effects on scenic assets, historic districts, and the environment of that affected area. If the utility company applies to FERC, will these issues be given due consideration? The statute doesn't mandate it, and I'm not convinced that they will. That's why I'm a co-sponsor of HR 829, the National Interest Electric Transmission Corridor Clarification Act, which would require that consideration be given to protected lands, adjacent landowners, and protect the decisions made by state utility commissions.

With respect to managing the challenges associated with energy generation and distribution, U.S. Department of Energy states that there are three elements involved in solving grid congestion-- transmission lines, new generation, and demand side management. Clearly, there isn't one single solution to our nation's energy problems. New transmission lines are not a silver bullet. In fact, before DOE released their National Electric Transmission Congestion Study, they released a study of the benefits of demand response in electricity markets and recommendations for achieving it. As the title suggests, this study evaluated the benefits of investing in demand side management.

Demand side management refers to the management of consumer demand in response to supply conditions. For example, demand side management solutions work with electricity consumers to reduce their consumption at critical times or in response to market prices. Customers would then shed loads in response to a request by a utility or market price conditions. Under conditions of tight electricity supply, demand response can significantly reduce the peak price and in general electricity price volatility. In fact, the state of California effectively used demand side mechanics to cope with last summer's heat wave. The bottom line is that sound energy policy is, and should continue to be, a significant priority of both the states and the federal government. Reliable and affordable energy is a key component of economic development. However, opportunities for innovation and conservation can't be ignored. They need to be part of the process. It's appropriate to require that solutions such as demand side management and conservation be part of the package of alternatives considered when planning for expected energy needs.

If approved, these designations will be in place for 12 years, a very significant period of time. It's incumbent upon the federal government to ensure that adequate consultation with affected states, communities, and landowners has occurred. That's why I've joined Congressman Wolf and over 40 members in signing a letter to Secretary Bodman asking that the comment period be extended and that public meetings be held in every affected Congressional district.

In conclusion, I think the federal government should not needlessly usurp the longstanding authority and role of the states in this issue, and that all resolutions to grid congestion should be explored, not simply new transmission. Thank you.

Jody Erikson: Malcolm Baldwin? Malcolm Baldwin? Carol Overland? Linda Budraker? Budraker? Karen Kennedy? John Goodrich Mahoney? Amy Ressler? Pat Parris? Mark Stevens? Let me make sure they get called. Laurie Rickard? John Anderson? Mitchell Story? Robert Gertler? Margaret

Blackman? Jacob Frank? John Eric Nielsen? Okay. We're back to the top of the list. Robert Keller? Great. And then after Robert Keller, Chris Carney

Robert Keller: Good afternoon. Thank you for letting me speak today. I'm a resident of Arlington, which means I live within the orange zone on one of the maps you displayed in the PowerPoint presentation. Arlington is known for smart growth energy conservation, but beyond that, Arlington staff and elected officials work with other jurisdictions in northern Virginia to help do some of the same kind of planning that is necessary to get things under control. One of my concerns with the designation of the corridors is whether or not that kind of cooperation will be generated by creating those corridors. Mr. Meyer stated that a DOE-endorsed approach is for regional cooperation, and that's to be applauded. But will State A really be encouraged to work with State B when the growth of State A is paid for with the property of citizens of State B? And what about the cooperation between power companies? How will that be assisted? Instead of by perhaps DOE and FERC involvement, but by designating corridors. Well, it seems to be in that case we have an example of the nineteenth century, when the federal government provided land giveaways to the railroads in return for construction of necessary railroads across the United States. We know how that turned out for the people who lived in those areas. Thank you.

Jody Erikson: Chris Kearny, Stuart Schwartz, David O'Leary? Dick Hazelgreen?

Akima Cornell (on behalf of Chris Carney): Thank you for this opportunity to speak on this important issue. My name is Akima Cornell. I will be standing in for Chris Carney, representing the D.C. Chapter of Sierra Club. The Sierra Club is one of America's oldest and most influential grass roots environmental organizations. Nationally, we have over 800,000 members with more than 3,000 of those members located in Washington, D.C. Like my many colleagues that have spoken before me, I oppose the Department of Energy's proposal because it represents an intrusion by the federal government into the rights of local and state governments to plan, regulate and protect private property for the benefit solely of large energy companies. For the District of Columbia, this move would be especially egregious. At a time when citizens and taxpayers of our nation's capital are still struggling for full representation in Congress, this move would be a large step backwards. This move would not only place the entirety of the District of Columbia in the middle of--let me make sure I have this correct--Draft Mid-Atlantic National Corridor, it would cement control of our nation's, our energy future more directly in the hands of large energy companies whose motivations and best interests do not align with the intentions and plans of our neighbors and local leaders.

Cities and states within the Draft Mid-Atlantic National Corridor do not need more energy. They need to use the energy they have more wisely. Improved energy efficiencies in these areas would decrease the demand for energy and render the development of new transmission lines superfluous. Thank you.

Jody Erikson: One more time. Stuart Schwartz, David O'Leary, Markaela Green, Farin Walters? Jeffrey Brown? Great. And then Nathaniel Semple.

Jeffrey Brown: Good afternoon. My name is Jeff Brown. I'm a former energy economist and formed one of the first energy management companies serving the energy needs of municipalities, industrial and commercial facilities starting back in 1993. I'm here representing a number of homeowners' associations as their energy adviser, as well as members of the Prince William County Board of Supervisors. I want to take the DOE to task on one of the key issues with respect to the NIETC, and that is the notion of congestion. In the first national congestion study published in August of '06, DOE has not provided a clear explanation as to what congestion really is. The public was led to assume that a congested transmission system is one prone to overloads, blackouts, and is not reliable. That is definitely not the case. Congestion is an economic issue brought about by open access transmission, leading energy traders to bidding for the available capacity, driving up the

price of available capacity. Blackouts and related physical problems arise from system operators failing to properly maintain and manage the network. This is the case with the 2003 blackout that was caused by exactly that, according to DOE's own report.

The 2006 congestion study and the NIETC designation that flows from it falsely suggest that the nation's interest is served by stringing power lines across the countryside. It is not the nation's interest that would be served. Rather, it would be the narrow interests of an elite cartel of transmission asset owners, coal generation owners, and energy traders. DOE has exceeded the limits of common sense and good public policy, and probably the intent of Congress, in making this designation. You have failed to consider adequately the impact on environmental and historical resources, and many millions of residents that happen to lie in the path of these corridors. While the corridors do not have approval of lines, they are a major federal action. They do lead to the taking of private property by businesses serving private, not public interest. Therefore, DOE would be well advised to cease any further action on these draft corridors. Thank you.

Jody Erikson: Nathaniel Semple, James Wiley? Kathleen Schiff? Philip Harley? I'm looking for recognition. Rebecca Foley? Margaret Richardson? One more. Heather Richards?

Nathaniel Semple: My name is Nat Semple, spelled with an "e," not an "i." I'll make my comments rather brief. I welcome the opportunity to talk to representatives of the Department. I want to thank them for coming. They're career people who have been asked by some Assistant Secretary to come out and carry out the provisions of the act for public comment. I'm not so sure what we say today is going to have a heck of a lot of impact. But I do think the only way we can address this problem is by getting Congress to act. Congress passed this pig. Congress needs to amend it. We have about 45 days to do this. We need to amend the bill either to include or address our concerns, or we need to stop the process.

There are two ways to stop the process. One is through the authorization process. The other is through appropriations. We can de-fund the process. I'm not optimistic about this, but we need to make an effort to let Congress know where we stand. If they don't know where we stand, nothing will happen. This is inherently a political process. We need to act on that political process. Our problem is our base is too small. We have only us in Virginia, a few in New York, yet millions of people would be centrally impacted by this, and it's our job and our duty to let those people know what the potential cost of this act will be on them. And it is our duty to make clear to the Congress where we stand. Because ultimately, as far as I can see, this Department will not act unless the politics of it swings in our favor. Thank you.

Jody Erikson: All right. One more time. James Wiley. Cathleen Schiff. Philip Harley, Rebecca Foley, Margaret Richardson. Are you one of those people? Okay. Heather Richards?

Rebecca Foley: My name is Rebecca Foley. I'm a registered nurse, and I drove here six hours in a chartered bus from Pennsylvania to join our colleagues in West Virginia and Virginia against this. You know, I used to live here in Arlington, and I worked in D.C., and I dreamed of a home in the country, a gathering place, and finally I got it. I didn't get it from being rich, but by learning how to conserve. This is the view from the porch. This is the, we also have a view from in the fall. I've got the home towards there for college scholarships. In the summertime I have children's camps where the children are from Vegas, Virginia, and New York. Then the coal company came, and it was nine years of hell. I watched them flood my gas well. I watched them destroy my forest and rape my land and then, smiling, they left with their profits of greed. Now my house needs a new foundation. Just when I thought I was ready to face dealing with that part of it, Allegheny Power called. I said, "You do not own the right-of-way to my land, and it is not for sale." Mr. Roberto from the Siting and Inspections said, "Well, we'll just take it by eminent domain." I am sick, and my heart is broken. Haven't we already given enough of our land and our share of resources?

And how do I tell these children that you see here, standing on this knoll, that this is where Godzilla towers are going to be. The Statue of Liberty is 155 feet tall. These towers are 179 feet tall and 200 feet wide and will ruin my hay fields, my children's memories that come there, and all the memories soon to be made. Are you going to allow all our hopes for life, liberty, and the pursuit of happiness to be destroyed? Thank you.

Jody Erikson: Margaret, Margaret Richardson? And then Heather Richards?

Margaret Richardson: Hi. My name is Margaret Richardson, and I represent the Crooked Run Valley Association. The Crooked Run Valley is in northern Fauquier County. The valley's been designated a rural historic district and is listed on the National Register of Historic Places and the Virginia Landmarks Register. It encompasses over 18,000 acres with 428 historic buildings and includes the villages of Delaplane, Paris, and Scuffleburg. We have numerous attractions that are enjoyed by thousands of people every year from all parts of the country, including Sky Meadow State Park, the Thompson Wildlife Area, the Appalachian Trail, vineyards, family farms where you can pick your own fruits and vegetables, as well as hiking trails and country roads that are enjoyed by hikers, bikers, and even bicyclists.

As a young man, George Washington surveyed this land, and the view from the top of the Paris Valley, or the Crooked Run Valley, is virtually unchanged from the time he did this surveying. John Marshall, Chief Justice, spent much of his youth in our area. Most of the valley is zoned for agriculture, and much of the land is farmed by families who have owned that land for generations. Well over 3,000 acres are under permanent conservation easement, and they include both Sky Meadows and the Thompson Wildlife area. If you do include those, there are over 5,000 acres, or over a quarter of our land is in easements.

We thought it was permanently protected. Apparently, it might not be. We want you to know we do not have congestion in our area. We don't need a corridor designation, and we don't want it. There is no reason to have it. You will be destroying a cherished piece of land that has been carefully preserved and conserved by past generations for us to enjoy today and for future generations to enjoy. On behalf of everyone, I ask that you deny the designation, or at least withdraw what you have proposed and take to heart the comments you're hearing today. Go back to the drawing board. Only this time, I suggest you use a fine-tipped pen when you look at the map, and not a paint sprayer that would cover virtually all of the mid-Atlantic region. Thank you.

Jody Erikson: Heather Richards, Lou Reynolds? Lou Reynolds? Greg Jones? Wayne Shaka Taylor? Jenny Cross?

Heather Richards: Hello. My name's Heather Richards, and I am here today as both the Fauquier County Conservation Officer for the Piedmont Environmental Council, but also, and possibly more importantly, as a Board member of Preserve Frederick and a resident of Winchester, Virginia. Fauquier County, where I work professionally, as you've already heard, is an incredibly scenic, historic, and ecologically rich country in the northern Piedmont of Virginia. It's a home to multi-generational family farms, dozens of historic sites, and several Civil War battlefields. In recognition of these resources, landowners, many of whom I've worked with personally over the past 30-plus years, landowners in this area have been protecting their land with conservation easements to ensure that future generations can continue to enjoy this landscape in its complete historical and cultural context.

However, in addition to working professionally in Fauquier County, I'm very personally committed to the conservation of the Shenandoah Valley where I live. Four citizen groups in the northern Shenandoah Valley, including Preserve Frederick and Frederick County, Shenandoah Forum and Shenandoah County, Scenic 340 Project in Warren County, and the Community Alliance for Preservation in Rockingham County, strongly, are strongly opposed to the use of

federal eminent domain to overrule the state of Virginia to designate a power line corridor through our communities. Our members also object to the time and location of this hearing, so far from their homes and jobs, on a matter of such great importance. It's important to note that I live closer to this meeting than anyone else in the valley, and it still took me three hours to get here this morning.

All of these groups will be sending in written comments in opposition to the NIETC designation and decision-making process and request that the Department of Energy set up a hearing in our community to hear from our public officials and local residents. I urge you to consider the impacts that additional transmission lines would have on the unique cultural and scenic resources in each community that you're proposing this corridor for. The Department of Energy should also detail the potential generation and demand management plan for our communities. All alternatives along with transmission, including energy efficiency, conservation, and distributed generation, should be explored prior to approving sweeping NIET corridors throughout our region. Thank you.

Jody Erikson: One more time. Lou Reynolds? Greg Jones? Wayne Tapio Taylor? Jenny Cross? Go ahead and come up. Christina Locke?

Jenny Cross: Hi. My name is Jenny Cross. I'm speaking today on behalf of the Civil War Preservation Trust, a 70,000-member national nonprofit battlefield preservation organization. Our mission is to protect our nation's endangered Civil War sites and promote appreciation of these hallowed grounds through education and heritage tourism. Working with local partners, DWPT has helped protect over 3,300 acres of hallowed ground in the transmission line corridor study area, including Gettysburg, Antietam, Monocacy, and Cedar Creek. In all, a total of 11 key Civil War battlefields would have their viewsheds adversely affected. And consequently, also adversely affected would be the stories behind these battlefields that define this unique and beautiful region and indeed helped to forge the entire nation. Therefore, any major construction project in these areas needs to be sensitive to these fragile and irreplaceable historic resources. We join with many others to urge the Department of Energy to halt progress on these corridor designations and review other alternatives to meet energy needs before considering irreparable harm to exceptional historic, cultural, and environmental resources. Thank you.

Jody Erikson: Christina Locke? Richard Nikoloff? Great. Martin Ogle?

Richard Nikoloff: First of all, I'd like to say thank you for giving me a chance to speak here. I also drove, rode in a bus for six hours from western Pennsylvania. A lot of traffic here. Yes, ma'am. The reason I'm here today is because, number one, the power line is going to go across my property. I'm a farmer. I'm highly upset about it. It's very, it's a very stressful time for us. The President assigned another Homeland Security Presidential Directive Number 7, there were certain areas in the United States and certain parts of the United States that were part of the National Infrastructure Protection Plan. Okay. Under that, the Department of Energy is second chair to the Department of Homeland Security for energy. Okay? And the protection of the energy sector, if you will. Okay. The National Strategy for Homeland Security, the Homeland Security Act of 2002, the National Strategy to Secure Cyberspace, National Strategy for Physical Protection of Critical Infrastructure and Key Assets, which are electrical producing and transferring mechanisms, and the Homeland Security Presidential Directive Number 7, which I alluded to earlier.

With that being said, I'm going to explain a phone call I had with the Allegheny Power, and I'm going to tell you how it could be affected. Okay? I spoke with an executive level employee from Allegheny Power on May 1 of 2007. I was informed that the power grid on the East Coast is operating at a dangerously high capacity, resulting in the need for the Trail. I asked what would happen if the new Trail line was compromised by a line-specific attack or an act of God. I was told it would be really bad, and brownouts and possible blackouts would result. I asked what

would happen if the Trail line was attacked and the insulators were shot? He stated that they were very fragile and would not withstand being shot, and it is going to be near impossible to protect nearly 200 miles of line and impossible to protect the Trail line. He stated that he did not know what would happen. I asked if a physical security or threat assessment had been conducted during the planning stages of this Trail. He stated that he did not know. I asked him who would ultimately be responsible for the security of these wires. He stated that if anyone would attack the lines, they would be in violation of federal law. I asked him who would perform the investigation and how would it be prosecuted? I asked him for me and he said he would forward the questions to the appropriate personnel. I have not heard back thus far.

I know the resources available within the Department of homeland Security, and they are sparse at best. For example, there are only two federal protective officers in the entire western part of Pennsylvania that are responsible for 80 federal facilities. They're inspectors. Quick options. In conclusion, thank you for your assistance. You're Irish.

Here are just some of the things that I've seen is that they could actually, they could bury the lines. They could have no soft targets. If the lines are exposed, it's a soft target. They could ship the coal or natural gas to the newly constructed pyrogenerating facilities closer to where the power is needed. The 15% loss of electricity during the transfer of power from western Pennsylvania to Virginia would more than pay for the transportation costs by truck, train, or ship of coal to a facility in closer proximity to where the power is needed. If we can safely ship millions of tons of coal a month to China, we can surely transfer enough coal to operate a power facility close to where the power is needed. Okay. Give me 30 seconds, okay?

In conclusion, it will cost billions of dollars to secure a 200-mile section of power line that, if it fails, that if it fails, it will cost billions more to get back online. It only goes to reason that a shorter line will greatly reduce the threat of attack and exposure to inclement weather and enable the power companies to possibly bury the lines and maintain a real physical security presence. Nuclear energy's another thought. And thanks once again for the opportunity, and let's remember that they are a viable soft target and 200 miles of line, you'll never secure it. Thank you.

Jody Erikson: Donna Locke, Martin Ogle, Donna Locke, Martin Ogle, William Semple?

William Semple: Good afternoon. My name is William Semple, and despite what my twin brother Matt says, it's spelled with an "e." I live in the Leeds Manor district, which is next to Crooked Run, so a lot of people here are my neighbors. This may sound a little redundant, but the solution to our national security does not lay amidst hundreds of ugly transmission towers strewn across our landscapes, turning the soil of American citizens in order to generate profits for power companies. The Secretary of Energy proclaims that these corridors will enhance our national security. I believe it will simply expose it further. Nothing could be simpler, as the gentleman before me amply described, in the mind of a terrorist in a rent-a-truck journey down one of my back roads where I know this exists and blow up a few of these existing proposed towers. So rather than make your energy supply more secure, these corridors will make it more vulnerable to sabotage. And let's remember, 9/11 was elementally an act of sabotage.

The ideal way to respond to the issue of national security is to take a lesson from the Internet. While the transmission security is not equivalent to a data packet, the Internet is a redundant and distributive network designed specifically by the Department of Defense so that no one act of sabotage could destroy it. This can be done electrically if we focus on local energy, both direct and backup, at the microscopic level, the individual home or business. Local power, especially stored solar and wind driven, has not only shown to be reliable, it is distributed and fragmented so there is no way a terrorist attack can disrupt the essential supply of electricity through such systems. Even our electric companies could sell such systems and make huge profits, but they are

so narrow-minded that all they want to do is transmit huge pulses of electrical energy and attach them to coal-fired plants. Thank you.

Jody Erikson: Philip Krastman? Great. Katie Hirning?

Philip Krastman: I don't want to repeat a lot of the things that have been said, good things that have been said today. My brother works for the Department of Energy and heads up the coal gasification project in Pittsburg and North Dakota and West Virginia. There is a way of getting coal to these micro generator plants. I'm an electrical engineer. I design these types of things. And we don't have to depend on transmission lines, which generate ozone, which kill fish, people, and create basically death traps for people that have to live near them. Again, a lot of the things have been said, very good today, very well. And I just want to basically add that there is, there are a lot of people that are doing solar energy in Rappahannock County, where I live. Wind energy in Prince William and Rappahannock County. Maryland is talking about large wind farms. But you do not need high voltage transmission lines to transmit this power to local, local applications or where it's actually needed. It can be done at low voltage, and you can use, as to say, when you have coal, you can do coal gasification, and you can transmit that fuel to these micro generator stations which are so distributed that they cannot be attacked by terrorists. Thank you very much.

Jody Erikson: Katie Hirning, and then Martin Ogle.

Katie Hirning: Hi. My name is Katie Hirning. I live in Virginia but work for and represent the Imperial Irrigation District in southwestern California. I appreciate the opportunity to comment on the Department of Energy's proposed designation of two national corridors. The IID, the Imperial Irrigation District, is the nation's largest irrigation district, providing both electric and irrigation services to more than 120,000 customers across 6,000 square miles of California's southwestern desert.

Many transmission projects have been proposed or are in various stages of regulatory approval, both in southern California on the West Coast and in this region on the East Coast. IID encourages DOE to take these projects into account before designating broad areas as congested and to allow state and local authorities to determine if these projects meet a state's need before DOE and FERC step in to pre-empt a state's authority.

FERC recently issued an order, Order Number 890, requiring transmission planning to take place on a regional level. As FERC held in Order 890, greater coordination and openness in transmission planning is required on both a local and regional level. The coordination of planning on a regional basis will increase efficiency through the coordination of transmission upgrades that have region-wide benefits as opposed to pursuing transmission expansion on a piecemeal basis. DOE should give regional transmission planning processes, including the new processes initiated by FERC in Order 890, as well as the state siting authority, a chance to work. Under the Energy Policy Act, DOE must conduct a transmission congestion study every three years. Another study will be done in 2009. DOE should revisit this issue at that time. In our view, the public interest would be best served if DOE lets the new regional planning process work, ordered by FERC, and take shape before DOE designates a corridor. Thank you.

Jody Erikson: Martin Ogle. Stuart Schwartz. Stephanie Ridder.

Martin Ogle: Good afternoon. My name is Martin Ogle. I'm here as a private citizen, but my professional experience certainly plays a lot into my comment. Over the last 15-plus years, I have worked in putting in practical energy applications ranging from efficiency to solar energy applications in home and business, have been involved with energy education for that period of time, am a lifelong member of the American Solar Energy Society, but I should say that this organization is not just a proponent of solar energy, but also efficiency and other renewable energy methods. I'm

here to speak against the plans for these transmission lines, and I guess the federal control in the manner proposed for a number of reasons. Some of them have already been voiced here today, including the efficiency loss in the power lines, the safety/security issue, dollars better spent in other ways, but also that I believe that our country should be moving more towards distributed energy generation rather than concentrated energy generation, and also that my own observation is that as we become more efficient, we're actually, we're actually using more energy. Granted, at slower rates of increase, but we are not reducing our energy usage in the country, making us more and more subject to the problems associated not only with running out of fuels, but also with the effects on ecosystems and other things that we simply are running up against limits on. So for all these reasons and others that I don't have time to state, I'm against these transmission lines in this plan.

Jody Erikson: Stuart Schwartz? Stephanie Ridder. Arthur Coyner?

Stephanie Ridder: Hi. My name is Stephanie Ridder, and I'm from Rappahannock County, and I come on behalf of myself and also any number of Rappahannock citizens that were not able to come today. In all of my travels throughout Rappahannock County, I've never run into anybody who supported this national corridor designation. In fact, everybody feels extremely strongly about not having it. And as I see it, it's just the matter that right of eminent domain in the Constitution requires basically a balancing between public need and private and public loss. And in looking at what might be lost, particularly in Rappahannock County, what we would see is that there would be a great loss--to private landowners, a great loss to the citizens of Virginia because we have some of the most beautiful and historic landscapes, and a great loss to the state of Virginia because with these towers, once these towers are put up, they will be going over what's called conservation easement designated land. If the, Virginia's main means of land conservation are these land easements, or scenic easements, and if these towers are put up on these scenic easements, then they will render these easements pointless because the government can come up and put up whatever they want.

On the other side of the balance is need. Okay, the need must be viewed in terms of global warming, and in the twenty-first century, we've got to think about other ways to generate energy other than carbon-spewing power plants that provide electricity through these huge, enormous lines and which, as far as I can tell, mainly generate great profits for power companies such as Dominion. All of this without showing a need for this electricity in Virginia or looking at alternative, environmentally friendly energy sources. Virginia in particular should not be part of this NIET corridor. Thank you for your time.

Jody Erikson: Arthur Coyner and then Arthur George Lawrence? Jim Leitzer? Barbara Hatch?

Arthur Coyner: My name is Arthur Gray Coyner. I'm a recovering farmer. Since I stopped farming in 2000, I've worked for the Piedmont Environmental Council, working with farmers to voluntarily protect their land for future generations. I also sit on the Virginia Farm Bureau Federation Board of Directors and as a Director for the John Marshall Soil and Water Conservation District. I speak in opposition to this corridor designation. This broad-brush proposal before you will allow utilities to ignore state parks, historic sites, conservation easements, critical watersheds, and local zoning, effectively eliminating state and local rights in this area. Mr. Meyer, you earlier said that the DOE would protect those rights, but you have not experienced the arrogance of the two utilities in our area that are dealing with landowners. Construction will adversely impact lands that have been designated for protection by the United States Department of Agriculture, the Environmental Protection Agency under the Total Maximum Daily Load, TMDL, program, and protection funded by the United States taxpayers through the IRS tax incentive program for farmland and open space preservation. It will also allow those utilities to ignore the federal court order to implement the above-mentioned TMDL program in Virginia. Thank you.

Jody Erikson: George Lawrence, Jim Leitzer and Barbara Hatch? Barbara Hatch, you're up.

Barbara Hatch: Good afternoon. My name is Barbara Hatch. I'm a resident of Regency Dominion Valley in Haymarket, Virginia, and I serve on our owners' association Board of Directors. Regency is an over-55 active adult community of approximately 1,000 residents, and we are promoting energy stewardship within our neighborhood. For example, many of us are replacing our incandescent light bulbs with compact fluorescent light bulbs, many of which were obtained during an area Battle of the Bulb sale and contest co-sponsored by our owners' association. Additionally, a large percentage of our households are participating in Novex load management program, which uses switches installed on air conditioning units to reduce electricity use. During peak demand times this summer, transmission signals will activate these switches, which will then shut off the units for 7.5 minutes out of every half hour. By participating in this program and in other ways, we are doing what we can to assist the electric grid.

Regency residents are very concerned about this Draft Mid-Atlantic NIET corridor designation for many reasons, not the least of which is the DOE's failure to consider other energy solutions. If a congested area does exist in this part of the country, it seems it would make good sense to analyze different ways that could be addressed without the need for a corridor. Citizens don't understand why the DOE didn't consider non-transmission solutions like demand side management programs before it issued its draft designation. The whole purpose of the corridor appears to simply provide another pathway for utility companies like Dominion Power to obtain approval for new power lines. We do not believe that designating such a large corridor for such a long period of time is necessary or prudent, much less the best energy solution. Thank you for giving me this opportunity to let you know what citizens are doing to assist the electric grid and to voice my concerns over the Draft Corridor Designation.

Jody Erikson: Michael Kane? Michael Kane? Great. Robert Burnett?

Michael Kane: Good afternoon. Thanks for letting me speak this afternoon. My name is Michael Kane. I work for the Piedmont Environmental Council in Leesburg, Virginia. At PEC, I work with local citizens and others to protect land and resources in Loudoun and northern Fauquier Counties in Virginia. As you know, this area has been included within a proposed NIET corridor by the Department of Energy.

Obviously, I'm very concerned about the implications of designating this corridor. First and foremost, designation of such a corridor in Loudoun and northern Fauquier counties threatens an incredibly rich natural and historic landscape. Many folks have already mentioned some of the resources in that landscape, including Oak Hill, home of President James Monroe, a designated national historic landmark, the home of Chief Justice John Marshall, numerous Civil War battlefields. It's more than just history, though. It also includes areas like the Potomac River, Appalachian Trail, Bull Run Mountains, and many other important natural and ecological sites.

Of course, all these individual sites are set up in a landscape of breathtaking beauty, providing a visual peace for the eyes. And for more than a generation, citizens and local officials, recognizing the beauty and national importance of this area, have pursued public policies designed to protect the area's heritage and landscape. Several notable examples. One, adoption of local comprehensive plans that place a strong emphasis on protecting the rural landscape. Two, seeking national designation of important historic resources as well as state-designated scenic rivers and byways. Three, pursuing state and federal conservation, land conservation tools, including conservation easements. Nearly one-third of the area is protected by conservation easements in the area.

Now these longstanding efforts, and the resources we thought we protected for the future, are threatened. Threatened by a proposed corridor that would set the stage for the use of federal

eminent domain to spoil pristine landscapes, extinguish conservation easements on protected land, and generally defeat a generation of conservation work in this area. With this in mind, I would respectfully like to request that the DOE consider the following.

One, prior to taking any action, conduct a detailed study that considers all alternatives. Two, change course and prepare an EIS as required by NEPA. And three, lands which would previously have been protected under federal or state policy should be excluded from consideration as throughways for the construction of power lines. Thank you.

Jody Erikson: We've got Bob Burnett, Robert Burnett. After Robert, Mark Haight, Carl Sorensen, Kathy Morrow.

Robert Burnett: Good afternoon. I'm Bob Burnett, CCE, Inc. We're a 501(c)(3) research in the Nemesis Group based in northern Virginia. We focus on economic policy and land use. We've heard the experts voice their questions and doubts regarding premature timing, environmental impact vulnerability, and pricing. Even we, at the general public level, can see the shortcomings and gaps in DOE's own analyses, particularly when we read the transcript of DOE's March 2006 energy congestion conference.

Two examples, the first dealing with the computer modeled year of 2011. Larry Salomoni, Washington Group International, "Why select 2011 as one of the model years? In the Energy Policy Act and DOE's NP 2010 program, the NRC is expecting 11 applications for 18 units, which could be 20,000 to 30,000 megawatts, most in the SERC region. Why not use 2015, when most of that power could come online? " The response was by Steve Henderson of CRA. "2011 for the East was mainly driven by what was available for the modeling purposes. If what you say is true, and I have no reason to doubt it, it's certainly relevant. If a significant amount of generation is going to come on board in 2015, that we wouldn't say in 2011, 'Yes, we're missing that. That's true."

Our second example deals with leadership. For the AEP, American Electric Power, Mr. Hay Hank spoke this morning, "I'm not sure that the market signals are providing enough leadership in leading to a better energy position in the U.S. How does the study go beyond congestion and reliability to anticipate generating requirements, potential sources and areas and actually getting the better technology, nuclear or coal gasification?"

Based on these comments, we respectfully suggest that there is a lot more homework to be done. These questions demand more specific answers, and additional public participation is required. Thank you.

Jody Erikson: Mark Haight? Carl Sorenson? Great. After Carl Sorenson, Kathy Morrow.

Carl Sorenson: My name is Carl Sorenson. I am a resident of Fairfax City, soon to be Fairfax County, and I support the National Corridor Designation. I, we've heard a lot today about the options and distributed generation and things like that. In my view, the, reducing carbon emissions would require a lot more renewable energy than we can generate locally in a cost-effective way. And it would require three things--large-scale deployment of renewable generation where that's available, which is mostly to the west of us here, energy storage and additional transmission capacity. We have the technology for each of these, and government regulation and taxes can help create the financial incentives to move toward renewable energy. Out of these three components, additional transmission capacity can be particularly problematic because of local opposition to the lines into each of the places the lines cross. We've seen ample evidence of that today. And I've seen that a lot here in northern Virginia with the power line proposed by Dominion. I believe that designating national corridors would be in the public interest as far as it helps making constructing transmission lines easier when it's necessary. We heard earlier today about a line that took 16

years to get approved and built, and it sounds to me like federal siting authority may be needed. We need more capacity, and we need to use it to distribute renewable power. We will certainly make some people unhappy in the process. But whatever process is in place needs to play out and to take care of that. But there are competing interests in affected localities across entire regions of the country, and so to me, it makes sense and it's appropriate to deal with these issues at a federal level, or with federal involvement. Thank you.

Jody Erikson: Patsy Morrow? Mary Lou Hamilton? Great. And after Mary Lou, Luddy McGurrow? I slaughtered that one. Okay.

Pat Morrow: Hi. My name's Pat Morrow. I'm a non-recovering farmer from Green County, Pennsylvania. That's in the most southwestern corner of Pennsylvania. And there's been a lot of things said today that I really can't add too much to, because I believe you're already aware that this is going to decrease the quality of everyone's life that's affected. I believe that you're aware that it's going to make the land that they use and that is adjacent to it worthless, except on the property tax rolls, and I believe that you know that it's going to scar the land that we live and love in. You know, we live in and love. I believe you know that.

I understand that you are not going to propose or authorize any particular project. I realize that. Except that I have to deal with Allegheny Energy. Allegheny Energy, in a 10-mile strip of the Monongahela River that I live by, has two active power plants right now. One of them is the Fort Martin Power Plant, and the other one is the Hatfield Power Plant, which happens to have the notoriety of being the dirtiest power plant in the United States of America. They are also constructing two power plants right now. The Longview Power Plant, which is on the Pennsylvania-West Virginia line, and the Nemaquin Power Plant, which is going to be another coal generating facility.

Allegheny Power is waiting for this here particular designation. They have already applied for the backstop, which you are aware of. They know that they will not be able to meet the requirements by the PUC because nothing that they are proposing is going to benefit anyone in Pennsylvania. Hence, I would like to appeal to you to reconsider your national corridor designation for Allegheny Power for the simple fact that, that they will not be able to come across any other way. You are giving them the authority and the power of the federal government to condemn.

Jody Erikson: Mary Lou Hamilton? Mary Lou Hamilton? Leslie Magura? Okay. We're moving on to the green sheets. Nick Williams. You here? Great. And you are? Oh, great, good.

Mary Lou Hamilton: Hi. I represent just one family who made the decision to forgo a large house, a large commute, large salaries, for what we feel is a larger quality of life. We work locally. We try to live with a small energy footprint. We live in harmony with our neighbors. We help each other when we're in need. We don't lock our doors. We volunteer for fire and emergency services. We're not wealthy. We can't afford a high-priced attorney to fight the seizure of our land by the federal government. I represent my family, who are like other families at risk of losing their lifestyle to an outdated energy policy that we don't agree with.

I recently joined an organization called the Daughters of American Revolution. The requirement for joining is to be a direct descendant of a person who was instrumental in the forming of our country. The cause of that revolution was that the government was out of touch with the desires of the individual citizens. The very land that is at risk is land that our ancestors fought and risked their lives for. I ask that the Department of Energy use time and care to be sensitive to the desires of the individual. Look forward to new technology and healthy solutions. Thank you.

Jody Erikson: I called him earlier. Nick Williams? Great. [Inaudible.]

Don Loocke: Hello. My name is Don Loocke. I'm a resident of Rappahannock County in Virginia, as well as I work for the Piedmont Environmental Council as a land conservation officer. I have the pleasure of working with landowners and elected officials that have shown and continue to show unprecedented leadership in ensuring the protection of natural culture and historic icons within their trust. These include historic, natural, and cultural features, features of national, state and local significance, such as Shenandoah National Park, Skyline Drive, the Shenandoah River, state scenic rivers and byways, historic districts and national historic registry properties, along with over 40,000 acres in those two counties of property that has been voluntarily put in conservation easements by landowners in order to benefit the public.

This voluntary placement of private land into conservation easement and resulting protection of important public conservation resources has advanced countless policy goals, such as the protection of clean and plentiful water for drinking and recreation, the protection of prime farmland soils so as to ensure adequate land for the production of food, fuel, and fiber, the protection of historic resources and structures and landscapes, and the protection of important habitat for wildlife recreation. This willingness of landowners to put their land in easement to benefit the public is going to be directly hampered by this designation. If we're going to ask landowners to voluntarily give up rights on their properties, they need to ensure that those protections are going to last.

From the process that I've borne witness to so far, I see no hope that this fast-tracking process being proposed by these corridors will bear any hope for meaningful community input, and I feel it will mean that this single policy will unsystematically dismantle decades of federal, state, and local policies geared towards protecting the culture, history, and natural resources treasures that have built and continue to be the backbone of this nation. By bypassing consultation with state officials, the Department of Energy has thus far shown little regard for the opinions and input from states and local jurisdictions affected.

This unceremonious placement of powers of eminent domain in the hand of FERC at the behest of private corporate interests that wish not to recognize the value of the communities they impact would have, would be a grave misplacement of power. As someone that works with and within some of the counties slated to be included in these corridors, I urge you to keep the decision-making process with those who have knowledge of the resources that exist on the ground so that our collective energy policy is in tune with our other public policies. Further, if the DOE decides that it wishes to proceed with the creation of NIET corridors, I ask that it only be done after a programmatic EIS is performed which takes into consideration other energy options not limited to transmission, and after considerable effort has been expended to get input from local jurisdictions to ensure the project will pay credence to the existing policies, policy goals, including the conservation of natural, cultural, and historic features on the landscape. Thank you for this opportunity to speak.

Jody Erikson: So, Nick Williams. Following Nick Williams, Meg Hunt You're still here. Great. And after Meg, Beth Pastore? So here's Nick. Thanks.

Nick Williams: Hello. Nick Williams speaking on behalf of the Maryland Environmental Trust, a quasi-governmental land conservation organization in Maryland. Maryland, like other states, is included in the National Corridor Designation. According to the maps, it looks like almost 100% of the entire state would be within the corridor. That includes a lot of the natural resources and cultural values which have been mentioned by people from Virginia and Pennsylvania and elsewhere. Certainly includes Maryland and county parklands, forests, wildlife and natural resource management areas where the State of Maryland and county governments have invested heavily in acquiring and maintaining these areas. It also includes 114,000 acres of conservation easements conveyed by private Maryland landowners to state programs and private land trusts, including the Maryland Environmental Trust, and that is all not to mention public lands held by all levels of

government, including the federal government, such as the Blackwater National Wildlife Refuge in Dorchester County, and as Congressman Wolf mentioned, the Antietam Battlefield out in western Maryland. All of these lands are at risk under this designation. And as pointed out by various other speakers, there are conflicts in policy, given that the federal government through the IRS allows a federal income tax deduction for donations of conservation easements that are required to be perpetual. I would support what others have said in terms of the need to consult the state governments, the need to review other alternatives, and I would support the call for a programmatic environmental impact statement. Thank you.

Jody Erikson: Since I was asked, starting with Meg, we have 20 people registered and signed up to speak.

Meg Hunt: My name is Meg Hunt with the Edison Electric Institute, which strongly supports the DOE's proposal to designate two national interest electric transmission corridors. The geographic areas encompassed by these designations have longstanding and persistent congestion problems. These were recognized in DOE's national grid study in 2002 and other analyses completed to support state, regional, and utility planning efforts and in DOE's own recent 2006 congestion study. The proposed designation served notice to all stakeholder states and utilities that it is well past time for them to settle on appropriate solutions, whether those solutions involve new generation, new transmission, conservation, or a combination thereof.

EEI likewise supports DOE's decision to draw geographic boundaries that are broad and inclusive. The use of broad geographic boundaries assure that states will have maximum flexibility to craft appropriate solutions for congestion consistent with their policy preferences and priorities. Such broad boundaries also assure that DOE is not favoring one solution over another or endorsing particular proposed transmission projects at the expense of others.

EEI appreciates the challenges that state siting authorities face when addressing transmission problems whose impacts are both local and regional in nature. We support the state siting authorities and believe that the states typically are the best place for decisions to be made. However, the National Interest Corridor designations are essential for encouraging states to make timely decisions. We recognize the need to consider alternatives to building transmission and to weigh the impacts of specific projects.

We agree with DOE because the National Interest Corridor does not embrace any particular solution, endorse any specific proposed project, or compel any particular action by any party. These evaluations are best left to the states and to FERC, should its backstop authority be accessed. We believe that DOE should undertake that, were DOE to undertake these evaluations, it would limit the options available to the states. Thank you.

Jody Erikson: Okay. After Beth Pastore, Kelly Giesler? And then after Kelly Giesler still here? After Kelly, Kathy Marsh.

Beth Pastore: Good afternoon. I'm Beth Pastore. I live in Madison County, Virginia, which is the southernmost boundary state of the proposed corridor, and I work for the Piedmont Environmental Council, promoting conservation easements in this very rural and agricultural community. Up until five years ago, there was only one traffic light in the county. There are about 13,000 residents, and by far, our largest income comes from farming. Families go back many generations. Values are conservative, and my biggest challenge is convincing people that conservation easements are entirely voluntary, that they will protect the land forever, and that no government will ever take away their land. Part of our efforts to keep land open is to keep land in farms, or at least available for farming. I believe that is a valid national security goal, to ensure that our country has land upon which to produce its own food, rather than to depend on the uncertainties of foreign imports.

The NIET Corridor designation would have a very chilling effect upon my work, taking away the promise of the protection of the conservation easement, increasing the level of uncertainty in a farm community already struggling to survive, and removing any local voice from a major and intrusive land use designed to benefit distant operations. And for what reason? Those distant electric consumers have not been offered meaningful electric energy conservation programs. Can it be that producers and distributors of electric power have no motivation towards conservation?

Madison has decided to forgo the large tax base that comes from commercial expansion, in effect trading wealth for open space, farms, and beautiful mountain views. The dichotomy that I would call attention to is between consumers and conservation, and I believe that the federal government should preserve the rights of local communities to make that choice. Finally, I would like to make an historical note that may be new to some of you. Madison County has approximately one-third of its acreage in the Shenandoah National Park, and that land was within living memory farmed by families who still live in our county. Those children remember with vivid bitterness being evicted and having their homes and crops burned. The only route for a west-to-east electric transmission line in Madison is across the Shenandoah National Park. All the human sacrifice made to keep the mountains and forests, the distant views uncluttered, and our local land whole, will have been in vain. That would indeed be a bitter irony.

Jody Erikson: Kelly's next. Kelly Giesler, are you still here? Kathy Marsh? Michelle Failla? Great.

Kelly Giesler: Good afternoon. My name is Kelly Giesler, and I reside in Haymarket in western Prince William County. I am one of two residents on the Dominion Valley Owners' Association Board and represent a community of 3,000-plus residents. In this capacity, I lead a team of residents who have been actively opposing Dominion Power's latest transmission line project. As informed and concerned citizens, we have been working within the Virginia state process to voice our concerns and alternatives to this project. Within the state process, there is a defined schedule and proceeding to allow for citizen input, legal representation, and an appeal process.

In addition to this specific proposal for electric transmission lines, we now find ourselves navigating the federal arena with this current corridor draft designation, which puts us in double jeopardy. To make matters worse, the Department of Energy does not have a defined process. We have been given a 60-day comment period, and then what? What is the time line when the comment period expires? The Draft Corridors encompass vast areas equating multiple states. Will the final corridors look the same? What, if any, is the appeals process? Unlike the state process, the DOE's process is less transparent and not user-friendly to private citizens. Although these corridor designations will affect millions of people, there has been little or no outreach with those affected. The outreach so far has been conducted with utility companies that profit from transmission. We, the citizens, must live with the consequences. My colleagues and I are highly educated, intelligent citizens, and we are lost in this process--or lack thereof. We ask that this process become more defined, with more citizen input, with more emphasis placed on alternatives to transmission, and a schedule for increased participation clearly set by the DOE. Thank you.

Jody Erikson: Okay, following Michelle, Josefina deGive, I guess? George Goroncy? Julie Crenshaw Van Fleet? Okay.

Michelle Failla: My name's Michelle Failla. I live in Haymarket in Prince William County, and I do some volunteering with the Piedmont Environmental Council. I did not come with a prepared statement. This is kind of off the cuff, and as I've listened to everyone speak, I've agreed with so many of the things that they've said. One thing I would like to emphasize is in listening to Mr. Meyer's presentation and reading their notes, I just kept hearing, "More, more. We need more. We need to generate more. We need to transmit more. We need to catch up."

We're already a nation of energy junkies. It is an addiction. And when you talk about addiction, the term "enabling" comes up, and that's what I believe this corridor does. It's enabling this addiction. Rather than helping people to wean from this addiction, it's just creating more for them to use up. And when you talk about the demand side management, and to quote one of your concerns or challenges, it's that, "It requires the strong support and coordination among state officials, local officials, and utilities. It may require coordination among several states." That sounds an awful lot like the justification for the corridor, to have that same kind of coordination over the jurisdictions in between the states. If it can work one way, it should be able to work the other.

And in these 12 years that you talk about, you talk about needing these long periods of time to create these transmissions, I'll say, corridors, lines. In that 12 years, through education, starting even at the preschool level, we could create a generation of energy-savvy adults. Anyone who's lived with a five-year-old who knows what they think is right knows just how persuasive they can be. And finally, I see a lot of, I guess, lip service to how carefully this will be regulated. However, the regulations have already been broken in how these corridors were established. Why should we believe they'll be following, however implemented? Thank you.

Jody Erikson: Josephine deGive? John Blasco? George Goroncy? Great. And then Julie Crenshaw Van Fleet.

George Goroncy: Good afternoon. My name is George Goroncy. I live on a farm in Washington County, Scenery Hill, Pennsylvania, and the name scenery is what it is. It's a very scenic place. My home was built in 1873, and the original house, a log cabin, sits in my yard, which you can see here in the picture. My father bought this farm in 1948 and lived there. Now I live there with my wife and my two sons. That's three generations. My home is historically significant, and Trails, even though they do not have a right-of-way on my property, wants to put a power line right through the middle of my farm, very close to my house, and over the top of one of the buildings that I do woodworking in regularly. My neighbors are in the same situation.

This power line, if built, will have a negative impact on our environment, my farming operation, it will affect our food chain, and it will produce dangerous electromagnetic radiation known to be harmful to humans and animals. I'm not talking about microwaves like comes from a microwave tower. I'm talking about electromagnetic radiation that comes from electricity. The stronger the power, the stronger the radiation. Being a ham radio operator, I must follow FCC rules and regulations for exposure limits to this type of radiation, ranging from six to 30 minutes, depending on the amount of power that I would be putting out. 1,500 watts is the maximum. Whether it comes from an amateur radio tower or a power line, electromagnetic radiation is the same, with the only difference being that it's far stronger coming from a 500,000-kilovolt line rather than a small amateur radio station. With that in mind, how could anyone with compassion for human health, safety, possibly consider putting people in harm's way by forcing them to live and work under or near something as dangerous as this? My neighbors have two small children who will be forced to eat, sleep, and play in the shadow of this great threat, but Trails doesn't care. The only thing they care about is money. Money, that's all. This is not about the need for it. It's all about greed. Thank you very much.

Jody Erikson: Following Julie, Arthur Brozela? Sorry. Brogley? Okay. And then after Arthur, Alan Richards.

Julie Crenshaw Van Fleet: Thank you. I'm Julie Crenshaw Van Fleet. I'm speaking as a citizen. However, I've been a member of the Air Quality Public Advisory Committee and of the Metropolitan Washington Council of Governments for 15 years. In the last decade, I worked with the Aspen Institute program on Energy, the Environment, and the Economy, and most recently, I've been working with DEQ as an advisory for the Clean Air Mercury Rule. When the transmission of electricity was first becoming a reality, the discussion was, "Should this be a public right? Should this be a government project? Should this be a business?" I refer to Jeff Goodall's book entitled, "Big

Coal," which was published in 2006. Guess who won? Business. For years people marveled at the utility line as national progress. However, in the twenty-first century, we don't look at electricity transmission lines or the sources from which electricity may be generated the same. We now do not want to contribute to the dominion of the utility companies. We want conservation of our resources and incentives for using less electricity. We want security that utilities are not using up our water, polluting our air, or taking our public or private property. We must ask that DOE rethink the utility industry and its place in a modern and green America. Thank you.

Jody Erikson: Arthur Brogley? Is that you, Arthur? Okay. Allen Richards? Cameron Eaton?

Arthur Brogley: Hello. My name is Art Brogley. I live in Scenery Hill, Pennsylvania, also, and Allegheny Energy has just recently sought an application with the PUC to construct a large, 500-kV power line which will also go through my property and will actually end up being less than 100 feet from a corner of my home, so of course, I'm concerned about the health effects on my family and what-have-you, but I came here because I'm opposed to the federal government designating these NIETC corridors and taking away the rights of the individual states to control the building and routing of electrical transmission lines. The lack of adequate electricity generation on the East Coast is a result of those in this area not addressing this growing problem in a timely fashion. I understand that power plants in this area are being shut down because they are too dirty and can't meet the stringent air quality regulations presently in place. However, no plans are in place to address the future needs of electricity for growing populations. Because of this, it appears that there is a misguided plan to tap into the excess generation capacity of the electricity generation facilities in southwestern Pennsylvania by running huge, long-distance, and expensive power lines from our area to the East Coast.

The problem is that this power will be generated by dirty, old, 30- to 40-year-old coal-fired facilities. Pittsburgh was just recently rated the second dirtiest city in the nation. The majority of our pollution comes from these dirty power plants. Pushing the output of these plants to meet the needs of those outside our state will only increase our pollution problem. "A Discussion on What's Wrong with the Electric Grid" by Eric J. Lerner shows how deregulation has created most of the current problems within the system. Go to stopthepower.org and click on Expert Opinion. I quote, "In 1998, former utility executive John Costanza predicted that blackout risk will be increased if plans for deregulating electric power went ahead. He explained that prior to deregulation, a single company controlled generating and distribution within a given geographical area and created a lot of reliable systems. Trying to move electricity over long distances is inefficient, expensive, and creates reliability problems. When a power company is motivated by profits, their goal is to make as much money as possible by moving the power to an area where the most money can be made. Other customers in the grid suffer." Mr. Lerner says that the key error in the new rules was to view electricity as a commodity rather than an essential service. The correct solution is to build generation facilities close to the need. Arguing that utilities use long, expensive power lines to strengthen our grid system in the name of homeland security doesn't hold water. If the Pittsburgh area becomes the hub of electric generation, with power lines radiating in all directions, it becomes a perfect target for wiping out power on a huge area of the East Coast. Also, since the cost of construction of these power lines will be assessed to the ratepayer--that's us--the argument that deregulation will save them money is not valid. Thank you.

Jody Erikson: Julie Locascio? Elizabeth O'Hara?

Cameron Eaton: Hi, everyone. My name's Cameron Eaton, and I live in Delaplane, Virginia. I appreciate the opportunity to speak on a public hearing format. I do not appreciate the drive ahead of me to return to my farm. Two summers ago, I moved into the rundown 1840s yellow farmhouse, just nestled in a little hollow just west of Little Cobbler Mountain east of the Goose Creek. That was me and my dog and 100 acres of what I considered to be pure paradise. The whippoorwills each evening and wild turkey gobblers in the morning, and that first summer was absolute heaven, and

everything seemed right with the world. It was before NIETC existed, before I knew what FERC was, before I sat in Arlington with the Department of Energy.

It was just last summer when I knelt in the front lawn in the shade of the 100-year-old maples, stroking my blue dog's coat. The vet was out with me, with his hind leg, and slowly inserting a needle attached to a syringe full of lavender fluid. At age 14, he'd reached his time, and I cradled his head in my left hand, and I spoke quietly to him, telling him he was the best blue dog in all of America. The best blue dog ever. And his breathing became slower and slower, and his heart, each beat nearer to the last. With the palm of my hand, I felt the very last beat of his heart, and I stroked his beautiful coat one more time, my tears dripping on the grass, a gentle breeze stirring in the trees. For the first time in my life, I felt how truly precious life is and what it means to have a soul and not just a body.

This morning I stood above the grave, and I asked Blue Dog, "What is happening to our countryside?" Virginia, it seems, is no longer to be trusted to do what's best for her citizens. The rush of our industrial age comes full steam ahead. Beware, should you or your loved one stand in the path. I can't believe my eyes. Eminent domain to be used for private corporations, using the guarantee of tremendous profits. I ask, if each and every one of the people involved in deciding the future of National Interest Electric Transmission Corridors would keep in mind, you are responsible for putting states' rights to sleep. The taking of the very rights within our individual states that creates the soul. If you should choose to create these corridors and allow the utilities to come running to you, Big Brother, after one year, a short study, our heart and soul of Virginia is devoured. Is the Department of Energy willing to be responsible for euthanizing our state's rights? Thank you.

Jody Erikson: Julie, you're next. Elizabeth O'Hara? Catherine Scott?

Julie Locascio: Hi. My name is Julie Locascio. I'm a member of the Sierra Club and also the Union of Concerned Scientists. As a planner and an attorney, I know that the Department of Energy can do better than this plan. As a citizen, I know that the Department of Energy must do better than this plan. Expanding dirty fuel transmission will increase emissions, accelerate global warming, and submerge this northeast corridor under the rising ocean level anyway. All these Northeast cities will be gone within 100 years if we keep doing this.

What the Department of Energy needs to be promoting, even though you're telling us this is not what this hearing is about, is local generation of renewable energy sources--solar power, wind power, and conservation. Every roof in Washington, D.C., should have a solar panel, as far as I'm concerned, and then we wouldn't need to bring in coal power over these lines. If you are thinking based on a lot of this testimony that this is simply a NIMBY issue in rural counties, you are wrong. The green space in our country is everybody's back yard. We need that green air, and we need clean energy. I believe that the Department of Energy has been given marching orders from political leaders that have failed to provide the leadership that America needs right now. I believe that the Department of Energy knows this is not the best answer, and there is a time and place for eminent domain. As a planner and an attorney, I know that. I believe in eminent domain, but this is not the time and place for eminent domain, and Dick Cheney's friends have already taken too much from our country. Thank you.

Jody Erikson: Okay, Elizabeth O'Hara. Catherine Scott. Catherine Scott, you're here? Great. And James Ablard?

Elizabeth O'Hara: Good afternoon. My name is Elizabeth O'Hara, and I'm a Director of Federal Affairs for the National Trust for Historic Preservation. On behalf of the National Trust, I appreciate the opportunity to highlight some of our concerns with the Department of Energy's approach to the designation of National Interest Electric Transmission Corridors and DOE's interpretation of its

responsibilities under Section 1221 of the Energy Policy Act of 2005. In addition to these public comments, the National Trust intends to submit written comments.

With the strong support of our 277,000 members around the country, the National Trust works to protect significant historic sites and to advocate historic preservation as a fundamental value in programs and policies at all levels of government. First, we are deeply troubled by DOE's insistence that the National Environmental Policy Act does not apply to the designation of national corridors. We believe that compliance with NEPA and other environmental laws, such as Section 106 of the National Historic Preservation Act, inherently requires that the review must take place prior to the designation of national corridors. Given the size and scale of DOE's proposed national corridors, and the process established by the designation of the national corridors, we believe it is critical that DOE, at a minimum, complete a programmatic environmental impact study--I'm sorry, statement, in accordance with NEPA. We believe that designation of these corridors will lead either directly, indirectly, or cumulatively to substantial and permanent impacts on many significant historic resources.

Second, related to the need to comply with NEPA, we are concerned about the lack of adequate time for the public to participate in the decision-making process for the designation of these enormous national corridors. The legal implications of the designation are draconian and enormously complex. More time is needed for the public to understand and comment on these issues. Even with the public meetings DOE has scheduled, we still believe that the 60 days to comment is insufficient.

Finally, we question DOE's lack of effort to involve the state governments in the states most likely to be affected by the proposed national corridors. Input from these states is critical. In closing, the National Trust urges DOE to comply with the requirements of NEPA and NHPA prior to making any final designation decision, extend the time period to submit comments, and make a greater effort to include the affected states in the process. Thank you.

Jody Erikson: Catherine Scott? James Ablard? And then John DePerro.

Catherine Scott: Good afternoon. My name is Catherine Scott. I'm the Director of Land Conservation for the Piedmont Environmental Council, based in Warrenton, Virginia, and the majority of our service area falls within the area covered by the corridor designation. But perhaps more importantly, I am also a landowner in Rappahannock County, again an area that's impacted by the designation. And Rappahannock is a very special place. It lies in the foothills of the Blue Ridge Mountains. It's an area of incredible beauty. It is just one hour from the D.C. Beltway, but it has no stoplights. It has no shopping centers. And this is not by accident. It is because of the hard work of all those who live there and who have fought for the community. But Rappahannock is also typical of Virginia's entire northern Piedmont region. It is an area rich in history, in scenic beauty, in natural resources. Over 270,000 acres--that's more than a quarter of a million acres--have been placed under conservation easement, and this has been done by thousands of landowners who have voluntarily given up property rights for the greater good of the community. This enhances clean air, clean water, and contributes to a greater quality of life for all of us.

These acts have been heavily supported through policies of local, state, and federal government. Last year the State of Virginia alone invested between \$200 million and \$300 million in granting tax credits to landowners who donated easements. And many of these easements, again, falling within the corridor designation. And the federal government has also provided hundreds of millions of dollars in tax benefits to these same easement donors, again falling within the corridor area. County governments, too, have also placed high value on the preservation of open space, and much of our region, more than 50% of our region, has been recognized by local comprehensive plans as being more important for open space and agriculture than development and infrastructure. Thank you very much.

Jody Erikson: James Ablard, John DePerro, and Stewart Schwartz.

James Ablard: Mr. Meyer and Ms. Vattano, I'm Ed Ablard, and I live in Alexandria, Virginia. And within site of the Mirant Power Plant, which my neighbors want to get rid of, which is a form of distributed power. And my purpose in coming up today is to tell you that from my experience of over 40 years of practicing law and being active in numerous community organizations, the thing you haven't done here in this proposal is provide a way out, and I suggest to you that there perhaps is a way out. Frank Wolf averted to it, and so what I would propose that the Department of Energy do is right away to bring forward all of the information, knowledge, collective wisdom that the federal government has on the issues of the technological fixes for this problem instead of trying to cram 500-foot right-of-ways and 179-foot towers through the places people live, work, raise crops, and bring up children.

So my purpose in being here today is to urge that the Department of Energy has in the media responsibility to lay out for the people that are gathered here and the people that are receiving information about this NEPA proposal--I misspoke--it's not NEPA, it's the other acronym. Just what are the possibilities of superconductivity, smart grid, and the other things that Frank averted to, before we have to face the federal power and face the economic power of the big organizations like Dominion Power, which aren't equipped, actually, to give us this information? So Argonne National Laboratory and the other national laboratories have this information. I think it's about time that this, the best of what they know comes to the public, and I'm out of here.

Jody Erikson: John DePerro, Stewart Schwartz, and Sarah French? Sarah French, are you here? Lee Schroeder?

John DePerro: My name is John DePerro. I'm representing a small, 100-home homeowners' association in Fauquier County, but I also come here as a retired Commonwealth of Virginia employee, where I worked for 13 years in architectural engineering services. And during that time, I managed the state's contract with Virginia Power, buying about \$120 million worth of power a year, and about \$10,000 worth of natural gas. I represented the Commonwealth of Virginia to the Association of State Energy Officials. And during that time, I must say, that I renovated a coal-fired steam plant a year for 10 years, converting them over to a clean, natural gas fuel. So I'm not going to repeat a lot of things. I've given some written comments.

I'd like to make a couple points, though. One is that 1221 requires two things. One, that there be a demonstration of sufficient demand, and I think that we've heard a lot here today that that demonstration has not been made. It may exist or may not exist, but surely Virginia Power has given some kind of documentation to DOE to fulfill that requirement. It would seem logical that you would make those documents public so that other expertise could identify whether those documents in fact are valid or not. Now, there may be a problem with determining whether they are valid, because there's a lot of demand management and energy conservation kinds of things which could invalidate that document.

So I would like to say this. I bought a house in Fauquier County a year and a half ago. I was horrified to discover that it had R-30 insulation, it had an 80% efficient natural gas furnace, it had clear glass windows instead of low-E windows, and it met the building code. So the building code is the problem. Now, I'm going to propose that there's three parties to this game. There's the utilities, there's the landowners, and then there's you all. If you all are going to act as, and assume the responsibilities of local government officials, then you need to act like a local government official, and what local government officials do is require pro offers, and I would propose to you that your pro offer to the utility company should be that all the states involved be required to adopt the DOE highest standards of energy efficiency into their building codes, and then, voila, you get the demand management stuff all taken care of at the same time. In conclusion, I'd like to read one sentence from my written comments, and that sentence says, "Let us pick the low-hanging

fruit of energy efficiency and demand management before chopping the tree down with eminent domain."

Jody Erikson: I think we're at uno. Stewart Schwartz, and then I'm going to really rapidly go through the names of people I called but we missed. So Stewart Schwartz?

Stewart Schwartz: Thank you. My name is Stewart Schwartz. I'm Executive Director of the Coalition for Smarter Growth. I'm not going to be a technical expert like many of the people you've heard today, and I'm largely going to speak as an individual, and my individual history may play a role in this as well. First of all, I'm also a resident of Alexandria, Virginia, and I want to note that I understand and support fixing the problem of the Mirant Plant, but I support it as conversion to a cleaner fuel for an urban area, such as a natural gas plant, so we can support distributed local generation for this. That's a personal opinion on that in particular. I'm also a Navy veteran, 24 years of active and reserve service with a master's degree in National Security Studies.

My life's come full circle, as I work on environmental issues and smart growth issues and had once worked on national security issues. In that this problem of global warming, which I'm sure you heard a lot about today, is a national security issue of the highest order. It's a worldwide security issue. It is the number one issue we should be tackling for the long term, for at least the next century, and very quickly. I fear that our country, both from the transportation and energy side, is buying a 1950s approach, wasting our very scarce resources at a time when we can ill afford to waste our resources on buying the wrong system for the future. And that would certainly be a squandering of our national assets. You have heard from many others about building codes, distributed generation, and all the other solutions. We want those considered. I want those considered thoroughly.

I do have to say, having come out of a career and all those long hours, I get very concerned by the dominance of the corporations in our decision-making, and certainly in the drafting of national energy policy after 2005, and I find much of the approach, as in your presentation today, positively Orwellian. We used to apply that term to our opposition in the Soviet Union, but I find it here when you say that we cannot, that this will not affect how the problems will be resolved, and it won't circumvent environmental laws. But I find that it does both, in that you are not considering other alternatives, as has been said, and you're foreclosing environmental solutions, particularly alternatives analysis, once you've designated these corridors. Thank you.

Jody Erikson: Okay. My final thing is I'm going to read through and make sure that those folks who I called, I'm getting, you get your double shot at this. So Steven O'Leary, Rick Hazelgreen? Feel like I'm saying, "Bueller?" Thoren Walter, James Wiley, Kathleen Schiff, Philip Harway, Lou Reynolds, Fred Jones, Wayne Chatfield Taylor, Christina Locke, Stewart Schwartz, you're on here twice. George Lawrence, Jim Laytoner, Mark Haight, Leslie Margurra, Sarah French, Lee Schroeder, Kathleen Marsh, Josephine Viguez, John Belasco, and Allan Richards. Okay.

David Meyer: Well, first, I want to thank those who have come very long distances at some personal cost and inconvenience to participate. We appreciate the comments that have been offered. I will not, we are on input here today, so we are not endeavoring to--although a lot of questions have been raised and assertions put forward, this is not the occasion for us to respond to them. We will respond in due time, particularly if we make recommendations, then we will explain those recommendations and we will respond to comments that we have received. But we will read and consider comments very carefully. I thank you for coming, and I encourage you to submit written material to us that gives you more opportunity to explain your position in detail. Two minutes is, doesn't give anyone much time to say their, to express their full view. So thank you, and we'll continue this discussion, perhaps, at another time.