

# AMERICAN LUNG ASSOCIATION®

WEST VIRGINIA

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October 13, 2009

West Virginia Public Service Commission  
Ms. Sandra Squire  
Executive Secretary  
P O Box 812  
Charleston, WV 25323

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W VA PUBLIC SERVICE  
COMMISSION  
SECRETARY'S OFFICE

Re: Case Name: PATH West Virginia Transmission Company, LLC;  
PATH Allegheny Transmission Company, LLC;  
PATH-WV Land Acquisition Company; and  
PATH-Allegheny Land Acquisition Company  
Case Number: 09-0770-E-CN

## Request for Denial of Approval of Application

Dear Ms. Squire:

The Advisory Board of the American Lung Association in West Virginia (the Board) thanks the West Virginia Public Service Commission for affording the public an opportunity to comment on the important matter of the proposed Potomac-Appalachian Transmission Highline (PATH). The Board is not convinced that PATH is the best or only solution to electric power and transmission needs in this region of the country. In fact, the Board has serious concerns about the potential region wide impact of the PATH project on the health of millions of people, especially those counted among sensitive populations, living downwind of the type of power generation the proposal is expected not only to support but also even likely to foster.

The Board's position is that the goals of a sound energy policy and protection of respiratory health converge toward policies that maximize conservation, energy efficiency and the use of clean energy sources. Therefore, the Board favors policies that encourage the transition of fossil-fueled power plants from burning coal or oil burning to using clean technologies. The Board recommends that all fossil-fueled energy production facilities use state-of-the-art pollution control technologies to protect public health. Furthermore, the Board recommends requiring that all existing energy production facilities meet the same pollution control standards as new facilities.

While it is understood that the electricity transmission network has deficiencies in terms of its stability and its capability for dealing with new major power sources such as wind and solar, the Board believes that there are serious questions about whether any need to upgrade the grid is being used more to favor the status quo of dirtier electric power sources rather than as an opportunity to help more intentionally and unreservedly transition to cleaner energy sources while simultaneously taking serious steps to reduce demand.

In contrast to the American Lung Association's national policy of encouraging the transition of power plants from burning coal, it appears that a significant outcome of implementing PATH would be to assist the coal-fired mode of electricity generation to become even further entrenched. Indeed, in the words of Bill Raney, President of the West Virginia Coal Association, in a May 18, 2009 letter to the West Virginia Public Service Commission in support of PATH, "Enhanced transmission capacity helps increase the amount of low-cost, coal-fired generation dispatched into the regional grid. This helps preserve the future of existing power plants already on line, justifies additional investment in these plants and increases the likelihood that new, clean-coal electric fired generation will be constructed in the state."

Despite Mr. Raney's claim for producing electricity using "clean-coal" generation, it is the Board's

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observation that, on several counts, ranging from land degradation to water contamination to, of course, air pollution, the promise of "clean coal" has not come close to being achieved. Given the increased likelihood of new coal-fired electricity generation appearing along this transmission corridor, it is the burden of American Electric Power and Allegheny Energy to demonstrate that such a consequence of the implementation of their PATH proposal would in fact result in no deterioration of air quality. That this demonstration could be prepared seems unlikely to the Board.

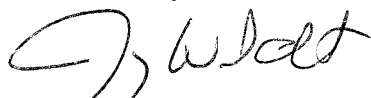
Rather, it is the Board's position that there is an unprecedented opportunity to take the following steps that together can obviate the need for a transmission project of PATH's magnitude and long-term influence:

- Concerted work to implement demand side management and conservation measures, supported by appropriate rules and incentives;
- The establishment, where appropriate, of clean distributed generation capacity sufficient to handle any remaining peaks in load;
- Upgrading existing electricity transmission infrastructure and management to improve reliability, efficiency, and safety; and
- Implementing smart grid technologies.

In conclusion, on the basis of the foregoing, the Board finds itself in concert with the central theme of resolutions passed by at least twelve West Virginia County Commissions – those of Barbour, Berkeley, Calhoun, Gilmer, Hampshire, Hardy, Jefferson, Lewis, Morgan, Roane, Tucker, and Upshur Counties – that is, in opposition to the proposed Potomac-Appalachian Transmission Highline.

The Board of Advisors of the American Lung Association in West Virginia therefore respectfully requests that the West Virginia Public Service Commission deny approval of the application of PATH West Virginia Transmission Company, LLC; PATH Allegheny Transmission Company, LLC; PATH-WV Land Acquisition Company; and PATH-Allegheny Land Acquisition Company for a Certificate of Convenience and Necessity for the construction and operation of PATH.

Sincerely,



Jay Wildt  
Chairperson, West Virginia Board of Advisors  
American Lung Association in West Virginia

cc