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Another round

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Opponents of the PATH electric power substation that is planned for a large parcel of land near Mount Airy won another round last Thursday. By a slim 2 to 1 vote, the Frederick County Board of Zoning Appeals denied the applicants' request for a special exception to site the huge substation on agriculture-zoned land.

Zoning board member John R. Clapp also noted that the facility's steel construction and high towers did not fit with the county's comprehensive plan for rural and residential development. Among the strongest concerns are the more than 1,300 homes in close proximity to the 150-acre site.

Substation naysayers crowding the Winchester Hall hearing room rejoiced at the board's decision, but Allegheny Power spokesman Todd Meyers said AP and its partner in the venture, American Electric Power Co., have several options open to them to pursue their goal.

According to Meyers, the decision may rest on whether the substation is judged to be an "integral and necessary component of the PATH project." The Maryland Public Service Commission has ruled that if the substation is, indeed, essential to the project, that the state PSC would have jurisdiction over its siting and construction.

Frederick County, however, has argued that while the PSC has jurisdiction over the PATH transmission line itself, the county should retain final authority regarding the substation.

Because of the size, cost and guaranteed return on their PATH investment, we would expect AP and AEPC to press for the state PSC having the last word on the substation. Their argument has and continues to be that PATH is an essential project, without which necessary power will be unavailable -- and blackouts possible by 2015.

Opponents counter with a variety of arguments, including its environmental impact, the possibility of utilizing other sources of power, and that, in fact, the power situation is not as dire as the electric companies suggest.

Those in the immediate vicinity of the proposed Kempton substation cite the negative health, safety, environmental and property value issues the substation would present.

Whatever the PSC ultimately decides, the fate of this substation may end up in the courts.

The PATH project is a big deal, and those involved in it aren't likely to accept this zoning appeals board's decision as final. Their next move will probably be to seek a ruling from the PSC to overturn it.

For the folks who live near its intended site, the enormous, industrial complex represents a number of threats they consider unacceptable. While they are sanguine over the zoning board's denial of the application for a special exception, Meyer's remarks indicate that this decision marked only the end of a round, not the fight itself.

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