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### Kempton group files motion to halt PATH project

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By [Ed Waters Jr.](#)

Residents near Kempton have filed a motion to intervene on a proposed electric substation planned for Bartholows Road.

The motion, filed Monday by the Citizens Against the Kempton Electric Substation, states that an alternative location for the PATH substation has not been considered.

The suit could affect the Maryland Public Service Commission's decision on the Potomac Appalachian Transmission Highline. The substation would be the end point for the \$1.8 billion, 300-mile, 765 kilovolt power line. It is planned to run from West Virginia, through Virginia and across Maryland.

The group of residents questions the constitutional power of the commission, sees the site as a potential terrorist target and says a decision on such matters should be up to elected officials.

The Public Service Commission is scheduled to review the application for the PATH project today. The application for the line was filed by Potomac Edison, a division of Allegheny Power that distributes power in the state. The PATH project is a joint venture with American Electric Power. The application was filed May 19. The utility is seeking an expedited decision to begin constructing segments of the line.

"Allegheny Energy just received a copy of this motion and it is currently under review. We will respond in a time and fashion as appropriate," said Todd Meyers, manager of external communications for Allegheny Power on Tuesday.

The motion to intervene on the power company's request includes about 260 pages of letters, copies of e-mails, petitions and signatures from the Kempton group.

Phillip Thurston, one of four signers to the motion, said the grassroots movement was formed quickly, most of it in the week prior to Memorial Day weekend.

"I'm rather appalled at what is being proposed," Thurston said of the substation.

Thurston and other participants in the motion said they do not think Allegheny Power gave enough notice to residents in the immediate area surrounding the proposed substation site.

Other signers of the motion are Julie L. Savage, Catherine M. Combs and Esther A. Brinkman.

In the filing, residents say the Maryland General Assembly has given too much power to the Public Service Commission. The group states that the Office of People's Counsel, which represents residents in cases of utility rates and service issues, does not have the specialized experience to handle such a large case as the PATH substation.

"The powers granted this commission are being used to limit citizens' rights to speak and participate in this matter without oversight from our elected representatives," the motion states. "The state legislature is constitutionally obligated to protect the rights of its citizens, but our lack of constitutional protections in this proceeding belies the trust the legislature has placed in this commission."

The motion also states that the group believes the Frederick County Commissioners cannot represent their interests.

"Frederick County is unable to protect our interests because the state law interpreted by its courts makes it clear that this substation transmitting this amount of electricity is too big for the county to manage this process," the motion states.

The group also believes federal representatives cannot represent their interests because "the legislation that would protect our interests in the homeland security vulnerability of this substation has not yet been passed."

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#### DETAILS

PATH project

- [www.pathtransmission.com](http://www.pathtransmission.com)

Citizens Against the □ Kempton Electric Substation

- CONTACT: 410-207-6194 or 12701 Cowmans Manor Drive, Mount Airy, Md. 21771

The group asks the Maryland Public Service Commission to deny the PATH application, "because it is in the best interest of the people of Maryland to see how these important pending matters will be addressed on the federal and state level."

The location of the substation, the group states, "will without question produce a terrorist target of the highest national priority."

The motion notes the close proximity of Fort Detrick and Camp David and major companies doing defense and intelligence work.

"It is reckless to accept this application in a rushed manner and fail to investigate this further," the court documents state.

The motion also state that the homeland security agency could potentially have to step in and secure the location, "causing further disruption to this neighborhood and community and possibly require the absorption of more properties."

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