

## FrederickNewsPost.com

### PATH project to move ahead in Virginia

Originally published November 25, 2009

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A 300-mile transmission line project that will cross three states and end in Frederick County will go ahead in Virginia.

On Tuesday, the senior hearing examiner for Virginia's State Corporation Commission denied a motion by the commission's staff to dismiss the Potomac Appalachian Transmission Highline project.

Alexander F. Skirpan Jr., the examiner, said continuing the current schedule for the project "provides the commission with the most certainty it will retain jurisdiction, and is the option that is the least costly and burdensome to staff and the parties."

Skirpan said the current schedule in Virginia is the "shortest and most direct route to removing the uncertainty of whether and where the proposed transmission line will be built."

The Potomac Appalachian Transmission Highline, or PATH project, is a \$1.8-billion plan to run a high-voltage power line from West Virginia through Virginia and Maryland, ending at a proposed electric substation near Mount Airy, known as the Kemptown substation.

Earlier this year, Maryland rejected the project, for which Allegheny Energy and American Electric Power have partnered, over legal filing issues. A major contention of the Virginia commission's staff was that without approval in Maryland, the project has no terminus. The staff argued it was a waste of time and resources to continue the review in Virginia while Maryland had not approved the plan.

In West Virginia, the public commission on Tuesday issued a ruling granting PATH's proposal to postpone a decision in West Virginia until Feb. 24, 2011, and establishing a revised procedural schedule to meet the new deadline.

Allegheny Energy will submit a new application for the project in Maryland before the end of this year, said Todd Meyers, manager for external communications for Allegheny Energy.

"Our position is simple and straightforward," he said. "PATH Allegheny Virginia Transmission Corp. will adhere to the current procedural schedule in Virginia as directed by the senior hearing examiner."

John P. Flannery II, an attorney who represented the River's Edge Community at a recent PATH hearing in Lovettsville, Va., said Skirpan's action basically says to Allegheny Energy, "Show us the goods." The hearing in Lovettsville brought out about 250 concerned residents and those opposed to the project.

Flannery said he would have dismissed the project altogether, had it been in Skirpan's place, but by continuing the discussion has forced Allegheny Energy to bear the burden of proof, from timely filings to whether energy is really needed.

"It was not an inelegant method of approach," Flannery said of Skirpan's decision.

Flannery said he has done legal battle with many large corporations, but described Allegheny Energy as "the most arrogant."

"They are the bull in a China shop," he said. "I'm not sure they care, or (if) it is a reptilian care."

Flannery said the utility company knew it was filing under an insufficient name in Maryland. The company filed its application as PATH Allegheny LLC, rather than the accepted name of Potomac Edison, the power-generating entity recognized in Maryland.

"And (Allegheny Energy) knew it was getting into a hornet's nest with the Kemptown substation," Flannery said. The proposed substation, which would be located on Bartholow's Road, would be the largest electric substation in the U.S. The proposal has generated grassroots opposition from the area's residents, as well as opposition to the transmission lines.

Meyers said Allegheny Energy and American Electric Power remain committed to building the project and that the proposed route and terminus at the Kemptown station remain unchanged, as well as the target date of June 2014 for the project's completion.

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