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PATH Sits Idle

By CARRIE DIETZ

In a hand-delivered letter to the Maryland Public Service Commission (PSC), the Potomac Edison Company said it is still considering its filing options, including whether to re-file an application with the PSC, and intends to inform the organization of its decision as soon as possible.

The October 9 letter sent by J. Joseph Curran III, counsel for the applicant, was delivered the final day of the 30-day window issued to the power company to determine its next steps after being denied the right to apply for approval to build the Maryland section of the much-debated PATH.

Days before, the Frederick County Board of County Commissioners (BOCC) sent a letter to the PSC opposing the September 9 claims of jurisdiction over a future electric substation "if it constituted as integral part of the PATH project transmission line." In addition the letter referenced the PSC claims that its authority superseded the Maryland General Assembly grant of land use authority to the board to approve the location of electric substations in Frederick County.

■ PATH

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Writing on behalf of the BOCC, President Jan Gardner said the board does not agree with the comments and will continue to require the proposed electric substation to fully comply with all Frederick County laws. "The PSC has no jurisdiction to determine the board's authority, or that of local government in general, over the location of proposed electric substations, an issue fraught with local land use considerations; only the Maryland General Assembly or Maryland courts will determine the relative jurisdictions of Maryland local government..." she wrote.

While Doug Kaplan, president of the Sugarloaf Conservancy, a group opposing the construction of PATH, said he wasn't surprised by the power company's letter, he hopes the timeout will encourage someone to look at the "need factor."

"[Allegheny is] not going to tip their hand until they're ready," he said about the company's decision to take more time to regroup. "But I wish someone would take a strong look at the lack of need factor. The national thrust is do create more local power generation."

Kaplan also applauded the BOCC let-

Virginia Moves for PATH Application Dismissal

The Commonwealth of Virginia state corporation commission staff recommended the dismissal of the application by PATH Allegheny Virginia Transmission Corporation to build the 765-kilovolt transmission line in Virginia. The recommendation is based on the staff findings that the termination point of the project is uncertain now that the Maryland Public Service Commission also has denied the power company.

In the October 19 statement the commission said, "The staff cannot discharge its duty to analyze the application and to advise the commission on whether the project should be approved and, if approved where it should be routed."

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ter sent to the PSC and said he is glad the county is taking a very strong stand on the issue of jurisdiction and authority when it comes to local government.

For now it's a wait and see tactic for the Sugarloaf Conservancy. "I hope this gives Allegheny the opportunity to take another look at the issue," Kaplan said.