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Public Service Commission to consider 'preliminary issues' with upgrade

PATH-Allegheny says expansion needed to maintain reliability of electric grid

by Christian Brown | Staff Writer

Maryland officials are debating if a proposal to build a regional power upgrade is different enough from a similar application it rejected last year to merit consideration.

The Public Service Commission rejected an application to build the Potomac Appalachian Transmission Highline, a 275-mile proposed power line that would stretch from southern West Virginia to Frederick County, Md., last year on technical grounds.

PATH-Allegheny, a legal entity that will construct the power line, made the application, but it is not an electric company that operates in Maryland, as state law requires.

This rendered the application "defective" in the eyes of the Public Service Commission, which gave the company another chance to file since it did not rule on the merits of the project.

However, it is not clear whether the newest application, filed Dec. 21, is different enough to pass the test.

The Public Service Commission decided March 10 to consider "preliminary questions" of need and whether its concerns were addressed in the new filing.

The Maryland Office of the People's Counsel, an independent state agency that represents Maryland's utility customers, raised questions about what company would own and operate PATH, and also whether it is needed in the first place.

PATH-Allegheny is a partnership of Allegheny Energy and American Electric Power, based in Pennsylvania and Ohio, respectively. The companies have set in their Maryland filing a deadline of 2014 for building PATH, or else they predict the grid will not be able to provide power reliably.

However, in a filing in Virginia, through which PATH will run on its way to Maryland, the companies state that critical deadline is in 2016.

Commissioners want to address this before accepting an application from the companies.

"We will not consider the Company to have filed a complete Application until such time as it files the evidence on which it intends to rely to prove 'the need for the project in meeting demands for service,'" the Public Service Commission stated on March 10.

Todd Meyers, a spokesman for Allegheny, wrote in an e-mail to The Gazette that the companies have proposed PATH as a solution to concerns raised by PJM Interconnection, a regional grid operator serving 13 states and Washington, D.C., that the electric grid will not be able to meet power needs unless new power lines are built.

"Allegheny Energy and American Electric Power remain responsive to grid operator PJM and are committed to having the line in place as ultimately directed," he wrote. "It's not a matter of if PATH will be needed, but when."

The Sugarloaf Conservancy, which has opposes PATH, called the project a "PATH to nowhere" in a recent press release.

"Until such time a PATH application is accepted by [Virginia officials], there is no logical reason for the Maryland PSC to accept an application for a transmission line that could not transmit power from the [West Virginia] as stated in their application," the release said.

Ginny MacColl, a member of Citizens Against the Kempton Electric Substation, another group opposed to PATH, wrote in an e-mail to The Gazette that she supported the Public Service Commission's questions about the corporate structure behind PATH.

Potomac Edison, a Maryland subsidiary of Allegheny Power, filed the application, which claims that company owns 5 percent of PATH-Allegheny. However, MacColl was not satisfied that this truly represented a Maryland company building and operating the power line.

"In my opinion, 5 percent ownership is an avoidance of corporate responsibilities," MacColl wrote in an e-mail to The Gazette. "They are focusing on their shareholders and ignoring their responsibility to the public."