

**Appalachian Mountain Club * Allegheny Defense Project * Biodiversity Conservation Alliance
Brandywine Conservancy * Californians for Western Wilderness * Catskill Mountainkeeper
Colorado Environmental Coalition * Earthjustice * EcoFlight * Environment America
Environment Colorado * Environmental Defense Fund * Energy Conservation Council of Pennsylvania
Foundation for Pennsylvania Watersheds * Idaho Rural Council * Land Trust Alliance
National Audubon Society * National Parks Conservation Association * National Wildlife Federation
Natural Resources Defense Council * New Jersey Conservation Foundation * New Mexico Wildlife Society
Northern Plains Resource Council * Piedmont Environmental Council * Pennsylvania Land Trust Association
Red Rock Forests * San Luis Valley Ecosystem Council * Sierra Club * Southern Utah Wilderness Alliance
Union of Concerned Scientists * Western Colorado Congress * Western Organization of Resource Councils
Western Resource Advocates * The Wilderness Society * Wyoming Outdoor Council**

May 8, 2009

Dear Senator,

We support significant reforms in how electrical transmission lines in this country are planned, sited, and built. We believe these reforms must be built around two critical principles.

First, transmission policy reforms must be developed and implemented as part of an overall federal strategy to help transition our nation to a clean, low carbon energy economy. This strategy must include an economy-wide cap on global warming pollution leading to significant reductions in national greenhouse gas pollution over time. New policy reforms should be designed to benefit needed clean renewable energy resources.

Second, federal transmission policy must enhance state and local efforts to develop energy efficiency, demand response, energy storage, and clean, low carbon distributed generation. New transmission is an important and perhaps imperative option in some areas, but federal transmission policy should be equally if not more focused on enabling urgently needed improvements in alternative clean energy resources. This includes improving the efficiency of the existing electric transmission and distribution systems; customer-side energy efficiency and demand response programs; energy storage opportunities; and clean, low-carbon distributed generation—all of which can play a significant role in reducing or displacing the need for new high voltage transmission facilities. Federal transmission policy reform that is biased toward building new transmission at the expense of achievable and affordable investments in energy efficiency and other demand-side solutions risks overlooking more economic and environmentally sound electricity supply opportunities, could needlessly sacrifice our nation's precious lands and wildlife, and undermine critical efforts to rid the nation of dangerous global warming pollution.

We appreciate the efforts made in drafting and revising the transmission title of the comprehensive energy legislation currently under consideration by the Committee. We believe this title includes several features improved from earlier drafts. However we still believe the draft can be strengthened in the following areas.

Focus on clean renewable energy

- The policy goal should be narrower than maximizing the net benefits of the electricity system and should instead look to prioritize development of clean energy.
- New transmission should be built where it has been certified as needed. An independent and impartial planning authority and process should make the determination of need, assessing supply and demand in an integrated resource planning framework that is unbiased against opportunities to consider demand management, local generation and clean renewable energy resources to meet demand.
- “High priority national transmission projects” should prioritize clean renewable energy resources. At a minimum, interconnections should be limited to resources with greenhouse gas emissions no higher than a combined cycle natural gas plant.¹

Strengthen transparency and accountability of planning process

- Transmission planning should drive identification of projects, not the other way around. Accordingly, the planning process should be revised to designate high priority projects.
- While the title explicitly supersedes section 1221 of the Energy Policy Act of 2005, the National Interest Electricity Transmission Corridor designations should be expressly rescinded.
- All plans to be completed should be subject to reasonable timetables. The 1 year project approval time clock should not start until after all plans have been completed.
- FERC should be required to publish a statement of a finding approving a certificate on appeal from a state denial or inaction as it is for declining to adopt mitigation recommendations.
- The transparency and participation in the planning, review, and comment processes should be enhanced by significantly and specifically expanding the list of parties permitted to comment on FERC planning and rulemaking undertaken if states do not act to approve a line identified as needed in the plan. All participants should have access to all data resources used to develop the plan and its assumptions, to facilitate full public participation in the planning and decision processes.

Enhance stewardship of Federal lands and sensitive resources

- Sensitive and unique natural systems, wildlife habitat, and cultural resources, as well as national park units and other protected places on federal and state lands, should be avoided by high priority projects.
- High priority projects should consider deployment of the least environmentally damaging transmission solution such as underground cables instead of overhead lines, or reusing existing rights of way.
- The deadline for completion of federal permit decisions and related environmental reviews should be eliminated. DOI should be the lead agency for coordinating and preparing these documents.
- Wherever public lands are to be used for siting transmission projects, taxpayers must be assured a fair return.
- DOI should be required to revise designated energy corridors on public lands to take into account the policy and planning considerations outlined in the title.
- Environmental laws must not be waived, shortcut, or shortchanged in efforts to streamline the transmission planning and siting process on federal lands.

¹ We recognize the continuing discussion regarding the feasibility and effectiveness of this remedy, particularly in the eastern interconnection. It is generally agreed that the most effective way to address the potential for new transmission to exacerbate greenhouse gas pollution is to condition awarding a certificate on the enactment of a national carbon cap. Alternatively, the applicant should certify that generation sources interconnecting into a high-priority national transmission project are low-carbon, renewable energy resources and that the transmission project will decrease overall greenhouse gas emissions system-wide.