

**PUBLIC SERVICE COMMISSION
OF WEST VIRGINIA
CHARLESTON**

At a session of the PUBLIC SERVICE COMMISSION OF WEST VIRGINIA in the City of Charleston on the 21st day of August, 2007.

CASE NO. 07-0508-E-CN

TRANS-ALLEGHENY INTERSTATE LINE COMPANY

Application for a Certificate of Convenience and Necessity authorizing the construction and operation of the West Virginia segments of a 500 kV electric transmission line and related facilities in Monongalia, Preston, Tucker, Grant, Hardy, and Hampshire Counties, and for related relief.

COMMISSION ORDER

This Order sets a hearing regarding the status of this case.

Background

The Commission issued an Order on June 11, 2007, directing that (i) the Trans-Allegheny Interstate Line Company (TrAILCo) give notice of its application for a certificate of convenience and necessity, (ii) TrAILCo give notice of the rate impact of the project, (iii) TrAILCo submit its study of the Consumer Advocate Division's proposed alternate line route and supplemental testimony regarding the alternative route, (iv) all parties provide a statement of position regarding whether TrAILCo must submit Rule 42 information, and (v) all parties provide statements of position regarding certain items of relief requested by TrAILCo. Additionally, the Order granted several petitions to intervene.

On July 20, July 25, and August 1, 2007, TrAILCo filed affidavits evidencing publication of the required notices, showing that publication was completed on July 23, 2007.

DISCUSSION

West Virginia Code § 24-2-11a(c) requires that, if the Commission receives a request for a hearing from a person or persons alleging that the proposed transmission line or its location is against the public interest, the Commission set the matter for hearing on a date within sixty days from completion of publication. In its June 11, 2007, Order the Commission determined (i) that the Laurel Run Community Watershed Association's petition

to intervene met the requirements of *West Virginia Code* § 24-2-11a(c) and (ii) that hearings would be necessary in this case. The Commission, by a future order, will schedule public comment hearings to be held in several of the counties where the proposed project is to be located so that the members of the public impacted by the project will have an opportunity to provide comments in person. Also by a future order, the Commission will schedule an evidentiary hearing, (tentatively scheduled for November 28 through December 7, 2007 in Charleston, West Virginia), a portion of which will be dedicated to taking public comment. All future hearings will be noticed by newspaper publication.

In this Order the Commission schedules a hearing to review the current status of this case with the parties, including a discussion on scheduling the remaining aspects of the case. This status hearing will not include any public comment.

West Virginia Code § 24-2-11a(c) requires that the applicant provide public notice of the time and place of hearings in the same manner as is required for publication of notice of the filing of the application. The *Code* requires publication of the application in the counties where the transmission line will be located. In its June 11, 2007, Order, however, the Commission required TrAILCo to publish notice of TrAILCO's application on a statewide basis, in consideration of the widespread rate impact of the project. The Commission will combine the two publication areas and require a Class II publication in those counties generally used by the Commission when requiring statewide publication, as well as in those counties and adjacent counties impacted by the project, for notice of the hearing scheduled herein.

FINDING OF FACT

Publication of the application was completed by TrAILCo on July 23, 2007.

CONCLUSIONS OF LAW

1. *West Virginia Code* § 24-2-11a requires the Commission to hold a hearing within sixty days of completion of publication.
2. The hearing scheduled by this Order will be for the purpose of reviewing the current status of this case. This status hearing will not involve public comment. Later hearings will take public comment and address the substantive aspects of this case.

ORDER

IT IS THEREFORE ORDERED that a status hearing shall be held beginning at 9:30 a.m., on Friday, September 14, 2007, in the Howard M. Cunningham Hearing Room, Charleston, West Virginia. This status hearing will not include public comment.

IT IS FURTHER ORDERED that Trans-Allegheny Interstate Line Company give notice of the above described hearing by publishing a copy of Appendix A of this Order as a Class II publication in newspapers qualified by the Secretary of State, published and of general circulation in Berkeley, Cabell, Grant, Greenbrier, Hampshire, Hancock, Hardy, Harrison, Kanawha, Logan, Marion, Marshall, Mason, McDowell, Mercer, Mineral, Mingo, Monongalia, Ohio, Preston, Raleigh, Randolph, Taylor, Tucker, and Wood Counties, making due return to this Commission of proper certification of publication immediately after publication. Such publication shall be completed prior to September 7, 2007.

IT IS FURTHER ORDERED that the Commission's Executive Secretary serve a copy of this Order upon all parties of record by United States First Class Mail and upon Commission Staff by hand delivery.

Chairman Michael A. Albert is recused in this case.

A True Copy. Teste:


Sandra Squire
Executive Secretary

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NOTICE OF STATUS HEARING

On March 30, 2007, Trans-Allegheny Interstate Line Company filed with the Public Service Commission of West Virginia an application for a certificate of public convenience and necessity (Application) for authority to construct and operate the West Virginia Segments of a 500 kV electric transmission line, including its towers, conductors, and the terminal equipment and related facilities (the TrAIL Project). The West Virginia Segments of the TrAIL Project will consist of approximately 114 miles of 500 kV transmission line and related facilities in Monongalia, Preston, Tucker, Grant, Hardy, and Hampshire Counties. The Commission designated the Application as Case No. 07-0508-E-CN.

By Order entered by the Public Service Commission of West Virginia on August 21, 2007, the Commission set a hearing to discuss the status of this case. Such hearing will begin at 9:30 a.m., on Friday, September 14, 2007, in the Howard M. Cunningham Hearing Room, Public Service Commission Building, 201 Brooks Street, Charleston, West Virginia. The hearing is open to the public. However, the September 14, 2007, hearing is only for the purpose of discussing the procedural status of the case with the parties. The Commission will not take public comment during this status hearing. Later hearings will be held in several of the counties where the project is proposed to be located for the purpose of taking public comment. Also, an evidentiary hearing will be scheduled for later this year. All future hearings will be noticed by publication.

TRANS-ALLEGHENY INTERSTATE LINE COMPANY