

ROBERT P. CASEY, JR.
PENNSYLVANIA

COMMITTEES:
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FOREIGN RELATIONS
SPECIAL COMMITTEE ON AGING
JOINT ECONOMIC

United States Senate

WASHINGTON, DC 20510

January 29, 2008

Dear Colleague:

As a fellow senator whose state is included in the Department of Energy's recent National Interest Electric Transmission Corridor (NIETC) designation for the Mid-Atlantic Area National Corridor, I hope that you will join me in urging the Energy and Natural Resources Committee to hold oversight hearings on this important issue.

The Energy Policy Act of 2005 included new authority that allows the Department of Energy to designate critical congestion areas for electricity and further give the Federal Energy Regulatory Commission the power to overrule state transmission line siting processes. Like you, I have heard from hundreds of constituents who are worried about the implementation of this broad new authority and the threat of federal eminent domain that is also authorized under the law.

As you can see by the attached map, many of our states could be significantly impacted by the Department of Energy's broad NIETC designation. Before we get any further down this path, the Senate must investigate the implementation of the NIETC program.

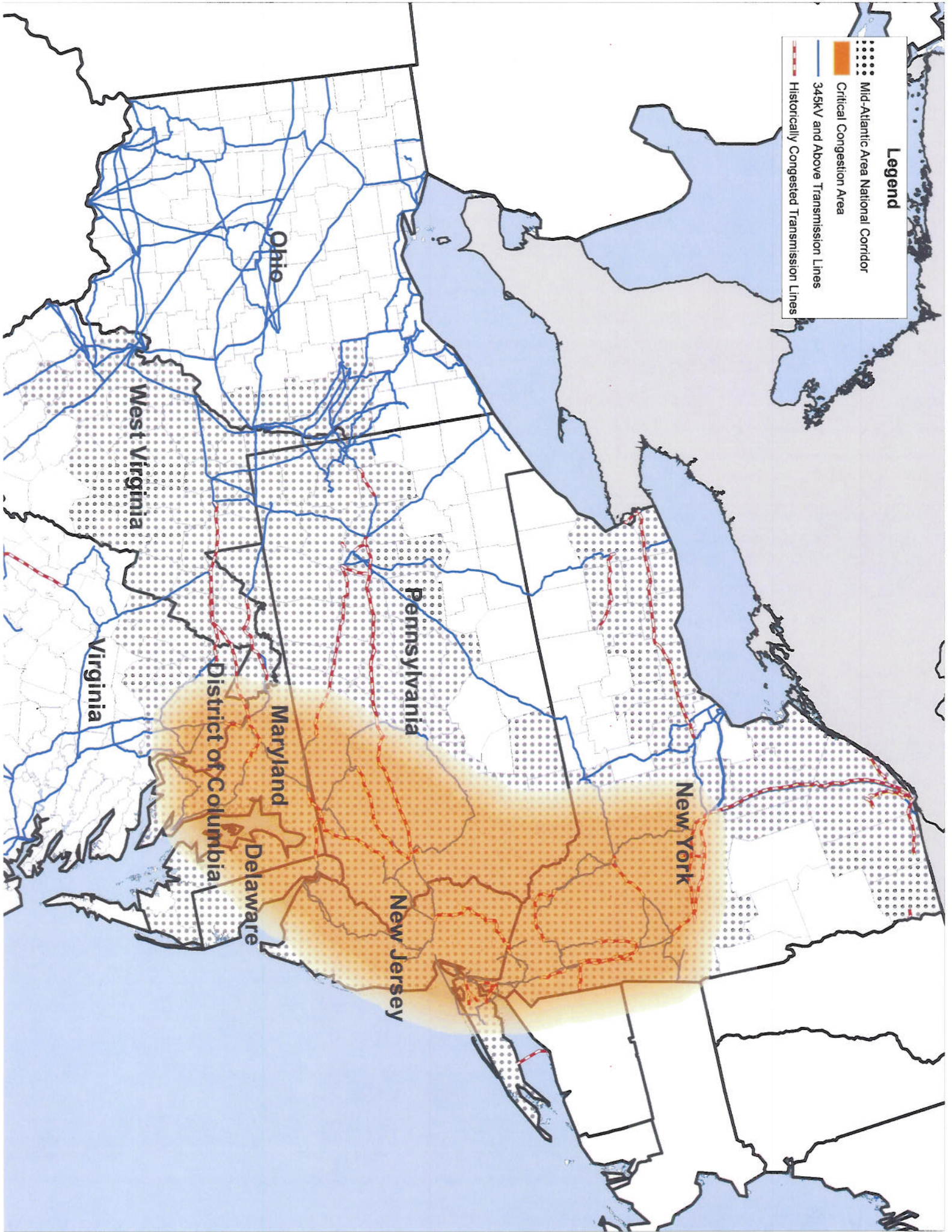
Please join me in sending the attached letter to Chairman Bingaman and Ranking Member Domenici to urge them to hold a hearing in the near future.

If you or your staff have any questions or need further information, please contact Mr. Dick Spiegelman of my staff at 224.6324.

Sincerely,



Robert P. Casey, Jr.
United States Senator



Legend

- Mid-Atlantic Area National Corridor
- Critical Congestion Area
- 345kV and Above Transmission Lines
- Historically Congested Transmission Lines

Ohio

West Virginia

Virginia

District of Columbia

Maryland

Delaware

Pennsylvania

New Jersey

New York

February 1, 2008

The Honorable Jeff Bingaman
Chairman
Committee on Energy and
Natural Resources
United States Senate
304 Dirksen Senate Office Bld.
Washington, DC 20510

The Honorable Pete V. Domenici
Ranking Member
Committee on Energy and
Natural Resources
United States Senate
304 Dirksen Senate Office Bld.
Washington, DC 20510

Dear Chairman Bingaman and Ranking Member Domenici:

The energy bill recently approved by both the Senate and House of Representatives makes important advances for our nation's energy independence and security with increased efficiency and alternative energy development. We are concerned, however, that the National Interest Electric Transmission Corridor (NIETC) program authorized under the Energy Policy Act of 2005 and implemented by the Department of Energy (DOE) and the Federal Energy Regulatory Commission (FERC) moves our country in the opposite direction.

The NIETC program undermines state and regional initiatives to increase the use of renewable energy sources and reduce greenhouse gas emissions. The program also discourages investments in advanced electrical grid technologies, local generation of clean alternatives, and energy efficiency.

These adverse effects were neither intended nor anticipated by Congress when the Energy Policy Act of 2005 was approved. Only recently have the impacts become evident with DOE's final designation of the Mid-Atlantic and Southwest Corridors, which include portions of ten states, 220 congressional districts, and affect more than 72 million people. Broad state and local opposition has arisen, in part, because DOE has failed to implement the NIETC program in accordance with the statutory requirements of Sec. 1221 to consult with states prior to designation, assess and evaluate transmission needs and non-transmission alternatives, and comply with existing federal laws protecting environmental quality and public lands. In addition, the Federal Energy Regulatory Commission (FERC) has issued a broad ruling to implement NIETC that reverses long-standing policy and allows federal preemption of the states' transmission siting authority within the designated Corridors.

Despite receiving more than 2,000 comments of concern, DOE published its final designation of the two Corridors, covering over 116,000 square miles, on October 5, 2007 with only minor changes to the draft proposals. Private citizens, elected officials, public utilities commissions, and groups representing historic, land, and environmental interests have filed petitions in opposition to DOE's NIETC designation process. On December 5, 2007, DOE agreed to

reconsider these comments. However, they did not stay the implementation of the program to allow for this substantive review.

In order to avoid continued conflict and adverse consequences, we urge you to schedule an oversight hearing to allow full consideration of the significant national and state implications of the NIETC program. Congressional oversight is needed now because many of the ten designated states currently have applicable transmission projects pending before their public utility commissions with less than a year for final action before the Federal Energy Regulatory Commission may intervene. We strongly believe that the Energy and Natural Resources Committee must hold hearings and bring all pertinent information to bear on the determination of the broad implications of the NIETC.

Thank you in advance for your consideration of our request. We cannot overstate the importance of the impact of the NIETC program on our constituents and states. We look forward to working with you and your staffs to make sure that this issue and the concerns of our constituents get full and fair consideration.

Sincerely,
