

U.S. Department of Energy  
Public Meeting on  
Draft National Interest Electric Transmission Corridor Designations  
*New York, N.Y.*  
*May 23, 2007*

## Meeting Transcript

David Meyer: Good morning, ladies and gentlemen, if you'll take your seats we'll get our meeting started. I'm David Meyer. I'm from the Department of Energy and I will be chairing this meeting today. I want to welcome you all and we look forward to your comments on our draft Corridor. Before I go through a short presentation on the Corridor, I want to introduce Mary Morton. Mary is from DOE's Office of General Counsel and she and I and some others in the Office of Electricity Delivery and Energy Reliability were the ones who worked very intensively preparing this proposal.

There are several people from DOE, other people from DOE who are here today and so Mary and I will be up here listening to your comments. But there will be other people, these other folks from DOE if you have particular questions and want to engage them in a sidebar discussion.

I also want to introduce Jody Erikson. Jody is our facilitator today. Jody is from the Keystone Center, which is an organization based in Colorado that specializes in Energy and Environmental issues from a public policy perspective.

Well, let me give you just a quick summary of how we're going to organize this meeting today. I'm going to make a short presentation on the Corridor itself. And then we will go into a period of statements from elected officials, public officials, and after those statements, then we will hear from individuals. About 12:15, we plan to take a lunch break and then we'll come back about 1:30 for another round of statements by elected or public officials if they have not yet spoken. And then, further statements from individuals.

And we're asking that the statements, particularly from individuals, be limited to two minutes. And if at the end of the meeting there is additional time, you will have the opportunity to speak a second time and to add additional detail to your earlier statement.

So with that, let me start also with the Corridor concept and proposal. Let me say a few things about the background to the Energy Policy Act of 2005. First, in developing the Act, the Congress was very much aware of a period of protracted under investment stretching back 25 years or more, underinvestment in the transmission system. And it was also aware of the importance of the transmission system as the sort of superhighway network that is needed in order to move electricity from the generators to consumers and maintain a reliable electricity delivery system.

The under investment, if it goes on for an extended period, under investment in transmission, has some significant adverse affects. That is, it leads to higher electricity prices because buyers are forced to turn to second or third-best sources. It leads to a dependence on a limited range of

generation fuels and electricity suppliers. And if allowed to go unattended for a long period it can increase the risk of blackouts.

And I'll skip to the last bullet there, much new generation capacity. Even in a period of increasing concern about carbon, new generation is going to be sited distant from the cities meaning that there will be an associated transmission requirement. So the need for transmission is simply not going to go away at least given the technologies that are presently available to us.

So with this background in mind, the Congress, when it enacted the Energy Policy Act of 2005, I won't read all of these or discuss all of these, but it did require the states to consider adopting policies directing utilities to strengthen demand management, response programs. It requires DOE to set efficiency standards on a wider range of consumer products. But in the context of today's meeting, what's particularly important is that it requires DOE to publish a national study every three years on transmission congestion. Let me define congestion for you, that may be a sort of technical term that -- transmission congestion occurs when wholesale buyers or wholesale sellers are not able to put as much electricity on a line and they want to put more power on the line than it can safely carry. And so this is why, when a line becomes congested then, the buyer in particular has to turn to another source because they can't buy from that source that they would otherwise go to. Or, from the perspective of the grid operator who's trying to maintain reliability, if the lines on their system are heavily congested their ability to cope with unexpected conditions is reduced. And so then as congestion increases, you can see how reliability problems start to become more severe.

So DOE, to produce a study on this subject every three years, we published the first such study in August of 2006. The law also authorizes the Department to designate appropriate areas as National Corridors if it finds that consumers are being adversely affected by transmission congestion or transmission constraints.

Now, I want to talk a little bit about the effects of Corridor designation and what it does and what it doesn't do. First, by designating a Corridor, the Department would be signifying that the federal government has concluded that its transmission congestion problem exists in the affected area and that it requires timely solution.

Secondly, under certain conditions spelled out in the Energy Policy Act of 2005, the Federal Energy Regulatory Commission would be authorized to exercise siting authority with respect to transmission facilities within the corridor. And I want to list for you what those conditions are. FERC may exercise jurisdiction to settle a project if, if the State does not have the authority to site the project, or if the State does not have the authority to consider interstate benefits associated with the project. If the applicant doesn't qualify for a State Permit because it doesn't serve end use customers.

Now, with respect to those requirements, they are relevant only for a relatively small number of states. Most states have authorities to do these things so those requirements only pertain to a few states and those few states are attending to filling those gaps. The other requirement, the other pre-condition if the State has withheld approval of the project, proposed project, for more than one year. Or, if the State has conditioned its approval such that the project would not significantly reduce congestion or be economically feasible.

But now to the things that designation would not do. It would not determine how the affected area's congestion problems should be resolved. It would not propose, direct, authorize, or order anyone to do anything. It would not endorse particular transmission projects. It wouldn't even endorse transmission as a solution. There are other ways to do this I'll discuss in a moment. There are other ways in which one might deal with transmission congestion problem. And finally, it

would not circumvent compliance with any existing federal environmental requirements concerning transmission or other facilities.

So in terms of today's meeting, this isn't the place to debate the merits of the Energy Policy Act of 2005. Congress will be holding hearings I'm sure on possible new energy legislation so that's where those kinds of issues should be discussed. We're not here to debate the merits of particular transmission projects or of non-transmission solutions to the congestion problems in some of these areas. We want to hear your views about whether designation of the National Corridor in this general area is appropriate as a way of dealing with congestion problems. And if so, where its boundaries should be drawn.

But now this slide shows the area that we have covered by the draft Corridor designation. The orange area is the area we identified in our August 2006 report as a critical congestion area. This is an area stretching from Metropolitan New York down through Northern Virginia. This area is home to some 55 million people and it produces a very significant portion of gross national product. So from the perspective of the federal government to see the level of transmission congestion and the adverse effects that it has in this broad area, this is why we classified that as a designed that as a critical congestion area.

With respect to the conceiving of a National Corridor to correspond to that area, obviously the Corridor would need to be effective. The Corridor would need to end in the orange area because that's where you're seeking to deliver additional electricity. Let me speak a little bit about that orange area in another respect. What that orange area signifies is that is an area where electricity planners responsible for the area are saying to themselves, we have trouble supplying the area's electricity demand because there is a limited amount of generation capacity within the orange area to supply needs. There is a limited amount of transmission available to move power in from the outside. Demand is continuing to grow. Yes, you can pursue energy efficiency and demand/response programs but they may not be enough to enable the electricity operators, the grid operators, to ensure that demand is in fact met in real time.

So that's the nature of the problem. So if one is going to think about transmission solutions, a Corridor would need to terminate in the orange area and then it would have to extend outward to some area that has available or potential generation capacity. So this shaded gray area has such capacity, has both existing capacity there that could serve the orange area but for a lack of sufficient transmission capacity. There's also substantial undeveloped renewable generating capacity in that gray area as well. So that, there's great flexibility here for the States to determine the mix of generation capacity that it is interested in, in terms of meeting future electricity requirements. The Corridor in no way constrains the State on how to make and meet those -- make those decisions, meet those requirements.

So this slide discusses the points that I have just been talking about. The only thing that I would add is the point at the very bottom that, this is where there's a time clock associated with this matter. That is, this is a problem that doesn't fix itself and it tends to get worse over time if not attended. And so, yes, there is a time to discuss this matter and decide what the most appropriate solutions are. But in the end, some decisions have to be made and effective actions have to be taken in order to preserve reliable system operations.

I'm going to pass over most of the rest of these slides. If you want to discuss some of them, you can talk with me or others in an offline discussion. One thing I do want to discuss is the question of duration of the Corridors. Development of transmission capacity or of alternative means of dealing with congestion, that is local generation capacity or demand-related alternatives, all of these things take time. And it may take several years or more to become effective. So this means that if we're going to designate a National Corridor it needs to be in place before a considerable period of time, and it should not be rescinded at short notice either by DOE. So we have proposed

in our Federal Registry Proposal, we've suggested a period of 12 years for these designations unless, in a particular case, based on information that we receive from communities or States or others, there appears to be another period that would be more suitable.

And finally, designations could be renewed, modified or rescinded by DOE after notice and consideration of public comment. This slide emulates, shows the point that I was trying to make earlier, that there is a real risk of blackouts here in this, with respect to these systems, that cannot be ignored, cannot be wished away.

Finally, the conclusions here -- I don't want to repeat some of the things I said earlier -- next steps for DOE, after close of the 60-day comment period, which that closes July 6<sup>th</sup>, we will review all comments received and we will prepare recommendations to the Secretary concerning possible designation. And if a final designation is issued, there would be an automatic 30-day period for possible reconsideration by DOE.

So we welcome your comments. You can provide -- I'm sure many of you will provide oral comments here that we encourage you to provide those comments or if you want to elaborate on those comment in writing to us, provide them in written form to us. There is still documentation of the Corridor and supporting analyses available on the website shown. We will need the written comments by July 6<sup>th</sup>. And, Mary, do you want to speak to some of the procedural concerns about how people file written comments?

Mary Morton: If I could just sort of underline, David has given a very good but pretty high-level overview of the two drafts. The Department put out a fairly lengthy Federal Register Notice, which is really, the document that contains the full rationale for the two drafts that we are issuing. There's a lot of information in it, there's an extensive response to the comments we received previously. And this is really the document that folks should be commenting on and responding to. So I would urge you all who are interested in filing written comments, to take a look at this. It is available on our website. And secondly, we have a couple of little just procedural steps we need folks to take who are going to file written comments. Namely, specifying a particular docket number so that we can track them properly. They're not very complicated but we need you to follow those steps if you want your comments really put in the official comment file.

So that's detailed in the first page of this notice, there's also a one-pager up at the front that spells out what you need to do and I urge you all to take a look at that. Thanks.

Jody Erikson: My name is Jody Erikson, I'm with the Keystone Center and the Keystone Center is a neutral environmental facilitation/mediation firm. We do public meetings like this, we also do things like public caucuses a period of time as well as consensus building. We do that work in the areas of energy, health, transportation and natural resource and water works. We are based in Colorado. We also have an office in D.C., Santa Fe and Boston. But my job here today is to sort of help keep you all on track and keep the process as clear as possible. So how am I going to do that? Everybody gets two minutes.

What I'm going to do is time you and I have two little warning cards, one is red and one is orange. I'll show the orange one when it's about 30 seconds and I'll show the Red one when that time has, your two minutes have come to an end.

The thing I'd like to ask of you is to respect that time and respect the other people in the room by keeping to that time. There's lots of people who would like to speak today. And by keeping to your two minutes, hopefully you'll be able to speak and be able to hear other different comments in the room. If we get through the list of folks, and I will call people's names probably more than once, probably more than twice if they're not here. So if you're not in the room at the time you

won't lose your shot. If we get through that list, you have an opportunity to sign up a second time and have a second two minutes if you like.

With that, I'm going to go ahead and -- one more comment. Just to remind folks, really this isn't a siting specific meeting. So help me by -- if you want to talk to a specific line, help DOE by making the connection between that specific line and the impact of the designation. Just try to help them make that connection since it's not a siting, it's not a specific line issue for DOE. So help them make that connection.

Okay, what'll happen is I'll start off with elected officials and public officials that I have on my list first. Then we'll go through the people who have pre-registered. Then we'll go into those people who have signed up today to speak. Hopefully we might get through at least reading through that list this morning. We'll see how many of those people are here and stick to their two minutes.

Patricia Acampora, sorry if I said that wrong. And then Samuel Wolfe. And then following Samuel Wolfe, William Pammer. And when I call your name if you could please give me some recognition that you're here, because if you're not here I'll just keep on calling names. But--.

Patricia Acampora: I am Patricia Acampora, Chairwoman of the New York State Public Service Commission, and I thank you for having this hearing this morning. The New York State Public Service Commission appreciates the opportunity to offer comments to the Department of Energy as draft designation of the National Interest Electric Transmission Corridor.

The Public Service Commission is the state agency responsible for the siting of electric transmission facilities within the State of New York. It is also responsible for ensuring the most cost-effective provision of electricity to consumers. The Department of Energy's Mid-Atlantic Area National Corridor would encompass 47 counties within New York State, including all of New York City, Long Island and large portions of central and northern New York State. Accordingly, the New York Public Service Commission has a strong interest in this proceeding and hopes that these comments will assist the Department of Energy in carrying out the important policies and purposes of the Energy Policy Act of 2005.

The Department of Energy has characterized its act of designating a National Corridor as the most significant stage of the entire process under Section 216 of the Federal Power Act. Designation of a National Corridor is significant because Congress did not create nationwide federal siting jurisdiction for electric transmission facilities. Instead, to preserve longstanding state jurisdiction and protect vital local interests, Congress gave the Federal Energy Regulatory Commission backstop siting authority only within those areas designated as National Corridors.

Congress thus recognized the importance of the designation process itself because designation of a National Corridor will potentially change the balance of federal and state jurisdictions in this critically important area. Congress did not require the Department of Energy to designate any National Corridors. Instead, it authorized the Department to do so and only in those areas experiencing electric energy transmission capacity constraints or congestion that adversely affects consumers.

This express language of Section 216 recognizes that the mere existence of capacity constraints or congestion does not per se, adversely affect consumers. The Department of Energy has concluded however, that any congestion can adversely affect at least some consumers. The Department has also concluded that it may designate a National Corridor regardless of the magnitude or cost of such congestion and without any demonstration of adverse effects on consumers.

According to its draft designation, the Department of Energy may designate a National Corridor based on any transmission constraint, including the absence of a transmission line that hinders the

development or delivery of generation sources which are in the public interest without any demonstration of present or future congestion, and without any further showing of the diverse effects on consumers.

The Department has also concluded it may designate a National Corridor without considering whether a new transmission is a cost-effective solution, let alone the most cost effective solution, without considering who would bear the cost of such a new transmission. Without examining the efficacy of non-transmission solutions, without evaluating the market impact of designation of a National Corridor and without developing specific and finite criteria for designating National Corridors.

The Department's rationale for this approach is essentially three-fold. First, it reasons that a broad interpretation of the Department's discretion to designate National Corridors is consistent with the Congressional concern about the need to strengthen transmission infrastructure. However, Congress recognized that the need for new investment in transmission exists in some but not all, areas in the country. Accordingly, the Department's National Corridor designation process is intended to identify specific areas where federal action may be needed because deficiencies in existing transmission infrastructure are adversely affecting consumers. The approach of the Department as proposed appears to go beyond what Congress has intended.

Second, the Department of Energy reasons it has broad discretion to designate National Corridors because FERC's permitting authority is limited under Section 216 and the designation of a National Corridor will not interfere with the State's ability to remedy congestion. The limit on FERC's permitting authority, however, may not adequately protect the State's interests. For example, nothing under Section 216 requires FERC to pick the optimum solution and FERC has taken the position that it can override a State's lawful denial of a permit application. As to the State's ability to remedy congestion, the very act of designating a National Corridor may cause downstream project developers to abandon already planned facilities. Such impact should be considered before the National Corridor is designated in order to minimize disruption of existing markets.

Third, the Department has reasoned that designating National Corridors does not finally determine or fix the substantive rights of anyone, but simply provides an additional procedural option in the form of a potential federal siting venue. In this regard, the Department of Energy has understated the importance of its role. As discussed above, because the designation of a National Corridor creates a backstop siting authority, it is a step which should not be taken lightly. Article 7 of the Public Service Law gives the Commission jurisdiction over the siting of major utility transmission facilities and establishes an effective process for review of proposed facilities.

The one-stop licensing process that is available under Article 7 has functioned well in the past and continues to work well for the siting of needed transmission facilities located within New York State. In view of this, federal concerns over unreasonable local obstacles to siting of transmission facilities, especially those which address intrastate needs, are unwarranted in New York State.

Because the siting process in New York works well, there has been no demonstrated need to designate any National Corridors within New York State. Given the potential effects of the Department of Energy's designation of a National Corridor, on the balance of federal and state authority in this important area and because the Department has not shown that the designation of a National Corridor is necessary in New York State, no such designation should be made at this time. Thank you. [Applause].

Jody Erikson: You may have noticed that some of the public officials have a little more time than two minutes, just so you know. Samuel Wolfe, William Tammer are you here? Pammer? Chris Cunningham,

Christopher Cunningham? Great, Chris White? Mickey Cafagna, okay great. Sam, you want to come up in the front?

Sam Wolfe: Good morning, my name is Sam Wolfe and I'm the Chief Counsel at the New Jersey Board of Public Utilities. The BPU regulates electric and gas utilities as well as other utilities doing business in New Jersey. The BPU shares the DOE's concern that growing electricity demand in our region, combined with major infrastructure, is going to leave us vulnerable to disruption of our electric supply and possibly higher prices as well.

However, I'm here to ask that the Department of Energy refrain from designating Mid-Atlantic National Corridor unless it first determines that with other measures such as energy efficiency, demand response, and clean local generation, our region cannot relieve congestion more efficiently, at lower cost, with less harm to the environment, with better assurance of the reliability and the security of our supply of electricity, or with less vulnerability to an uncertain future with respect to fuel prices, fuel supply, environmental requirements and other variables.

If the DOE instead rushes to designate the Corridor without considering whether these alternatives can better achieve the goals that I just laid out, then you're taking a giant step towards a risky energy future. That's because the only consequence of the designation is to give a huge leg up to transmission expansions that will link the concentrations of high demand in the Eastern part of the proposed Corridor, with the concentrated supplies of coal in the Western part of the proposed Corridor. And that link will make it less likely that we can fully tap energy efficiency, demand response and clean local generation to do a better job.

Now linking concentrated supplies of power to concentrated load, over a slender thread running hundreds of miles leaves us vulnerable. It leaves us vulnerable to disruption of that thread, whether it's by terrorist attack, whether by bad weather, or even by a failure to prune trees adequately which led to the August 2003 blackout. It leaves us vulnerable to changes in the supply and the price of coal, such as what we saw in 2005 when a couple of train derailments led to severe disruptions in coal supplies and more than doubling of the price of coal from the Powder River Basin over a period of about five months.

And it leaves us vulnerable to disruption from power plant operators that they are going to shut down their plants rather than comply with requirements to reduce their impact on the climate, on our air quality and on the health of our residents. And it leaves us vulnerable to the possibility that more extension cords using up New Jersey's ability export electricity outside the PJM region will leave us even more vulnerable to blackouts.

Now the DOE has recognized that energy efficiency, demand response and clean local generation are all alternatives which can relieve the congestion. That transmission is only one possible solution. At the same time, the DOE has basically disclaimed any responsibility to consider that the states, the regions, even other federal agencies, can accomplish more with energy efficiency, demand response and clean local generation to alleviate congestion before a designation of a National Corridor would crowd out those alternatives.

And make no mistake, we will see a crowding out of those alternatives because it's going to be very difficult for them to compete against the types of large transmission projects that would be made possible by a designation as a National Corridor. A local -- a merchant generating plant does not have access to a one-stop federal siting authority that can override any decisions of the state agency and approve the siting. Neither does it have access to a guaranteed return of this investment, being able to tax the electricity customers to provide that guaranteed return.

So we should not have any confusion that designating the Corridor will tend to crowd out these alternatives whether or not that is DOE's intent. So without getting into the legal debate about any

requirement on DOE to consider these alternatives, I would just ask that you consider the consequences of making the designation of the Mid-Atlantic Corridor. That consequence is only to provide federal backdrop siting authority and eminent domain authority for one type of solutions congestion. And before the DOE makes the decision to do that, I can only ask that it be fully informed both of the consequences of the decision and of whether it could do better choosing from a suite of other alternatives.

We expect to be submitting more detailed written comments and thank you very much for the opportunity to talk today. [Applause].

Jody Erikson: Christopher Cunningham? That's you, right? Christopher Cunningham, is that you? Are you Christopher White?

William Pammer: No, I'm Dr. Bill Pammer.

Jody Erikson: Christopher Cunningham, come up. We'll just go in order so Christopher Cunningham and then, Christopher White, and you are what?

Christopher Cunningham: Hello. My name is Christopher Cunningham and I am the Chairman of the Sullivan County Legislature and I'm also the Chairman of Communities Against Regional Interconnect, otherwise known as CARI. And while I know we're not here to discuss specific projects, clearly the project that's on our minds in upstate and Central New York is NYRI and we are here specifically to voice our concern about that, but related to the designation of the National Interest Corridor.

CARI is a coalition of eight New York State counties and six New York State community interest organizations that have joined together in opposition to, as I said, the proposed construction of New York Regional Interconnect Transmission Line, a 190-mile overhead transmission line that will stretch from Marcy in New York to New Windsor in New York. And given my time constraints, I just want to highlight a couple of critical issues that the CARI Coalition feels are important. You're going to be hearing from several of my colleagues and friends and comrades-in-arms on this particular issue and they are going to touch on a series of issues that we think are important.

As you noted in your handout, the Energy Policy Act of 2005 and some of the issues associated with that aren't necessarily the main subject for today. But we have serious reservations about that particular issue; we have serious reservations about questions regarding state's rights and the eminent domain provisions which we are pursuing legally. We are pursuing opposition to this project in front of the New York Public Service Commission as well. And we're actively fighting projects such as this in any way that we can.

The one particular issue I wanted to point out today or talk about is that we feel strongly that DOE has failed to comply with the National Environmental Policy Act when drafting the Corridor designations. We feel there would be a multitude of environmental and social impacts associated with the designation of the NIETCs no matter what county, state or region it encompasses. In the eight counties represented by CARI, the follow are just a few of the impacts we can expect to experience from the construction of just one transmission line.

Loss of active farmlands. Agriculture is one of the most important economic sectors in upstate New York. Loss of wildlife habitat. Hundreds of thousands of acres of protected lands are encompassed in the Mid-Atlantic Corridor including the nationally protected upper Delaware Scenic River. Decrease in the level of economic competitiveness. As electricity is moved out of our region, utility costs are expected to climb which will further exacerbate the situation.

Adverse impact on property values. Would you like to purchase property in a region where private lands are threatened with the potential to be seized through federal eminent domain? Disrupted view sheds. In an area where outdoor recreation and tourism plays such a crucial role in the local economy, the placement of large transmission towers along the rivers and ridges that draw crowds, would be detrimental to our local economy.

I'm certain that you're going to hear more about these impacts, as well as a variety of other impacts as your hearing unfolds today. Clearly, we feel that the designation of a Corridor now, as was spoken by one of the previous speakers, favors transmission solutions over other potential solutions. We feel if this designation goes through, projects such as NYRI will most likely multiply. We feel this will be detrimental and devastating to our economy, our communities and our way of life in central and upstate New York, and I'm sure people around the region and around the country are going to feel the same way.

The DOE must reconsider their stance on whether or not need for compliance is warranted in this situation as well. So, on behalf of all the members of CARI, I want to thank you for the opportunity to provide comments on the recent designation of the draft National Interest Electric Transmission Corridors and their implications for the millions of constituents that our coalition represents. We ask you to please seriously consider how important this decision you're going to make is. It will have a strong impact for years to come on a lot of people that I represent, and a lot of people across this country. So thank you very much. [Applause].

Jody Erikson: Christopher White, Christopher White? Bill Pammer, Mickey Cafagna? Troy Bystrom? Michael Delaney?

Bill Pammer: Hello, my name is Dr. Bill Pammer and I'm Planning Commissioner from Sullivan County. I just want to echo a couple of issues that my Chairman, Christopher Cunningham, raised. That there are serious dysfunctions with this policy and the proposed designation. Our county sits right in the middle of the proposed Atlantic Corridor. And one of the major concerns that we have with this is that there seems to be no coordination with the states on not only the designation, but problem solving of congestion. States need to be involved in the dialogue and they're left out of that equation. Particularly early on in the dialogue. And it would seem to me that this becomes an important component.

The other concern is if the transmission Corridors are considered part of the national interest, also the national security, then it only makes sense that the federal government, particularly the office of the President and Congress, needs to make underground transmission an important priority. One of the big issues that we're facing in our county is the aboveground issues and also some of the legal issues related to eminent domain. And it would seem to me that issues of transmission become important national interest infrastructure issues that require a large-scale public investment, pretty much similar to what our transportation system is, and model it after an intergovernmental arrangement that we have with our transportation infrastructure.

So it seems like there's a lot of thought in terms of some of the global issues, but there's not a lot of thought in reference to some of the specific issues as it relates to specific states. One of the other concerns is that the issuance of a certificate of environmental compatibility from a public market perspective is only going to become a commodity, it's not going to really provide any kind of alternative. And I think that this is raising some significant public policy issues that is going to require some government intervention. It was mentioned earlier in the presentation, a lack of disinvestment. I think the question needs to be asked, why is that happening?

So the bottom line is this -- that we really hope that we reconsider this. That there's more dialogue, that states are brought into the dialogue on this issue because Sullivan County, as is the case with the entire CARI Coalition, I think is evident of the major dysfunctions that we'll hear

today and elaborate on. So I want to thank you for this opportunity to speak and I appreciate you being here today. [Applause].

Jody Erikson: Okay, I'll call this person again but Mickey Cafagna? Murray Hope [Filer], Michael Delaney? Great, we're going to start -- I'm going to start on the registered folks, so after Michael Delaney Billy Howard, is he here? David Smith? Eve Ann Shwartz? Great.

Michael Delaney: Good morning, Michael Delaney appearing for the City of New York. Appreciate the opportunity to address you here today.

The Mid-Atlantic Area Corridor draft that was put out by the Department it seems to us, warrants priority for final designation by DOE. To the extent that it affects New York City, our interests are of concern. The City has unparalleled commercial, financial and economic importance to the nation and also it has an extraordinary degree of dependence on the electricity system as opposed to other cities who are more dependent on motor fuels.

The City as long ago as 2004 recognized, as other speakers have said, there's going to have to be a multi-faceted approach, including demand reduction, including the use of local generation resources, but also including transmission resources from the adjoining areas. And as recently as last month Mayor Bloomberg issued a comprehensive plan going out to the year 2030, which recognizes the infrastructure needs of the City and notably sites the fact that we're going to need both local generation, efficiency improvements and demand reduction, and transmission facilities.

And the conclusion of these analyses to our mind appears clear. Future transmission development is going to form an important part, not the sole part but an important part, of our overall energy supply solution. New York City's total electric load has been growing very rapidly, as was recognized in the congestion study. And in the most recent summers, 2005 and 2006, Con Edison customers had demand in excess of peak growth of 13,100 megawatts and that's only growing more rapidly as the congestion study itself recognized.

The Corridor designation for the Mid-Atlantic area seems to us recognizes all the critical criteria that are set out in the congestion study and it would further implement the intent of Congress, investing authority both in this Department and in FERC. The Secretary is empowered to designate Corridors under a broad spectrum of standard, and contrary to the view of some other speakers, we do not believe that there is a true preemption issue here.

There are statutes such as the Federal Gas Act in which you occupy the field, but that is not the case here. We urge the Secretary to designate on a final basis the Mid-Atlantic Corridor and I appreciate your attention here today. My full statement has been filed with the website. Thank you very much.

Jody Erikson: Guys, everybody's comments -- this is a public meeting and everybody's comments -- we only need to hear the rain. So Billy Howard -- so we're now done with the public officials list. Billy Howard? David Smith? Eve Ann Shwartz? I know you're here. After Eve Ann, Troy Bystrom. Great.

Eve Ann Shwartz: Thank you. My name is Eve Ann Shwartz and I am co-chair of Stop NYRI, Inc., a grassroots citizens organization of residents and landowners from Madison and Chenango County New York. Stop NYRI is also a member of the Communities against Regional Interconnect, a coalition of eight New York counties and four other citizen groups. I speak today, not only on behalf of members of these two organizations, but also as a landowner who will be directly impacted by DOE's designation of a National Corridor for Mid-Atlantic area.

DOE's draft designation is the first step toward giving private transmission companies like New York Regional Interconnect the right to take any private property within that Corridor that could provide a right-of-way for its proposed transmission lines. I have a personal problem with NYRI's proposal and the Corridor designation as it would run directly through my 1200-acre beef cattle farm, a farm on which I was born and raised, and which has been in my family since 1940. A farm which runs on the daily labor of my husband, myself, my 19-year old daughter and 17-year old son.

If constructed, NYRI's line would cross my property for at least two miles. And a significant portion of my property would be subject to a taking under Section 216e, the Federal Powers Act. The construction of NYRI's lines and the use of federal powers of eminent domain would have a devastating effect on our land, our livelihood, and our legacy.

Unfortunately, I speak for thousands of other property owners as well, whose lives and property would also be negatively impacted by the simple fact that they live within the broad swath of the Mid-Atlantic National Corridor. And what I say on their behalf is that the entire concept of granting the powers of eminent domain to privately held companies for private property is a fundamentally improper shift of power from state and federal government to private corporations. I disagree with the prior speaker.

Even more importantly, I believe that Section 216 of the Federal Powers Act is the greatest mistake of public policy. The problem of where and how New York State should meet its growing need for affordable and renewable energy is one that should be answered by the state and local leaders who are elected to represent us.

In recent weeks -- I'm going to finish -- Governor Spitzer and Mayor Bloomberg have presented coherent proposals to resolve these issues. Greenprints that call for conservation, demand site management, investment in modernization of the existing grid, increased generation capacity and the location of transmission lines underground along the 15 public rights of way. The important public dialogue that has just begun on these issues will be short-circuited by the DOE's implication of a proposed Mid-Atlantic Corridor which, on its face, exceeds the law that has authorized its creation.

One more paragraph. The DOE has been erroneously and arbitrarily -- you know public speakers, there's plenty of time.

Jody Erikson: There is a two minute limit.

Eve Ann Shwartz: Yeah, there's plenty of -- OK. Well, I appreciate your coming to New York. I urge you to have additional hearings and I will sign up for additional time at the end of this and conclude my speech later. Thank you very much. [Applause].

Jody Erikson: Thank you. I know folks have a lot to say, but in fairness I'm trying to keep everyone to two minutes so please, I'm trying to keep it fair. Troy Bystrom? Paul Miller? Great. After Paul Miller, Gail Heatherly.

Troy Bystrom: Good morning, my name is Troy Bystrom, and I'm Director of the Upper Delaware Preservation Coalition. It's a non-profit organization made up of individuals located along the Upper Delaware River who want to preserve the natural environment of the Upper Delaware River Valley. UDCP is also a member of Communities Against Regional Interconnect which is again, as mentioned, an 8 county coalition and four or five citizens groups that work together to stop certain projects in New York State.

Our concern with the draft Corridor designation relates to the impact on our cultural, our historic, our environmental resources since the Upper Delaware River is a federally protected wild and scenic River, under the Wild and Scenic Rivers Act. And it is also one of the most endangered rivers.

Federal law requires that prior to a designation of any National Corridor, but especially such a wide-ranging Corridor that covers eight states and the District of Columbia, the potential environmental land use, social, economic, and regulatory impacts must be considered. To trigger the requirements of a National Environmental Policy Act, an agency only needs to make a decision that allows other parties to take an action that affects the quality of the environment. DOE's designation of a National Corridor is the initial step that will permit at least two actions affecting the quality of our environment.

One, it will permit private transmission companies to seek FERC approval to fund their transmission facilities, rather than state or local regulatory bodies. And two, it will provide such companies with the federal eminent domain power to take private property for the right-of-way, over the objections of the private property owners.

As a result of these two actions, the quality of our environment will change over the course of hundreds of miles. Environmental review of these impacts cannot wait until particular lots are sited. Moreover, federal law mandates that [inaudible] take place prior to final agency actions. At that point, it will be too late to consider the impact and alternatives to designation of a Corridor that encompasses so many areas recognized as significant because of environmental, historical, cultural, scenic, and ecological values. Thank you. [Applause].

Jody Erikson: One more time, Melissa Donohue, Tom Miller? And then Gail Heatherly. I saw you. Lee Reynolds.

Paul Miller: I'm Paul Miller. I'm the Assistant Director of Planning in Madison County, New York. If you put your finger on where you thought the center of New York would be you'd cover up Madison County. DOE claims that the economic development considerations support designation of the Mid-Atlantic Area National Corridor. In fact, economic considerations suggest that DOE focus its attention beyond the broad NIETC designation that subjects 47 of New York's 62 counties to significant, adverse economic impact. Madison County believes that the economic interests of the region would be better served if efforts were focused on other energy solutions. DOE should not perpetuate the vulnerable system with huge transmission facilities that we inherited from the last Millennium. The NIETC designations seek to move power from areas with an alleged power surplus to areas with perceived shortages. This will surely raise electric rates in those areas giving up power resources.

The increased power rates will have a significant negative impact on the economies of those regions giving up power. The underpinning of the NIETC designation is the proposition that consumers in the Northeast Metropolitan Corridor are paying higher prices for electricity than consumers in upstate New York. DOE further contends that the high electricity prices add to the cost of living and doing business in an area and where we tied the area's economic growth and competitiveness.

This prediction has shown to be unlikely based on an ISO -- New York ISO report that predicts low growth and therefore the growth of the economy in the Metropolitan region, to be twice that of the upstate region. A recent Brookings Institute released this month documents the state of the economy in the areas that will lose power through NIETC designations. The study lists 65 cities lagging behind the nation in economic development. Twenty of the listed cities are in the area designated as the Northeast Electric Corridor and will likely face increased energy costs from the designations.

Meanwhile, the NIETC designations will give unconscionable incentives to for-profit corporations like New York Regional Interconnect. Thank you. [Applause].

Jody Erikson: Gail Heatherly, Lee Runnalls, John Hecht.

Gail Heatherly: Good morning, my name is Gail Heatherly. Thank you to the DOE for permitting our comments. I do sincerely hope that you will consider our comments in making your decision.

My name is Gail Heatherly, I live in Otisville, New York, I'm on the Board of Directors of Say No 2 NYRI, the red-shirted people that you see here in the back, whose lives will be grotesquely affected if you designate this Corridor. And we are also members of Communities Against Regional Interconnect.

Designation of a Corridor is permitted by the Congressional Act, but it should be undertaken with reserve consistent with the presumption against intrusion of the federal government, onto the traditional areas of state authority, except where there's a clear and manifest statement from Congress authorizing that intrusion.

Your proposed designation encompasses vast areas of the Mid-Atlantic states and it is unnecessary to achieve the identification of a [inaudible] of congestion and transmission. It is also at odds with the nation that the federal intrusion into affairs which were traditionally handled by the State and should be limited to the State. This transmission Corridor is not necessary. We have a system in place to achieve these goals and we do not need federal intrusion in that area.

Proposing this particular Mid-Atlantic National Corridor should not be permitted, we urge you not to do it. Rather, if there is a Corridor designated at all, it should be confined to those areas, as the statute requires, which are experiencing congestion such as the New York City area and south. The Corridor that you have designated is not experiencing that congestion. I am an attorney, I believe that your proposed National Interest Electric Transmission Corridor is unconstitutional and I would urge you not to do it. And if you do it, to do it consistent with the authority in the most minor way that you can. Thank you. [Applause].

Jody Erikson: Lee, are you here?

Lee Runnalls: My name is Lee Runnalls, I'm a resident of Otisville in Orange County, New York and I am a volunteer with the citizens group, Say No 2 NYRI. I'm going to speak specifically about a proposal. You wanted generalities, but what truly did happen is in 2005 when the Energy Act was passed, companies had fully fleshed plans for transmission lines. And early in 2006, we had NYRI with its fully fleshed plan.

NYRI's proposed route would run about 190 miles and would be entirely within the State of New York. It would use railroad rights-of-way to run its transmission lines. I might remind you that New York State played a pivotal role in our developing national economy. Its mines, factories and lumber use the railroads, were used by the railroads to move goods around the country and the State played a major role in providing goods during the Civil War.

Railroads connected towns, cities, villages, decades before the automobile arrived. Communities grew around the train depots. Some of the finest examples of 19<sup>th</sup> and early 20<sup>th</sup> Century architecture were built near the train stations to serve as hotels, boarding houses and stores. Many of them remain today, we use and are a vital portion of the community. They are the character of the community. NYRI's proposals strike at the very heart of many communities in upstate New York.

While train usage has dried up, the historic downtown areas of the community provide much of the glue that still holds people to their communities. The designation of a NIETC Corridor and NYRI's plan to build on railroad rights-of-way would spell disaster for communities subject to eminent domain and the removal of the heart of those communities, communities like mine in Otisville. Transmission lines with 120-foot high towers do not belong in the hearts of cities, towns and villages. They don't belong traversing schoolyards or parks. And I will yield here. Thank you for hearing me and I will sign up to continue this. [Applause].

Jody Erikson: Following John Hecht, Nina, is it pronounced Nina Guenste—is it Nina? After Nina, Gregory Stiles. Great, and after Gregory Stiles, Mike Brownstein. Mark? Sorry, Mark Brownstein.

John T. Hecht: My name is John T. Hecht, I'm a resident of Brooklyn and a part time resident of [inaudible] New York, which is in the path of the New York Regional Interconnect and NYRI proposed power line. It's a derogation of the protection Congress gave the area 30 years ago through the Wild and Scenic Rivers Act. This underscores the problem with the National Corridor designation, which is that just about anything can be labeled in the national interest, depending on who's deciding what the national interest is. But not just any area can be designed by Congress to deserve federal protection for the benefit and enjoyment of present and future generations as set forth in that Act.

Perhaps not incidentally, the National Corridor designation is also inconsistent with the June 2006 House of Representatives Report that found the New York electrical grid could get along without the Indian Point Nuclear Reactor. By awarding a National Corridor designation, the DOE invites the utility such as NYRI, which operates for profit and therefore in its own rather than the public interest, to avoid solving a much greater problem, how to change our wasteful habits of energy consumption and environmental destruction. The addition of a new hydroelectric plant will not make the Metropolitan area of the East Coast energy efficient given our habit of consuming energy without restraint, but it will favor the destruction of our environment.

The DOE should respectfully engage in more creative and difficult thinking that would address our energy problems with longer-term solutions. For example, requiring new building construction to be sustainable, promoting green roof and solar panel installation, persuading consumers to buy energy efficient products, requiring city building owners to turn off lights when not in use, imposing surcharges on consumers who use electricity extravagantly. In other words, decreasing our energy needs through conservation and changed behavior.

We look to government to lead, innovate and educate. The National Corridor designation allows unprecedented power to be given to profit motivated interests at a real cost to everyone. That is not what government is supposed to do and that is why I oppose the National Corridor designation. [Applause].

Jody Erikson: Nina, Gregory Stiles, Mark Brownstein, Jonathan Chapman?

Nina Guenste: Good morning, thank you for giving us this opportunity to speak. My name is Nina Guenste. I'm a resident homeowner in Orange County, New York; I'm on the Board of Directors of Say No 2 NYRI.

I oppose the Department of Energy's draft National Interest Electric Transmission Corridor for the State of New York. New York State has taken steps to address its need for additional capacity. As part of the New York Independent System Operators, we will need an approximate 2,200 megawatts by 2016. However, 1,000 megawatts of this number will be needed to be generated within New York City since they need to generate 80% of their own power within New York City.

The other 1,200 megawatts will be needed statewide. Governor Spitzer has formulated a new energy plan as a result of this need. The need is intrastate not interstate. Coming into New York

and designating almost the entire state as a Corridor can only be the result of the hundreds of thousands of dollars NYRI has spent lobbying in Washington, D.C.

Designation as a Corridor opens the door to companies to bypass the laws of the State of New York and remove the entire process from New York State. It will eliminate the ability of the residents to obtain hearings and stand up and fight for their homes. Will you know if the photos in your applications are deceptive? Will you know what new developments are planned to destroy the towers or the villages, with plans to go right down the middle of? I should not have to take a vacation day to stand here defending my home against the federal government designating my State a Corridor that will open the door to eminent domain by a private corporation. There is something seriously wrong with this picture. I thought when I woke up this morning I was in America. Thank you. [Applause].

Jody Erikson: Mark Brownstein. Jonathan Kauffman. Steven [Inaudible]? Thank you. Eric Pepper?

Greg Stiles: Good morning, my name is Greg Stiles, I'm from Orange County New York. Most of the speakers today are talking about future impacts of this National Interest Electrical Transmission Corridor. I want to speak to one that has already happened.

We have projects being proposed which are of what I believe to be poor design. Any merchant transmission project seeking federal intervention or approval must have met the following three features to qualify as being in the nation's interest. First, they must file established and existing transmission routes and rights-of-way whenever possible. This is particularly true if the applying project originates and terminates in the exact same substation as an existing circuit. Circuit two does not deserve a different route than circuit one. It's only to insure greater corporate profit.

Secondly, as with all good electrical design, the circuit must be expandable. Future growth and demand should not require an entirely new transmission line on an entirely new route simply because the applying project did not design in provisions for future expansion. And finally, any applying transmission project must not be allowed to interfere with other, critical infrastructure, critical to the nation's interest. They must not be allowed to crowd, restrict or endanger our national's mass transit system.

They must not be sited so close to commuter and freight rail lines so as to pose a safety hazard. Major electrical service interruptions simply because a transmission line was allowed to be sited only two feet from the path of a speeding train. Train derailments are not as rare as we would all like, as exemplified by the recent propane train's derailment in upstate New York and the passenger train derailment in Maryland a few years ago. Thank God, there were no high voltage transmission lines sited within those right-of-ways and you will thank FERC in the future when none are allowed to be sited there. Thank you. [Applause].

Jody Erikson: Deidre Facendola-Altobell

Deidre Facendola-Altobell: I'm Deidre Facendola-Altobell representing Con Edison Utilities. We support DOE's clarification that Corridor designation is not a license to build transmissions, or even that transmission will or should solve the identified congestion. We urge the DOE to continue to emphasize that alternatives may include energy efficiency, demand response and local generation supply. There must be no incentive that irrationally favors only transmission.

DOE's clarification is useful for four reasons. One, only new generation and DSM can meet customer demand. Transmission alone does not create new additional sources of electric supply and so we must not separate transmission and generation investment decisions. Doing so may cause generators to locate far from load and raise local generation rates higher. This could increase total customer cost and exacerbate identified congestion.

Two, long-haul transmission can reduce local reliability since most generating sources increase the need for local voltage support and reduce local operating reserves and black shorts. Three, moving natural gas and converting it to electricity locally is a viable alternative and has been the preferred solution in many areas, including New York City. Synergies exist among winter heating and summer electric needs, especially in the Northeast. Investment in new gas facilities such as the Millennium Pipeline coupled with additional clean efficient gas fire generation will continue to be a viable alternative to address congestion.

Four, the designations must report public policy gestures, including goals in the Northeast to reduce greenhouse gases, promote renewable energy sources and increase efficiency and demand response programs, including use of advanced metering.

Lastly, we support the proper use of backstop siting precaution against potential abuses and unintended consequences. We encourage the DOE to ensure its congestion report is accurate and to be very specific to say that generation and DSM alternatives must be considered, noting that siting transmission, while important, is only part of an array of solutions that could meet needs of customers in the 21<sup>st</sup> Century. Thank you for the opportunity to speak. [Applause].

Jody Erikson: Emmett Pepper

Emmett Pepper: Hi, I'm Emmett Pepper and I represent Citizens Campaign for the Environment and we represent 80,000 members across the states of New York and Connecticut. CCE is strongly opposed to the DOE proposal for a National Corridor because the policy, as drafted, does not adequately address demand reduction and conservation measures and does not provide adequate opportunities for public and local government participation.

Congestion relief is obviously a necessity. However, local government and public input is imperative for achieving a locally driven, sustainable energy future for our nation. The source and sink approach to resolving congestion and constraint is likely to usurp states' rights, circumvent public review, as well as jeopardize publicly valued lands such as forests, wetlands, farm lands, preservative spaces, etc. The DOE has claimed that all these areas are protected under the new state review, but it is highly unlikely that there would be adequate time to properly go through these processes.

Matters directly affecting quality of life, specifically public health and environmental issues, should be subjected to rigorous state and local reviews. Designated a National Corridor beyond the areas of critical congestion subjects states, counties, townships, and villages to arbitrary federal timelines.

CCE urges the DOE to limit Corridor designations to areas labeled as critically congested or constrained. Furthermore, CCE supports DOE empowering states to address transmission infrastructure siting. The burden of proof rests upon the shoulders of the accuser. If the DOE believes focus areas need to be addressed with higher priorities, then states and localities should have the incentive to exhaust all available demand, reducing -- conservation and energy reduction programs before federal intervention. CCE requests that DOE revise the National Corridor proposed to ensure adequate public participation, limit Corridor designation to areas of congestion and constraint, while protecting sensitive populations and ecosystems. And provide incentives for demand reduction and conservation. Thank you. [Applause].

Jody Erikson: William Baines? Bill May? So William Baines and Bill May, Cindy Rodriguez?

William Baines: My name is William Baines and I'm a resident of the Village of Otisville in Orange County, New York. I'm a volunteer for Say No 2 NYRI, a New York non-profit corporation dedicated to opposing the power lines proposed by New York Regional Interconnect.

We are small, our village population is just less than 1,000 people and every single citizen of our village will suffer if this line is allowed to bisect it. Businesses will suffer, visitors will no longer come and our entire economic life will be dealt a blow from which we will never recover.

The use of eminent domain to provide NYRI with the right to take viable active business properties will destroy our village. Many dedicated volunteers have worked hard to create the Village of Otisville Veteran's Memorial Park and it exists within a few hundred feet of the proposed line. The efforts of our community to build this park and the money spent on its development will all be for naught.

This Park also serves the important function of a wellhead protection area for our new Village wells. We have also have a Village resident serving on a Committee tasked with downtown revitalization. They've worked tirelessly with representatives from the Orange County Planning Department, to develop a pedestrian-friendly downtown with streetscape improvements to beautify our Village.

The designation of the National Interest Electric Transmission Corridor would allow NYRI to run power lines in their tower directly through my Village of Otisville. It would be within a quarter mile of our house and in full view. We have lived in a house built in the mid-1800's since 1980 and have spent countless hours creating a home for our family. In this past year, a large sum of money on renovations and new additions.

Not only would these lines and towers be in our direct view, but they would significantly diminish our investment and quality of life. The use of eminent domain under the Energy Policy Act of 2005 will ruin us. We are not a wealthy family, we are not a wealthy Village and we cannot recoup from the financial losses that this line would cause.

Our children love coming home. They may never again have the opportunity to enjoy the peaceful, quiet environment they so dearly love in our Village. We plan to stay, but our children may not. This is a personal tragedy for my family. And finally, this arbitrary designation tramples our rights as citizens of the State of New York. It goes against everything we thought this country stood for.

We never dreamed we would ever have to go against our country and our government, in order to preserve the life of our community and the beauty within it. We must not allow this to happen. I'm sorry. [Applause].

Jody Erikson: Bill May? Cindy Rodriguez? Darren Wiseman? Darren here? Sean [Gabery]. Marybeth Martin?

Bill May: Good morning, my name is Bill May and I'm a professional with 29 years of experience dealing with large energy projects. I am also the Project Manager for the New York Regional Interconnection Project. I want to thank the Department of Energy for holding this public hearing to express my support for DOE's process under the Energy Policy Act of 2005, and also to urge the Department to confirm the Corridor designation for within the State of New York.

Many different studies by independent organizations have shown that our electric systems approaching a crisis. Unless action is taken, our aging electric transmission infrastructure will cause serious reliability problems, will limit our access to economic supplies of electricity, and will prevent us from achieving a cleaner environment and energy independence.

New transmission lines directly address these problems. New lines improve network reliability, they improve deliverability of clean renewable energy sources, they reduce our dependency on older generation and oil and gas fire generation, and they reduce energy prices, while encouraging economic development.

National Corridor designations do not take away State's authority for siting -- transmission line siting. These designations only help to ensure full review, along with public participation, of proposed transmission projects within a designated Corridor. And that is all serious transmission projects ask for is to be evaluated fully and thoroughly on the merits of the specific proposal. The purpose of the National Corridors is to make sure that the interests of the country prevail over the narrow interest of those who simply don't want transmission facilities in their area.

In New York individual interest have already attempted to derail the fair evaluation projects. Good projects welcome a fair regulatory process. I urge the Department to act on behalf of everyone, act on behalf of fairness, a cleaner environment, energy security, by confirming the draft Corridor designation.

Jody Erikson: The nice thing about public meetings is that, all ranges of perspectives are presented. So let's respect that range. I know there's lots of disagreement in the room and that's okay. But it's about respecting each person's opinion so you don't have to make a decision about it.

Cindy Rodriguez you're next. Darren Wiseman? Tim Avery? Marybeth Martin? Diana Tradar.

Cindy Rodriguez: Good morning, my name is Cindy Rodriguez and I'm a resident of Otisville New York. I've lived in Otisville for 33 years. I work in Otisville, my entire family lives in the Otisville area. The Orange County Planning Department identified Otisville as one of three communities in Orange County facing major growth in the future. The creation of this National Interest Electric Transmission Corridor will pave the way for NYRI to come in and build these towers and take our homes and our businesses through eminent domain.

The proposed power line would run the towers right through our Village, right down Main Street, right down the center of our business district. It would have devastating effects on our Village. I don't think this National Corridor will support energy projects that reduce energy needs. Instead, I think it will support projects, some poorly planned, which will only encourage privately owned companies to seek big profits at others' expense.

The National Corridor will take away New York State's right to decide what is best for New York. Thank you. [Applause].

Jody Erikson: One more time for Darren Wiseman, James Avery, Marybeth Martin. Diana Tradar, I know you're here, after Diana, John [Zepadro], [Zeparo]? Michael Adams. Just looking for recognition, Patty Krebs, Robert Muldoon? Okay.

Diana Tradar: Hi, good morning ladies and gentlemen and thank you for coming here to explain the scope and the project at a higher level with respect to the designation of the National Corridor. My name is Diana Tradar; I come before you as a hybrid citizen. I am an individual, I am not an organization. I am a property and homeowner in [inaudible] center in Sullivan County and also I am a property/homeowner in Queens County in New York City, where the 2006 summer blackout took place. The impact of the again, a specific project, NYRI, is dual. Since my Sullivan County property is in the immediate path of the proposed power line path I will be a victim. As a Queens New York City property owner, the cost of the reduction of congestion, the reduction in energy costs and more reliable service, will make me a beneficiary so I am told.

I feel that NYRI and I share common goals, wealth and prosperity, good U.S. values. I'm an individual and NYRI is a private business of investors. We are both hardworking entities whose goals are to enjoy the fruits of our labor. NYRI's main goal is not to move energy to the Big Apple. This is only a means to the real goal to produce wealth and revenue for the investors outside the United States. This is their goal period.

I do labor, I work hard, pay my taxes and mortgage and reap from the benefits of my hard work. Like I said, NYRI and I share common goals but mine are not exploitive. I am confused, I understand the impact on my Sullivan County property, it is real. Eminent domain will take my property rights away, my property away and result in horribly reduced property values, which would hurt me and my neighbors as well. It would be a major decline in the quality of life.

I do not understand the so-called benefits to be reaped as a resident of Queens New York City. After all, the power blackout of 2005 and the one in Queens last summer were caused by human errors, either in maintenance or plain errors. How would more energy help? And what about the greening of America? The alternative sources of energy? I'm glad that your organization is not specific to transmission lines, I'm glad to hear that there is a chance for other alternatives.

My ultimate goal and I hope that -- okay, my ultimate goal and I hope, too, that ideally NYRI is that we can make this a win-win situation, not a win/loss but now ruined. [Applause].

Jody Erikson: All right John Zaparo? Michael Adams. Come on up. Patty Krebs and then Robert Muldune, did I see your hand go up earlier? Yeah.

Michael Adams: Hello and thank you for having us here today. My name is Michael Adams. I'm going to be speaking as a private citizen. The point's made that the Corridor is not an authorization to build or construct new generating facilities, nor is it actually taking property away currently, but giving it authorization to use eminent domain to address the concern that capacity is reaching near peak and we need to be able to supply the population centers with electricity.

That's obviously essential. The goal is to keep the supply of power to the people in need is of utmost importance. However, the use of eminent domain and running lines through existing town centers must be severely limited, if not prohibited. I don't believe that this would be the case if the Corridor were authorized. I believe that the use of the Corridor is maybe essential in order to— meet the growing demands for electricity in the population centers. But the use of this option should be used in addition to all efficiency measures that are needed, distributed generation, including in-city generation of renewable power, and more efficiency and local generation should be taken in addition to any high transmission lines that need to be built in addition.

I firmly believe that bringing power to the people is the most essential and the best way to do that is a combination of those, rather than simply -- I would only hope that a Corridor is, if it's approved, is done in conjunction with the City's generation and its efficiency. Thank you. [Applause].

Jody Erikson: Robert Muldune? Gregory Willems. Great. After Gregory, William Griffith? William Griffith, Michael Behrmann.

Robert Muldoon: Hello, my name is Robert Muldoon with the National Staff of the Sierra Club in New York City Field Office. We oppose the DOE's proposal because it represents an intrusion by the federal government into the rights of local and state governments to plan, regulate and protect private property. And it's being done for the sole benefit of large energy companies. This means that not only states, most of New York and all of New Jersey, in the middle of the draft Mid-Atlantic National Corridor, it would cement control over our energy future more directly in the hands of

large energy companies whose motivations and best interests do not align with the intentions and plans of our neighbors and elected leaders.

The provision usurps the rights of states and localities to deny access to certain lands in areas based on local criteria and local values. They put that clearly in the way of criteria and value of its own so that power lines and pipelines must be built.

In the Northeast, the designation for the use of largely shipped dirty coal fired power into the region at a time when many new initiatives are stirring new and innovative decisions to increase clean energy supplies to the state and local levels. This process should stop now. Congress should revoke the position in the Federal Power Act and make it possible, that makes it possible to re-think our options for providing for state and local energy needs that focuses on the goals of protecting our environment and our communities, while providing the cleanest electricity possible.

Among our other concerns, which I'll say in 30 seconds, the DOE has not performed the problematic environmental impact statement. The Corridor process has not been transparent. There should be many more hearings for this area that's covering nearly 50 million residents that will be impacted.

The Department of Energy has not consulted with impacted states, as mandated by Section 1221. Just to wrap up, thank you very much for this opportunity to testify and I'll add my written comments online. Thank you. [Applause].

Jody Erikson: Gregory Williams? Following Gregory, William Griffith, Michael Vernon?

Greg Willems: Hi, my name is Greg Willems. I'm a councilman in the town of Hamptonburgh, New York. The 205 Energy Act is not good for America. This is what happens when major policies formulated in secret, by a select group of individuals whose only goal is to advance the interests of business of the interest of America and the consumer. It allows legal authority by business, both foreign and domestic, over states and their residents. It did not use an unbiased cross section of our energy experts to decide the best energy policies. Ones which would send this country into the future as a leader in the use of new and emerging technologies.

We need to set a standard for the world with energy policy, not fall behind. Our fall would not be surprising; we have let America fall from grace in so many areas we once led. Now, this Commission can be true American patriots. It can act and strip down these unnecessary Corridors. Instead of leaving a scar on the land to honor greed, you instead could leave a big green footprint on the land. This could be accomplished with more localized approach, using alternative technology, which will truly benefit consumers and country. We the people are looking to you to achieve this to do the right thing. Thank you. [Applause].

Jody Erikson: Following Michael, Lawrence -- Lawrence you're here right? Craig Glazer.

Michael Behrmann: Good afternoon, my name is Michael Behrmann, environmental advocate with the New York Public Interest Research Group or NYPIRG. NYPIRG is the largest statewide non-profit, non-partisan environmental and consumer protection research and advocacy organization. Thank you for the opportunity today to speak on the proposal.

NYPIRG proposes the preemption of state authority to review and permit transmission line proposals within New York State as a result of the designation, as well as the potential delegation of eminent domain to private corporations to acquire land for electric transmission facilities.

First, New York State already reviews and sites select transmission line projects within the State. The New York State Public Service Commission, PSC, has the necessary expertise to determine

potential adverse impacts posed by major transmission line developments. The process established by the State Environmental Quality Review Act, SEQRA, provides State and local officials with the tools to evaluate potential local and regional impacts, and should not be preempted by federal approval.

Instead, DOE should give deference to the states. Local expertise often proves invaluable when determining project impacts and evaluating alternatives. This proposal undermines the local and state review, where proposed lines will have the most impact and would be a gross injustice. New York State is implementing plans to decrease electricity use below current levels, which is not reflected by DOE's proposal.

Moreover, the New York Independent System Operator currently has the expertise to address reliability concerns and has been operating the competitive wholesale electricity market since New York restructured the utility market in the 1990's. Second, the DOE should not grant the use of eminent domain to any private corporation as established under the Energy Policy Act of 2005, over state objections. Granting the power of eminent domain to transmission line permit holders would establish bad precedent and create a slippery slope.

In closing, NYPIRG respectfully requests the DOE increase energy efficiency and distributive renewably generated power efforts in areas identified as critical congestion areas, rather than usurping state power and granting private entities the use of eminent domain. Thank you.  
[Applause].

Jody Erikson: Laurent Lawrence? Craig Glazer and Timothy Lewis? Timothy Lewis are you there? What I'm going to do is that's the last of the pre-registered. Before we move on to those people registered today I'm going to re-read the people we missed on the pre-registered and then we'll move on to those who signed up today.

Laurent Lawrence: Good morning, my name is Laurent Lawrence, I'm Executive Director of New York Affordable Reliable Electricity Alliance, also known as New York AREA. We represent more than 100 business organizations, labor unions, community leaders and independent energy experts. Our members strongly believe that New York needs to keep and significantly increase its clean generating electricity portfolio to expand energy efficiency programs and make significant improvements in our transmission infrastructure.

We support federal designation for part of New York to be included in the National Interest Electricity Transmission Corridor. However, we would like to see this not be necessary and for the State to move forward with significant new generation and transmission projects. Unfortunately, we are at a critical stage.

Without prompt reenactment of the Article 10 Power Plant Siting Statute, which has been expired for more than four years, it is unlikely that downstate New York will have sufficient electricity generating resources near term. Also, there has not been a major new transmission project built in New York in nearly 20 years.

Furthermore, I would like to enter into record the following remarks from Jerry Kremer, Chairman to the Advisory Board of New York AREA, concerning this hearing and the New York Regional Interconnect Project. Mr. Kramer is also former Chairman of the New York Assembly Ways and Means Committee and principle author of the Article 10 statute. New York Regional Interconnect-- I'm sorry, the New York Regional Interconnect project makes compelling sense to New York and New Yorkers.

New York and New Yorkers should move forward with a proposal as soon as possible. The substantial \$1 billion investment to extend New York's energy transmission infrastructure, far and

away the most significant transmission expansion in nearly 20 years, will help lower electricity costs, improve air quality and facilitate electric development. NYRI will bring downstate significant amounts of environmentally friendly power, especially wind power, which will develop upstate with the second highest electric costs in the County.

The increased emission efficiency that NYRI provides will help New York, consumers and businesses. Thank you for your time and consideration, good day.

Jody Erikson: Okay, Craig Glazier, Cindy Lewis.

Craig Glazer: Hi, thank you very much, my name is Craig Glazer. I'm the Vice President of federal government policy for PJM Interconnection. We are the Regional Transmission organization in a 13-state region, which includes New Jersey and I want to specifically focus on New Jersey.

But as I was sitting here listening to this really excellent testimony today, I was concerned that we sort of fast-forwarded and skipped over some of the fundamental issues. That is, we believe that Congress' intent was to instruct the DOE *not* to focus on solutions as much as to identify the problem and not take any options off the table. And we are here today to identify the fact, because we think the facts speak for themselves, to identify the problem before we press forward to the debate on what the solution is.

We've had charts that they've presented up there, details, some of their serious reliability problems we are seeing coming out of and coming at the region, particularly that's a focus on Northern New Jersey. The red flags represent violations of NERC reliability criteria that are approaching us and overloads potentially of lines. You see the Branchburg, the Somerville and New Jersey area by 2013. The Morristown area of New Jersey by 2016. The Longbranch area, also by 2013, and the Clifton New Jersey area by 2019. These are reliability violations that do not -- that we're seeing facing us, even assuming there are no additional plant retirements. Even assuming all the demand-side response that we have contracted for actually does show up. And this assumes that there is continual operation of many of the power plants.

In short, we see this about options for the future. We need all of the things people are talking about. We need generation, we need local generation, we need transmission, we need the demand-side management. This is not a question of taking options off the table and I would strongly urge the DOE to not take options off the table. We think you got it right in the identification of the problem and our studies show the same thing. And then, we can all work through the siting process to address the very valid issues that have been raised today from these local communities. Thank you very much.

Jody Erikson: Timothy Lewis? Okay then we'll quickly run through those people who pre-registered, too, that haven't responded. Billy Howard? David Smith? Melissa O'Donohugh? Mark Bronstein? Jonathan Kauffman? Steven Dugan? Ron Gibbons? Christopher White? Mickey Cafagna? Darren Wiseman? Jim Avery? Marybeth Martin? Laurie Holzpfiffer? Patty Krebs? William Griffin? Cindy Lewis? Okay I will call those folks again after we go through the list of people who registered to speak today. So, Philip Martinez? Phil Martinez, are you here? Great. After Phil, Kim Warren? Timothy Doren? Looking for somebody to say yes I'm here. Deborah Kingston? Janet Nobel? [Inaudible].

Phil Martinez: Hello, my name is Phil Martinez. I'm speaking on behalf of myself as a private citizen. My concern with the designation of the National Interest Electric Corridor is it goes beyond the congestion and areas of concern, into Western upstate New York, Western Pennsylvania. And the concern I have is it appears that it's more for economic, to lower prices with the electric rates, and cost of energy rise, electric reliability, outside of that zone.

And along those lines of thinking, I'm wondering why is it not being expanded into Southwestern or Western Connecticut? Where, according to the Interconnect system operator of New England, they're having congestion concerns there at a higher rate. So that's all I have to say. Thank you.

Jody Erikson: Great, Kim Warren? Timothy Doren? Deborah, Deborah Holson? Janet Nobel? After Janet, Andrew Tutko? Sorry.

Janet Nobel: Hello. Well, we all know why we're here today as those neighbors in upstate New York so eloquently stated within their two-minute interval. We're here because of New York Regional Interconnect Project, to ring the Delaware River Valley and the surrounding counties.

I, too, am a resident up there. I live between Calicoon and Narrowsburg. And if their plan goes through, I may very well have those power lines right in my front yard. And I only want to -- it's been said so well by those who came before me, I only want to ask this. Who is New York Regional Interconnect? And how do they have the power that they have?

They refuse to consider alternatives. They tell us they don't want to bury those lines, they want to put them where they want to put them and they don't want to pay any attention to what we say. I mean it's hard, it's very, very hard to see this in any other term but rape, really. And it would be very nice if we knew who was doing this to us. And where they get the power to do it. Thank you. [Applause].

Jody Erikson: William Conklin? Great and after William, Jan London?

Andrew Tutko: Hello, my name is Andrew Tutko, I'm a resident of Hamptonburgh, New York and it's in the County of Orange. I am at the tail end of the Main Street South Project where the transmission lines will go if it comes to be.

I don't understand how NYRI can have such a plan in place if they don't know something that we do not know. I don't know how Canadian investment firms can be investing in this corporation if they do not know something that we do not know.

What is going on with NYRI? I live in an area that has been deemed to be possibly condemned. I am a former New York City person. I've lived here for 35 years and am now up in Orange County for 15 years. I have family down here in New York. They don't even know what's going on down here. They have no clue. And I think Con Edison, when she spoke that they have alternatives in place, ones under the federal government, who probably is relying on the investment company. They're people that supply you guys with the cash and forget about the taxpayers.

And New York is worried about people leaving? Well we will leave, we will have to leave. My house is designated for condemnation. How do I know this? How do I know this with NYRI has not have a strong position? How do I know this? Is it just a guess? Do you think we don't know what's going on? This plan is in place. How could they have investment in place if they don't know what's going on? It is impossible.

I hope you guys come up with alternatives. Your windmills, your this, your new power grids. You know? I'm telling New Yorkers, you know, I used to live here, there's a lot of waste down here. Tell them to calm it down a little bit. Get efficient bulbs, do the smart thing. Thanks very much. [Applause]

Jody Erikson: William Coughlin? Great and then Jan London, After Jan, Leon Lemmons?

Bill Coughlin: Good morning, I'm Bill Coughlin from the town of Hamptonburgh, right in the target zone to be under the transmission line. I come to you as an individual not as a member of a Board. I speak

from the heart. I've seen our area impacted by numerous projects from the federal government in the past, none of which came to be. One the superconducting supercollider, which was the biggest farce, wound up in the desert out in Texas and never got finished. Is this going to be another one of those situations? Are we possibly seeing something to take the land, such as that project which was proposed, or the Stewart Airport lands that were taken decades ago and are still not in proper use? Or are we really going to see a power line coming through for the benefit of an area such as New York City and maybe other areas involved in the area that can't control their own growth.

They build, they build, they build. Why not make as part of this Project a requirement for those who are using too much power, to start to cut back? Not just by using bulbs that are more energy efficient. But maybe telling New York City, you have now reached the limit of what you can support. You cannot rape or strip the rest of the communities in your area to run your city. Let them do it themselves. There have been mentioned here before, windmills. Well, windmills can be put up on some of the landfills that New York City no longer uses or has minimum use for. And they don't have to transport the power 200 miles from upstate, it can be generated right here within the City of New York.

Earlier, sir, you mentioned that the DOE is not there to designate or to endorse a specific project. If you're not looking to do that, then why include in that legislation the right to take the eminent domain power away from the state and give it to the private corporation for profit purposes? Thank you. [Applause].

Jody Erikson: Jan London and then Leon Lemmons. After Leon, Jesse Hoff? Is Jesse here? Jayne Tear?

Jan London: How you doing? Thanks for having this meeting here. I'm a resident of Burton County, New Jersey. I'm also a landowner and house owner up in Howsburg, which is in Sullivan County. I've been there for 10 years. I plan on moving up there. I'm in a development that overlooks the Delaware River, it's peaceful and beautiful and the thought of looking down and seeing power lines just sickens me.

I've been actively trying to make my life upstate. I've invested in properties in Liberty New York and Thompson New York. I've got rental properties, stores, I've got three stores and six apartments. And I recently bought a barn in Calicoon New York that was on the verge of collapse, 106-year-old barn. Restored it and plan on making a small blacksmith shop, which is something that's a passion of mine and something that I'd like to make a living at.

It unfortunately is on railroad property and I'm sure that our whole stretch along Main Street in Calicoon will probably be taken seeing as there's already been a deal with the railroad and NYRI. I've been watching Main Street's upstate struggle. They've been struggling for about 30 or 40 years. They're finally just starting to come back. This would be a major deathblow to this fight that's been going on.

I recently took a course, Sullivan County Community College in photovoltaic power and we were lucky enough to actually go on an installation. We went on a 10-kilowatt installation and pretty amazing thing to see, to see something like that, actually work.

Unfortunately, I see it's all about the money for the NYRI. I wish they could see clearly and maybe take some of that money and invest in some sustainable future such as wind, water turbine, solar power that is readily available upstate. We're at a turning point in history and I think we should look forward to new technologies instead of going back to wasteful technologies. The coal that's poisoning our rivers -- I recently saw a flyer that you can eat one local fish a month because of the mercury that is caused by the out-of-the-state coal mining plants.

Appreciate your time and I hope you guys make the right decision. Thank you. [Applause].

Jody Erikson: Sophia [inaudible]? Stephanie Haas, are you here? Jayne Tear? After Jane, Deborah Zahn?

Leon Lemmons: Good morning, my name is Leon Lemmons. Thanks for the opportunity to speak. I'm a resident of Orange County. I recently retired from Texas and came up here. I bought some property and I stepped into this National Energy Corridor situation. I'm a retired accountant and as such, I know what happens because I came from the oil industry. When the federal government comes in and makes regulations, even though those regulations are of best intent, they often interfere and create problems, shortages, and trouble.

I'm against this National Corridor designation because it takes a majority -- it takes away from the States, the opportunity to solve the problem. People solve problems within the areas, you don't have outsiders come in and solve your problems for you. But this would seem to limit the State, constrain it severely and create more problems down along the line.

We cannot take away some of these elected officials that deal with us directly in the area. They are accountable to us. Washington D.C. is a long way away and don't actually represent the individuals in the States, they represent them as kind of a collective. Thank you very much.  
[Applause].

Jody Erikson: All right, Jane, and then Deborah you're up. After Deborah, Mike Zahn. Thank you.

Jayne Tear: Hi, I'm Jayne Tear. I'm here as an individual, I actually live here in New York City and for the past 30 years my husband and I have had the pleasure and the privilege of having a little cottage in Delaware County, New York. And we have come to know our friends and neighbors who live there permanently and who have lived there for generations. And we have heard them talk about the effect this will have on their lives, so I'm sort of informally representing friends and neighbors who could not possibly be here today, they're too busy earning a living.

The sense of betrayal that I hear, everyone here is very, very polite. My friends and neighbors in their living rooms are not so polite. These are people who have for generations reliably voted Republican because they have believed that that is the Party that does not interfere with local government. The sense of betrayal is enormous. The people I know in Sullivan County, New York, Delaware County, New York, Pike County, Pennsylvania and Wayne County, Pennsylvania all furious. They will never forgive the Republican federal government if they put wires down the Delaware River.

They love their river more than they love their guns and that's saying a lot. [Laughter]. That's a quote. That's not a quote from me, they had said that. So I'm in no way commenting on love of guns. I've had the patriarch of an enormous family say to me, "I thought I would never vote again if they do this to my river, but that's not punishment enough. I will hold my nose and vote Democrat for the rest of my life and so will my children and so will my grandchildren."

You're here for the Department of Energy, you're not here about who votes Democrat who votes Republican. But please let people know, there will be political ramifications. Pennsylvania may never be a swing state again. They will not forgive you if when they go to their river, they see wires. And they will remember it every time they vote locally, statewide, or federally in both Pennsylvania and New York State. And they wanted me to come here and tell you this.  
[Applause].

Jody Erikson: Deborah and then Michael. Cindy Carter?

Deborah Zahn: Hello, I'm Deborah Zahn from Hamilton, New York. I'm an active participant in the organization Stop NYRI. And a lifelong resident of the beautiful state of New York.

I cannot even begin to speak more eloquently than those who have spoken before me about the process and to speak with sincerity about the beauty of the regions that would be affected by this, by power line designation, energy transmission Corridors.

I'm not a public speaker and I generally am a worker-bee. But -- and I don't even begin to understand the enormities of the energy process and plan that's in place today. I don't understand how the power gets from wherever it's made and into the outlet in my house. And I don't think there are very many people here today who can claim that they do either. But what I do understand are pretty pictures and landscapes. And I would like to thank you for having provided us with that pretty picture at the beginning of this session this morning depicting New York State and surrounding states in gray, white and a big orangey bound blob. And I was reminded of Thanksgiving Day when my mother would bring the turkey platter in and everyone would take a great big slab of turkey. And I'd think goodness, I thought, goodness, there is the turkey platter and all the corporations are lining up to grab their piece of turkey and eat it. And I do not want to be the turkey on the platter. Thank you very much. [Applause].

Jody Erikson: Here comes Michael. Cindy Carter, you're here right? Great. And Earl Callahan?

Michael Zahn: Hi, I'm Michael Zahn, also from Hamilton New York. I'm an orthopedic surgeon who works up there. First, I'd like to say that I sincerely hope that Mr. May's wish comes true and that the NYRI Project gets a fair review on the merits. Because I'm certain, as I'm sure he is also certain, it has no chance of coming to fruition if that's the case. I think that it's pretty clear that NYRI is relying on this designation to happen because I think they know that's the only way a project such as this can go through.

A local businessman said to me the other day that, you couldn't draw a line from Marcy to Rock Caverns, without touching more people than this proposed project will touch. I believe that our elected local officials understand this and I believe that our elected state officials understand this. I'm not sure that appointed DOE officials understand this. They've probably never been to that area.

So that's why I believe this decision should be left at the state level. And if I could end by paraphrasing our forefathers from about 230 years ago, no designation without representation. Thank you. [Applause].

Jody Erikson: Cindy Carter, Earl Callahan and then I think the last one this morning will be Cynthia Nash. Cindy Carter, go ahead. You get to go first, then Earl, then Cynthia Nash. Is Cynthia here?

Cindy Carter: Hello, my name is Cindy Carter. I live in the town of Sugar, New York. I'm a physician specializing in child psychiatry and I am an active participant in Stop NYRI, a citizens' action group. I stand strongly against the National Interest Energy Transmission Corridor designation. I feel, for a variety of reasons, I feel it's partly a states' rights issue, and the federal government should not take the regulatory proceedings away from the state. And I believe it creates less opportunity for local people and communities to weigh in on these plans, because you are far removed from where we live and the State of New York.

I do feel that there's not sufficient opportunity for the public to be involved in this process. I feel that it's not fair that these comments are time-limited. And there should be more hearings, particularly in light of our area being more up-to-speed on this issue. You should be scheduling many more hearings up in central New York. And that's the way you're limiting public opportunities to have input.

For eminent domain reasons, I feel that corporate privileges are being given to private industry at the expense of the public. And I believe it's a subversion of the spirit of eminent domain as laid out in the Fifth Amendment of the U.S. Constitution. The designation is not good for the overall public good. It is loaded with earmarks that favor corporations.

People in my area are outraged that the feds will allow corporations to seize property. The NYRI project is a perfect example of many incentives given to set up these power lines and giving the power to take property away from property owners such as myself, residents, and wreak havoc on communities by plowing through their towns. And I have much more to say, but I have to wrap up now and I'll submit my comments in writing as well. [Applause].

Jody Erikson: So, Earl and then Cynthia Nash, one more time for you, and then Ron.

Earl Callahan: I want to tell you a story about how I think we got here. And I have it written down, so stay with me, I think I can do it in two minutes. Captain of Industry Dick Cheney had thought about how to make government obey entrepreneurial energy guides. He got his chance to make it happen when he became Vice President of the United States, Lord forbid. This Halliburton Hackler had a plan, he invited industrialists to an undisclosed location where identities could be kept secret and corporate would privatize the energy transmission market.

They directed the Department of Energy to develop National Interest Electric Transmission Corridors, the national interest being part being needed to make the industry plan work. The 2005 Energy Act made it happen. 1996 Deregulation already allowed electric utilities to be owned, managed and controlled by private industry, unburdened by state laws. NIETC sprang from the Energy Act placing the east and west coast in energy Corridors. Corporations have been given the right under eminent domain to seize property for moneymaking purposes. High rolling energy entrepreneurs smile crooked chain smiles.

In New York State they would tell people that, energy congestion in or near New York City could be relieved by placing a nightmarish 400,000 volt direct-current line through the magnificent scenery of upstate New York. Industry has developed a language designed to make us look elsewhere while they make a profit by stealing our land and giving our kids cancer. How dare our federal government get in lock-step with raping the public commons and intentionally forgetting impacts on people? Thank you. [Applause].

Jody Erikson: Last one this morning, Ron—Ron Morohn? Sorry I thought I saw somebody raise their hand, so Ron Morohn? M-o-r-o-h-n?

Ron Morohan: Thank you for coming here and hearing our eloquent testimony. I am a resident of the state of New York and of New York City. And obviously, this designation of the Delaware Valley as a National Interest in this energy transmission Corridor is a wrong-headed and really outmoded concept. This really has -- what I want to say is interesting are the terms that are coming up again and again. And when I hear the term "National Interest Energy Transmission Corridor", it makes me think of things like a kind of weapon, aimed at this community of the Delaware River Valley that, in many ways has come back from a long history of downtrodden issues. There were floods up there recently. And to aim this weapon of corporate development at this community, at this time in American history, Americans I should say, this will be history.

But the terminology again of this term eminent domain. A term that comes out of the concept of absolute power. Just think of what this means in terms of imposing this on citizens of the United States on behalf of the interests of a corporation once known as Pegasus. It changed its name to New York Regional Interconnect, so it sounds a little more local, it's not local. It is simply a greedy, unnecessary, outmoded form of technology that's not smart, it's not beneficial to anyone in

the community and it's certainly not going to solve this so-called congestion, because it's not an issue of congestion. [Applause].

Jody Erikson: Okay guys that's lunch. I have got two people who when they spoke, stood up to speak, said that they want to speak again. So I have your names, Eve Ann Schwartz and Lee Reynolds, I know both of you said it. If you want to speak a second time, come up and talk to me. We will start the afternoon session at 1:30 with any of the elected officials and public officials that come in the afternoon. And then we will start back at the list of people who signed up. So we'll see you 1:30.

David Meyer: Ladies and gentlemen, if you'll take your seats, we'll resume our public meeting. First thank you again for your participation and welcome to any of you who were not here for this morning's session. I won't go through the full presentation that I used this morning but I will quickly highlight a couple of things.

That is, first, the effects of Corridor designation, the designation would signify that the federal government has concluded that a significant transmission congestion problem exists in the affected area and that it requires timely solutions. The designation would also enable the Federal Energy Regulatory Commission, under certain circumstances, to approve siting of transmission facilities within the Corridor.

Let me emphasize that the Federal Energy Regulatory Commission is not part of DOE. It is an independent regulatory body. Its members are appointed by the President and approved by the Senate. This slide lists the pre-conditions under which FERC might exercise jurisdiction. FERC could assume jurisdiction if any of these conditions were met, or if only one of these conditions were met. But FERC, before it issued or approved construction of a facility, it would also have to meet certain other tests. It would have to issue a finding that construction of the facility would be in the public interest, that it would benefit consumers. That the facility would make full use of existing transmission towers or other transmission facilities in the area of the project.

Finally, as noted before, these are some of the things that designation would *not* do. In particular, it would not propose, direct, order, or authorize anyone to do anything. The point that's not specifically emphasized in this slide is that siting responsibility, primary responsibility for siting transmission facilities still is a State matter. And, so in that, sense, thing are not changed by designation of a Corridor. It does, as noted, open the possibility under certain conditions that FERC would assume jurisdiction, but that's certainly not an inevitable result. And it should not be assumed that that's necessarily the way things would play out.

So, with that, we will resume hearing statements from first from public or elected officials again, and then we'll go back to statements from individuals. So thank you very much and I look forward to your statements.

Jody Erikson: Great, [inaudible] so I'm going to call a couple of public officials then I'm going to go quickly again to the rest of the people that pre-registered who were called but weren't here. A couple of people have shown up. We'll go through the sheets of people who signed up today who I called to see if they came back this afternoon and then we'll go back to the list where we left off. So we'll hear from Chris Wright and then Frank Giancamilli.

Chris White: Good afternoon, I'd like to, before I begin my comments, just assure you that my comments will be from Congressman Maurice Hinchey will be much more brief than what was delivered in Arlington, Virginia. My name is Chris White, I'm the District Representative for Congressman Maurice Hinchey and I'd like to submit the following statement.

Last week in Arlington, Virginia, I personally delivered comments to the Department of Energy regarding a draft National Interest Electric Transmission Corridor designation. I'd like to briefly summarize the concerns and issues that I raised at the first meeting.

I traveled to Virginia to participate in the public meeting schedule because today's hearing in New York was scheduled when Congress was in session. The Department's hearing schedule and choice of locations has also made it inconvenient, if not impossible, for many residents of New York State to travel several hours each way to attend this hearing during the day when most people work or are in school. As you all are aware, no public comment meetings have been scheduled by the Department for the residents of New York State that would most be, that would be most heavily impacted by a National Corridor designation and by the proposed projects that would be facilitated through this designation.

This fact allows for the public's responsibility to allow for meaningful public participation. In response to the limited public meeting schedule, I have scheduled a public meeting for June 9<sup>th</sup> in Sullivan County. I've invited the Secretary of Energy and Department officials to join me for this and I hope they will take advantage of this important occasion to listen to the citizens who through work, or community, or school commitments are only able to travel to New York City or Rochester for the hearing. But who nonetheless, would be impacted by any decisions in this matter.

I'd like to reiterate my request to the Department of Energy that we suspend action on the designation of National Corridors until Congress can reconsider and clarify the designation and implementation process and do so in a manner that is consistent with existing federal laws and respectful of the rights of states and private citizens.

Section 1221 of the Energy Policy Act of 2005 did not require the designation of National Corridors. Rather, it directed that the Secretary *may* designate Corridors. The Act does require the Department to consult with states and stakeholders. However, some state officials have raised concerns that these consultations did not take place during the development of the National Congestion Study and the proposed designations.

The Energy Policy Act further did not exempt the Department from federal laws, including the National Environmental Policy Act. The designation of National Corridors will have significant impact on the environment, local communities, private property, state and federal parks, cultural and historical resources, and the wildlife habits that host endangered and threatened species. Such federal actions require the preparation of an Environmental Impact Statement underneath it, so that these impacts can be scrutinized and alternatives and mitigation measures considered. A Corridor should not be designated unless an equal review concludes that a transmission-based solution to our electricity needs best promotes the public interest and is the most suitable alternative.

The Department has also proposed to include in the [inaudible] Corridor the upper [inaudible] recreational river, which is protected under the Wild and Scenic Rivers Act, a law that specifically prohibits the construction of major power lines that adversely impact designated rivers. Congress' existing designation of the Delaware River recognizes such rivers' nationally significant resources. And including the River in the National Corridor, directly contradicts the Congressional designation and the federal protections.

While these concerns about National Corridor with the designation process need to be addressed, I also need to [inaudible] law that led to this process, the Energy Policy Act of 2005, which I've strongly opposed and voted against. A growing number of those who supported this law are just now becoming aware of the serious consequences of this huge, complex law that was forced through Congress without adequate consideration, analysis, debate or public input.

The provisions of this law were developed through a highly secretive process that involved meetings between senior members of the Bush Administration, the Republican Congress and private energy corporations. This law erodes state jurisdiction over proposed electric transmission projects. Designating National Corridors does give advantage to private corporations proposing new transmission lines, while limiting the ability of states to implement comprehensive electricity reliability solutions that are more impressive, environmentally sound, and less intrusive.

New transmission lines are clearly not the only solution to electricity reliability. Alternative solutions including demand response measures, energy efficiency and conservation, development of new, clean electricity generation near high-demand areas, and also efficiency and capacity upgrades to existing transmission lines, are often more cost effective and also greatly reduce the adverse impacts that would be caused by new massive transmission lines criss-crossing our state. This law was another step in the ongoing drive towards deregulation and so-called market control of our electricity system, which thus far has led to a less reliable system that fails to address critical public needs including consumer protection for residents and businesses, environmental conservation, protection of local community interests, and investments in existing infrastructure.

The corridor designations will serve to limit the much needed development of new generation close to high-demand areas, particularly through more decentralized and renewable sources. In fact, the New York State Public Service Commission commented on the National Corridor study, indicating that such a designation in New York could very well serve to discourage the new generation projects already in the planning process, near to the areas of high demand.

I'm concerned this policy will all but guarantee the continued generation of electricity from older, inefficient power plants by expanding their ability to export power across vast geographic areas from these dirty, centralized power plants. This process will undermine state's policies to encourage alternatives, including implementing demand-side solutions for reliability such as mandating improvement for energy efficiency appliances, heating, cooling systems and lighting.

This process encourages the construction of new transmission infrastructure that will likely be obsolete before its time. Infrastructure that is of dubious necessity that imposes an outdated 20<sup>th</sup> century, temporary fix on a solution that demands and begs for a 21<sup>st</sup> Century long-term solution. These designations crowd out more innovative and sustainable solutions to our genuine electricity needs. As I mentioned, a growing number of my colleagues in Congress are beginning to understand how these Corridors will impact their District. And they've joined me in calling for legislative changes to the Energy Policy Act.

They are coming to realize that, in areas designated as Corridors, applicants seeking to construct major transmission lines will be able to apply directly to the FERC if a state doesn't approve the application within one year, or if the state mandates alternative or mitigation measures that the applicant deems economically infeasible.

This unrealistic and artificial timeline will not improve electricity reliability and undermines the efforts of states to determine solutions to reliability in a manner that protects other vital public interests. The heavy-handed intrusion into the traditional authority of states to regulate new transmission lines will undermine their ability to implement comprehensive energy policies and consider thoughtfully how specific projects will impact other important public considerations.

This federal preemption of authority for siting and permitting of transmission facilities contradicts and undermines the long-standing balance of power between federal and state, federal government and states that's so wisely crafted in our constitution and embodied in the Federalist system. This law gives private corporations the opportunity to run roughshod over state's permitting processes and also infringes upon the rights of private property owners who will now be threatened by the eminent domain proceedings.

Through these Corridor designations, the FERC would be allowed to use the right of federal eminent domain to seize private property from unwilling sellers when those properties are needed for proposed projects that FERC has permitted. And this is even in cases where applications may already have been denied by individual states because of questionable need or severely negative impacts. Such a process is completely unacceptable and it's something that I am committed to fighting in Congress to change.

Thank you for considering these comments. I also hope you will join me for the upcoming public meeting on June 9<sup>th</sup> so that additional voices can be heard on this very important matter. Thank you. [Applause].

Jody Erikson: Thank you.

Frank Giancamilli: Good afternoon, my name's Frank Giancamilli. I am the District Representative for Congressman John Hall in New York's 19<sup>th</sup> Congressional District. I'd like to submit today Congressman Hall's testimony because he cannot be here.

On April 26<sup>th</sup>, Secretary of Energy Samuel Bodman, announced the Department of Energy's proposal to establish two National Interest Electric Transmission Corridors in an effort to establish a fast track for a new power infrastructure. The proposed Mid-Atlantic Area National Corridor under discussion today would give special consideration to new power lines across the eastern United States from Virginia and Ohio to New York, while undermining the rights of those opposed to those proposals.

The Department of Energy's Mid-Atlantic Area National Corridor is a flawed proposal rooted in poor public policy and I strongly oppose it. The Department of Energy was given the authority to establish NIETC's under Section 1221 of the Energy Policy Act of 2005. Within these Corridors, state authority over transmission lines may be preempted and new federal eminent domain authority could be used to obtain land for approved electric utility transmission projects.

The NIETC authority disturbs the fundamental balance between the desire to site new energy infrastructure and the ability of state governments, local authorities and property owners to have a say over what gets built in their communities. Instead, it stacks the deck in favor for profit-energy interests, while threatening to steamroll landowners who may be in the path of a power line, ignore communities that may favor defending environmentally sensitive areas over installing new infrastructure and negate the objection of state governments. At its core, the NIETC authority is an unjust provision that favors the interest of energy companies over the rights of average citizens.

The intent of the provision, to fast track energy development by doing away with local objection, is evidenced by the facet of authority that allows FERC to take over the licensing process for a project that a state fails to act on in a year. When considering the approval process for a massive project like the New York Regional Interconnect, or NYRI, which I will discuss in a moment, it is important to keep in mind that completing adequate need assessments, public interest evaluation, public comment, environmental reviews and other necessary study in the course of a year, is an extremely difficult, if not impossible challenge.

If the Mid-Atlantic area National Corridor proposal were to be adopted, companies wishing to avoid state requirements and local concerns would not have to exert too much effort to drag out the state approval process for a year and then shop for a more favorable venue at FERC. The ability to bypass local opposition and to look to FERC for approval would undoubtedly be attractive to the backers of a project like NYRI, which has already been the subject of significant concern in communities along its path.

In this project in particular, that would be the biggest immediate beneficiary of the Mid-Atlantic National Corridor. The NYRI proposal is ill conceived, unnecessary and unwise. If allowed to go forward the nearly 200-mile long high voltage power line would run a 1,200 miliwatt cable on 135 foot tall towers along rail lines through communities and across environmentally sensitive areas in the Hudson Valley.

This project could have a devastating impact on local communities, ignore the rights of landowners and negatively impact environmentally sensitive areas like the upper Delaware Scenic and Recreational River. A project of this scope and impact warrants increased regulatory scrutiny, greater opportunity for public review and more detailed consideration of land and security impacts. Instead, the Department of Energy would give this type of project its own fast track process and completely ignore the will of the very communities NYRI would touch.

The fast track approval process associated with the NIETC authority also limits debate over what should be one of the most basic considerations governing approval of any power line regardless of size. And that is, what benefits the community.

NYRI has yet to come forward with a decent explanation of where power coming from this line will come from, how it will be generated or how it's supposed to benefit anyone but NYRI investors. These critical questions must be answered first before any serious evaluation of public benefit can move forward. And I am deeply concerned that these considerations fall by the wayside in a process governed by the NIETC framework.

This concern, shared by many of the residents of the communities NYRI would travel through, has deepened as a result of the Department of Energy's initial announcement that today's meeting will be the only opportunity for public comment on the Mid-Atlantic Area National Corridor. The choice of leaving work and traveling hours to attend this meeting, or missing the opportunity to explain why the proposed Corridor would open a door for a project that could have a drastic impact on local quality of life, is really no choice at all for homeowners, business people, farmers, environmentalists and community advocates, whose lives will be drastically impacted by NYRI.

The announcement of a second meeting in Rochester did little to remedy this problem since for many who have concerns about the NYRI proposal, the distance is equal or greater than that they would have to travel to be here today. The communities that have the most at stake in this process deserve more. In the coming weeks I will be holding a meeting in my District to hear the concerns of local officials, homeowners and businesses. It is my hope that the Department of Energy will be able to attend to hear testimony first-hand.

In conclusion, I would also like to express my deeply held belief that the Department of Energy's efforts to push forward its NIETC proposals represent a fundamental misalignment of priorities. I wish that instead of putting so much time and effort into hastily paving the way for more massive infrastructure projects, the Department of Energy would show the same zeal for real energy solutions by looking for ways to increase investment in wind energy, solar, low bed hydro, fuel cells and a variety of other technologies.

Innovation in these areas would allow us to actually help meet New York's demands for energy, protect our environment and invest in new jobs and technologies right here at home. Many of these technologies also allow us to generate power on site at our homes and businesses, saving money and eliminating the need for massive, damaging new transmission lines like NYRI.

I thank the Department of Energy for allowing me to submit testimony at this meeting and I hope it will reconsider its proposal. [Applause].

Jody Erikson: Okay -- okay so I'm going to call those who pre-registered and weren't here this morning, I'm going to call them for the last time. Billy Howard, David Smith. [Inaudible]. Melissa Donohugh? Mark Brownstein? Jonathan Kauffman? Steven Dugan? Ron Gibbons? Darren Wiseman? Jim Avery's not here. Marybeth Martin? Mickey Cafagna. Laurie Hope Tyler? John Zaparo? Patty Krebs? William Griffith, I know you're here. And Timothy Lewis. Okay.

Bill Griffith: Thank you. My name is Bill Griffith. I'm the Executive Director of the Fiver Children's Foundation. Our Foundation is a comprehensive youth organization that focuses on selection of children, primarily from New York City, 90% of them and 10% from upstate, to participate in a special 10-year program, where we provide support services for the children to empower them to make positive life decisions. We partner with our community-based organizations and schools in New York City and in upstate New York.

The cornerstone of the program is a camp which we conduct in Pooleville, New York. The other hallmark of our organization is a character education program and leadership development organization where we mentor our children for 10 years until they get through high school and hopefully move on to college. All of our children are selected in fourth grade. These children are underprivileged children from New York City, from underserved and under-represented communities within New York City. And economically deprived children also from upstate New York.

The camp itself was built 10 years ago in Pooleville, New York. It was selected because of its wonderful environment and the beauty of nature and the beauty of the Valley of Pooleville itself and its proximity to Hamilton and the University of Colgate, which is a partner to our organization.

I'm here to protest the establishment of power lines going through the camp itself, which will affect us in three different ways. First of all, the natural beauty, which the children, as you would expect from the City, truly appreciate. Secondly, the health issues that it raises for the 400 children who attend the camp. And third, we do stress environmental education, and this construction through NYRI of the transmission lines, will destroy our environmental classroom. Thank you for your time. [Applause].

Jody Erikson: Timothy Doran? Timothy Doran are you here? Deborah Finston? You Timothy? Okay hold on one sec. Deborah Finston? Okay. Jesse Hoff. Okay great, come up.

Timothy Doran: How you doing? My name is Tim Doran, I'm from Rock Cavern. I'm here to represent my family and the rest of America. Unfortunately, I've been dealing with a year of anger, rage, helplessness, and let's not forget the anxiety. I must apologize for my aggravated appearance today. I really don't understand how NYRI and the DOE can put so many lives at stake. This would devastate families, destroy property, just so the greed of a Canadian country can come and take our jobs.

I've been a taxpayer, an honest American, and I feel this is communism and against our constitutional rights. I'd like you also to please explain to me how I can tell my children that my house is being taken away by not only corporate America, by corporate Canada, and the greed at the NYRI and the DOE. I hope the federal government and the NYRI and the DOE can realize to protect not only the environment, farmland, but the most important thing is the American people that work their whole lives for everything they've had. I do not respect the opinion of the gentleman that was here today. You do not put a dollar sign on my American dream. God Bless America. [Applause].

Jody Erikson: Jesse? Cynthia Nash? Cynthia Nash? Daria Dorosh?

Jesse Hoff : I just -- I wanted to discuss, as a member of the future society of our country, the Department of Energy and the federal government's plan for shaping a plan for providing energy to our country in the future. And obviously as a member of society, it's very clear that the job that our society does in providing energy and supplying and running our society is extremely important, and runs everything that people feel is so dear and this is an amazing City. I'm an upstate New York citizen and I'm a young person and I live on a very small farm that would be cut in half by the power line that, this NYRI power line, which is not the issue we're discussing here today. But the plan -- the Corridor designation, doesn't strike me as having the inspiration or the vision that it takes to run the society that you live in. The [inaudible] so talented and so capable of doing better and creating a plan to organize and decide what is the proper plan and the proper method for providing our society with energy.

It doesn't propose, direct, order, or authorize anyone to do anything, as the PowerPoint so generously points out up there, which is where it falls. Because what is should be is work as a society and together and to come up with a plan for how we are going to proceed in a way that protects the environment, protects local interests, protects all of the people in all of the areas in the Corridor. And the state and local governments had apparatuses for doing that by superseding them and opening up to a miasma of corporate interests on the federal level, the Department of Energy and FERC and the federal government have truly failed the future of America. Thank you. [Applause].

Jody Erikson: Hold on, so after Daria, who's sitting right in front of me, Fred Henretig? Thank you slaughtered that one, Steven Skollar. Okay great.

Daria Dorosh: Good afternoon, my name is Daria Dorosh. I am a resident of New York City and Sullivan County. My remarks echo many of the points presented by others today, but from a slightly different perspective. I speak as a researcher of emergent patterns in the transition from analog to digital culture.

Yes, the country does need an energy plan, but not necessarily long distance transmission of power and not the Corridor. Why? A Corridor's a linear idea and long-range transmission is the wrong outdated model. The cell phone is an example of how quickly an emerging technology that is right takes over and is adopted by everybody globally. We now have both desktop and cell phone operating at the same time. So the solution I may propose is a layering of new solutions with the existing, optimized infrastructure. If we must have a NIETC Corridor, why not designate it as a national inventiveness and enterprising technology Corridor, as the young man just spoke about.

Pose the energy challenge to the community to come up with solutions. In the end, if energy Corridors are put in place and the retrograde power line technology inhabits the landscape, it will be made irrelevant by a variety of decentralized power generation models. They are being invented as we speak by our own sons and daughters and they are profitable. YouTube is one recent example not to be overlooked. So thank you for the opportunity to share my views with you. [Applause].

Jody Erikson: Okay so after Henry, Steven Skollar. Steven Skollar, you back there somewhere? Maria Sutto?

Fred Henretig: Thank you very much. Good afternoon, my name is Fred Henretig and unlike most of the speakers, I'm actually from Philadelphia not New York, so I want you to get a little more regional representation at this meeting. But I'm here today and dressed rather informally, forgive me, because my wife and I were on vacation this week in the Upper Delaware Valley area where we have gone every year for the past 15 years or so since we fell in love with the National Park up there at the wild and scenic Upper Delaware River.

And I want to speak today as a concerned citizen and as an advocate of our National Park system and the ability of our country to designate beautiful areas for people to come, who don't have the resources to enjoy the natural environment in their own back yard so to speak. Every summer the Delaware River is filled with canoers and rafters and summer campers, as was alluded to earlier. And I'm very fearful of federal legislation that could even conceivably compromise in the name of national security or relief of electrical congestion, our protected national environmental interests.

And I fear that if you can put power lines along the Upper Delaware River, then a few years later there can be power lines crossing the Grand Canyon and the whole system that has been put in place to protect these last beautiful places in our country, could be compromised. So I hope that DOE will bear that in mind in their deliberations. Thank you very much.

Jody Erikson: All right Steven, you're up. Ready? Okay, Steven's passing. Maria? After Maria, Oliver Spellman. Great. And then after Oliver, Kurt Reymers. Great.

Maria Sutto: Hi, my name is Maria Sutto and I'm a freelance journalist covering the energy policy and the climate change policy for New York City. I own a house on the Delaware, too, so I'm a perfect example of these two worlds. On one side I understand the need to preserve our history and the beauty and the meaning of life. On the other side, I understand the need of economic growth.

I'm here to intervene for a more balanced approach. The plan of establishing a National Interest Electric Transmission Corridor doesn't take in consideration the climate change factor and [inaudible] the magnitude of the changes that the New York Region will experience. In the light of climate change, Michael Bloomberg is trying to give New York City, a framework, acknowledging that mitigation is not a strategy. He's creating a business task force to help attract and retain business in New York City that will design and build new energy infrastructure and climate neutral energy solutions.

But no matter, I ask the Department of Energy to give us some weight in decision making as the energy company do. The energy company has a role as private energy providers, taking part of the decision in the energy process. [Inaudible] is clearly essential to our nation, however, this institution has intense financial pressures that are legally binding on their senior management to make short-term decisions for the economic gain on behalf of their shareholders.

Such decisions are highly likely to be in a position to the necessary changes required by New York City to meet the challenges ahead with respect to energy demand and climate change. I invite all of you of the Department of Energy to consider it carefully. Thank you very much. [Applause].

Jody Erikson: Oliver Spellman?

Oliver Spellman: Thank you. My name is Oliver Spellman with the National Parks Conservation Association. On behalf of over 335,000 members, the National Parks Conservation Association thanks you for the opportunity to speak today. Since 1919, NPCA has been the leading voice of the American people in protecting and enhancing our National Park system. We strongly oppose the idea of designated National Corridors across this country. We believe the designation of National Corridors is a major federal action that requires environmental review under the National Policy Environment Act.

NPCA is particularly concerned that the New York Regional Interconnect proposal that will construct a new 400 KV electricity transmission line through the Upper Delaware and Scenic River is the wrong idea. NYRI's primary route would follow four miles of mountain ridges above the river, while the alternative route would run adjacent along 73 miles of the Upper Delaware Scenic and Wild River.

The [inaudible] of a management plan developed with the help of 15 communities within the Park's boundaries, states that, 'major electric lines are an incompatible use anywhere in the river Corridor to [inaudible] impact on the Park's cultural landscape.' NPCA strongly believes that Americans do not have to make the false choice between having electricity for their homes and protecting our national heritage. Certainly, providing adequate supplies of energy is an important national priority, but it is not the only national priority.

National Parks and other protected lands should be considered off-limits and not included within the geographical boundaries of National Corridors. Thank you. [Applause].

Jody Erikson: After Kurt [inaudible].

Kurt Reymers: Hello, I'm Kurt Reymers and I'm a member of the Stop NYRI Incorporated group. Also, a doctor of philosophy at the State University of New York. And I just wanted to read to you and the public here today, a letter that Sherwood Boehlert, Congressman—former Congressman in the upstate New York District, where the NYRI line and NAICC's would affect, wrote to Secretary Bodman in March of 2006.

He writes, "Secretary Bodman, I need your attention on a New York specific issue and will welcome your input. I am writing you today regarding the request by New York Regional Interconnect to be considered for the status of National Interest Electric Transmission Corridor, under Section 1221 of the Energy Policy Act of 2005.

There are two enormous problems inherent to their request, one of them a matter of public interest and the other is a bizarre story of incompetence. By proposing to both contract and operate 200 miles of high voltage power lines, NYRI has sacrificed the objectivity required to make energy decisions on behalf of the public interest. As you no doubt, agree, Mr. Secretary, we are living in an era when sound energy decisions require objectivity and transparency.

NYRI is a private company and one that has proven its incompetence by beginning their proposed public works projects by infuriating the public. At each subsequent exchange with the public, NYRI has been glib and condescending to property owners and local officials. They have withheld information and sought to usher in their agenda on rhetoric and scare tactics by relying on yet, unwritten rules in the Energy Policy Act of 2005.

I have 30-seconds so I'll skip to the end. I would be hard-pressed to entrust a matter of tremendous public importance to a group who has exhibited at every phase, the utmost contempt for public and transparent dialogue. I don't mean to get preachy, but as I see it, the government is *of* the People and *not*, as NYRI's insulting action would lead one to believe, an institution with a means and will to skirt the very people from whom, we derive power." Thank you. [Applause].

Jody Erikson: Terri and--?

Terri Seuss: Good afternoon, my name's Terri Seuss from Newark, New Jersey. This article appeared in our paper this morning, too bad we didn't have a little more notice. It's a power play—and it describes this hearing. So I rescheduled my entire day to be able to come over here and address this group briefly. [Applause].

I also am a freelance writer; I've written about micro power and distributed energy in the year 2000 and 2001. That's five years ago. A lot of work is being done along those lines and when I read this, I was shocked. I was so disappointed I made time to come over here, because to me this is, as some gentleman said, this is old thinking. These are dinosaurs, but they are special interest dinosaurs. When I read this I thought immediately [applause] of the secret energy policy that we have been saddled with. And this makes perfect sense, of course, if we're going to have 1,800 new

power plants, new coal-fired power plants, under Dick Cheney's plan, meeting in back rooms with energy executives, of course we need power lines to get the energy to New York City and other places from these dirty, filthy plants.

I'm shocked that this process is even going on. Aren't people reading about what global warming is doing? We're in a crisis mode, money that's being spent on this needs to be spent immediately on dealing with renewable energy and energy efficiency [applause]. And not, on—the contempt that we're seeing across this Administration for things like this, as well as the war in Iraq. This is not going to go away, I know this. Because of the contempt level and of the vested interests that are behind this.

But the people don't want any part of this. We want to see innovation and new things happening with energy, and that needs to happen immediately. Thank you. [Applause].

Jürgen Wekerle: Good afternoon, my name's Jürgen Wekerle, I'm an Orange County resident and I'm representing the Atlantic Chapter of the Sierra Club, that's New York State Chapter. Let me just go directly to some observations. The Energy Act has subverted traditional federalism and has turned the valid regulatory functions of State government on its head. The Act provides for federal preemption of State permitting authority, should the state not favorably respond to a private developer's application within a one-year timeframe. The Act also extends the power of eminent domain to the private developer, to implement the transmission proposal. Those two features presume bad faith by the State and are absolutely beyond comprehension. The word grotesque was used earlier this morning.

No major projects subject to the National Environmental Policy Act or New York SEQRA, State Environmental Quality Review Act, or even a good private business plan, can be conducted within a one-year timeframe. A five-year timeframe is considered early, even without any engineering problems or public policy obstacles. It seems that, the one-year window was legislated for intentional failure on the part of the State Regulators, even under the best of circumstances.

The NYRI project and projects like the Corridors nationwide cannot be evaluated independent of the actual projects that are proposed. Those projects have been given birth by this Act and are the preachers of this Act and the Act should not make believe they don't exist and that, they won't have direct impact that has not been considered.

The NYRI project in New York is not a solution to a downstate energy need. It is a business plan in search of a market at public expense. NYRI is neither a generator nor a retailer of electricity. Because of that, they claim that they are exempt from evaluating any energy alternatives, any alternate routes or any retail consumption or efficiency measures. They proclaim that their north/south Corridor is necessary because you, the Department of Energy *says so*. And that, they can build wherever they damn well want because you and FERC say they may.

NYRI will destroy living communities with no gain and no public policy benefit. The arrogance is exceeded only by the absurdity of the route. We have two Corridors already, the one, the [inaudible] South, the most obvious one, the same starting point in Utica and the same end point in Rock Cavern. And yet, we're going to have another parallel one, we have one—we have two east of the Hudson. And this is a third. Thank you. [Applause].

Jody Erikson: [Inaudible].

Eve Ann Schwartz: Thank you, again, I'm speaking on behalf of Stop NYRI, Inc. and the Communities Against Regional Interconnect. I'm going to just briefly try to summarize where—complete this speech that I have written.

As many speakers have said today, I believe that Section 216 of the Federal Power Act is a grave mistake of public policy. The problem of where and how New York State should meet its growing need for affordable and renewable energy, is one which should be answered by the state and local leaders who are elected to represent us. In recent weeks, both Governor Spitzer and Mayor Bloomberg have presented proposals to resolve these issues.

So-called green trends that call for conservation, demand-side management, investment in modernization of existing grid, increased generation capacity at the site of the need, and the location of transmission lines underground, along existing possible rights-of-way.

This very important public dialogue that has just begun on these issues will be cut short by the DOE's imposition of a proposed Corridor, which on its face exceeds the law that authorized its creation. Very specifically, this excessive authorization. Under Section 216 of the Federal Power Act, the DOE's authority to designate a Corridor is strictly limited to those areas where consumers are currently experiencing the adverse effects of actual electrical transmission congestion [inaudible]. I can personally tell you that I am not experiencing those adverse effects, yet my property would be come part of a proposed Corridor, along with thousands of other owners of private property within the Corridor designation.

The DOE has erroneously and arbitrarily defined the boundaries of its draft Corridor, based on potential solutions to, rather than the problem of, congestion. Instead of confining the boundaries to areas that studies have indicated are really, experiencing the effects of congestion, that is metropolitan New York, the DOE has drawn the Corridor to include much of upstate New York, on the theory that there may be the potential for electrical generation and supply from that region.

This is not what Section 216 of the Federal Power Act authorized DOE to do. DOE is clearly, acting outside its authority and the impact of DOE's unlawful and arbitrary actions will soon be very real to me and thousands of others. I call upon you to rescind this designation, strictly limit the expansion of eminent domain [inaudible] and leave the resolution of these critical issues to the citizens. Thank you very much. [Applause].

Cindy Carter: I'm Cindy Carter. I have lots of notes that I've scribbled, but I'll leave those to my written—to support what everyone else has said and just to say that I, myself, traveled five hours from Sherbourne New York to come to this hearing. And fortunately, I'm on vacation this week so I can do it, but I feel that, it's really difficult for people to have public input with so few hearings. And I went to your website and I found that there were problems just, even making it user friendly for the average citizen to submit comments, by requiring that CD's accompany written statements. And I think you might want to re-think that, because I think you should be open to public input. And I worry -- I mean I worry that, whatever we say today, is not really going to be taken into account, even though overwhelmingly there's a lot of opposition to this on many counts.

I feel that this -- the designation does not promote this new era as was cited recently. That we should be thinking about global warming and we should be thinking about a sane energy policy that, promotes conservation and investment in energy-efficient technologies. And I'm not convinced that this line is needed at all. But furthermore, if it is needed, why put it aboveground, plowing through people's property, and communities, and destroying/degrading the environment and the pristine role environment of upstate New York. It's not about 'not in my back yard'; it's about not in *anybody's* back yard. People should not be treated with such disrespect. [Applause].

We are the stewards of our land, we have some gorgeous, beautiful upstate New York regions that are worthy of preservation. We are not a certified National Park where I am, but we have beautiful rivers and they should be preserved. They're part of the Chesapeake Bay Water Shed and we should protect that [inaudible]. [Applause].

Jody Erikson: Any folks that, just came in that had pre-registered—I'm going to thank you all for being good and sticking to your two minutes and letting—David, I think what we're going to do is probably close this if you guys want to take off. But I'm going to let David Meyer--

David Meyer: Well, we will keep the registration open for anyone who wishes to speak until 3:00 as we announced in our announcement for the public meeting. But otherwise, as Jody says, we are going to bring this part of this meeting to a close and we thank you for your comments. We will take them into account, along with all of the other comments that we have received and others that -- sir? Yes. It's being recorded here. The transcript will be posted. Yes.

Unidentified: [inaudible - microphone inaccessible]

David Meyer: Well we have scheduled meetings, additional meetings, one for Rochester, one for Pittsburgh. [Inaudible].

Jody Erikson: So folks, so he's just answering the question, those are the meetings that they have added. And what you're telling DOE -- I think they're hearing that you would prefer to have other meetings, additional meetings, in places that are closer. So I think they heard that feedback. So there's -- you know it's not about Q & A at this point and I think that feedback they just heard loud and clear because all of you mumbled so I'm assuming you were all sort of, getting behind him saying that should be there.

So I'm going to thank you all very much for coming. DOE's going to stay here so that, if there are additional two-minute folks, new folks that sign up that, they can come and sign up. Thank you all. Do you want to come give comment, go ahead and walk on up and give comment. You don't have to pre-register, just make sure you give me your name.

Speaker: I had already spoken. If -- one thing I could just ask you in regards to additional meetings, not only to have them started between -- you know Orange County, all the way up towards Morrissey, where the Corridor ends, in that line. But if you could also arrange to have them on a Saturday or in the evening.

A lot of people cannot take off from work. They can't do it, we don't have that luxury. I did today, I took a vacation day. But be fair to the people who will be affected by this eminent domain. I think that's something that you can do. Thank you.

David Meyer: The additional meetings that we have scheduled will be held from 1 or 12 to 7, so there will be opportunities for people to come after work.

Unidentified: [inaudible question - microphone inaccessible]

Jürgen Wekerle: Hi, good afternoon. I'm Jürgen Wekerle and I'm with the Atlantic Chapter of the [inaudible] Sierra Club. And I've listened to all the comments. In this few minutes I would like to dispel some of the loose speak, doublespeak and myths associated with the expansion of transmission in East Pine.

The expansion of transmission is being sold as a technique to reduce the energy costs and to increase our access to energy. These are two myths. These are false statements.

As a matter of fact, bringing in fuel supply and/or energy via transmission and/or pipelines from long distance is not a secure energy policy. And given that this Administration is touting 'security this and security that' and this and that, everywhere all the time, this decision is in opposition to that goal.

Secondly, means of the subsidies that will be associated with this transmission line do not benefit the public need. The public needs decentralized forms of clean, renewable energy, on site. As many persons have stated earlier, there's many technologies being developed. And currently, given the potential for conservation and efficiency, this transmission Corridor, is public money that is being mis-spent. Thank you very much for allowing me this moment. Bye-bye. [Applause].

Debra Miles: My name is Debra Miles; I'm a resident of Rock Cavern, New York. When I heard about this proposal, it sickened me. I thought about the environment that would be destroyed, the people's lands would be plowed through, people who would be raped of their property—but that's not the only problem here.

This, as we all know, is not about alternative forms of energy; this is about *money*, plain and simple. We all know it so we might as well just uncover it. First of all, I think that this entire proposal is absolutely preposterous because it flies in the face of all of the tenets upon which our country was built. These are taking away, not only our individual rights, but our state's rights.

I believe that the country was built on the tenet of for the people, by the people, of the people. Who knew that in 2007, it would become a country by the corporations, for profit and to the highest bidder? Federal government, if you allow this to go through, shame on you. [Applause].

Pam Morgan: My name is Pam Morgan. I'm a campground owner on the West Virginia/Pennsylvania border. Allegheny Energy stole my property. Robert Arthur Heffner [ph], he's one of the head of the energy departments, claimed that my piece of property was supposed to be prosperous piece of property [inaudible] bitiminius coal, the thickness of it.

These guys—and I'm going to tell you now, there's a lot of truths that need to be answered now. And I know it's the power lines and everything like that, that you think is so important right now—it's more than that. And you better open your eyes and you've really got to look [inaudible] its LNG pipelines that they're running from the [inaudible] and the Chestnut Ridge formation and its coming right down through-- I see it. If you open your eyes, you're going to be able to see it.

You look at this and you can see—not only the natural gas, I mean that's the energy source that they're using right now. But the cell towers. And what the cell towers do is they monitor the flow of the methane that's coming through because they can't have people out there monitoring the flow of the methane.

And the methane gas is coming from West Virginia, Ohio, Pennsylvania. It's coming through methane [hydrants] so they take limestone and they pressurize this—it's really involved to get into. But this is what's destroying your atmosphere; it's because it's how they vent this methane. And like I said, I'm from West Virginia. I kind of know what's going on about the coal mines, so you really need to open your eyes, because it's more than just the power plant that you've got to be worried about. It's this liquid natural gas that they're running—into the gas stations as I speak right now.

And that's the truth. I mean you can see where they're running it through—the Rails for Trails, the National Parks, everywhere that they don't want anybody to dig. It's the liquid natural gas, it's the propane gas, it's the liquid propane gas. And everybody's saying the wind tunnels and everything. And if you see what's going on with the LNG, it's really involved. I tried to get representation, I can't get representation. I don't know why—but Allegheny Energy did steal our property. [Applause].

David Meyer: And the registration for this meeting closed. And for the people on the webcast in the webcast audience, there are no additional speakers who have come forward and so—the meeting is ended.

She has—sorry, one person yet who wants to speak.

Jack Marchand: Hello? Yeah, I just [inaudible] webpage, which is— <http://trillions.topcities.com>. And if you go down to the lower part, you'll see a global energy system, it's a global solar energy system where all the deserts on the planet are interconnected so that, the sun shines always on half the planet, it keeps on transmitting energy to all the—the desert, progressively.

And then—it's a question of getting all the countries to participate, to have shares proportional to their consumption. In other words, if the United States owns 10%, it uses 10% of the world energy, then they own 10% of the company. If France uses only 2%, they own 2% of the company. That means using superconductor cables to connect all these deserts together, that means there's energy for free and forever. The installation was the only cost. It's a totally inert system where there's no moving parts. And then eventually, all the countries would be able to have their own distribution where they'll charge people proportional to the demand. And it would be a way of providing energy for everybody.

I also in that system, incorporate what they call a dual mode [maglev]] I initiated this way back in 1960s. Where the electric cars could be entering this high-speed system, that would be in page 3, Index 3 and Index 4. My time is up I believe right? So I must leave. But if you check with that webpage, you'll see its all in there. Okay. Thank you very much. My name is Jack Marchand.

They're trying to take my concepts and use them, MIT, Washington State University they're all trying to claim--.

Jody Erikson: Thanks that's it.