



## **Committee Does Markup of Transmission Legislation**

The Senate Energy and Natural Resources Committee this week delved into the markup process on legislation establishing a policy for high-priority transmission projects to, among other things, access renewable resources.

Under the bill's latest amended iteration, states would have one year to delineate paths for high-priority national transmission projects. If states do not decide on a location for a proposed transmission line or reject the development, the Federal Energy Regulatory Commission (FERC) would serve as the backstop authority.

Under the legislation, which was originally proposed by Committee Chairman Jeff Bingaman (D-N.M.), FERC would have the right of eminent domain to grant a certificate if it finds that the project is required by the present or future public convenience and necessity. However, if states reject or fail to act on a high-priority national transmission project, FERC would have to give due weight to the environmental record and results of the state's siting process.

"It is gratifying to see the progress on this issue, which has moved at such a glacial pace in the past," said AWEA Vice President of Public Policy Rob Gramlich.

The bill would require the Secretary of Energy to conduct nationwide assessments to identify areas with a significant potential for the development of "location-constrained" resources (i.e., resources such as wind that may be available in remote areas lacking transmission).

Transmission planning principles, to be established by FERC, would need to address how utilities would fully incorporate the need for high-priority national transmission projects into their planning efforts. Principles also would need to address how utilities would coordinate with one another and other stakeholders to effectively develop interconnection-wide (national scale) analyses.

One concern to the wind industry is a measure offered by Senator Bob Corker (R-Tenn.) that the committee adopted, which would keep FERC from distributing transmission project costs that are not "reasonably proportionate to measurable economic and reliability benefits." Cost allocation is an important issue for the wind industry, which believes that transmission needs to be paid for by all those who benefit, and not just by project owners that initially interconnect with such transmission. Bingaman opposed the measure, saying many benefits from new power lines, such as increased reliability, are not easily measured.

The transmission title markup was just one step in the process; the entire bill next goes to the Senate floor and could be rolled into broader energy legislation.

*Source: Wind Energy Weekly, 15 May 2009*