

**PENNSYLVANIA PUBLIC UTILITY COMMISSION**  
**Harrisburg, Pennsylvania 17105-3265**

**Re: Petition of PPL Electric  
Utilities Corporation Re: Proposed  
Susquehanna-Roseland 500 kV  
Transmission Line**

**Public Meeting – January 14, 2010  
2082652-OSA  
Docket No. A-2009-2082652, et al.**

**DISSENTING STATEMENT OF VICE CHAIRMAN TYRONE J. CHRISTY**

On January 6, 2009, PPL Electric Utilities Corporation (PPL Electric or Company) filed an application for authorization to construct a new 500 kV transmission line approximately 101 miles in length through portions of Lackawanna, Luzerne, Monroe, Pike and Wayne Counties. In conjunction with this application, PPL requested authorization to construct a new substation on Blakely Borough, Lackawanna County. In its action today, the majority is approving PPL's application with some modifications. Because the existing record is not sufficiently developed to evaluate whether or not the proposed transmission line is needed, I disagree with the majority's decision, and believe that this application should have been denied without prejudice.

First, the effect of Act 129's mandated reductions in demand was not taken into consideration when PPL evaluated the need for this line. Under Act 129, PPL and the other major EDCs in Pennsylvania are required to meet a 4.5% demand reduction by the spring of 2013. This is not a speculative requirement; Act 129 includes substantial penalties if the EDCs fail to achieve the mandated reduction. The load reductions mandated by Act 129 should be included in an analysis of the need and timing of any planned transmission lines and upgrades in Pennsylvania.

Second, load forecasts have changed since the need for this line was evaluated. The baseline analysis used a 2008 peak load forecast that was conducted prior to the current economic downturn. The March 2009 retool of the 2008 RTEP reflects lower PJM zonal peak demands, and current load forecasts likely would be significantly lower. Given Act 129 and the economic downturn, use of current load forecasts could have a significant impact on an analysis of the need for any new transmission lines.

Third, I disagree with the ALJ's conclusion that PPL was not required to consider all alternatives to the proposed transmission line. In my opinion, consideration of all alternatives is an essential element of the needs test. Here, the OCA, OTS and ECC raised serious concerns regarding the lack of consideration of alternatives, particularly non-transmission related alternatives such as new generation and demand side resources. I agree with the OCA's arguments on this point.

Because the existing record is, in my view, insufficient to support a sound decision on the merits of this application, this proceeding ideally should have been remanded to the Office of Administrative Law Judge for the additional development of the record. However, state

regulatory authorities such as this Commission are no longer able to conduct and evaluate transmission line application proceedings in accordance with our best regulatory judgment. We now are subject to federal time constraints and the threat of losing jurisdiction to the Federal Energy Regulatory Commission in Washington. Under Section 1221 of the federal Energy Policy Act of 2005, nearly all of Pennsylvania has been designated as a National Interest Electric Transmission Corridor (NIETC). Accordingly, the Commission is required to act on this application within one year of its filing, or face the loss of jurisdiction to FERC.

Because the record in this proceeding is out-of-date, I am unable to reach a conclusion regarding the disposition of this application. I remain fully committed to supporting new transmission lines and upgrades that are needed based upon a full and complete record that incorporates current information on load forecasts including appropriate recognition of Demand Side Management resources. Rather than approve this application in the absence of a complete record, perhaps the Commission could have denied the application *without prejudice*, while encouraging PPL to reevaluate the need for the line using updated load forecasts incorporating Act 129 and the economic recession. However, as it is the existing record has not been sufficiently developed, and I am constrained to err on the side of caution and respectfully dissent from the majority's decision to approve the application.

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**DATE**

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**TYRONE J. CHRISTY, VICE CHAIRMAN**