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APPLICATION OF

APPALACHIAN POWER COMPANY **CASE NO. PUE970766**

For certificates of public convenience and necessity authorizing transmission lines in the Counties of Bland, Botetourt, Craig, Giles, Montgomery, Roanoke and Tazewell: Wyoming-Cloverdale 765 kV Transmission Line and Cloverdale 500 kV Bus Extension

HEARING EXAMINER'S RULING

September 22, 1998

On June 5, 1998, the Commission Staff filed a Motion for Extension of Procedural Schedule requesting a ninety (90) day extension of the procedural schedule to allow time for additional studies to be conducted by Appalachian Power Company ("Appalachian" or "Company"). Staff and its consultants have requested Appalachian to conduct additional studies to further evaluate the technical sufficiency, cost and environmental impact of a phased approach to reinforcement of the transmission facilities in the Company's southern transmission region. By Hearing Examiner's Ruling of June 9, 1998, the procedural schedule in this proceeding was suspended for a period of ninety days.

On September 15, 1998, Staff filed a Motion for Ruling Directing Study of Alternative Project ("Motion") requesting that the Company be directed to study an alternative 765 kV transmission line from the Wyoming Station, in West Virginia, to the Jackson's Ferry Station, in Wythe County, Virginia or to a point on the Company's Jackson's Ferry – Cloverdale 765 kV line. In its Motion, Staff advises that the Company does not oppose study of this new alternative. Staff further advises that the study could be filed on or before June 1, 1999. (Motion at 3).[1]

Attached to Staff's Motion are affidavits and letters in support of further study. Staff's consultants affirm that, based on preliminary studies, the Wyoming – Jackson's Ferry alternative "presents a substantial opportunity for the Company to address its need for additional import capability into its southwest Virginia service territory for the next several years, with fewer adverse environmental effects." (Affidavit of Richard A.

[1] Staff points out that, for ease of reference, the project will simply be identified as "Wyoming-Jackson's Ferry," but the Company should be directed to study possible interconnections of the proposed alternative with points on its Jackson's Ferry-Cloverdale line.

Wakefield, Ph.D., president, CSA Energy Consultants, Inc.). Correspondence from the U.S. Forest Service, U.S. Park Service, and Appalachian Trail Conference, convey support for detailed study of a Wyoming – Jackson's Ferry alternative.

On September 18, 1998, responses in support of Staff's Motion were filed by Protestants Deborah Dull; the Board of Supervisors of Giles County, Virginia; Citizens Organized for the Preservation of Craig County; the Roanoke County Preservation League; and the Greater Newport Rural Historic District Committee. The Bland County Board of Supervisors, Tazewell County Board of Supervisors, Alliance for the Preservation and Protection of Appalachian Land, Inc. and Citizens United to Protect Tazewell County, Inc. ("Bland County, et al.") also filed a motion in support of the proposed study, but with two modifications. First, Bland County, et al. request that an additional route consisting of existing proposed and alternative corridors also be considered. Second, Bland County, et al. propose a period of six to eight weeks for the parties to respond subsequent to the filing of the Company's report.

I find that Staff's Motion should be granted. The Company has indicated to Staff that a report of the study of the Wyoming – Jackson's Ferry alternative could be filed on or before June 1, 1999. The study must conform to the Guidelines of Minimum Requirements for Transmission Line Applications filed under Virginia Code Section 56-46.1 and the Utility Facilities Act issued by the Commission's Division of Energy Regulation on May 10, 1991. In addition to the study of the Wyoming – Jackson's Ferry alternative, I direct Staff and the Company to develop detailed information pertaining to generation alternatives, specifically gas-fired generation, to the Company's proposed transmission line project. The information on generation alternatives should be prefiled and presented at the evidentiary hearing on this matter. The procedural schedule and evidentiary hearing date will be determined by future Ruling.

I further find that the modifications proposed by Bland County, et al. are unnecessary. First, the corridor proposed for consideration consists of previously studied segments, therefore no additional study is necessary. This route can be considered in combination with other proposed and alternative corridors. Second, the response time will be for initial, preliminary responses. It is premature at this time to determine if a longer response time to the Company's report will be necessary. Therefore, for the present, a twenty-one (21) day response period will be directed. Accordingly, **IT IS DIRECTED** that:

1) This proceeding is continued generally pending further Ruling;

2) The Company shall conduct a detailed study of a Wyoming to Jackson's Ferry transmission alternative. This study is not to be limited to a terminus at the Jackson's Ferry Substation, but may include a terminus at any point on the Jackson's Ferry – Cloverdale transmission line;

3) The study shall be filed on or before June 1, 1999, unless otherwise directed; and

4) Upon receipt of the study by the Clerk of the Commission, Staff and Protestants may file within 21 days comments and appropriate motions pertaining to the study.

5) Staff and the Company shall provide at the evidentiary hearing, detailed information on generation alternatives, specifically gas generation, to the Company's proposed transmission line;

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Howard P. Anderson, Jr.
Hearing Examiner