

2009 National Electric Congestion Transmission Study

*Comments Submitted by Mr. S. David Freeman
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Our comments will focus on Chapter 3 of the Study and Section 6.3, which is labeled “Achieving Adequate Transmission Capacity.”

The Congress in the Recovery Act of 2009 directed the Department of Energy to include in this year’s transmission study the four items set forth at the beginning of Chapter 3. We shall comment on each of these items in the order stated.

- (1) *“An analysis of the significant potential resources of renewable energy that are constrained ... by a lack of adequate transmission capacity.”*

The report does an excellent job of documenting the vast size of the potential for wind and solar energy. It also states clearly the widespread obstacles to such development, and concludes that, *“It will be necessary to address these challenges on an urgent basis to help facilitate the integration of greater renewable resources into the electricity supply.”* pg. 14.

The study then correctly finds on page 15 a vast area that includes almost all of the Western U.S. where renewable energy of hundreds of gigawatts are being constrained from development by lack of transmission. This finding underscores the need for urgent actions stated above.

In one important detail, Figure 3-10 is incorrect in that it fails to include the Owens Valley, several hundred miles north of Los Angeles, owned by the City of Los Angeles, which is hundreds of square miles in size and suitable for up to five gigawatts of solar power.

- (2) *“An analysis of the reasons for failure to develop an adequate transmission capacity.”*

In this section on page 25, the report accurately concludes *“the transmission lines...may cross multiple states and federal lands, requiring lengthy, costly, and potentially contentious and litigious environmental and regulatory permitting processes.”*

This section appears to contradict the above-quoted finding. On page 26, it makes just the opposite conclusion, *“that is has NOT found examples where legal challenges at the state and federal level are clearly delaying construction of transmission needed to access renewable energy.”*

The report on pages 26 and 27 refers to projects delayed for “other reasons” such as opposition to the renewable energy resources, and non-renewable sources, as a reason for delay. To be sure, all major transmission suffers inordinate delays at the state and federal level today. That’s the problem.

The report in effect says that the problem is much broader than transmission for renewable. Yet indeed it is. That is not an excuse for inaction. It is all the more reason the report should state a clarion call for a speedy process now.

That brings us to the principal failure of the report – the complete absence of a response to Congress on:

(3) *“Recommendations for achieving adequate transmission capacity.”*

The only response to this Congressional directive is found in 6.3 of the report, which states, *“This study, however, is not the most appropriate vehicle for presenting the Administration’s views on these topics.”*

We respectfully suggest that after a year’s delay, the study tells us what we already know – there is a huge problem in building transmission for solar and wind projects – but fails completely to respond to the purpose of the congressionally directed study to propose remedies.

We strongly urge that the study be revised to be responsive to the public interest in action to hasten the transition to renewables as President Obama stated was urgent in his Oval Office address to the nation on June 15, 2010.

Our suggestion is that:

1. The siting process be consolidated at the federal level to pre-empt all state and local permitting;
2. Assure that environmental protection be consolidated at the federal level to pre-empt all state and local permitting;
3. To assure environmental protection, the authority should be placed in the EPA, with advice from all relevant interests;
4. And that a time limit of one year be enacted so that any project will be automatically approved if no decision is made in one year.

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The Renewable Energy Accountability Project is a leading national grass-roots environmental organization committed to achieving clean energy independence.

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