

**UNITED STATES OF AMERICA
BEFORE THE
FEDERAL ENERGY REGULATORY COMMISSION**

PJM Interconnection, L.L.C,)	
Revisions to Incorporate Cost Responsibility)	Docket No. ER24-843-000
Assignments for Regional Transmission)	
Expansion Plan Baseline Upgrades)	

COMMENTS OF KERYN NEWMAN

On January 10, 2024, PJM Interconnection, L.L.C. (PJM) submitted Revisions to Incorporate Cost Responsibility Assignments for Regional Transmission Expansion Plan Baseline Upgrades to incorporate cost responsibility assignments for 215 baseline upgrades in the recent update to the Regional Transmission Expansion Plan approved by the PJM Board of Managers on December 11, 2023, and to initiate a 30-day comment period.

While PJM’s cost assignments may comport with its filed Tariff, and the Tariff itself is outside the scope of this proceeding, it must be recognized that the cost assignments are not just and reasonable for the reasons set forth below. While any person may file a complaint regarding the justness and reasonableness of PJM’s Tariff under Section 206 of the Federal Power Act, the burden of doing so may be outside the reach of the consumers who are obligated to pay for the subject transmission upgrades. However, Section 206 also provides that the Commission itself may initiate a Section 206 proceeding to determine the justness and reasonableness of the Tariff on its own motion. I believe it is time for the Commission to consider doing so because of the unique causes for these transmission upgrades.

I. NEW PJM TRANSMISSION PROJECTS ARE CAUSED BY THE ENERGY POLICIES OF VIRGINIA AND MARYLAND

I am an electric consumer residing in Jefferson County, West Virginia, who is responsible for paying some portion of the costs of the recently approved upgrades. I also reside in a community that will be impacted by the construction of one of the upgrades, the new 500 kV transmission line stretching from the 502 Junction Substation in southwestern Pennsylvania to the new Aspen Substation located in Northern Virginia’s “Data Center Alley.” I also reside in a state that will mine more coal, burn more coal to create electricity, and ship that electricity via new high-voltage transmission lines on new rights-of-way to power new data centers constructed in a concentrated geographic area of Northern Virginia.

While PJM’s Tariff was designed to apportion cost for reliability upgrades across the region, this particular set of projects isn’t due to a region-wide increase in demand causing incremental reliability issues. PJM’s reasons for these projects are the loss of 11,000 MW of baseload fossil fuel generation, combined with 7,500 MW of new demand from data centers in Virginia’s “data center alley.”¹

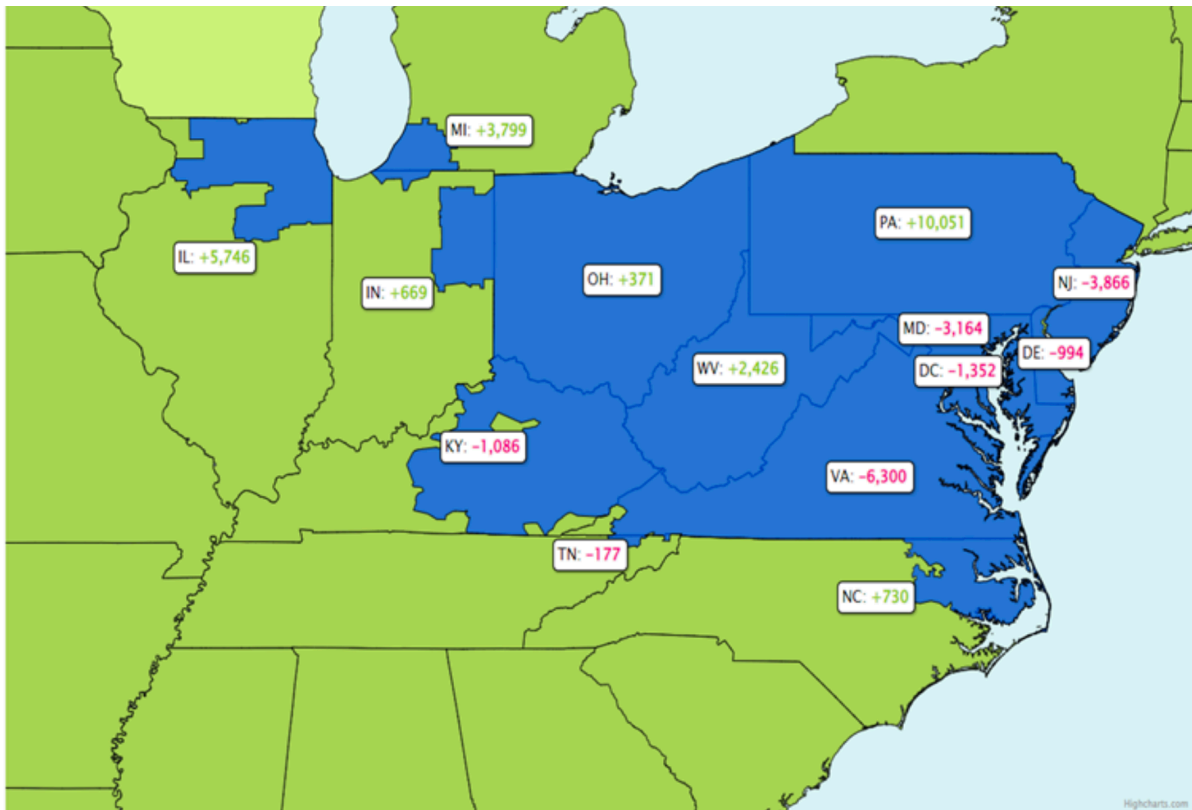
PJM is replacing closing fossil fuel generators in its eastern region with operating fossil fuel generators in its western region using new transmission to import coal-by-wire to serve eastern load. PJM has approved expensive new transmission to old coal-fired generation stations in West Virginia, Pennsylvania, and Ohio whose days are numbered. The transmission line is going to outlive the generation sources by decades.

¹ *PJM Reliability Analysis Update*, December 5, 2023 at Page 2. Available at: <https://www.pjm.com/-/media/committees-groups/committees/teac/2023/20231205/20231205-item-15---reliability-analysis-update-2022-window-3.ashx>

The energy policies of certain PJM states actively encourage the import of electricity created from fossil fuels in other PJM states. Virginia makes its intentions clear in its Energy Plan.

“With the mandates in VCEA to reduce current baseload production in Virginia, the Commonwealth will have to rely on electricity imports from other PJM states, which are predominantly generated by coal, gas, and nuclear sources as shown in Figure 13. Currently, renewable energy represents a much larger percentage of Virginia’s installed capacity in comparison with other PJM states. In 2020, intermittent solar generation represented 4.4% of installed capacity, but only 1.3% of electricity generation, highlighting the distinction between capacity and generation. If Virginia increases its reliance on intermittent generation, the level of electricity imports from other states will increase and expose Virginia to future changes that may occur in net exporting states, such as Illinois, Ohio, Michigan, Pennsylvania and West Virginia.”²

Figure 14. Sample PJM State Import/Export Map (Hourly)³²



² Commonwealth of Virginia 2022 Energy Plan, Virginia Department of Energy, October 2022, Page 14. Available at https://energy.virginia.gov/energy-efficiency/documents/2022_Virginia_Energy_Plan.pdf

While specific state energy policy is contributing to the closure of existing fossil fuel generators, it is also not allowing in-state replacement with similar sources.³ Dominion’s Virginia Integrated Resource Plan calls for increasing generation imports from other states in the region to more than 10,000 MW.⁴

In Maryland, the state’s Climate Pathway calls for increased imports from surrounding states to make up for anticipated generation shortfalls.

“Imported electricity from surrounding PJM states makes up over half of the electricity demand in Maryland in 2031 and contributes to over 95% of the remaining emissions in the power sector. In this pathway, although Maryland achieves its renewable and clean energy targets for in-state generation, the rapid expansion of solar and wind from current levels in this scenario is not sufficient to meet the growth in electricity demand from end-use sectors and to make up for reductions in natural gas generation. This means that Maryland must also increase imports from other states.”⁵

Both Virginia and Maryland are meeting their state’s clean energy plans by closing existing in-state generation and increasing generation imports from neighboring states. Without imports, these states would not have enough electricity to meet their load. West Virginia and Pennsylvania are the only two states in the region that export a significant amount of the electricity they produce. If West Virginia and Pennsylvania passed new laws to restrict the generation of energy using fossil fuels in their own states, there wouldn’t be enough electricity available to keep the lights on in PJM. This is a serious issue that the Commission has yet to plan for or solve. Where is the generation to support increased electrification and skyrocketing data center demand going to come from? How do coal-by-wire imports comport with federal energy policy?

³ Charlie Paullin, *Dominion regulator recommends rejection of utility’s long-term plan*, Virginia Mercury, December 12, 2023. Available at <https://www.virginiamercury.com/2023/12/12/dominion-regulator-recommends-rejection-of-utility-long-term-plan/>

⁴ *Virginia Electric and Power Company - 2023 Integrated Resource Plan*, Virginia State Corporation Commission Case No. PUR-2023-00066, 2023.

⁵ *Maryland’s Climate Pathway*, Maryland Department of the Environment. Available at: <https://www.marylandsclimatepathway.com/>

PJM’s new transmission projects are inarguably for the purpose of importing electricity from West Virginia and Pennsylvania to Virginia and Maryland. Residents of West Virginia and Pennsylvania (and other states in PJM) had no part in creating the clean energy laws in Virginia and Maryland that are necessitating the imports. However, residents of West Virginia and Pennsylvania are being allocated significant portions of cost for PJM’s new transmission projects to import electricity to serve load in Virginia and Maryland. This is not just and reasonable. Without the clean energy laws of Maryland, Virginia, and other PJM states, new transmission to replace their closing generation may not be necessary.

The Commission should consider the words of Commissioner Christie in his Concurrence to the Commission’s approval of a recent PJM transmission cost allocation to solve the closing of Brandon Shores:

“Let me emphasize that the State of Maryland, within its sovereign police powers, clearly has the authority to mandate any particular mix of generating resources it prefers. Maryland’s new climate law is well within its inherent authority to enact. Such policies are for Marylanders to choose, not RTOs or FERC. But if the resulting transmission projects under protest in this RTEP filing are caused more by Maryland’s policy choices than by organic load growth and economic resource retirements, then a salient question that may be asked is whether these transmission projects are more accurately categorized as *public policy* projects, essentially the same as the transmission upgrades caused by New Jersey’s offshore wind projects?

And if they are more accurately categorized as public policy projects, should such projects be regionally cost-allocated, potentially to consumers in Pennsylvania, West Virginia, Ohio, *et al.*?”⁶

This newest cost allocation for \$6B worth of new transmission projects that were caused solely by the policy choices of Maryland and Virginia should therefore be allocated to only those states as public policy projects.

⁶ *PJM Interconnection, L.L.C.*, 185 FERC ¶ 61,107, 2023.

In addition, and perhaps even more pointedly, these transmission projects are for the purpose of supplying electricity to 7,500 MW of increased load caused by the building of new data centers in Loudoun County, Virginia. It must be acknowledged that the load increase served by this package of transmission projects is only the tip of the iceberg. More data centers have recently been approved in Prince William County, Virginia, and others are in the planning stages throughout Virginia and Maryland.

Virginia's choice to approve new data centers, even though they have no idea where the electricity to power them is coming from, is also outside the control of consumers in surrounding states. Under PJM's current tariff, consumers in other states would pay for the new transmission to support the planning decisions of just one or two counties in Virginia. While the data centers would benefit their home counties with increased tax revenue, economic development, and jobs, they will not provide the same benefits to the millions of struggling consumers in the rest of the PJM Region who would subsidize their electric service with new transmission lines. New data center load is just as much a policy choice made by local/state governments as clean energy policy and should also be allocated to the states responsible the same as public policy projects.

II. PJM'S PLAN IS UNDULY COSTLY AND RISKY FOR RATEPAYERS

PJM selected some of the most risky and expensive transmission projects to solve its 2022 Window 3, including several greenfield transmission projects assigned to out-of-state, non-incumbent developers. PJM claims that many of its new projects are "brownfield" rebuilds of existing transmission lines even though many of these projects will require expansion of existing easements that would destroy surrounding communities and inspire delaying community opposition.

Poorly planned transmission projects that are significantly delayed, or even abandoned, increase transmission costs for ratepayers without being used and useful or providing any benefit whatsoever. The Commission has already awarded the CWIP and abandonment incentives to one of PJM's new projects, NextEra's MidAtlantic Resiliency Link.⁷ These incentives may make the utility ambivalent towards ever getting the project completed, because it makes money even on a failed project.

Section 219 of the Federal Power Act requires the Commission to establish incentive-based rate treatments for the purpose of "...benefitting consumers by ensuring reliability **and** reducing the cost of delivered power by reducing transmission congestion."⁸ (emphasis added.) While PJM claims its projects will ensure reliability in the face of skyrocketing data center load in Northern Virginia, they will not reduce the cost of delivered power for ratepayers in West Virginia, who have not caused the need for new transmission. But yet the Commission continues to thoughtlessly hand out financial incentives like Halloween candy.

PJM's stakeholder process is unfriendly to consumers and it has been made quite apparent that PJM does not listen to or consider any comments made during its stakeholder process. It's all about getting through the meetings while shutting out all independent thought or suggestion. My dissatisfaction with PJM's process to approve the new projects is detailed in the attached November 2023 letter to the PJM Board of Managers. Not only did PJM never reply to any of my concerns, it bundled up all the letters it received and sent them to its Board of Managers in huge, unwieldy chunks so they were unlikely to be read or seriously considered. PJM's Transmission Expansion Advisory Committee is a frustrating parody of public participation that begs for Commission reform.

⁷ NextEra Energy Transmission MidAtlantic Indiana, Inc., 186 FERC ¶ 61,052, January 19, 2024.

⁸ 16 U.S.C. 824s (a)

III. CONCLUSION

PJM's biggest transmission building endeavor ever results from the energy policy and economic choices of governments in only a very small portion of PJM. The costs of their choices should not be visited on everyone else in the region so that these states/localities can continue to escape the consequences of their irresponsible energy choices. The time for the Commission to step in to protect consumers is now, before the next set of data center transmission lines is planned and approved.

Northern Virginia's status as the data center capital of the world⁹ demands a different, just and reasonable, cost allocation method be developed. For the Commission to rely on historic cost allocation policies while ignoring new realities forces struggling electric consumers to subsidize the electric service to data centers owned by some of the richest corporations in the world, such as Amazon, Google, and Facebook. It is time for the Commission to investigate whether PJM's historic transmission cost allocations are just and reasonable.

Respectfully submitted February 9, 2024,

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⁹ David Kidd, *The Data Center Capital of the World Is in Virginia*, Governing, July 27, 2023.
Available at: <https://www.governing.com/infrastructure/the-data-center-capital-of-the-world-is-in-virginia>

Attachment

Letter to PJM Board of Managers

November 17, 2023

November 17, 2023

VIA ELECTRONIC MAIL

The PJM Board of Managers
Mark Takahashi, Chairman and
Manu Asthana, PJM President and CEO
PJM Interconnection L.L.C.
2750 Monroe Boulevard
Audubon, Pennsylvania 19408

RE: PJM 2022 Window 3 Project Approval

Dear Board Members,

The PJM TEAC's project recommendation to solve 2022 Window 3 issues does a disservice to all of PJM's 65 million ratepayers and you should not approve it.

PJM's plan is unlikely to be completed and will result in higher electric rates

PJM does not have a backup plan for the possibility that one or more segments of its plan cannot be built. Upon questioning, PJM staff said it would leave that problem on the doorstep of the designated entities. When certain segments are not approved, it makes other segments unnecessary. PJM staff is behaving like a Pollyanna, refusing to acknowledge the certainty that its plan cannot be fully constructed as proposed. This could lead to abandoned projects and increased rates for consumers, who will be forced to pay for project segments that never connect and are never built.

PJM staff has not shared any backup plan to maintain reliability and/or serve new load in the event that the recommended projects are not built by the targeted in-service dates. As more baseload generation retires prematurely but is not replaced with equivalent new generation, PJM is pushed closer and closer to grid failure. PJM would not be realistic, or even erring on the side of caution, to ensure continued reliability by relying solely on a massive new transmission build out that has an unlikely chance of success.

In addition, PJM staff's assignment of hard to site greenfield projects to non-incumbents will only delay and complicate approvals. It is likely these projects cannot be built at all, and certainly not by entities unfamiliar with the impacted communities and state regulators involved. Like any transmission project on new easements, greenfield projects have a very low chance of approval and an almost certain chance of creating entrenched community and political opposition that leads to delay and abandonment.

The recommended plan is indisputably PJM's biggest transmission endeavor to date. PJM's recent track record of getting big projects approved and built is shockingly poor. Beginning with the PATH and MAPP project cancellations in 2012, several other large PJM projects have since been rejected and abandoned. There was the Monmouth County Reliability Project, rejected by

the NJ BPU in 2018. There was the Transource Independence Energy Connection, rejected by the PA PUC in 2021. Community and political opposition drove all of these cancellations.

The shedding of over 11,000 MW of baseload generation combined with more than 7,500 MW of new data center load is a serious threat to not only the reliability of the grid, but to the pocketbooks of the 65 million consumers who depend on it. It's the biggest threat PJM has ever faced. Such an enormous problem deserves a new approach. The new data centers in Northern Virginia provide benefit to some of the richest companies in the world, such as Amazon, Google and Facebook. The closing of baseload generators stems from the energy policies of certain states. But yet the entire region is being asked to fund a solution to this grid emergency created by the powerful few. It is unjust and unreasonable to place the costs and the impacts on portions of the region that will not benefit. If current planning and cost allocation rules require this travesty, then it's time to change them because they have become unjust and unreasonable.

The Law of the Instrument is a cognitive bias that is often expressed with the phrase, "If the only tool you have is a hammer, every problem looks like a nail." PJM's transmission planning epitomizes the Law of the Instrument because it prioritizes transmission as the only possible solution. The PJM Market Monitor has been recommending for the past 10 years that PJM create "...a mechanism to permit a direct comparison, or competition, between transmission and generation alternatives, including which alternative is less costly and who bears the risks associated with each alternative." (2023 Quarterly State of the Market Report for PJM: January through September, Pg. 719). PJM does not allow the market to work to drive the building of new generation in areas experiencing increased load or generation retirements. If PJM had adopted the Market Monitor's recommendation in 2013, PJM wouldn't be planning more than \$5B worth of transmission as the only solution to solve generation retirements and data center load. PJM must now develop the recommended mechanism in order to allow for beneficial competition between transmission and generation to solve 2022 Window 3. The Board of Managers should reject the TEAC recommendation and order a new evaluation that compares new generation near load with new transmission to other states in the region in order to find the least cost, least impactful, solution for PJM's ratepayers.

PJM's Plan is Destructive to Clean Energy and Environmental Justice Progress

While governments and consumers are asking for cleaner power generation, PJM's plan doubles down on fossil fuels by importing excess electricity from West Virginia and Pennsylvania. West Virginia and Pennsylvania still produce the majority of their electricity from coal and natural gas. Instead of cleaning up the environment in PJM states, increased dependence on fossil fuels actually increases pollution and regional haze. It makes no sense to close coal-fired plants in Maryland like Brandon Shores and Wagner, only to replace their supply with electricity from coal-fired plants in West Virginia. It's just as dirty, except it's in someone else's back yard and requires \$5B of new transmission that consumers will have to pay for.

By building new transmission to old coal plants, PJM ignores the questionable longevity of these existing generators under the EPA's Clean Power Plan, or other state or federal clean energy legislation. The generators may retire before the new transmission line to the west is completed; creating a stranded asset that is not useful to the ratepayers who continue to pay for it. Certainly

the expected life of the coal-fired generators is much shorter than the 40-year life of new transmission. New transmission to old power stations on the verge of retirement makes no sense.

PJM's plan takes a huge step backwards for environmental justice and equity. While wealthy counties in the Washington, D.C. suburbs would increase their economic development, jobs and prosperity with new energy hog data centers, struggling communities in West Virginia face increased pollution from mining and burning coal to produce additional electricity to serve those data centers. West Virginians would also sacrifice their homes and working land to make way for new transmission lines to serve the data centers. As the final insult, West Virginia's consumers would have to pay for PJM's new transmission plan that hurts their own communities while benefitting politically connected communities elsewhere.

There has to be a better solution. This plan should be sent back to the TEAC with recommendations to develop a different plan that relies on new generation sources closer to load and produces less burden on communities that will not benefit, and therefore stands a much better chance of being approved and built in time to maintain reliability and serve new customers.

Any new transmission that cannot be constructed fully in existing rights-of-way must be buried within existing road, rail or other public rights-of-way. PJM must consider the use of buried HVDC along existing transportation corridors to transmit electricity from substations in the west, such as 502 Junction, to new substations in Loudoun County's Data Center Alley. HVDC transmits more power with less line loss in situations where electricity is transmitted long distances without serving load along the way. Buried HVDC on existing rights-of-way reduces project risk from community opposition, delay, or cancellation. While buried HVDC may be more expensive up front, it produces considerable savings. Buried HVDC on existing easements does not require new land acquisition. It avoids public relations and state regulatory battles fueled by community opposition. Time is money and a project that can be built on time and on budget because there is no opposition creates an enormous savings. After buried HVDC is constructed on existing road and rail easements, it does not require perpetual vegetation management, and it is not subject to weather-related damage or sabotage. Outages are less frequent than with overhead transmission and the cost of just one outage caused by overhead line vulnerabilities can easily exceed the increased costs of constructing buried HVDC. Many transmission developers have found that the savings produced by buried HVDC obviates its higher up front cost.

PJM's TEAC Process

PJM's Transmission Expansion Advisory Committee has engaged in what I believe to be a deliberate campaign to misrepresent new transmission routes, while simultaneously attempting to thwart participation by non-member stakeholders. PJM's maps of proposed projects continually misrepresented new greenfield transmission line proposals as brownfield. Maps were also inaccurate and did not match the written route narratives submitted by the proposing entities. PJM went through so many revisions to its maps that I have lost count. Is PJM's mapping staff really that incompetent, or was the map debacle just a ruse to draw attention to the maps, instead of substantive comment?

I tried to discuss the issue of new easements adjacent to existing transmission lines at length with PJM staff because they insisted these new developments are “brownfield” developments. Brownfield developments are those that are entirely contained on existing easements. Anything that requires new easements, in whole or in part, is greenfield development. Adding additional transmission to existing corridors can actually be more destructive than greenfield routes in areas without existing transmission. The reason for this is that new communities have been built up along the edges of transmission easements that have existed for a number of years, even decades. The existing easements are hemmed in on both sides by new homes, schools, fire stations, churches, businesses, parks, and other developments. Creating a new transmission corridor on a new easement directly adjacent to the existing corridor will require the destruction of the existing community. This is not brownfield development. In contrast, a new line on a greenfield easement can be carefully sited to avoid homes, schools, fire stations, churches, parks and businesses. Brownfield can be, and often is, more destructive to host communities than greenfield.

After my provision of a written example of destructive brownfield siting (along with aerial photo), PJM staff said that they would be creating a new category for the maps to differentiate greenfield next to existing lines from brownfield. This appeared in one set of maps, but has since been eliminated, with PJM reverting back to painting all its new corridors as “brownfield or next to existing ROW.” Who is PJM trying to fool with this misrepresentation? Is it the communities who will host new lines? Or is it the Board of Managers, who may approve new transmission projects without full knowledge of the destruction they may cause to impacted communities because they have been incorrectly informed that the majority of the projects are brownfield? PJM staff is making an incorrect presumption that expanding existing corridors with new easements is preferable to greenfield lines, a view that is not shared by host communities. Since all opposition stems from community impact, PJM’s incorrect presumption does not serve to lessen opposition. It only serves to misinform the Board of Managers.

At the August TEAC meeting, I asked how impacted communities could share vital information about new or expanded easements that could be incorporated into the constructability reports to inform determination of risk. I was told that the public could comment verbally during PJM’s monthly TEAC meetings, a process that is not user friendly. Many people had difficulty signing up for TEAC meetings, and even when they managed to crack that nut, they were faced with sitting through many hours of the meeting waiting for an opportunity to comment, as the discussion of these new projects was always the last item on the agenda. I asked that PJM accept written comment from the public instead. PJM staff either did not answer my emails, or took weeks to do so. By the time PJM staff finally agreed to accept written comments, they told me we needed to hurry up and submit comments because the contractor was finalizing its constructability report. PJM staff managed to delay long enough to prevent all but the most determined commenters from weighing in. This is not an open and inclusive stakeholder process. In fact, it thwarts stakeholder participation.

Once the constructability studies were completed, PJM staff refused to share them, preferring to share only a table with risk determinations, and not the considerations that went into them. It appears that even that table has been manipulated to change the results presented from meeting

to meeting, with risk determinations changing without notice or explanation. I believe that the constructability studies are just as manipulated as the rest of PJM's process and urge the Board of Managers to review them carefully. PJM has recommended some of the riskiest projects for the Board's approval. Someone needs to ask them why.

Local impacts

The West project in Jefferson County, WV was presented as a preferred solution submitted by NextEra Energy Transmission to wreck and rebuild an existing 138kV line underneath a new 500kV transmission project. As proposed, this project would expand the existing easement and construct new, larger lattice towers. It was stated that this project would deviate from the existing 138kV easement in certain areas and create a completely new easement for the new 500kV line. This proposal was never accurately represented on PJM's maps, which characterized the entire project in Jefferson County as brownfield. At the Oct. 31 TEAC, PJM staff reassigned the project to FirstEnergy, without explanation. We in Jefferson County cannot determine how FirstEnergy will approach it, how much existing easements must be expanded, or where new easements are expected to go. FirstEnergy has been awarded a project it can create in the future to suit its needs, not one that has been properly evaluated and shared with the public.

The existing FirstEnergy 138kV transmission line running across Jefferson County from west to east has been in place for decades. In some areas, it parallels an existing 500kV line owned by Dominion that was rebuilt, completely within the existing easement, around 2012. Since the original construction of the lines on this combined right-of-way decades ago, new development has been built bordering it, limiting the ability to expand without causing considerable destruction of the built community. The landowners along the easement don't consider this easement expansion and addition of larger structures to be brownfield development.

FirstEnergy's Transmission Rights-of-Way Restrictions

(<https://www.firstenergycorp.com/help/safety/real-estate-power-lines/transmission-right-of-way.html>) prohibit the following items in its easements: buildings, lighting fixtures, signs, billboards, swimming pools, decks, flag posts, sheds, barns, garages, playgrounds, fences or other structures. As well, septic systems, leach beds, and/ or wells are not permitted within a FirstEnergy transmission right-of-way. Expanded easements will undoubtedly run into these structures on adjoining property, requiring their removal. Depending on the size of the lot, it may not be possible to move or reconstruct them on the remainder. Expanding the existing easement will cause considerable damage to host properties.

Several new utility-scale solar generation facilities have been approved adjacent to the existing easement, along with an interconnection to the 138kV line. Some of these facilities are currently being developed, with panels constructed directly adjacent to the existing easement. Depending on the expansion of the easement, many brand new panels may have to be removed. In addition, the existing 138kV line will have to be taken out of service for extended periods of time to allow for the demolition and rebuild. When asked how these generators would be able to transmit the energy they produce while the transmission project is offline, PJM staff did not have an answer.

During its Oct. 3 TEAC, PJM staff indicated that they had failed to recommend certain proposed projects due to historic opposition to a previous transmission project in the same area (TrAILCo). However, PJM's consideration of historic opposition was not applied equally to other areas that have successfully opposed new transmission in the past. Jefferson County formed vehement and entrenched opposition to the PATH project between 2008-2012. That opposition was a factor in the PATH's project's ultimate cancellation by PJM. The proposed PATH project used the exact same route through Jefferson County that is now being recommended for PJM's new 500-kV project. A dozen years is not long enough for impacted communities to forget what happened last time. The only difference between the TrAILCo opposition in Virginia in 2007 and the PATH opposition in West Virginia in 2010 is the deep pockets and political connections of the opposing community. Is PJM afraid of engaging important, well-funded opposition in one state, and instead preferring to engage less politically connected and funded opposition in another? This is the epitome of environmental injustice, where disadvantaged communities are expected to accept damaging new infrastructure over and over again.

The proposed 500-kV project in Jefferson County is not on a direct route to the data centers in Northern Virginia that need a new power supply. Instead it is an unnecessary and destructive diversion that seems to capitalize on an existing transmission line crossing of the Appalachian Trail near the Virginia border. If not for that existing crossing, a more direct route for this project could be utilized. Jefferson County is being sacrificed to prevent a new crossing over the Trail even being proposed. Perhaps PJM believes that it will attract less opposition by destroying Jefferson County than it would for designated entities to ask the National Park Service to permit a less costly and less invasive new crossing further south. We in Jefferson County object to having this project cross our county at all.

Conclusion

I ask that PJM's Board of Managers short-circuit PJM staff's double-time march toward approval of these new projects on December 11 and allow additional time for meaningful public consultation and comment carried out through a user-friendly process. In addition, I ask that PJM present true and correct information about these projects, and their intended routes and risks, to both the public and the Board of Managers before approval. Please do not approve the recommended 2022 Window 3 projects on December 11.

Sincerely,

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