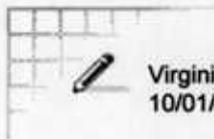


6-09



Virginia Stephens
10/01/2001 10:21:52 AM

Record Type: Record

To: Andrea Sarzynski/WHO/EOP@EOP
cc:
Subject: Comments on CEQ energy task force

----- Forwarded by Virginia Stephens/CEQ/EOP on 10/01/2001 10:24 AM -----



"Hayen, Rita" <rhayen@atcllc.com>
09/27/2001 03:35:10 PM

Record Type: Record

To: Edward A. Boling Energy Task Force/CEQ/EOP@EOP
cc:
Subject: Comments on CEQ energy task force

Dear Mr. Connaughton:

Attached is a word document that contains comments submitted by the American Transmission Company. We appreciate the opportunity to submit comments on the CEQ energy task force and offer to work with the task force in order to streamline federal permitting for transmission facility construction.

Sincerely,

Rita L Hayen
Environmental Projects Manager
American Transmission Company
262-506-6848
262-506-6804 (fax)

<<CEQ energy tf.doc>>



- CEQ energy tf.doc



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September 27, 2001

Mr. James L. Connaughton
Chairman, Council on Environmental Quality
Via e-mail to: energytaskforce@ceq.eop.gov

RE: Energy Task Force, CEQ notice and request for comments
FR Doc. 01-20914

Dear Mr. Connaughton:

American Transmission Company (ATC) is pleased to provide comments to the Council on Environmental Quality (CEQ) Energy Task Force. ATC is a for-profit transmission-only company, which owns and operates the high voltage transmission system in contiguous portions of Wisconsin, Michigan's Upper Peninsula and Illinois. ATC began operation on January 1, 2001. Its system consists of transmission assets contributed by investor-owned utilities, electric cooperatives and municipal electric suppliers amounting to 8638 miles of transmission lines and 98 substations. In addition, ATC utilizes 358 jointly-owned substations. ATC's environmental commitment statement is also attached to this e-mail as a means of framing the approach we are using on environmental issues.

ATC's business mission is to provide access for our customers to the competitive wholesale energy market regionally and to locally transport energy from generation to load. Successfully fulfilling this mission over time is driven by ATC's ability to construct, operate and maintain electric transmission lines. Therefore, the activities of the Energy Task Force are of great interest. Even though ATC is not currently involved in federal permitting for transmission facilities, it anticipates federal permitting may be necessary for future projects. Since ATC was formed by electric utilities that have experience with federal agency permitting on both the generation and transmission sides of the business, ATC is providing comments of a general nature based on these experiences.

The following four comments are intended to frame a process that ATC believes could help expedite the approval and installation of transmission facilities while continuing to protect natural and cultural resources.

- Federal agency input can be most useful if coordinated and consistent. Even though federal agencies have different, sometimes conflicting missions, it is helpful to a permit applicant for these agencies to coordinate the permitting needs and requirements. Coordination will help an applicant clearly understand filing expectations, ensure all appropriate agencies participate at the beginning of a project, and avoid late intervention by an agency. ATC's view is that the early and frequent participation of both state and federal agencies will ensure a successful project. In Wisconsin, the Department of Natural Resources helps coordinate applications to the Corps of Engineers. This one-stop permit application process helps ensure that appropriate federal and state agencies participate through permit issuance.
- Assist with Native American coordination. ATC, like other utility companies, does not have the advantage of government-to-government communication links with the Native American Tribal Councils. The Department of Interior could provide such a link to assist companies such as ours develop a relationship with the tribal councils and with their natural resource coordinators. Participation of Native American tribes is an important and often overlooked piece of the permitting process.
- Coordinate federal NEPA requirements and state environmental review requirements. In Wisconsin, the Public Service Commission of Wisconsin (PSCW) and Wisconsin Department of Natural Resources (WDNR) jointly prepare environmental review documents to meet requirements of the Wisconsin Environmental Protection Act (WEPA). If federal agencies are involved, these agencies prepare NEPA documents following order issuance by the PSCW. The PSCW licensing process is one that invites public participation and comment. ATC's philosophy embraces a public involvement process. Adding yet another public process is unnecessary, duplicative and burdensome to the company. A better approach would be to coordinate the WEPA and NEPA processes so that these are completed cooperatively among state and federal agencies and in parallel rather than in series. This alone could shorten by several years the licensing process for transmission facilities with federal agency involvement.
- Allow for third party funding of or applicant preparation of environmental assessments in parallel with application preparation. Another approach to WEPA/NEPA document preparation involves a process employed by the Federal Energy Regulatory Commission (FERC) on hydroelectric licensing – the use of third party funding of (at the direction of the team) or applicant prepared NEPA documents. In either case, preparation of the WEPA/NEPA document in parallel with application development may provide a more comprehensive approach to the environmental analysis of alternatives. Public participation opportunities would begin with the preparation of the scoping document and occur at intervals throughout the process. Agency cooperation in the analysis would help ensure involvement in the selection of alternatives. Finally, preparing the WEPA/NEPA document at the beginning and filing it along with a state license application would help reduce the overall project approval time. As applicants, we would be trading front-end costs and a

longer application preparation period for the ability to construct a project on a timelier basis. In addition, we would anticipate federal permit issuance should follow a state order with little delay, because the agencies were involved in initial aspects of the project selection and environmental analysis.

Transmission facility siting and construction in Wisconsin is regulated by the PSCW, which has a WEPA requirement. In Wisconsin, the WEPA document is produced jointly by the PSCW and WDNR. Involving federal agencies in one environmental assessment document would improve the efficiency of the process and encourage public comment and participation up front – where we want it. This approach is more efficient than the process used now – one where the federal agencies perform NEPA after the PSCW issues its orders.

ATC is willing to work with this task force to help develop a process that can be used to ensure cooperation toward a common goal – installing needed transmission facilities that are ecologically sensitive and take public concerns into consideration. Thank you for the opportunity to provide comments. Should you have any questions, please feel free to contact me at 262-506-6848 or at rhayen@atcllc.com.

Sincerely,

Rita L. Hayen
Environmental Projects Manager
American Transmission Company

Attachment – ATC Environmental Commitment Statement



American Transmission Company Statement of Environmental Commitment

American Transmission Company's environmental commitment is built upon its core values – service to our customers, honesty, social responsibility, stakeholder inclusion, financial and environmental sustainability, and respect for its employees and customers.

ATC is committed to environmental leadership in all aspects of our business. We seek to demonstrate this commitment through the following six actions:

- Comply with all applicable laws, regulations and orders.
- Reduce environmental impacts of construction, operation and maintenance through the use of innovative practices, cost-effective technologies, and, where appropriate, environmental mitigation and enhancement.
- Involve employees in environmental stewardship through job responsibilities and encouraging volunteerism.
- Provide employees the tools to participate in environmental stewardship through education and training.
- Address transmission-related environmental issues proactively with regulators and other stakeholders through partnerships and collaborative working relationships.
- Develop and implement an environmental appraisal process to ensure ATC continues to meet its environmental goals.

ATC supports sustainable environmental policies and actions through balancing environmental stewardship with financial, engineering and maintenance requirements, and societal impacts. Pairing our environmental commitment with partnerships among regulators, stakeholders and employees provides a powerful venue for creative, innovative and entrepreneurial resolution of issues. Environmental stewardship translates into good business with the implementation of these philosophies.