

Public Service Commission  
Of West Virginia

201 Brooks Street, P. O. Box 812  
Charleston, West Virginia 25323



Phone: (304) 340-0300  
FAX: (304) 340-0325

December 10, 2010

Sandra Squire, Executive Secretary  
Public Service Commission  
Post Office Box 812  
Charleston, West Virginia 25323

11:24 AM DEC 10 2010 PSC EXEC SEC DIV

**Re: CASE NO. 09-0770-E-CN  
PATH WEST VIRGINIA TRANSMISSION COMPANY, LLC,  
PATH ALLEGHENY TRANSMISSION COMPANY, LLC,  
PATH-WV LAND ACQUISITION COMPANY and  
PATH-ALLEGHENY LAND ACQUISITION COMPANY**

Dear Ms. Squire:

Enclosed for filing is an original and twelve copies of the *Staff's Motion to Dismiss the Filing as Insufficient or in the Alternative, Require Path to Request a Tolling and Implement Further Case Processing Procedures* in the above-referenced proceedings.

A copy has been served upon all parties of record.

Sincerely,

A handwritten signature in cursive script that reads "John Auville".

JOHN R. AUVILLE, Staff Attorney  
West Virginia State Bar I.D. No. 8057

Wendy Braswell, Staff Attorney  
WV State Bar I.D. No. 9406

Christopher L. Howard, Staff Attorney  
WV State Bar I.D. No. 8688

JRA/s  
Enclosures

**PUBLIC SERVICE COMMISSION  
OF WEST VIRGINIA  
CHARLESTON**

**CASE NO. 09-0770-E-CN**

**PATH WEST VIRGINIA TRANSMISSION COMPANY, LLC  
PATH ALLEGHENY TRANSMISSION COMPANY, LLC  
PATH-WV LAND ACQUISITION COMPANY and  
PATH-ALLEGHENY LAND ACQUISITION COMPANY**

**STAFF'S MOTION TO DISMISS THE FILING AS INSUFFICIENT  
OR IN THE ALTERNATIVE, REQUIRE PATH TO REQUEST A TOLLING  
AND IMPLEMENT FURTHER CASE PROCESSING PROCEDURES**

Comes now the Staff of the West Virginia Public Service Commission Staff (Staff) by John R. Auville, Wendy Braswell and Christopher L. Howard, Counsel, and respectfully submits Staff's Motion, requesting that the Commission dismiss this certificate application as insufficient, or in the alternative, require the Applicants to request a tolling and implement further case processing procedures. Staff asserts certain developments pertaining to the status of the Mt. Storm-Doubs 500kV line, as well as other developments, make the current application incomplete. As a result, the Commission does not have all the information it needs to properly evaluate this project and reasonable alternatives. Therefore the Staff moves the Commission to either dismiss this case or require PATH to request a tolling sufficient to allow the Commission to implement further case processing procedures to assure a complete review of the application by the parties and the Commission.

***Introduction***

On May 15, 2009, PATH West Virginia Transmission Company, LLC, PATH Allegheny Transmission Company, LLC, PATH-WV Land Acquisition Company and

PATH-Allegheny Land Acquisition Company (PATH or Applicants) filed an application before the Commission, seeking a certificate of convenience and necessity, pursuant to *West Virginia Code* §24-2-11a, for the construction and operation of the West Virginia segments of a 765kV electric transmission line, towers, conductors, terminal equipment, and related facilities. The certificate application (Application) proposes the PATH transmission line will begin at the John Amos substation in Putnam County, exit West Virginia in Hampshire County, cross into Frederick County, Virginia, re-enter West Virginia in Jefferson County, and then exit West Virginia a second time into Loudon County, Virginia. The ultimate intended terminus for the PATH transmission line is a substation at Kemptown, Maryland. As proposed in the Application, West Virginia will bear the burden of approximately of 224 miles, the longest of any State affected by PATH.

On October 28, 2009, Staff made a filing similar to the current filing, asking the Commission to either dismiss this proceeding, or require the Applicants to request a tolling. The Staff motion was predicated on the fact the proceeding in Maryland had been dismissed and that the economic and load forecast information was outdated. On November 4, 2009, the Applicants filed a response to the Staff motion, objecting to the dismissal, but agreeing to a tolling. On November 24, 2009, the Commission entered an Order denying the motion to dismiss, but granting the requested tolling. That Order also instituted a new procedural schedule.

On May 3, 2010, the Applicants made a second proposal to toll the statutory due date

in this proceeding proposing to move the statutory due date from February 24, 2011 until May 16, 2011. The Applicants argued the tolling was necessary to give the parties more time to review the filing and to allow the proceeding in West Virginia to more closely align with the proceedings in Virginia and Maryland. The Commission granted the Applicants' request by Order dated June 3, 2010. The Order established a new procedural schedule requiring the Applicants to file testimony on July 8, 2010, Staff and Intervenors to file testimony by November 18, 2010 and the Commission to enter an order by May 16, 2011.

On July 8, 2010, the Applicants filed the direct testimony of several witnesses related to the updated information regarding the need for this project. Included in that testimony was a discussion of several alternatives that have been proposed to this project.

On August 10, 2010, the Applicants filed a third proposal to toll the statutory deadline in this proceeding. The Applicants stated there was an error in the base case analysis used in the development of the 2010 Regional Transmission Expansion Plan (RTEP) and they needed to further update their filing. On September 10, 2010, the Commission granted the motion to toll and adopted a new procedural schedule requiring the Applicants to file further testimony by September 14, 2010, Staff and Intervenors to file their testimony by January 25, 2011, the evidentiary hearing to begin on March 21, 2011 and the Commission to make its decision by July 28, 2011. On September 14, 2010, the Applicants filed that further updated testimony.

On October 12, 2010, Virginia Electric and Power Company, dba Dominion

Power(VEPCO) filed a petition for a ruling that the rebuild of the Mt. Storm-Doubs 500kV transmission line is exempt from the certificate requirements either under *West Virginia Code* §24-2-11a(f) or because it is in the ordinary course of business under *West Virginia Code* § 24-2-11a(a)<sup>1</sup>. VEPCO stated the rebuild of that line needs to be completed due to the age and deterioration of the line. The plan is to complete the rebuild by June 1, 2015. The result of the rebuild will be a more stable line with 65% increased capacity.

On November 5, 2010, VEPCO filed a letter updating the progress of their filing. VEPCO indicated at the October 28, 2010 meeting of the PJM Transmission Expansion Advisory Committee (TEAC), a decision was made to present the rebuild of this line to the PJM Board for approval. On December 1, 2010, PJM issued a press release stating the PJM Board voted to approve the Mt. Storm-Doubs rebuild. The press release continued the Board voted to proceed with the PATH project as “... the most robust solution to the reliability needs we identified.”

Staff moves to dismiss this Application, as follows:

***1. Recent major developments in regards to transmission planning in the region have made the Application lacking in critical information.***

***a. Mt. Storm-Doubs rebuild***

As the Commission is well aware, the Mt. Storm-Doubs line is one of the critical transmission pathways in the Mid-Atlantic region. The over loading of this line was one of

---

<sup>1</sup> The request has been docketed as Case No. 10-1588-E-P.

the main reasons the TrAIL line needed to be built and it is a large part of the justification for the PATH line. Now, the owner of that line needs to rebuild it because of the advanced age of its infrastructure and the inherent danger of a collapse. While the line is being rebuilt, new conductors, etc. will be placed in service that will increase the transfer thermal capability of this line by 65%. Increasing the transfer capacity of this line by a factor of that magnitude is certainly a major change in the planning horizon, but to what extent is unknown.

In the supplemental testimony filed by the Applicants on both July 8, 2010 and September 14, 2010, the rebuild of this line was discussed as part of several alternatives to the PATH project. Based upon VEPCO's recent filing a rebuild is no longer a possible alternative, but a certainty. Specifically, the PJM Board has voted to approve a larger capacity rebuild project. Staff is aware that PJM has already run this analysis to some degree and informed the Commission of the outcome of that analysis through Paul McGlynn's discussion of alternatives in his testimony. However, the fact this rebuild has been changed from a concept to an almost certainty has to change this analysis. It is quite probable the rebuild of the Mt. Storm-Doubs line, with its associated increase in transfer capacity, will push the need for the PATH line further out on the horizon, especially since most of the early thermal violations occur on the Mt. Storm-Doubs line. Therefore, the information currently before the Commission does not tell the Commission just how urgent the need for this line is. Is it still needed by 2015? Is it 2020? Are there other alternatives that are more viable

given this major change in the RTEP? These are questions PJM and the Applicants must answer.

***b. The MAAP line project***

Another major change in the planning process that is currently not factored into the information before the Commission is the MAAP project, which is a high voltage transmission line project that has been approved by PJM and was recently re-filed with the Maryland Public Service Commission with an in service date of June 2015. As can be seen from the attached document, page 28 of the July 14, 2010 PJM presentation to the TEAC, the MAAP line plus a rebuild of the Mt. Storm-Doubs line<sup>2</sup> leaves no reactive criteria violations through 2019, which further clouds the issue of the timing of the need for PATH.

Staff had concerns when the supplemental testimony was filed on July 8, 2010 and September 14, 2010, and PJM was still in the process of investigating alternatives, but PJM wanted to move forward with the \$2 billion PATH project. At that time, Staff gave PJM and the Applicants the benefit of doubt and allowed the process to move forward. With these major changes, Staff can no longer remain silent. It is ludicrous to continue to move forward with the PATH project while major changes are being contemplated for critical transmission infrastructure that should be factored into assessment of the need for PATH. The current justification for the need for PATH by 2015 is twenty-five (25) thermal violations between

---

<sup>2</sup> It is Staff's understanding this analysis was done when the proposed increase in transfer capacity from the rebuild of the Mt. Storm-Doubs line was significantly less than the 65% that is currently proposed. With an even greater increase in transfer capacity, it is hard to say what further benefits may now be realized.

2015 and 2025, with the earliest of those violations occurring in 2017, and one hundred eighty seven (187) separate voltage violations beginning in 2015 (Page 6, Supplemental Testimony of Paul McGlynn, filed September 14, 2010). As stated above, certain PJM approved upgrades to the transmission system have potentially moved all voltage violations out beyond 2019 and moved back the date of the earliest thermal violations. Yet, the Commission has no idea of whether and how these changes impact the urgency of this project.

The absence of a full range of information concerning the timing of the need for PATH and alternatives to PATH is partially the result of a bias in the current PJM process. That process focuses on only the solutions that resolve all the violations within a fifteen year planning horizon. For instance, PJM has consistently stuck with the PATH project as “the most robust solution” to the identified violations because it resolves all of those violations within that fifteen year horizon. It is now possible that the PATH project might not be needed until 2020 or beyond. Due to the process in place, PJM has failed to consider that possibility and Staff believes that type of information is critical to the Commission’s review of this project.

At some point, the need for a project becomes too distant and uncertain to justify a project of this magnitude, notwithstanding PJM’s desire to find “the most robust solution.” The Commission and the parties cannot afford to engage in exclusive review of “the most robust solution” at the expense of ignoring the information necessary to afford a meaningful

analysis of the current need for this project and the possibility of alternatives becoming more viable. This is especially true because this planning process is so fluid and dynamic. Steven Herling, Vice President of Planning for PJM, discusses in his testimony how the current process produces different violations and areas of concern from one RTEP to the next and how PJM needs to work on further refining this process. It is possible this project might not be needed for ten years or more. It is hard to image what changes in the energy industry, economy, or planning process will have occurred in those ten years. Given this ever changing process, it is not good enough for the Applicants to stand behind PJM and say that PJM wants “the most robust solution” and stop their evaluation there. Given the lack of information concerning a full and meaningful evaluation of these issues, Staff believes this Application as currently filed is incomplete and should be dismissed.

***2. The current Application lacks current information regarding the economic and environmental impact of this project, especially in light of the recent alternatives that have been proposed.***

For a large part of the last year, several entities have proposed alternatives to the PATH project to PJM’s TEAC committee. In the supplemental testimony filed on July 8 and November 14, PJM witnesses Herling and McGlynn discuss these alternatives and why PATH continues to be the proper solution. One such solution proposed by VEPCO, denoted as “Dominion Alternative 1”, involves the rebuild of the Mt. Storm-Doubs line, the installation of 900 MVAR SVC on the 230 kV bus at Loudoun and the T157 tap 500 kV bus,

900 MVAR of static capacitors at other locations, the installation of series compensation on the Meadow Brook-Loudoun 500 kV line, and the rebuild of the Pruntytown-Mt. Storm line. PJM has rejected this alternative, and all other alternatives, as being a “less robust solution” than PATH for all the violations during the 15 year planning horizon. As can be seen from the chart on Page 45 of Paul McGlynn’s testimony filed on November 14, 2010, there are still eight thermal violations if Dominion Alternative 1 is implemented, but only one of them occurs before 2022 and appears to be a relatively minor violation. Staff understands PJM has certain mandates and protocols it must follow in choosing the appropriate transmission solution. However, the Commission also has requirements that must be satisfied to issue a certificate under *West Virginia Code* §24-2-11a. Neither PJM nor the Applicants have done the required analysis of the various alternatives in relation to that statute. This analysis is especially critical for a project such as this that has multiple viable alternatives, some of which have already received partial approval from PJM. Thus, Staff believes this Application is currently lacking critical information that the Commission must have to complete its evaluation.

As discussed above, it has come to Staff’s attention there is a major disconnect between the analysis done by PJM to justify the need for PATH, or other such transmission projects, and the factors to be considered under *West Virginia Code* §24-2-11a in determining whether to grant a certificate for a high voltage transmission line. On page 31 of his November 14, 2010 testimony, Steven Herling admits that unless an alternative to a project

solves all violations within the 15 year planning horizon, the comparative costs of alternatives are not factored into the equation. For instance, PJM has consistently stuck with the PATH project as “the most robust solution” to the identified violations because it resolves all of those violations within the 15 year planning horizon. Dominion Alternative 1 resolves all reactive violations and all of thermal violations but one before the year 2022. The estimated cost for the entirety of Dominion Alternative 1 is \$500-600 million as compared to over \$2 billion for the PATH project. Even more glaring, the “Liberty” project alternative, which is several hundred million dollars cheaper than PATH and resolves all of the thermal and reactive violations through 2025, has been rejected as a replacement for PATH because it does not provide as much of a megawatt margin as the PATH project. Due to PJM’s pursuit of “the most robust solution,” no analysis has been done of the relative benefits of these alternative versus their relative costs.

Under *West Virginia Code* §24-2-11a(d)(1), a proposed transmission line must “...economically, adequately and reliably contribute to meeting the present and anticipated requirements for electric power...” As PJM has not done so, Staff believes the Applicants need to provide an analysis and testimony as to how PATH economically contributes to meeting the requirements for electric power in light of viable alternatives that are significantly cheaper and provide most of the same benefits. Without this testimony, the Application is incomplete and should be dismissed.

Under *West Virginia Code* §24-2-11a(d)(2), a transmission line must “...result in an

acceptable balance between reasonable power needs and reasonable environmental factors.”

Once again, the Application as it is currently filed lacks information as to how the PATH project strikes this balance in light of the alternatives that have been proposed. This omission is especially striking for Dominion Alternative 1. That alternative involves the rebuild of two lines and the addition of voltage compensators, actions which will occur on existing rights-of-way, which will result in the taking of little to no additional public land, and which should have very little environmental impact, especially compared to PATH. Further, the majority of that alternative involves activity in West Virginia, creating a strong interest in information surrounding that alternative. The Pruntytown-Mt. Storm line is entirely in West Virginia, as is a large portion of the Mt. Storm-Doubs line and some of the voltage upgrades are to West Virginia substations. The question that comes to mind given those factors is does PATH represent a reasonable balance between reasonable power needs and reasonable environmental factors when there is an alternative that will have substantially lower environmental impacts that resolves the identified power problems in the near and medium term? Staff believes this Application is further deficient due to the lack of that analysis and should be dismissed.

Any subsequent filing should include testimony discussing the environmental impacts of PATH versus viable alternatives. Obviously, this analysis and the economic analysis should focus on, but not necessarily be limited to, Dominion Alternative 1 as this Commission, the State of West Virginia and its residents all have a large stake in that

alternative and a portion of that alternative has already been approved by PJM. Further, it is reasonable to include in any new testimony a discussion of the need to rebuild the Pruntytown-Mt. Storm line. The rebuild of that line is a major component of Dominion Alternative 1, that line is approximately the same age as the Mt. Storm-Doubs line which needs to be rebuilt due to its age, and is owned by a subsidiary of Allegheny Power, the parent of one of the Applicants in this proceeding.

**THEREFORE**, Staff moves the Commission (1) to dismiss PATH's Application without prejudice; (2) permit for re-filing once a new analysis has been completed that includes all the recent developments; (3) order the Applicants to file updated testimony in regards to the economic and environmental aspects of this project, including a discussion of the need to rebuild the Pruntytown-Mt. Storm line.

Alternatively, Staff does not object to proceeding with PATH's pending Application if PATH submits a written document requesting to toll the statutory time line until such time as these additional filings can be made.

Parties, including Staff and the CAD, will soon expend significant resources on expert fees and filing direct testimony. Accordingly, Staff asks the Commission to rule on this motion **as expeditiously as possible**.

Respectfully submitted this 10<sup>th</sup> day December 2010.

STAFF OF THE PUBLIC SERVICE  
COMMISSION OF WEST VIRGINIA

By Counsel,



---

John R. Auville, Staff Attorney  
WV State Bar I.D. No. 8057

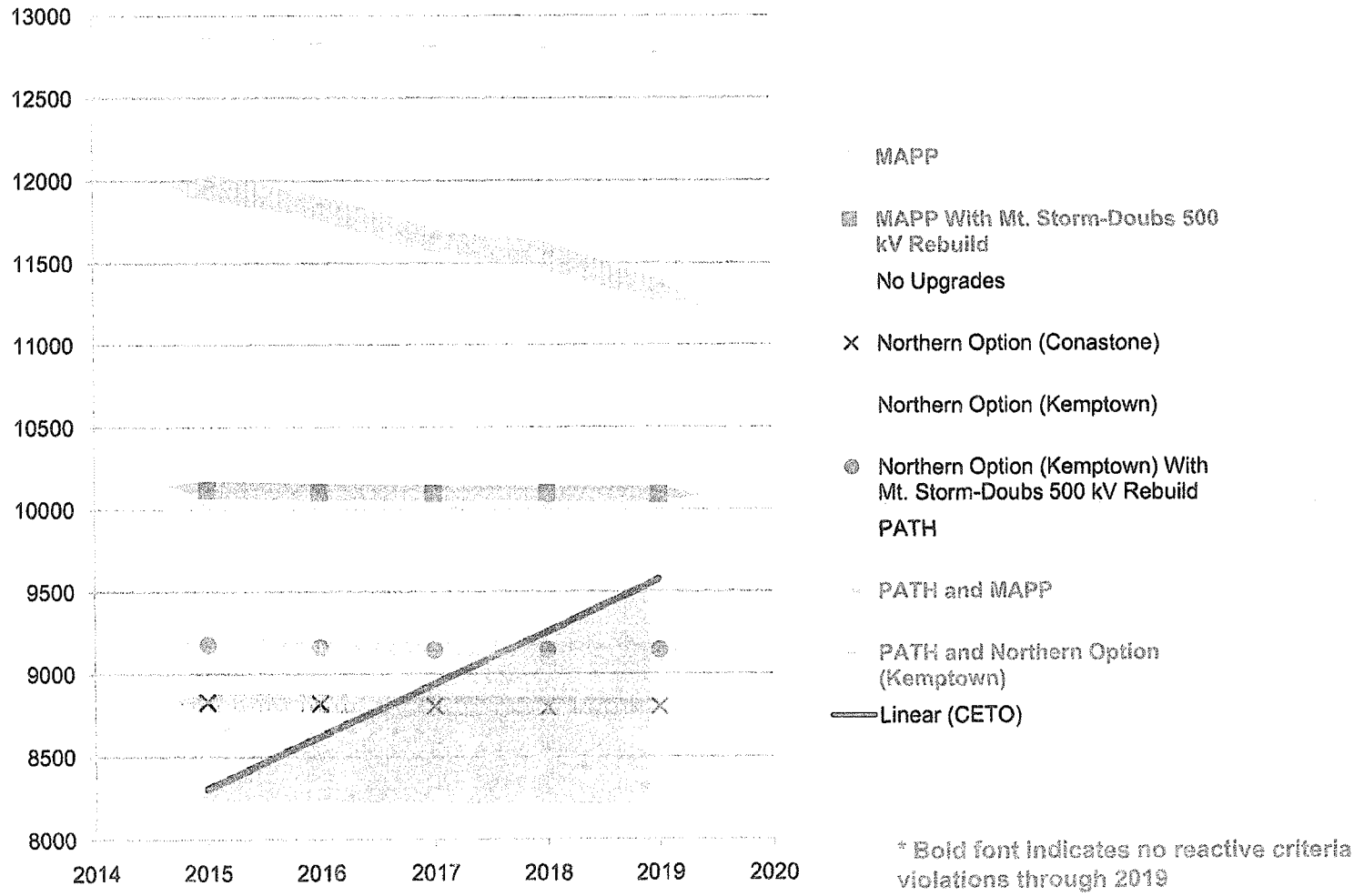
Wendy Braswell, Staff Attorney  
WV State Bar I.D. No. 9406

Christopher L. Howard, Staff Attorney  
WV State Bar I.D. No. 8688

H:\jauville\WPdocs\090770path\motiontodismiss3.wpd



# Compare Reactive Performance of Most Limiting Contingency for All Alternatives



PUBLIC SERVICE COMMISSION  
OF WEST VIRGINIA  
CHARLESTON

CASE NO. 09-0770-E-CN

PATH WEST VIRGINIA TRANSMISSION COMPANY, LLC,  
PATH ALLEGHENY TRANSMISSION COMPANY, LLC,  
PATH-WV LAND ACQUISITION COMPANY and  
PATH-ALLEGHENY LAND ACQUISITION COMPANY

---

CERTIFICATE OF SERVICE

---

I, JOHN R. AUVILLE, Staff Counsel for the Public Service Commission of West Virginia, hereby certify that I have served a copy of the foregoing *Staff's Motion to Dismiss the Filing as Insufficient or in the Alternative, Require Path to Request a Tolling and Implement Further Case Processing Procedures* upon all parties of record this 10<sup>th</sup> day of December 2010. Parties who have not requested electronic service are being served by First Class, United States Mail, postage prepaid. Parties who have requested electronic service are being served in that manner.

John Philip Melick, Esq.  
Counsel, PATH Joint Applicants  
Jackson Kelly PLLC  
PO Box 553  
Charleston, WV 25322

David A. Sade, Esq.  
Consumer Advocate Division  
700 Union Building  
723 Kanawha Boulevard,  
East  
Charleston, WV 25301

Katherine F. Funkhouser,  
CPA  
1504 Earle Road  
Charles Town, WV 25414

Raymond Joseph Funkhouser  
1370 Earle Road  
Charles Town, WV 25414  
Allyson Marley  
PO Box 1072  
Harpers Ferry, WV 25425

Dr. and Mrs. Jon F. Gregoryk  
1158 Old Cave Road  
Charles Town, WV 25414  
David A. Turner  
PO Box 1072  
Harpers Ferry, WV 25425

Sandra L. Henry  
2399 Summit Point Road  
Summit Point, WV 25446

Case No. 09-0770-E-CN

PATH West Virginia Transmission Company

Date: December 10, 2010

Timothy W. and Teresa L.  
Tumblin  
4624 Summit Pt Road  
Charles Town, WV 25414

June Robin Huyett  
Thomas and James A.  
Thomas, Jr.  
165 Sesame Street  
Charles Town, WV 25414

Paul L. Chamblin  
6081 Leetown Road  
Kearneysville, WV 25430

Laura Robertson and  
Peter Vila  
137 Hinton Road  
Kearneysville, WV 25430

Karen Bohrer Evans  
1060 Old Cave Road  
Charles Town, WV 25414

Keryn Newman  
6 Ella Drive  
Shepherdstown, WV  
25443

Gary and Pamela Gearhart  
140 Smokey Bear Trail  
Harpers Ferry, WV 25425

John Auville, Esq.  
Legal Division  
WV Public Service Commission  
PO Box 812  
Charleston, WV 25323

William V. DePaulo, Esq.  
Counsel, Sierra Club and  
WV Highlands Conservancy  
179 Summers Street,  
Suite 232  
Charleston, WV 25301-  
2163

Debbie Royalty  
199 Brannon Ln.  
Charles Town, WV 25414

Virginia Lynch and  
Robert A. Graf  
2054 Kabletown Road  
Charles Town, WV 25414  
Bill Howley  
PO Box 3  
Chloe, WV 25235

Ronzel Haverty Alison Haverty  
HC 75, Box 7  
Chloe, WV 25235  
Pamela C. Dodd, Ph.D.  
Arthur W. Dodds, Jr.  
PO Box 217  
Montrose, WV 26283

James Casimiro, Esq.  
Counsel, County  
Commission of Jefferson  
County  
Jefferson County  
Prosecutor's Office  
PO Box 729  
Charles Town, WV 25414

Howard Straight  
77 Chatham Court  
Charles Town, WV 25414

Timothy S. Thomas and  
Dawn H. Thomas  
264 Sanctuary Lane  
Charles Town, WV 25414

Jay S. Robinson and Mary  
E. Robinson  
292 Fairview Drive  
Charles Town, WV 25414

Susan J. Riggs, Esq.  
Counsel, West Virginia  
Energy Users Group  
Spilman Thomas & Battle  
PO Box 273  
Charleston, WV 25321

Rachelle Channell  
PO Box 908  
Belington, WV 26250

William M. Miller, Counsel  
Tucker County Commission  
215 1st Street, Suite 4  
Parsons, WV 26287

Charles D. Manuel  
496 Chestnut Hill Rd  
Harpers Ferry, WV 25425

John P. Burns, JR. and  
Donna Burns  
1 Burns Farm Road  
Charles Town, WV 25414

Sharon Y. Wilson  
49 Lee Brown Circle  
Charles Town, WV 25414

Case No. 09-0770-E-CN

PATH West Virginia Transmission Company

Date: December 10, 2010

Linda Case  
1735 Lloyd Road  
Charles Town, WV 25414

Shaun Amos and  
Hardwick Johnson  
1301 Spencer Avenue  
East Point, GA 30344

Robert R. Hawes and T.  
Collette Hawes  
152 Sanctuary Lane  
Charles Town, WV 25414  
Peter L. Chakmakian, Esq.  
Counsel, Arcadia  
Development Co., et al.  
PO Box 547  
Charles Town, WV 25414

Dennis Voelkel  
316 Moore Lane  
Nebo, WV 25141

Michael A. Miller and  
Renita A. Miller  
1861 Tolley Drive  
Sissonville, WV 25320

James Miller and  
Winnoah Miller  
1642 Tolley Drive  
Sissonville, WV 25320  
Theodore W. Beauvais, Jr.  
6619 Huntsman Boulevard  
Springfield, VA 22152

Harsha and Rajni Hatti  
289 Eastland Dr.  
Charles Town, WV 25414

Steve Gormezano  
3350 Harmony Road  
Gandeeville, WV 25243  
Elizabeth Rivard  
HC 71 Box 855  
Duck, WV 25063

Toni Witzemann  
RR 3 Box 115  
Belington, WV 26250

William Witzemann  
RR 3 Box 115  
Belington, WV 26250  
Rob Leach and Bethany Hopta  
66 St. Nicholas Place,  
Apt. A5  
New York, NY 10032

Richard and Denise Burns  
4982 Summit Point Road  
Charles Town, WV 25414  
Robin Mills  
PO Box 80  
Rio, WV 26755

J. Bryan Edwards  
BriarRidge Estate  
Development, LLC  
1200 Dorsey Avenue  
Suite II  
Morgantown, WV 26501

Derrick P. Williamson, Esq.  
Co-Counsel, West  
Virginia Energy Users Group  
McNees, Wallace &  
Nurick, LLC  
PO Box 1166  
Harrisburg, PA 17108-  
1166

John T. Johnston  
1620 Riggs Place NW  
Washington, DC 20009

Gordon Vivace  
5945 Wilton Road  
Alexandria, VA 22310

Katherine Kapo  
Middlefork Road  
HC 62 Box 195  
Romance, WV 25248

Bobbi Blok  
341 Wren Lane  
Harpers Ferry, WV 25425

Vicki L. Pierson  
504 Knawl Creek Road  
Walkersville, WV 26447

John P. Burns III  
209 Pleasant Valley Drive  
Charles Town, WV 25414

Ken Miles  
PO Box 548  
Moorefield, WV 26836

E. Lynn Phillips, Esq.  
Counsel, Barbour County  
Commission  
PO Box 38  
Philippi, WV 26416

George W. and Veronica  
L. Banks  
283 Locust Ridge Road  
Moorefield, WV 26836

Case No. 09-0770-E-CN

PATH West Virginia Transmission Company

Date: December 10, 2010

Virgil K. Greenleaf  
Route 2 Box 199  
French Creek, WV  
26218

George A. Breeden, Jr.  
160 Fern Drive  
Harpers Ferry, WV  
25425

Bradley W. Stephens, Esq.  
Counsel, Tucker County  
Landowners'  
Stephens Law Office, PLLC  
235 High Street, #518  
Monongahela Bldg.  
Morgantown, WV 26505

James T. Farrell  
RR1 Box 190  
French Creek, WV  
26218

Tony Deprospero  
5636 Fall Run Road  
Ireland, WV 26376  
Steven J. Smith Shirley  
A. Smith  
67 Sesame Street  
Charles Town, WV  
25414

Kirsten Weiblen Eric Burleyson  
HC 64, Box 41  
Yellow Spring, WA  
26865-9507

Katherine B. Gregg,  
Ph.D. Carl M. Colson, Ph.D.  
23 Meade Street  
Buckhannon, WV 26201

Larry Cottrell  
HC 73 Box 705A  
Orma, WV 25268

David W. Cassell  
PO Box 1879  
Fairmont, WV 26555

Belenda J. Sandy  
RR 4 Box 519A  
Buckhannon, WV 26201

Martin Cummings  
3845 Waythorn Place  
Fairfax, VA 22033

Kasra Moinizand  
9216 Farnsworth Drive  
Potomac, MD 20854

Deepan Patel and  
Katharina Muellers-Patel  
130 Burnell Place SE  
Leesburg, VA 20175

Timothy J. and Emily E. Pavlick  
9206 Ewing Drive  
Bethesda, MD 20817

Richard D. and Ruth A. Phillips  
11108 Lochinver Lane  
Oakton, VA 22124

David S. and Pamela M.  
Potter  
104 Taliaferro Drive  
Churchville, VA 24421

Robert L. Bays, Esq.  
Counsel, Ronald G. and  
Gina J. Stalnaker  
United Square, Fifth  
Floor, 501 Avery Street  
Parkersburg, WV 26102

M. Thomas Craigo  
9303 Irving Street  
Manassas, VA 20110

Johanna Grodzicki  
79 Cool Spring Lane  
Charles Town, WV 25414

Robert Stump  
Rt 1 Box 577  
Parsons, WV 26287

Laura J. Bashoor  
594 South Branch  
Mountain Road  
Moorefield, WV 26836

Gary E. Henry  
2399 Summit Point Road  
Summit Point, WV 25446

Kay Thacker Winebrenner  
PO Box 104  
Amherst, OH 44001

Jim Allison  
4460 Carr Street  
Wheat Ridge, CO 80033

Floyd Day and Paula Stahl  
Rt 2 Box 177  
Parsons, WV 26287

Case No. 09-0770-E-CN

PATH West Virginia Transmission Company

Date: December 10, 2010

Paula Stahl  
Rt 2 Box 177  
Parsons, WV 26287

Malcolm H. Davis  
dba Malcolm Davis Porcelain  
HC 36 Box 394A  
Tallmansville, WV  
26237

Robert F. Koenig  
3700 Ashton Woods Drive  
Moorefield, WV 26836

Mohamed Nur  
14601 Stone Crossing Court  
Centreville, VA 20120

Randy L. Brooks  
RR2 Box 300-9A  
Buckhannon, WV 26201

Major Jordan D. Walzer,  
USMC  
PCS 559 Box 6484  
FPO AP, 96377

Patrick Hawley  
3611 Old Vernon Ct.  
Alexandria, VA 22309

Claudia R. Tenney  
Rt. 9 Box 596  
Buckhannon, WV 26201  
Rosemary Tenney  
52 Truby Run Road  
Buckhannon, WV 26201

Carol L. Tenney  
Rt. 9 Box 596  
Buckhannon, WV 26201

Lennie F. Tenney  
Rt. 9 Box 596  
Buckhannon, WV 26201

Jong Ho  
13317 Balmoral Heights  
Place  
Clifton, VA 20124

Paul and Ann Evancoe  
9229 English Meadow Way  
Gaithersburg, MD 20882

Col. Raymond F. Knapp  
3101 N. Hampton Drive  
Apt. 1101  
Alexandria, VA 22302

Vincent Trivelli, Esq.  
Counsel, West Virginia  
State Building and  
Construction Trades  
Council, AFL-CIO  
The Law Office of  
Vincent Trivelli, PLLC  
178 Chancery Row  
Morgantown, WV 26505

Patricia and Craig Stern  
53 Stephen Court  
Charles Town, WV 25414

James V. Kelsh, Esq.  
Counsel, Cave Road  
Utilities, LLC Mark E.  
Roper and Debra Battle Corbett  
Rodecker Law Office  
PO Box 3713  
Charleston, WV 25337-  
3713

Judith F. Davis  
HC 36, Box 394A  
Tallmansville, WV 26237  
Richard N. and Ann L. Smull  
684 Wintergreen Drive  
Purcellville, VA 20132

William W. and Elizabeth  
A. Hollingsworth  
1072 Gafia Lodge Road  
Middletown, VA 22645

Arthur and Rhonda Baines  
7102 Florida Street  
Chevy Chase, MD 20815

Mark V. Stanton  
HC 71 Box 104  
Gormley Road  
Ellamore, WV 26267

Elmer and Kim Bumbray  
15616 Everglade Lane  
Unit 306  
Bowie, MD 20716

David and Tracey Jordan  
1932 Franklin Avenue  
McLean, VA 22101  
Marilyn H. Eitelman  
111 Foxhall Road  
Charles Town, WV 25414

Linda K. Stark  
82 Sago Road  
Buckhannon, WV 26201

Frances Pipes  
2403 Summit Point Road  
Summit Point, WV 25446

Case No. 09-0770-E-CN

PATH West Virginia Transmission Company

Date: December 10, 2010

Ben L. and Deborah J. Bonk  
1805 Rupert Street  
McLean, VA 22101

Christine Moore  
94 Stephen Lane  
Charles Town, WV 25414

Judith Hummer  
990 Chestnut Hill Road  
Harpers Ferry, WV 25414

Kevin and Anne Cecil  
603 Steeplechase Drive  
Hurricane, WV 25526

John and Robin Moore  
96 Stephen Court  
Charles Town, WV 25414

Mr. and Mrs. Calvin Manuel  
1297 Chestnut Hill Road  
Harpers Ferry, WV 25425

Roger M. Eitelman  
111 Foxhall Road  
Charles Town, WV  
25414

Justin J. Oliver  
1839 Ontario Place  
Washington, DC 20009  
Melvin Adkins  
2145 Speed Road  
Spencer, WV 25276

Suzin Wright  
947 Hostler Road  
Harpers Ferry, WV 25414

Richard P. F. Lowe  
401 Holland Lane #412  
Alexandria, VA 22314

Ilene Evans  
PO Box 442  
Thomas, WV 26292

Laurence M. Wright  
947 Hostler Road  
Harpers Ferry, WV 25414

Valerie A. Harrington  
24004 Glade Valley Terrace  
Damascus, MD 20872

Ida Murphy  
PO Box 442  
Thomas, WV 26292

Jamie and Denise Beaty  
181 Wellington Court  
Charles Town, WV 25414

Paul W. and Linda L. Wangerin  
3936 Ashton Woods Drive  
Moorefield, WV 26836

Barbara Ericsson  
789 Skyline Trail #656  
Harpers Ferry, WV 25425

Scott Tatina  
60 Westridge Lake Lane  
Harpers Ferry, WV 25425  
Samuel Ericsson  
789 Skyline Trail #656  
Harpers Ferry, WV 25425

William Andrew Culley  
PO Box 217  
308 Hawthorne Avenue  
Summit Point, WV  
25446

Beverly Wilt  
320 Chestnut Hill Road  
Harpers Ferry, WV 25425

Dawn Mathis  
61 Old Sycamore Lane  
Harpers Ferry, WV 25425

Ronald D. and Lois F. Cummings  
1105 W. Fork Road  
Chloe, WV 25235

Donna Hawk  
589 Chestnut Hill Road  
Harpers Ferry, WV 25425

Douglas and Ann Marie  
Lake  
453 Runnymede Drive  
Charles Town, WV 25414

Dallas and Pat Coen  
1021 W. Fork Road  
Chloe, WV 25235

Marilyn Hawk  
244 Chestnut Hill Road  
Harpers Ferry, WV 25425

James R. Mathis  
61 Old Sycamore Lane  
Harpers Ferry, WV 25425

Case No. 09-0770-E-CN  
PATH West Virginia Transmission Company  
Date: December 10, 2010

Reba and Calvin Ring  
1303 Chestnut Hill Road  
Harpers Ferry, WV  
25425

Robert L. and Tammy R.  
Painter  
62 Keyes Gap Road  
Harpers Ferry, WV  
25425

Marjorie A. Cook  
243 Old Oak Lane  
Harpers Ferry, WV  
25425

Michael Cook  
244 Old Oak Lane  
Harpers Ferry, WV  
25425

Helen C. Hottle  
18270 Charlestown Road  
Harpers Ferry, WV  
25425

Leslie Mazeska  
59 Brighton Place  
Charles Town, WV  
25414

Myra Bonhage-Hale  
La Paix Herb Farm  
3052 Crooked Run Road  
Alum Bridge, WV 26321

Sam and Ann Ludlow  
HC 36, Box 391  
Tallmansville, WV  
26237

Craig Mazeska  
59 Brighton Place  
Charles Town, WV 25414

Vickie Manuel  
2403 Summit Point Road  
Summit Point, WV 25446

Janice T. Cooper  
4626 Cooper Road  
Eden, MD 21822

Robert Montgomery  
148 Heath Court  
Charles Town, WV 25414

Cliff and Darlene Riordan  
544 Cloverdale Road  
Charles Town, WV 25414

Fred and Judith Moore  
68 Brookline Drive  
Charles Town, WV 25414

Terry and Janet Kimble  
HC 36 Box 396  
Tallmansville, WV 26237

Donna F. and Charles F.  
Printz, Jr.  
884 Lost Road  
Martinsburg, WV 25403

Jacob E. Reger, Esq.  
Counsel, Upshur County  
Commission  
38 West Main Street  
Room 202  
Buckhannon, WV 26201

Curt Mason  
3735 Summit Point Road  
Charles Town, WV 25414

Kathy S. Woody  
306 Spruce Pond Drive  
Buckhannon, WV 26201

Scott Little  
Rt. 1 Box 87  
French Creek, WV 26218

Florence M. Little  
Rt. 1 Box 87  
French Creek, WV 26218

Silas Witzemann  
2125 Location Road  
Parsons, WV 26287

Mark McGregor and  
Susan Houck  
30 Balsam Court  
Charles Town, WV 25414

Ronald and Anna Spaur  
3339 Elizabeth Pike  
Mineral Wells, WV  
26150

Richard F. Roberts and  
Laurie B. Franck  
HC 70 Box 484  
Davis, WV 26260

John W. Cobb, Jr.  
PO Box 13  
Green Hill Road  
Ireland, WV 26376

Case No. 09-0770-E-CN

PATH West Virginia Transmission Company

Date: December 10, 2010

John Coleman  
Hile Run Farm  
Rt. 2 Box 142  
Saint George, WV 26287

Diane Szallay  
60 Stephen Court  
Charles Town, WV  
25414

Kerri J. and Brian J. Penrose  
85 Stephen Court  
Charles Town, WV  
25414

Timothy P. Stranko, Esq.  
Counsel, Jefferson  
County Board of Education  
Steptoe & Johnson PLLC  
PO Box 1616  
Morgantown, WV  
26507

Kelly Hamon  
McLaughlin, Esq.  
Counsel, Braxton  
County Commission  
300 Main Street Court  
House Annex  
Sutton, WV 26601

Terrence R. and  
Elizabeth A. Vesper  
1237 Lloyd Road  
Charles Town, WV  
25414

Robert L. Hersey  
687 Cloverdale Road  
Charles Town, WV  
25414

A.M.S. Morgan III and  
Otis P. Morgan  
2547 Berryville Pike  
PO Box 130  
Rippon, WV 25441

April Pierson-Keating  
115 Shawnee Drive  
Buckhannon, WV 26201

Richard B. Crim  
PO Box 130  
3124 Leetown Road  
Summit Point, WV 25446

Guilia Tencalla  
3427 Summit Point Road  
Summit Point, WV 25446

Frances B. Morgan  
Alymere Farm  
1373 Summit Point Road  
Summit Point, WV 25446

Lori Horner  
184 W. Blakeley Drive  
Charles Town, WV 25414

Cathryn Jackson  
174 Hickory Nut Lane  
Harpers Ferry, WV 25425

Phyllis and Jack Williams  
4189 Summit Point Road  
PO Box 247  
Summit Point, WV 25446

Rosalind Welsh  
46 Hawthorne Avenue  
PO Box 147  
Summit Point, WV 25446

Amanda J. Gerstell  
55 Cloverdale Road  
Charles Town, WV 25414

Nancy and Nicholas Marmorella  
512 Undergrace Lane  
Charles Town, WV 25414

Tatyana A. Davletshina  
48 Wexford Court  
Charles Town, WV 25414

Yves Tencalla  
3427 Summit Point Road  
Summit Point, WV 25446

Frances Price  
PO Box 265  
Summit Point, WV 25446

Frank Price  
PO Box 265  
Summit Point, WV 25446

Thomas T. Thompson  
130 James Allen Lane  
Summit Point, WV 25446

Pam Thompson  
130 James Allen Lane  
Summit Point, WV 25446

Richard Smith  
70 J Felix Court  
Kearneysville, WV 25430

Anne Herron  
147 Chaz Court  
Charles Town, WV 25414

Case No. 09-0770-E-CN

PATH West Virginia Transmission Company

Date: December 10, 2010

David A. Barrick  
171 Veronica Lane  
Charles Town, WV  
25414

Maurice and Shelby  
Brownlee Conard  
777 Thoroughbred Drive  
Charles Town, WV  
25414  
Nancy Dopson  
45 Lee Brown Circle  
Charles Town, WV  
25414

Stanley Beall  
65 Cool Spring Lane  
Charles Town, WV  
25414

Martin Burk  
342 Turn One Drive  
Summit Point, WV  
25446

Mary Bigler  
251 W. Blakeley Drive  
Charles Town, WV  
25414

N i c h o l a s P .  
Cheremisinoff, PhD  
48 Wexford Court  
Charles Town, WV  
25414

Robert Miller  
337 Wood End Court  
Charles Town, WV  
25414

Patricia and Douglas Lutman  
7779 Summit Point Road  
Charles Town, WV 25414

Amanda Lutman  
4062 Summit Point Road  
Charles Town, WV 25414

Todd Lutman  
4062 Summit Point Road  
Charles Town, WV 25414

John and Judy Shea  
PO Box 302  
Summit Point, WV 25446

DeLois Blevins  
805 Leetown Road  
Summit Point, WV 25446

Karla Miller  
337 Wood End Court  
Charles Town, WV 25414

Ronnie Fellers  
Cloverdale Road  
Charles Town, WV 25414

Angela Perry  
61 Cloverdale Road  
Charles Town, WV 25414

P.C. Wait  
280 Leisure Way  
Shepherdstown, WV  
25443

Jeremy Symons  
8 Neabsco Drive  
Fredericksburg, WV  
22405

Steven and Cynthia Riggs  
HC 78 Box 402  
Rock Cave, WV 26234

Melody Urbanic  
HC 88 Box 112  
Chloe, WV 25235

Dianna Dick  
2700 Summit Point Road  
Summit Point, WV 25446

Michael Dick  
PO Box 102  
Summit Point, WV 25446

Jane Ruberg  
411 Brannon Lane  
Charles Town, WV 25414

Richard Gee, Jr.  
2345 Lloyd Road  
Charles Town, WV 25415

Kim Saladini  
117 Hawthorne Avenue  
Summit Point, WV 25446

Robert Light  
PO Box 89  
Summit Point, WV 25446

Pamela Corey  
229 Walker Creek Road  
Chloe, WV 25235

Keith Lahti  
1137 Walker Road  
Chloe, WV 25235

Case No. 09-0770-E-CN

PATH West Virginia Transmission Company

Date: December 10, 2010

Andrew C. Skinner, Esq.  
Counsel, Beverly-Burns  
Farm, LLC  
115 East Washington Street  
PO Box 487  
Charles Town, WV  
25414

Thomas W. Tamburo  
2604 Gillis Falls Road  
Woodbine, MD 21797

Debbie Royalty  
199 Brannon Lane  
Charles Town, WV  
25414

Donna Marie Hamstead  
30 Dwight Court  
Charles Town, WV  
25414

Steven M. Thacker  
89 South Florida Street  
Buckhannon, WV 26201

Rhonda L. Brooks  
RR 2 Box 300-9A  
Buckhannon, WV 26201

Michael Oldaker  
Rt. 1 Box 10  
French Creek, WV  
26218

James R. Christie, Esq.  
Counsel, John K. and  
Carol A. Skidmore  
PO Box 2922  
Clarksburg, WV 26302

Theodore M. and Cheryl  
E. Turner  
13 High Street  
PO Box 25  
Rock Cave, WV 26234

Joshua D. Rodriguez  
Rt. 1 Box 161  
Montrose, WV 26283

John McDonald  
Rt. 1 Box 161  
Montrose, WV 26283

Michael Horn  
Rt. 1 Box 161  
Montrose, WV 26283

Thomas M. Hildebrand  
7336 Sheraton Drive  
Manassas, VA 20112

Glenn R. Davis  
32 Meade Street  
Buckhannon, WV 26201

Michael W. Strider  
2595 Garrity Road  
St. Leonard, MD 20685

Timothy Higgins  
102 Hickory Flat Road  
Buckhannon, WV 26201

G.W. Morris, II, Esq.  
Prosecuting Attorney  
~~Counsel, Lewis County Commission~~  
PO Box 686  
Weston, WV 26452

Douglas R. Bischoff  
295 Hawthorne Avenue  
PO Box 9  
Summit Point, WV 25446

James D. and Stella M. Bovard  
432 Sanctuary Lane  
Charles Town, WV 25414

Dawn and Lance Goings  
423 Fawn Drive  
Harpers Ferry, WV 25425

Earl A. and Delores A. Irons  
111 Maplewood Drive  
Beaver, PA 15009

Ida D. Keener  
Rt. 2 Box 178  
Parsons, WV 26287

Kenna R. Seal  
281 Facemire Drive  
Sutton, WV 26601

Eric Klein  
RR 2 Box 322  
Buckhannon, WV 26201

Timothy Sweeney  
3280 Dutch Mill Court  
Oakton, VA 22124

Todd K. and Colleen  
Murray Brady  
1211 Old Cave Road  
Charles Town, WV 25414

Case No. 09-0770-E-CN  
PATH West Virginia Transmission Company  
Date: December 10, 2010

James T. Beckinridge  
JTB Farm, LLC  
325 Vista Cay Drive  
Hubert, NC 28539

Reva N. Mickey  
Meadow Spring Farm  
377 Roper North Fork Road  
Charles Town, WV  
25414

Robert R. Rodecker, Esq.  
Counsel, J.C. Baker &  
Sons, Inc.  
PO Box 3713  
Charleston, WV 25337

Cloverdale Heights  
Homeowners Association  
209 Cloverdale Road  
Charles Town, WV  
25414

R. Cullen and Helen M. Rinaldi  
583 Cloverdale Road  
Charles Town, WV  
25414

Allan and Guinne Gee  
509 Cedar Hill Drive  
Harpers Ferry, WV  
25425

George Ross  
7 McGlothlin Run  
Chloe, WV 25235

Mary Vapniarek  
PO Box 33  
Chloe, WV 25235

Nancy Williams  
368 McNabb Road  
Elkview, WV 25071

Michael Costello  
4021 Saint Clair Hill Road  
Morgantown, WV 26508

Peter Costello  
PO Box 943  
Elkview, WV 25071

Kimberly Prezzi  
949 Eastland Drive  
Charles Town, WV 25414

Chad Prezzi  
949 Eastland Drive  
Charles Town, WV 25414

Nicholas Prezzi  
40 Foxhall Road  
Charles Town, WV 25414

Donna Prezzi  
40 Foxhall Road  
Charles Town, WV 25414

Mary Katherine Cutlip  
6343 Exchange Road  
Exchange, WV 26619

Brenda Jarvis  
PO Box 64  
Flatwoods, WV 26621

Ronald Pokrandt  
550 Simmons Fork  
Looneyville, WV 25259

Steve Malafy Jr.  
RR 1 Box 394  
French Creek, WV 26218

Francis Boyle  
RR 1 Box 12  
French Creek, WV 26218

Deana Steiner Smith  
HC 78 Box 99 A-1  
Rock Cave, WV 26234

James and Lynnette Wheaton  
77 Monte Carlo Way  
Charles Town, WV 25414

John A. Capriolo, DDS  
Angela Sue Capriolo  
553 Eastland Drive  
Charles Town, WV 25414

Linda Hoffman  
93 Seventh Street  
Shenandoah Junction,  
WV 25442

Martin E. and Jacqueline  
M. Cline  
558 Eastland Drive  
Charles Town, WV 25414

Mary Pfister  
315 Braeburn Drive  
Walkersville, MD 21793

Sheri R. Butterworth  
590 Eastland Drive  
Charles Town, WV 25414

Case No. 09-0770-E-CN

PATH West Virginia Transmission Company

Date: December 10, 2010

James T. Breckinridge  
JTB Farm, LLC  
325 Vista Cay Drive  
Hubert, NC 28539

Barbara S. Joren  
48 Stephen Lane  
Charles Town, WV  
25414  
Douglas Vaira, President  
City of Charles Town  
Board of  
~~Parks & Recreation Commissioners~~  
PO Box 14  
Charles Town, WV  
25414

Travis D. Cummings  
113 Linden Avenue  
Sutton, WV 26601  
Larry R. Wilfong  
PO Box 145  
Rock Cave, WV 26234

William A. Boggess  
President, B&B Real  
Estate President, B&B  
Service Center  
PO Box 307  
Kenna, WV 25248

James Casimior, Esq.  
Assistant Prosecuting Attorney  
Jefferson County Commission  
PO Box 729  
Charles Town, WV  
25414

Joseph M. and Eileen L.  
Dillon  
1248 Old Cave Road  
Charles Town, WV 25414

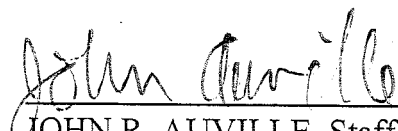
Woody Lumber  
Company, Inc. & Woody  
Brothers Company  
24 Vicksburg Road  
Buckhannon, WV 26201

Papaw & Gran LLC  
c/o Jimmie R. Woody  
Rt. 4, Box 467  
Buckhannon, WV 26201  
Aaron and Donna Kesecker  
PO Box 808  
Middleburg, VA 20118

Tina Rappaport  
HC 88 Box 216A  
Chloe, WV 25235

Barbara Humes  
PO Box 1186  
Harpers Ferry, WV 25425

Harry F. Byrd, III  
Hawthorn Associates, LLC  
PO Box 472  
Berryville, VA, VA  
22611

  
\_\_\_\_\_  
JOHN R. AUVILLE, Staff Attorney  
West Virginia State Bar I.D. 8057

Wendy Braswell, Staff Attorney  
WV State Bar I.D. No. 9406

Christopher L. Howard, Staff Attorney  
WV State Bar I.D. No. 8688