

**UNITED STATES OF AMERICA
DEPARTMENT OF ENERGY
BEFORE THE
OFFICE OF ELECTRICITY DELIVERY AND ENERGY RELIABILITY**

Application for Proposed Project
for Clean Line Plains & Eastern
Transmission Line

OE Docket No. TPF-01

**PETITION FOR CONTESTED CASE
on behalf of
BLOCK PLAINS & EASTERN CLEAN LINE**

BLOCK Plains & Eastern Clean Line: Arkansas and Oklahoma hereby makes this Petition for a Contested Case as a part of the “non-NEPA” review of the interstate transmission project Application in the above-captioned docket. BLOCK Plains & Eastern Clean Line: Arkansas and Oklahoma (hereinafter “BLOCK Clean Line”), is an association of landowners and residents along and/or near the proposed easement or alternative routes of the Plains & Eastern Clean Line in Arkansas and Oklahoma. BLOCK Clean Line’s members are affected landowners and stakeholders in the above-captioned Plains & Eastern Clean Line proceeding, and are directly affected by the outcome of this proceeding. BLOCK Clean Line members are not only directly affected landowners, but they are also users of electricity and ratepayers, and have an interest distinct from any other interested parties.

The DOE plans to make its decision whether or not to participate, and under what conditions it would participate, based on this “non-NEPA” review. As evidenced by both the quantity and quality of comments received by the DOE as part of the environmental review, both written and oral, and by the number of people attending and speaking at those public hearings, this project is hotly challenged and opposed, the essence of a contested case. A contested case,

whether a paper hearing or technical hearing before an administrative law judge, is necessary to thoroughly vet the Application, to inform the record and through Discovery to assure that the application and supporting documentation is in the record and available to the public, to allow the public to address concerns through testimony and cross examination prior to any decision regarding DOE participation in this transmission project. 18 CFR 385.505-509. A project of this magnitude must not go forward without a complete record for a supportable decision.

Despite the intense interest in this project, the DOE's Notice of Application provides only for a limited public comment period. That is the only participatory option. There is no authority referenced in the Notices, and DOE cannot cite to any authority for the procedure it has adopted. The DOE cannot cite to any authority for limiting public participation as it has -- there are no rules for a Section 1222 "non-NEPA" review of an interstate transmission line application. There are no rules to set out due process required for this review. There are no rules.

BLOCK Clean Line hereby requests a contested case in the above-captioned proceeding, and request that the Secretary, or the Office of Electricity Delivery and Energy Reliability under its delegated authority, initiate a contested case hearing as provided by Rules of Practice and Procedure 501, 502 (18 CFR 385.502) and set a schedule, procedures, and a date for hearing.

Respectfully submitted,



Dated: June 8, 2015

Carol A. Overland MN Lic. 254617
for BLOCK Plains & Eastern Clean Line:
Arkansas and Oklahoma
Legalelectric
1110 West Avenue
Red Wing, MN 55066
(612) 227-8638
overland@legalelectric.org