

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

IN RE: APPLICATION OF TRANS-ALLEGHENY	:	
INTERSTATE LINE COMPANY FOR	:	
(I) A CERTIFICATE OF PUBLIC CONVENIENCE	:	
TO OFFER, RENDER, FURNISH AND/OR	:	
SUPPLY TRANSMISSION SERVICE IN THE	:	
COMMONWEALTH OF PENNSYLVANIA;	:	
(II) AUTHORIZATION AND CERTIFICATION	:	
TO LOCATE, CONSTRUCT, OPERATE AND	:	Docket Nos. A-110172
MAINTAIN CERTAIN HIGH VOLTAGE ELECTRIC	:	A-110172F0002
TRANSMISSION LINES AND RELATED ELECTRIC	:	A-110172F0003
SUBSTATION FACILITIES; (III) AUTHORITY	:	A-110172F0004
TO EXERCISE THE POWER OF EMINENT	:	G-00071229
DOMAIN FOR THE CONSTRUCTION AND	:	
INSTALLATION OF AERIAL ELECTRIC	:	
TRANSMISSION FACILITIES ALONG THE	:	
PROPOSED TRANSMISSION LINE ROUTES	:	
IN PENNSYLVANIA; (IV) APPROVAL OF AN	:	
EXEMPTION FROM MUNICIPAL ZONING	:	
REGULATION WITH RESPECT TO THE	:	
CONSTRUCTION OF BUILDINGS; AND	:	
(V) APPROVAL OF CERTAIN RELATED	:	
AFFILIATED INTEREST ARRANGEMENTS	:	

REBUTTAL TESTIMONY OF JACK A. HALPERN

Re: Route Selection Issues

December 10, 2007

REBUTTAL TESTIMONY OF JACK A. HALPERN

1 Q. PLEASE STATE YOUR NAME AND BUSINESS ADDRESS.

2 A. My name is Jack A. Halpern and my business address is 4511 South Ocean Blvd,
3 Suite 507, Highland Beach, Florida 33487.

4

5 Q. HAVE YOU PREVIOUSLY FILED TESTIMONY IN THIS PROCEEDING?

6 A. Yes. I have filed Direct Testimony on behalf of Trans-Allegheny Interstate Line
7 Company ("TrAILCo"), which has been designated as TrAILCo Statement No. 5.

8

9 Q. WHAT IS THE PURPOSE OF YOUR REBUTTAL TESTIMONY?

10 A. This rebuttal testimony addresses various alleged deficiencies in TrAILCo's
11 transmission line evaluation and siting process that were described in detail in the
12 Line Route Evaluation Report ("LRE"), which is attached to my Direct Testimony
13 as TrAILCo Exhibit JH-1. These alleged deficiencies have been grouped into the
14 following categories for purposes of this rebuttal testimony:

- 15 ▪ Applicable Siting and Corridor Evaluation Standards
- 16 ▪ Environmental Resources
- 17 ▪ Natural Resources
- 18 ▪ Historical Resources
- 19 ▪ Route Selection

1 Q. WILL THE USE OF VARIOUS TERMS IN YOUR REBUTTAL TESTIMONY
2 BE CONSISTENT WITH THE DEFINITIONS ASSIGNED TO THOSE TERMS
3 IN THE TABLE OF NOMENCLATURE ATTACHED TO TRAILCO
4 WITNESS FLITMAN'S DIRECT TESTIMONY AS TRAILCO EXHIBIT DEF-
5 1?

6 A. Yes. In addition, I may define other terms in my rebuttal testimony.
7

8 APPLICABLE SITING AND CORRIDOR EVALUATION STANDARDS

9 Q. DO YOU AGREE WITH THE CLAIMS OF ECC WITNESS RICHARD HOCH
10 AND OTHER PUBLIC INPUT HEARING WITNESSES THAT TRAILCO
11 WAS REQUIRED TO PREPARE (OR SHOULD HAVE PREPARED IN ANY
12 EVENT) AN ENVIRONMENTAL IMPACT STATEMENT ("EIS") IN
13 ACCORDANCE WITH THE NATIONAL ENVIRONMENTAL POLICY ACT
14 ("NEPA") AS PART OF THE SITING PROCESS FOR TRAIL?

15 A. No. The opinions of this type offered by ECC witness Richard Hoch in ECC
16 Statement No. 3 and other witnesses are not correct. None of the witnesses who
17 made such claims offered any valid legal basis for such a recommendation. Nor
18 did they attempt to harmonize their recommendations with the specific siting
19 requirements of the Pennsylvania Public Utility Commission ("Commission" or
20 "PaPUC") at 52 Pa.Code §§ 57.71-57.77, entitled "Subchapter G. Commission
21 Review of Siting and Construction of Electric Transmission Lines." Those
22 regulations do not require the preparation or filing of an EIS. Neither does NEPA
23 in this case. The basis under NEPA for the preparation and filing of an EIS is

1 "federal action." No such federal action is implicated by this proceeding, which
2 was filed solely under Pennsylvania state siting statutes and regulations. Any
3 attempt to layer onto this Commission's existing siting requirements the
4 provisions of federal law and regulation merely confounds and delays the
5 Commission's siting approval process and should be rejected.

6
7 Q. IN THE LRE, HAS TRAILCO FAILED TO ADDRESS FARMLAND
8 LEGISLATION, SUCH AS THE CLEAN AND GREEN ACT,
9 AGRICULTURAL SECURITY LAW, AND AGRICULTURAL
10 CONSERVATION EASEMENT PURCHASE PROGRAM?

11 A. No. Office of Trial Staff ("OTS") witness Yocca raises questions about
12 TrAILCo's evaluation of farmland legislation in OTS Statement No. 1 by stating,
13 among other things, "that the impact on land under the Clean and Green Act, and
14 Agriculture Conservative Easement Purchase Program is unknown (REP, p. 72)."
15 OTS Statement No, 1, p. 50. Mr. Yocca's comment is misleading. First,
16 farmlands were addressed specifically in the LRE, including the three farmland
17 statutes and programs listed in the above question. Second, the references in the
18 LRE to "unknown impacts" relate to the absence of readily available detailed
19 information available at the county level for evaluation of clean and green parcels
20 in Washington County and not the lack of evaluation of the proposed transmission
21 line route on these known farmland programs. Indeed, pages 70-73 of the LRE
22 address these issues comprehensively. The LRE ultimately concludes "that these

1 farmland conservation programs will not hinder the installation of the
2 transmission line." LRE, TrAILCo Exhibit JH-1, p. 73.

3

4 Q. WHY IS THAT THE CONCLUSION STATED IN THE LRE?

5 A. TrAIL does not appear to have a material adverse impact on property owner rights
6 under the above laws and regulations. For example, a condemned property used
7 for an electric transmission line does not affect eligibility to form an Agricultural
8 Security Area under the Agricultural Security Law or eligibility to receive
9 property tax benefits under the Clean and Green Act. To the extent that any
10 witnesses or parties are attempting to imply that TrAILCo's use of a pre-existing
11 easement (or even the exercise of condemnation authority) across farms
12 participating in any of these farmland conservation statutes or programs will make
13 those properties ineligible for continuation in such programs, they are incorrect.
14 These witnesses have provided no basis whatsoever for any claim that use of a
15 pre-existing easement (or the exercise of condemnation) as needed to site TrAIL
16 will have any impact on continued participation in these programs.

17

18 TrAILCo witness Wayne Knoblauch in TrAILCo Rebuttal Statement No. 16
19 addresses the separate but related question of the impact of TrAIL on existing
20 farms and farming operations in Greene and Washington counties.

1 Q. PLEASE COMMENT ON OTS WITNESS YOCCA'S ASSERTION IN OTS
2 STATEMENT NO. 1, PAGE 32, THAT TRAILCO HAS NOT SUBMITTED
3 ANY FILINGS TO THE FEDERAL AVIATION ADMINISTRATION ("FAA")
4 FOR AIRFIELDS IN THE VICINITY OF THE PROPOSED LINES?

5 A. Once again, OTS witness Yocca's statement is technically accurate, but the
6 implication that TrAILCo should have made such a filing is incorrect. No such
7 filings are required until the final route for TrAIL has been approved by the
8 Commission. Upon approval of TrAIL by this Commission, TrAILCo will
9 promptly file the necessary applications with the FAA if TrAIL crosses a
10 "notification zone." As defined by existing FAA regulations, a "notification
11 zone" is any length of the route that passes through an air navigation obstruction
12 zone as defined in Federal regulations. In such event, and at the appropriate time,
13 TrAILCo will work with the FAA to ensure TrAIL will not impede or obstruct
14 existing aviation flight patterns and will be below the glide slope ratio required by
15 FAA regulations (14 CFR 77.13). TrAILCo witness Alan Fleissner in TrAILCo
16 Rebuttal Statement No. 6-R discusses further details of TrAIL's interaction with
17 the FAA should it become necessary.

18

19 Q. A NUMBER OF WITNESSES AT THE PUBLIC INPUT HEARINGS AND
20 SITE VISITS RAISED CONCERNS ABOUT THE IMPACT OF TRAIL ON
21 THE VIEW FROM THEIR PROPERTIES. WERE VISUAL IMPACTS
22 ASSESSED IN THE ROUTE EVALUATION STUDY?

1 A. Yes. Aesthetic impacts were discussed and evaluated in the LRE by reviewing
2 the visual accessibility of TrAIL from specific viewpoints near the route
3 (primarily residences in close proximity). This assessment included estimating
4 the amount of existing screening from vegetation, topography, and nearby
5 buildings; the distance between the viewpoint and the transmission line; the width
6 of the probable field of view; the length of the proposed transmission line in view;
7 and existing visual perturbations in the viewshed. Several photosimulations
8 showing the general character of the transmission line structures and lines in the
9 landscape were also presented in the LRE. Beyond this effort and in response to
10 the public input and site visit testimony, we have prepared additional photo-
11 simulations of all the properties visited at the site views, and the methodology
12 utilized and the results of that work are presented by TrAILCo witness Tim Gaul
13 in TrAILCo Rebuttal Statement No. 19.

14

15 ENVIRONMENTAL RESOURCES

16 Q. DO YOU AGREE WITH OTS WITNESS YOCCA'S CLAIM IN OTS
17 STATEMENT NO. 1, PAGES 35-36, THAT TRAILCO HAS NOT COMPLETED
18 AN EVALUATION OF THE EFFECT OF TRAIL ON WILDLIFE HABITATS?

19 A. Yes, I do, but his conclusion is again misleading. My direct testimony, TrAILCo
20 Statement No. 3, pp. 8-10 and Section 4.5 of the LRE, TrAILCo Exhibit JH-1,
21 addresses in detail the evaluation of TrAIL's impact on wildlife. Section 4.4 of
22 the LRE addresses in detail the evaluation of TrAIL's impact on vegetation. The
23 level of analysis presented in these sources is appropriate at this stage of project

1 development. Additional field studies concerning the detailed impacts on wildlife
2 and sensitive plant species are ongoing, where permitted, and continue as part of
3 the normal agency consultation, coordination, and permitting process.

4
5 OTS witness Yocca claims that the LRE does not “state whether the proposed line
6 will affect any of the many threatened, rare, and/or endangered plants in the study
7 area shown on (LRE) Table 4-2.” TrAILCo requested rare species and natural
8 community information from the Pennsylvania Game Commission, the
9 Pennsylvania Fish & Boat Commission, the Pennsylvania Department of
10 Conservation and Natural Resources ("PADCNR"), and the U.S. Fish & Wildlife
11 Service via letters sent by TrAILCo on September 22, 2006. The information
12 presented in the LRE reflects the information received from these agencies. The
13 Pennsylvania agencies responsible for rare species and natural communities do
14 not provide detailed location information of these resources, unlike the
15 information provided by the other states. These agencies provided species
16 information only on a USGS topographic quad level of specificity. Therefore, the
17 information presented in the LRE represents the best information TrAILCo was
18 able to obtain from the relevant agencies. As part of the ongoing permitting
19 process, however, field surveys are currently underway, where permitted, to
20 identify more specific location information of any rare species or natural
21 communities and any potential impacts and mitigation needs. In light of our prior
22 and current efforts, OTS witness Yocca's criticisms are unjustified in my view.

1 Q. PLEASE ADDRESS OTS WITNESS YOCCA'S CLAIM IN OTS STATEMENT
2 NO. 1, PAGE 36, THAT WHEN THE LRE WAS PREPARED "IT WAS NOT
3 KNOWN IF THE PROPOSED LINE CROSSES A 'SPECIAL NATURAL
4 COMMUNITY'."

5 A. Once again, I disagree with OTS witness Yocca's assertion on this point as his
6 statement is again misleading. The PADCNR review of the Pennsylvania Natural
7 Diversity Inventory ("PNDI") (2007) for resources of special concern under their
8 jurisdiction -- rare plants, natural communities, terrestrial invertebrates, and
9 geologic features -- did not identify any special natural communities for any of
10 the proposed 138 kV lines. PADCNR's review of the PNDI for resources of
11 special concern under their jurisdiction for the Prexy Segment identified only one
12 natural community of concern that could be crossed by the proposed line - a
13 mixed mesophytic forest located somewhere within the Osage USGS topographic
14 quad. As discussed in response to the previous question, PADCNR does not
15 provide rare species and natural community information, but rather only provides
16 it on a quad by quad basis and does not identify specific locations. Therefore, the
17 only thing that is currently unknown is if TrAIL actually crosses this special
18 natural community or is merely located nearby. In either case, further detailed
19 studies will be conducted upon Commission approval of the siting for TrAIL,
20 thereby ensuring that all special natural communities, if impacted by TrAIL,
21 would in fact be addressed.

1 NATURAL RESOURCES

2 Q. DO YOU BELIEVE THAT IT WAS NECESSARY OR APROPRIATE FOR
3 TRAILCO TO DEVELOP A DETAILED SOCIO-ECONOMIC PROFILE OF
4 THE COMMUNITIES AFFECTED BY THE TRAIL PROJECT AS
5 SUGGESTED BY ECC WITNESS HOCH IN ECC STATEMENT NO. 3, AT
6 PAGE 11?

7 A. No. First, ECC witness Hoch provides no authority under existing Pennsylvania
8 law or regulations relating to transmission line sitings that require (or even define)
9 such a socio-economic profile. In fact, there is no such requirement. Second,
10 while witness Hoch claims that such a study is warranted, he does not explain
11 why it is warranted. The route selection study consciously did *not* take into
12 consideration demographic factors such as income or race: it was a “blind study.”
13 We did not make policy judgments about who should be impacted by TrAIL or
14 not, preferring to rely upon other factors used in the routing process as detailed in
15 Section 2.4 of the LRE entitled "Route Selection Criteria." TrAILCo Exhibit No.
16 JH-1, p. 16. The Routing Team did not want to favor or disadvantage any
17 particular social, economic, or other group. ECC witness Hoch's call for a socio-
18 economic profile implies a belief that TrAILCo and/or the PaPUC should make
19 policy and value judgments about which demographic groups should or should
20 not be impacted by the transmission lines. Use of such criteria is totally unrelated
21 to existing Pennsylvania law and should be rejected.

1 Q. A NUMBER OF PUBLIC INPUT WITNESSES CLAIMED THAT TRAILCO
2 HAS NOT DONE ENOUGH TO MINIMIZE IMPACT ON LOCAL LAND USE
3 AND PLANNING PROCESSES. DO YOU AGREE WITH THIS
4 ASSESSMENT?

5 A. No. As we have stated previously, TrAILCo has worked – and will continue to
6 work – with all local municipalities to understand their local needs and to assess
7 the impact of TrAIL on those needs. This commitment was noted on pages 150
8 and 151 of the LRE, when we indicated that TrAILCo will work with the counties
9 and townships affected by the proposed 500 and 138 kV transmission lines.
10 Consistent with that commitment, efforts have been made through the public
11 meeting process and by other contacts with local officials to obtain local
12 government comment on the general alignment of the transmission lines. The
13 Routing Team adjusted the routes based on input from these meetings and from
14 other contacts subsequent to the public meetings. The use of existing easements
15 that county planners should have factored into their planning process that have
16 been in existence for about thirty years, has minimized the impact on local land
17 use and planning processes. Once the basic route is finalized and engineering
18 information has been developed showing the types and locations of the structures,
19 TrAILCo representatives will be able to respond more specifically to concerns
20 expressed by county and township officials and by property owners.

1 Q. DO YOU AGREE WITH THE PUBLIC INPUT HEARING WITNESSES WHO
2 CLAIMED THAT TRAIL WILL DISRUPT TYPICAL AGRICULTURAL
3 USES OF THE LAND IN WASHINGTON AND GREENE COUNTIES?

4 A. No. TrAILCo was criticized for not having actually looked at the potential
5 impacts on agricultural land uses as part of the siting process, and also for not
6 giving appropriate consideration to the actual impacts on farm uses from
7 transmission lines and related structures being located on some farm properties.
8 The latter issue is discussed in the rebuttal testimony of Dr. Wayne Knoblauch in
9 TrAILCo Rebuttal Statement No. 16. As to the first point, TrAILCo did consider
10 agricultural land uses as part of the routing process, but in general, transmission
11 line towers are not considered incompatible with farming and/or ranching
12 operations. Generally, any reduced land use impacts associated with transmission
13 infrastructure are limited to the “footprint” at the base of the tower. Otherwise,
14 full agricultural use in the rest of the right-of-way is unaffected, as is confirmed
15 by TrAILCo witness Wayne Knoblauch in TrAILCo Rebuttal Statement No. 16.

16
17 Q. VARIOUS WITNESSES AT THE PUBLIC INPUT HEARINGS EXPRESSED
18 CONCERNS ABOUT THE IMPACT OF TRAIL ON RECREATION TRAILS,
19 WILDERNESS AREAS, AND SCENIC RIVERS. IN ADDITION, OTS
20 WITNESS YOCCA IN OTS STATEMENT NO.1, AT PAGES 43-45, APPEARS
21 TO GIVE TRAIL A MIXED REVIEW REGARDING THESE RESOURCES.
22 DO YOU BELIEVE THAT THESE CRITICISMS ARE JUSTIFIED?

1 A. No. OTS witness Yocca observes that there are no references to scenic rivers in
2 the LRE (OTS Statement No. 1, p. 45) and no information in the LRE about
3 wilderness areas (OTS Statement No. 1, p. 44). That should not be surprising
4 since no designated scenic rivers or wilderness areas are located in the proposed
5 right-of-way or study area. Recreation trails were identified within two miles of
6 the proposed line, as summarized in Table 4-4 of the LRE. “Designated
7 Recreational Areas Within Two Miles of the Proposed Route,” TrAILCo Exhibit
8 JH-1, p. 77. There is one identified formal trail that is crossed by the Proposed
9 Route, the Warrior Trail. This trail stretches in an east-west direction across all of
10 Greene County. Due to its extensive east-west extent, it was unavoidable without
11 consideration of circuitous routes, and therefore, this trail was crossed by all of
12 the alternatives considered.

13
14 Q. A NUMBER OF WITNESSES AT THE PUBLIC INPUT HEARINGS
15 TESTIFIED ABOUT PREVIOUS MINING ACTIVITIES IN
16 SOUTHWESTERN PENNSYLVANIA AND THEIR POSSIBLE IMPACT ON
17 TRAIL. WERE THESE ISSUES CONSIDERED IN THE ROUTE SELECTION
18 PROCESS?

19 A. Yes. Active surface mines, as identified from existing aerial photography were
20 avoided. Some underground mines may exist near the proposed transmission line
21 and plans to evaluate the mining areas affected by the proposed route for TrAIL
22 are ongoing. As part of the final activities associated with constructing the

1 transmission line, more detailed analysis of these issues will be reflected in a
2 geotechnical report. The following will be addressed in that report:

- 3 • Results of studies to identify previously documented, published, and observed
4 mine and karst topography locations along the transmission line route.
- 5 • Results of core borings where mine or karst topography are encountered.
- 6 • Results of any additional special borings performed to verify mine or karst
7 topography locations.
- 8 • Any special considerations resulting from the identification of mine or karst
9 topography locations.

10 We are not aware of any transmission towers “collapsing” due to subsidence.
11 Subsidence tends to cause slow deformations of the ground which allow for
12 settlement of the tower foundations without collapse.

13
14 Q. TWO PUBLIC WITNESS HEARING WITNESSES STATED THAT THE
15 PROJECT WOULD AFFECT THE FEDERALLY ENDANGERED INDIANA
16 BAT AND THAT THE TRAIL PROJECT DOES NOT COMPLY WITH THE
17 ENDANGERED SPECIES ACT. DO YOU AGREE WITH SUCH
18 CONCLUSIONS?

19 A. No. The TrAIL project is in compliance with the Endangered Species Act. We
20 consulted with the U.S. Fish and Wildlife Service who advised and identified the
21 Indiana bat as the only federally listed species that could potentially occur in the
22 project area. Subsequent to this initial consultation and the submission of the
23 LRE, TrAILCo has continued consultation with the U.S. Fish & Wildlife Service

1 and has agreed to conduct intensive net surveys for the Indiana bat beginning
2 approximately May 15, 2008. TrAILCo will submit the results of these surveys to
3 the U.S. Fish & Wildlife Service and will continue consultation to determine if
4 TrAIL would affect the Indiana bat and if any further protection or mitigation
5 measures are required to comply with the Endangered Species Act.

6
7 HISTORICAL RESOURCES

8 Q. SEVERAL PUBIC WITNESSES COMMENTED THAT CULTURAL
9 RESOURCE SITES WERE OVERLOOKED, AND THAT THE
10 METHODOLOGY FOR LOCATING HISTORIC/CULTURAL RESOURCES
11 WAS DEFICIENT BECAUSE IT ONLY CONSIDERED PROPERTIES
12 WITHIN 1/4 MILE OF THE PROPOSED LINE. DO YOU AGREE WITH
13 THESE STATEMENTS?

14 A. No. Information was gathered concerning the location of potentially eligible and
15 eligible architectural resources, listed National Register properties, and
16 archaeological sites from the Pennsylvania Historical & Museum Commission
17 ("PHMC") for the entire study area. Architectural resource site information was
18 gathered from the PHMC Cultural Resources Geographic Information System.
19 This information was mapped and used during the route planning effort and as
20 part of the inventoried information for comparison between the alternatives. The
21 tally of architectural resource sites within ¼ mile of each of the alternatives was
22 performed for comparison purposes only, and should not be considered a

1 statement of the geographic limit of our data gathering effort or consideration of
2 cultural resources during the route planning effort.

3
4 In contrast to architectural resources, archeological site information was not
5 digitized and brought into the GIS environment, but rather reviewed within the
6 online PHMC Cultural Resources Geographic Information System to identify
7 large sites that may be difficult to span between structures or avoid during
8 structure placement. Impact avoidance for archeological sites, unless they are
9 known large scale sites, is generally a matter of careful line design and structure
10 placement. For this reason, archeologists typically conduct detailed site
11 assessments only after the route has been selected and design and engineering
12 efforts have begun.

13
14 Lastly, it should be noted, that it is typical that detailed collection and inventory
15 of architectural and archaeological resources occur as part of ongoing consultation
16 and coordination efforts with the PHMC to establish an area of potential effects,
17 identify cultural resources, evaluate their eligibility for inclusion in the National
18 Register, to determine the project's effects on historic properties, and to avoid,
19 minimize or mitigate effects on historic properties. Consistent with this approach,
20 a complete detailed cultural resource survey was not performed earlier. While
21 Section 106 of the National Historic Preservation Act does not apply to this
22 project, TrAILCo is essentially following the implementing regulations of Section
23 106 that provide as follows:

1 36 CFR§ 800.4 (b) (2) Phased identification and evaluation.
2 Where alternatives under consideration consist of corridors or large
3 land areas, or where access to properties is restricted, the agency
4 official may use a phased process to conduct identification and
5 evaluation efforts ... and ... as specific aspects or locations of an
6 alternative are refined or access is gained, the agency official shall
7 proceed with the identification and evaluation of historic properties
8 in accordance with paragraphs (b)(1) and (c) of this section.
9

10 TrAILCo has used a "phased approach" to seek approval for a preferred
11 alignment. Once the PaPUC process has been completed, consultation with the
12 PMHC will continue to define the area of potential effects as well as the scope
13 and level of effort for identification studies for the preferred alignment. Once the
14 identification studies are completed, additional consultation will take place
15 between TrAILCo and the PHMC to determine if historic properties are present
16 and if there will be any effects.
17

18 ROUTE SELECTION

19 Q. ECC WITNESS HOCH IN ECC STATEMENT NO. 3 AND OTHER PUBLIC
20 INPUT WITNESSES ALLEGE LIMITATIONS TO THE GEOGRAPHIC
21 INFORMATION SYSTEMS ("GIS") IN GENERAL AND ITS SPECIFIC
22 APPLICABILITY TO THE TRAIL PROJECT. DO YOU AGREE WITH
23 THESE CRITICISMS?

24 A. No. Both ECC witness Hoch and some other public input witnesses questioned
25 the use and reliability of GIS in the Route Selection Process. While Tim Gaul, in
26 TrAILCo Rebuttal Statement No. 19, discusses these issues in greater detail, some
27 general response is in order here. GIS has been routinely used in electric

1 transmission line siting and route selection for more than thirty years. I have been
2 personally involved in over a dozen projects using GIS for siting purposes, and I
3 believe our use of it in the TrAIL Project was appropriate. It was used to identify
4 major routing constraints, land uses, and landscape features – uses for which GIS
5 is most suited. Moreover, many of the detailed, site specific concerns noted by
6 ECC witness Hoch and others can only be clearly identified through field visits
7 (with appropriate access rights), and many of these site specific impact concerns
8 can be handled through design and engineering solutions. On the ground, field
9 visits are currently being conducted, where permitted, to gather more detailed
10 information for site specific concerns. The important point is that GIS was one of
11 many data sources used in the site evaluation and selection process, and we were
12 cognizant of the limitations of GIS before and during our work. But, these known
13 limitations in no way minimize the value of the GIS to the process used to
14 ultimately select the preferred route for TrAIL.

15

16 Q. WITNESSES SPENCER AND BURKE ON BEHALF OF COLUMBIA GAS OF
17 PENNSYLVANIA, INC. AND COLUMBIA GAS TRANSMISSION
18 CORPORATION HAVE RAISED CONCERNS ABOUT THE PROXIMITY OF
19 THE TRANSMISSION LINE TO GAS FACILITIES AND THE EXTENT TO
20 WHICH THE LOCATION OF SUCH FACILITIES WERE CONSIDERED IN
21 THE LINE SITING AND EVALUATION PROCESS. SEVERAL PUBLIC
22 INPUT HEARING WITNESSES ALSO RAISED SAFETY ISSUES WHERE

1 ELECTRIC AND GAS FACILITIES CO-EXIST IN CLOSE PROXIMITY. ARE
2 THEIR CONCERNS JUSTIFIED?

3 A. We certainly understand and appreciate any concerns raised about potential health
4 and safety issues relating to gas and electric lines in close proximity. This
5 particular issue and any specific approaches to mitigation are addressed in the
6 rebuttal testimony of John R. Bodenschatz, TrAILCo Rebuttal Statement No. 7-R.
7 However, I can address how the location of gas lines was considered in our siting
8 effort.

9
10 As stated in the LRE, the goal of the route selection study was to select the most
11 suitable route for a 500 kV electrical transmission line between the West Virginia
12 state border and the proposed 502 Junction Substation site, and north from the 502
13 Junction Substation site to the proposed Prexy Substation site. The most suitable
14 route was defined as the route minimizing the effect of the transmission line
15 factors of the natural and cultural environment, while avoiding an unreasonably
16 circuitous route, extreme costs, and non-standard design requirements. Because
17 electric lines and gas lines routinely co-exist in the same right-of-way, the latter
18 were not expressly avoided during the route selection process. In fact, gas line
19 corridors are sometimes considered in electric line siting processes for their
20 potential benefit of shared right-of-way.

1 Q. DO YOU AGREE WITH THOSE PUBLIC INPUT HEARING WITNESSES
2 WHO SUGGESTED THAT A RIGHT-OF-WAY ALONG I-79 SHOULD BE
3 CONSIDERED AS AN ALTERNATIVE TO THE PROPOSED TRAIL
4 ROUTE?

5 A. No. There were several reasons why this location was not considered as a
6 possible route. Our review of routing along Interstate 79 resulted in effects that
7 were contrary to several of the routing criteria used and presented in the LRE.
8 (LRE at p. 16). Most notably, these criteria include minimizing route length and
9 circuitry; minimizing the removal of existing residences; avoiding the removal of
10 barns, garages, or other structures; and maximizing the separation distances from
11 historical resources, recreation sites, and other important cultural sites.

12
13 Any line built along the interstate and just outside the highway right-of-way
14 would cause extensive impacts that would be greater than the proposed TrAIL
15 route. Additional impacts would result from the increased length of the route,
16 which would be required in order to follow the edge of the highway right-of-way.
17 Typical highway right-of-way expands and contracts allowing room for road cuts
18 and fills, interchanges, etc. Routing a transmission line alongside of this right-of-
19 way would necessarily require the line to constantly curve to follow the highway
20 alignment, while at the same time deal with topographic variations. This constant
21 turning requires significantly more structures, resulting in greater impact to the
22 area's natural resources, and greater impacts on the visual landscapes and views
23 in the area. In addition, development, both existing and future planned, is often

1 concentrated at each of the interstate exits. Since one of our routing criteria is to
2 avoid residential developments and minimize the need for removal of existing
3 residences, routing along the highway and passing through development at each
4 exit is problematic. The end result of attempting to follow the interstate right-of-
5 way while avoiding residential and commercial development is a route that
6 continuously deviates and/or crosses the interstate before and after each
7 intersection and returns to the interstate after each interchange. Again, this results
8 in a longer, more circuitous route, more structures, and more impact.

9
10 Lastly, with a greater number of structures associated with deviations from the
11 interstate, there is the potential for impacts on several noted historic resources on
12 the west side of the study area near the interstate, specifically in the vicinity of the
13 National Pike, where several eligible sites and eligible historic districts are
14 located.

15
16 Q. SOME PUBLIC INPUT WITNESSES HAVE SUGGESTED THAT TRAILCO
17 RELIED TOO HEAVILY ON PRE-EXISTING EASEMENTS IN THE
18 ULTIMATE SELECTION OF THE PROPOSED ROUTE FOR TRAIL. DO
19 YOU AGREE WITH THOSE VIEWS?

20 A. No. As reflected in the LRE, TrAILCo Exhibit JH-1, the Routing Team
21 considered a range of potential routing links, and from these links assembled 4
22 routing alternatives for the 500 kV segment, and 7 alternatives for the three 138
23 kV line segments. These various alternatives were considered in the context of

1 the Route Selection Criteria identified in Section 2.4 of the LRE, (p. 16), and the
2 Environmental Inventory contained in Table 2-3 of the LRE, (p. 36). Existing
3 right-of-way was one of the criteria considered in the site evaluation process and
4 was not weighted any higher in the overall evaluation process than other criteria
5 referenced in the LRE.

6
7 Q. SEVERAL PUBLIC INPUT HEARING WITNESSES CHALLENGED THE
8 VALIDITY OF THE FINAL ROUTE SELECTION FOR TRAIL BASED UPON
9 WHAT THEY CONSIDERED TO BE NUMEROUS CHANGES IN THE LINE
10 LOCATION SINCE THE PROCEEDING HAS COMMENCED. DO YOU
11 AGREE WITH SUCH CONCLUSIONS?

12 A. No, not at all. Although this issue is discussed in greater detail by TrAILCo
13 witness Alan J. Fleissner in TrAILCo Rebuttal Statement No. 6-R, only three
14 changes were made in the route, two of which have been filed with the
15 Commission in supplementary testimony, and a third that was made at the behest
16 of a landowner entirely on his own property. These limited minor changes were
17 made because of encroachments, and they are discussed at length in Alan
18 Fleissner's rebuttal testimony.

19
20 Q. DOES THIS CONCLUDE YOUR REBUTTAL TESTIMONY?

21 A. Yes. However, I reserve the right to file such additional testimony as may be
22 necessary or appropriate.