



COMMONWEALTH OF VIRGINIA
HOUSE OF DELEGATES
RICHMOND

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COMMITTEE ASSIGNMENTS:
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SCIENCE AND TECHNOLOGY

October 9, 2008

The Honorable Bob McDonnell
Office of the Attorney General
900 East Main St.
Richmond, VA 23219
[Via E-mail]

Dear General McDonnell:

I would like to ask that the Office of the Attorney General appeal the decision of the State Corporation Commission (SCC) regarding the transmission line issue to the VA Supreme Court.

I do not agree with the SCC commissioners' reading of the Virginia power statute that the General Assembly in effect gave away the authority to regulate the placement of transmission lines out of the hands of the SCC, and instead gave it to a private entity (PJM) because that would be an unconstitutional delegation of public authority which the General Assembly CANNOT do.

Commissioner Shannon points out that "the PJM process may result in overbuilding transmission versus other alternatives, with the accompanying costs being born by the rate payers and the appearance of the Virginia landscape being adversely affected." A regulatory process that intentionally wastes limited citizen resources is unconscionable.

It is clear this transmission line is NOT for the benefit of Virginia electric power consumers because even the Virginia SCC grants only preliminary approval to the line dependent upon the actions of Pennsylvania.

No such abdication of legislative intent was ever discussed as part of the deregulation bill which passed the General Assembly several years ago, and I doubt it would have passed if that were the clear legislative intent.

Thank you for your assistance with this matter. If you have any questions please contact me at (703) 853-4213 and please send all responses to delbmarshall@house.state.va.us.

Sincerely,

Bob Marshall

Delegate Bob Marshall

RGM/ccg