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September 2, 2010

Via Hand Delivery

04:26 PM SEP 02 2010 PSC EXEC SEC DIV

Ms. Sandra Squire
Executive Secretary
Public Service Commission of West Virginia
201 Brooks Street
Charleston, West Virginia 25323

Re: Case No. 09-0770-E-CN
Joint application for W. Va. Code § 24-2-11a certification and related relief
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:

In the Commission Order dated August 25, 2010 in this docket, the Commission directed the Applicants to describe the timing of anticipated proceedings in Maryland and Virginia and to explain how the potential efficiency of keeping the three procedural schedules reasonably well aligned would be facilitated by implementing the procedural schedule proposed in Applicants' "Revised Proposal to Toll" filed on August 20 ("Revised Proposal"). The Commission also elicited Applicants' suggestions on how this alignment could be accomplished given each state's statutory requirements.

The Maryland certificate application is now in the discovery stage, and the Virginia application will be filed by the end of September 2010. Each of these states is expected to complete its certification process by the end of September 2011. Applicants believe that the Revised Proposal, which anticipates a Commission decision due date of July 28, 2011, is consonant with the anticipated procedural schedules in Maryland and Virginia, and without undue risk of overlapping evidentiary hearings.

Procedural Status – Maryland

The Maryland Public Service Commission ("MD PSC") has determined that under Maryland law The Potomac Edison Company ("Potomac Edison") is a proper applicant for a certificate of public convenience and necessity to construct the PATH Project in Maryland. On July 16, 2010, Potomac Edison filed supplemental testimony regarding the electrical need for the PATH Project and other issues. On July 26, 2010, the MD PSC issued an order finding the

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Potomac Edison CPCN application to be complete. On August 9, 2010, the Hearing Examiner issued a notice setting the case for a pre-hearing conference on September 28, 2010. On August 10, 2010, Potomac Edison advised the MD PSC of an error in the supplemental testimony on electrical need and committed to file revised supplemental testimony on electrical need by September 14, 2010, the same day Applicants intend to file revised supplemental testimony here. Potomac Edison also committed to the MD PSC that it would not seek backstop authorization from the Federal Energy Regulatory Commission prior to a full year after the filing of the revised supplemental testimony on electrical need.

Based on the applicable regulations and prior actions by the MD PSC, Potomac Edison expects that the Hearing Examiner will establish a procedural schedule that will result in the issuance of an order on the merits of the application within a year from the filing of revised supplemental testimony. Assuming the filing of such testimony on September 14, 2010, Potomac Edison expects the MD PSC will issue an order on the merits of the application by September 14, 2011.

Procedural Status – Virginia

PATH Allegheny Virginia Transmission Corporation (“PATH-VA”) intends to file a new application with the Virginia State Corporation Commission (“VA SCC”) for authorization to construct the PATH Project in Virginia during September 2010. Based on prior actions by the VA SCC, PATH-VA expects that the assigned Hearing Examiner will establish a procedural schedule that will result in the issuance of an order on the merits of the application within a year from the filing of the new application. Assuming the filing of the new application by September 30, 2010, PATH-VA expects the VA SCC will issue an order on the merits of the application by September 30, 2011.

Procedural Schedules Are Reasonably Well Aligned

The Revised Proposal fits well with the anticipated schedules in Maryland and Virginia. Each jurisdiction would render a decision in late summer or early fall of 2011, and the slight offset of the expected final decision dates will help to ensure that the evidentiary hearing dates set in Maryland and Virginia will not overlap the late March 2011 hearing dates in the Revised Proposal. Additionally, a late July decision due date in West Virginia will provide a window within which the Commission may adjudicate any petitions for reconsideration or rehearing prior to the certification decisions in the other two states.

The Revised Proposal incorporates a voluntary tolling of the statutory decision due date by over 400 days, 73 days more than the current schedule. Applicants believe that the Revised Proposal’s schedule recommendations, which were modeled as closely as possible to the current schedule, provide a full and fair opportunity for review by Staff, the Consumer Advocate Division, and intervenors. Moreover, in the ten days provided for timely responses to the

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Revised Proposal, no party has objected to or commented on the Applicants' schedule recommendations. Applicants request that the Commission enter an order adopting the schedule recommended in the Revised Proposal.

Very truly yours,

A handwritten signature in black ink, appearing to read "C. Callas", written in a cursive style.

Christopher C. Callas

CLC/mb
Enclosures