

NEW MEXICO PUBLIC REGULATION COMMISSION

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September 8, 2011

Secretary Steven Chu, Ph.D.
U.S. Department of Energy
1000 Independence Ave., SW
Washington, DC 20585

Dear Secretary Chu:

Thank you for the opportunity to provide comments on a proposed additional delegation of authority from the Department of Energy to the Federal Energy Regulatory Commission under Section 1221 of the Energy Policy Act of 2005.

I have reviewed the joint comments by the Oregon and Utah utility commissions and I concur with much of what they have written. State siting processes have not been shown to be a significant obstacle to the development of new transmission in the west. Focusing too much effort and attention on the questions of how much authority should be given to the FERC to supplant state processes risks paying too little attention to addressing factors that are actually slowing down transmission development: lack of timely action and coordination on the part of federal agencies.

For this reason, I urge you to adopt the recommendations of Oregon and Utah with respect to federal agency Rapid Response Teams for Transmission. I also concur with their recommendations for specific rules requiring coordinated state and federal action in the event that additional permitting authority is delegated to the FERC.

In determining how to apportion state and federal roles in the transmission siting process, the Department should seek the right balance that facilitates the development of "good" projects (through some ability to preempt an unreasonable, parochial decision by a state) while not eliminating states' ability to identify truly "bad" projects that unreasonably trample on local environmental or quality of life concerns.

Yours truly,

A handwritten signature in cursive script that reads "Jason Marks".

Jason Marks