



September 9, 2011

The Honorable Stephen Chu
Secretary of Energy
1000 Independence Avenue, SW
Washington, D.C. 20585

Re: Proposed Siting Delegation to FERC (Submitted via:congestion09@anl.gov)

Dear Secretary Chu:

On behalf of the Solar Energy Industries Association's (SEIA) 1,000 member companies and the 100,000 Americans employed by the solar industry, I am writing in support of the Department of Energy (DOE) delegating to the Federal Energy Regulatory Commission (FERC) unconditional authority to designate National Interest Electric Transmission Corridors (NIETC) under Section 1221 of the Energy Policy Act of 2005. Such a delegation would consolidate entirely within FERC the Section 1221 federal "backstop" authority to approve the siting and construction of interstate electric transmission lines under certain very limited circumstances.

SEIA believes the existence of an effective federal backstop transmission siting authority will primarily have the effect of spurring state and regional action on interstate transmission lines. This will enable the delivery of additional solar, wind and other renewable electricity from remote areas rich in renewable energy resources to distant electric load centers. For the solar industry, this is particularly important in the Southwest where the development of large utility-scale solar plants will be dramatically constrained unless additional interstate transmission is built from remote desert areas to population centers.

SEIA recognizes that the siting of electric transmission lines has long been a state responsibility. SEIA commends the states for their work on these difficult siting issues and supports continued state jurisdiction in this area. As a consequence, we support use of federal backstop siting authority under only very limited circumstances. Ideally, the federal backstop siting authority will seldom be used but instead will serve as an incentive to positive state action regarding interstate transmission siting.

Unfortunately, due to a series of adverse court rulings, implementation difficulties and other factors, Section 1221 has not yet had the positive impact on transmission siting for renewables intended by the legislation.

The consolidation of all Section 1221 authorities within one agency, FERC, provides a mechanism for fundamental reconsideration and change in how the authority is implemented. In addition, FERC is well suited to this task due to its existing electricity regulatory expertise and resources. Finally, SEIA has reviewed the "FERC Staff Preliminary and Conceptual Transmission Siting Proposal." While we have not had an opportunity to closely analyze every aspect of the FERC staff draft, our initial review indicates that it is a good starting point for discussion as well as an indicator that FERC staff appreciates the need for a new approach.

September 9, 2011

Page 2

The consolidation of federal backstop siting authorities at FERC will not remove all barriers that must be overcome to modernize our electricity system. However, with careful implementation, including substantial stakeholder input, such authority can make a significant contribution to achieving the goal of a clean energy economy, including the creation of jobs and protection of the environment.

Thank you for your consideration.

Sincerely,

A handwritten signature in blue ink, appearing to read "Rhone Resch". The signature is fluid and cursive, with the first name "Rhone" and last name "Resch" clearly distinguishable.

Rhone Resch
President and Chief Executive Officer

cc: The Honorable Jon Wellinohoff, Chairman, Federal Energy Regulatory Commission
Ms. Lauren Azar, Senior Advisor to the Secretary of Energy
Mr. David H. Meyer, Office of Electricity Delivery and Energy Reliability, DOE (OE-20)
Mr. Michael Bardee, General Counsel, FERC