

# U.S. to have say in power line siting

**In a boost for utilities, the Southland is deemed a key energy corridor, allowing federal officials to overrule the state and condemn property.**

By Janet Wilson, Los Angeles Times Staff Writer  
October 3, 2007

The U.S. Department of Energy on Tuesday designated nearly all of Southern California, parts of Arizona and much of the northeast as "national interest" energy transmission corridors, an action that allows federal regulators to approve new high-voltage towers and lets private utilities condemn homes and land even if a state agency won't.

The action is potentially an enormous boost for the Los Angeles Department of Water and Power, Southern California Edison Co. and San Diego Gas & Electric Co., all of which have faced fierce local opposition to proposed transmission lines that would stretch for hundreds of miles through numerous communities and counties.

California utilities are up against a tough state deadline to obtain 20% of their power from renewable sources by 2010, which in most cases means shipping in wind, solar or geothermal energy from elsewhere.

Energy Secretary Samuel Bodman, following direction from President Bush and Congress, designated six California jurisdictions in their entirety as "national interest electric transmission corridors," including Los Angeles, Orange, San Bernardino, Riverside, Kern and San Diego counties.

"We're not talking about a huge new transmission tower on Wilshire Boulevard," said Mary O'Driscoll, spokeswoman for the Federal Energy Regulatory Commission. But it's not clear how newer, fast-growing communities in the Antelope Valley or the Inland Empire would be affected. Small towns in rural areas and private land preserves around national parks could be early targets.

Kevin Kolevar, assistant secretary of the Energy Department's Office of Electricity Delivery and Energy Reliability, said "critical areas of congestion" had been identified in both the southwest and the northeast by federal energy researchers, including coastal Southern California and the Inland Empire. Under the Energy Policy Act of 2005, the federal energy commission will now be able, as a last resort, to designate badly needed transmission corridors between states to ensure reliable power reaches those areas, Kolevar said. The commission would act only if a state had not acted on an application by a utility within a year or had turned it down, he said.

A spokeswoman for the California Public Utilities Commission said its staff was researching the decision. But utilities and other business groups, including the California Chamber of Commerce and Edison Electric Institute, a national electric industry lobbying group, praised the announcement. Residents in rural areas expressed concern.

"If you're building a power plant, you tend to have lot of concern within one community; if you're building a transmission line you tend to have 1,000 miles of those kinds of concerns," Edison International Chief Executive John Bryson said in a recent interview. Edison is the parent company for Southern California Edison. "We're enormously fast-growing in Southern California, we serve . . . four of the 10 fastest-growing counties in the United States. So we're going to need a real big increase in supplies," he said.

Although Edison International is prepared to spend as much as \$4 billion on new transmission lines in the next five years, Bryson said the utility recently suffered "a real setback in Arizona" because of the state's unwillingness to provide more power to California. Edison International was recently denied approval by Arizona regulators to build a new transmission line between an area of the state, which is covered by Tuesday's decision, and Southern California.

"We're evaluating the Arizona situation, and I think in the view of Congress this was enough of an issue, the parochialism and state balkanization, that a law was adopted . . . so that all parties can apply to FERC," Bryson said. "No one has done that yet. It's something you don't do lightly because in our case we would like to work very well with Arizona and California."

DWP Board President H. David Nahai also reacted cautiously. "The energy corridor designations released today were subject to a lengthy public process, with input from a variety of stakeholders. We are now evaluating these new designations and determining the extent to which they will facilitate the transmission of renewable energy to Los Angeles," Nahai said in a statement.

Residents in San Bernardino County's Morongo Valley have been fighting a proposal by DWP to lace huge new towers through historic Pioneertown, the setting for countless television westerns and movies, and through bucolic private land preserves pieced together between Joshua Tree National Park and the San Bernardino National Forest.

Federal energy regulators would steer clear of public parks and forests unless sister agencies allowed transmission lines, putting more pressure on private lands as possible route sites, Kolevar said.

"We've been expecting the federal preemption card to be played . . . and we're going to fight it," said Danny Sall, 59, a lifelong resident of Pioneertown whose home has been identified on DWP maps as possibly being in the route of a proposed transmission line. It is not yet known if Tuesday's decision applies to that line because it may not link up to out-of-state power.

"People live out here because they don't want the congestion and the traffic; they're interested in a different quality of life," Sall said. "Constitutionally I think we should be able to do that without some conglomerate 100 miles away coming in saying, 'Ha ha, this is for the greater good because we have more heads to count, so we're taking your land.'"

Earlier this year, members of Congress tried unsuccessfully to roll back the new powers of the federal commission. And some land trust groups are considering whether to file legal challenges.

But leading eminent domain attorney Gideon Kanner said there was a long established track record for governments to use eminent domain under the U.S. Constitution if it would benefit the greater good.

"This is another example of NIMBYism writ large," he said of objections by desert and forest community residents to power lines. "They want to live in pristine, wooded areas, but they want to be able to jump in their car, too, and run down to the local Starbucks and get a latte powered by electricity." [janet.wilson@latimes.com](mailto:janet.wilson@latimes.com)