



STATE OF NEW YORK

ELIOT SPITZER  
GOVERNOR

June 8, 2007

Honorable Samuel W. Bodman  
Secretary of Energy  
U.S. Department of Energy  
1000 Independence Avenue, SW  
Washington, DC 20585

Dear Secretary Bodman:

I am writing to express my opposition to the Department of Energy's draft designation of 47 counties in the State of New York as a national interest electric transmission corridor (NIETC).

There simply is no need for the NIETC designation. New York already has an effective transmission facility siting law. Article VII of the New York Public Service Law gives the New York Public Service Commission jurisdiction over the siting of major transmission facilities and establishes a remarkably efficient one-stop process for reviewing applications to build transmission facilities. This established process works well: seventeen transmission projects have received approval under the Article VII process over the past ten years, and several more projects are presently under consideration. In addition, during the first six months of my administration, New York, with substantial public and industry support, has been moving resolutely to improve the reliability of the electric grid within the state.

If the NIETC designation is finalized, the Federal Energy Regulatory Commission will be able to preempt in certain circumstances New York's long-established statutory siting process. It is unnecessary and would be counter-productive to upset this established process.

New York has had a proven, familiar transmission facility siting process in place for the past 37 years. The Article VII process ensures that New York can expeditiously site transmission facilities that are needed, and provides a forum for stakeholders to express support for or opposition to proposed projects. Thus, I urge the Department of Energy to exclude the State of New York from its designation.

Sincerely,

A handwritten signature in black ink, appearing to read 'E. Spitzer', written in a cursive style.

Eliot Spitzer