

**PUBLIC SERVICE COMMISSION
OF WEST VIRGINIA
CHARLESTON**

At a session of the PUBLIC SERVICE COMMISSION OF WEST VIRGINIA in the City of Charleston on the 17th day of April, 2008

CASE NO. 07-0508-E-CN

TRANS-ALLEGHENY INTERSTATE LINE COMPANY

Application for a Certificate of Convenience and Necessity authorizing the construction and operation of the West Virginia segments of a 500 kV electric transmission line and related facilities in Monongalia, Preston, Tucker, Grant, Hardy, and Hampshire Counties, and for related relief.

COMMISSION ORDER

This Order describes the need for a revised motion to toll.

Background

On March 30, 2007, the Trans-Allegheny Interstate Line Company (“TrAILCo”)¹ filed with the Public Service Commission of West Virginia (“Commission”) an application for a certificate of public convenience and necessity (“Application”), pursuant to W. Va. Code § 24-2-11a, authorizing the construction and operation of the West Virginia segments of a 500 kilovolt (“kV”) electric transmission line, including its towers, conductors, and the terminal equipment and related facilities (the Trans-Allegheny Interstate Line, or “TrAIL”). As proposed and described by TrAILCo, the portions of the segments of the TrAIL that will be constructed in West Virginia will consist of approximately 114 miles of 500 kV transmission line and related facilities in Monongalia, Preston, Tucker, Grant, Hampshire, and Hardy Counties, entering West Virginia from Pennsylvania approximately 0.9 miles northwest of Bowlby in Monongalia County, and exiting West Virginia into Virginia approximately 2.5 miles east of Capon Springs in Hampshire County.

On August 10, 2007, TrAILCo filed Supplemental Materials as required by a June 11, 2007 Commission Order, including TrAILCo’s study of an alternate route (referred to hereinafter as the “Grafton Area Route”) for a portion of TrAIL.

On April 15, 2008, TrAILCo, the Consumer Advocate Division of the Public Service Commission of West Virginia, the Staff of the Public Service Commission of West Virginia,

¹ TrAILCo is wholly owned by Allegheny Energy Transmission, LLC, which in turn is wholly owned by Allegheny Energy, Inc.

and the West Virginia Energy Users Group, filed a Joint Stipulation and Agreement for Settlement ("Joint Stipulation"). TrAILCo also filed a Motion to Toll the statutory deadline in this case until June 2, 2008, to provide the Commission with additional time to consider the Joint Stipulation.

DISCUSSION

W.Va. Code § 24-2-11(f) and (g) provides a four-hundred day deadline for processing applications for high voltage transmission lines. At present the statutory deadline is Saturday, May 3, 2008. TrAILCo's Motion to Toll seeks to toll the statutory deadline until June 2, 2008.

The Commission has conducted a cursory review of the Joint Stipulation and the Motion to Toll. Given that the Joint Stipulation does not include all of the parties to this case, it is apparent that the thirty additional days afforded by the Motion to Toll will not provide sufficient time for the Commission to (i) obtain comments from the other parties, (ii) schedule and convene a hearing to receive testimony and/or argument from the parties regarding the Joint Stipulation, and (iii) issue a final decision in this case.

Therefore, in order for the Commission to fully review the Joint Stipulation it will be necessary for TrAILCo to file a revised motion to toll. The revised motion should request to toll the statutory deadline until at least 12:01 a.m., August 2, 2008. Upon receipt of the motion, the Commission intends to issue a further procedural order.

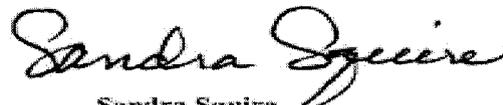
ORDER

IT IS THEREFORE ORDERED that if TrAILCo wants the Commission to review the Joint Stipulation, TrAILCo will file a revised motion to toll requesting to toll the statutory due date in this case until 12:01 a.m., August 2, 2008. Such revised motion must be filed on or before 12:00 noon, Monday, April 21, 2008.

IT IS FURTHER ORDERED that the Commission's Executive Secretary serve a copy of this Order upon all parties of record by United States First Class Mail and upon Commission Staff by hand delivery.

Chairman Michael A. Albert is recused in this case.

A True Copy, Teste:


Sandra Squire
Executive Secretary

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