



April 2, 2009

Transmission Infrastructure Program
Western Area Power Administration
P.O. Box 281213
Lakewood, CO 80228-8213

RE: Transmission Infrastructure Program Practices and Policies

Dear Western,

I am writing in response to the March 4, 2009 Federal Register Notice regarding practices and policies to implement the Transmission Infrastructure Program. In Montana transmission lines proposed under the program will need to comport with substantive findings required under the Major Facility Siting Act (75-20-301, MCA) and administrative rules implementing this section. This includes working with Montana Department of Environmental Quality (DEQ) to make the following findings before moving forward with a project:

- (a) the basis of the need for the facility;
- (b) the nature of the probable environmental impact;
- (c) that the facility minimizes adverse environmental impact, considering the state of available technology and the nature and economics of the various alternatives;
- (d) in the case of an electric, gas, or liquid transmission line or aqueduct:
 - (i) what part, if any, of the line or aqueduct will be located underground;
 - (ii) that the facility is consistent with regional plans for expansion of the appropriate grid of the utility systems serving the state and interconnected utility systems; and
 - (iii) that the facility will serve the interests of utility system economy and reliability;
- (e) that the location of the facility as proposed conforms to applicable state and local laws and regulations, except that the department may refuse to apply any local law or regulation if it finds that, as applied to the proposed facility, the law or regulation is unreasonably restrictive in view of the existing technology, of factors of cost or economics, or of the needs of consumers, whether located inside or outside the directly affected government subdivisions;
- (f) that the facility will serve the public interest, convenience, and necessity;
- (g) that the DEQ has issued any necessary air or water quality decision, opinion, order, certification, or permit as required by 75-20-216(3); and
- (h) that the use of public lands for location of the facility was evaluated and public lands were selected whenever their use is as economically practicable as the use of private lands.

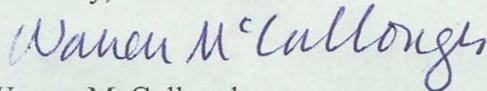
In determining that the facility will serve the public interest, convenience, and necessity under subsection (1)(f), the DEQ must consider:

- (a) the items listed in subsections (1)(a) and (1)(b);
- (b) the benefits to Western and the state resulting from the proposed facility;
- (c) the effects of the economic activity resulting from the proposed facility;
- (d) the effects of the proposed facility on the public health, welfare, and safety;
- (e) any other factors that the DEQ considers relevant.

When implementing this program, the Western Area Power Administration should consider completing upgrades to existing transmission lines before moving forward with new lines in the same area. Where land uses or other environmental values have changed since existing lines were constructed, Western should consider modifying line locations or line design to accommodate these changed conditions.

If you have any further questions, please contact Tom Ring at (4065) 444-6785.

Sincerely,



Warren McCullough
Chief, Environmental Management Bureau