

Department of Energy
Washington, DC 20585

District of Columbia Public Service Commission)

Docket No. EO-05-01

Order No. 202-07-1

On December 20, 2005, in Order No. 202-05-3, I determined that an emergency existed in the Central District of Columbia area due to a shortage of electric energy, a shortage of facilities for the generation of electric energy, a shortage of facilities for the transmission of electric energy and other causes, and that issuance of the order would serve to alleviate the emergency and serve the public interest. Therefore, pursuant to the authority vested in the Secretary of Energy by section 202(c) of the Federal Power Act (FPA), 16 U.S.C. 824a(c), and section 301(b) of the Department of Energy (DOE) Organization Act, 42 U.S.C. 7151(b), and for the reasons set forth in Order No. 202-05-3, I ordered Mirant Corporation and its wholly owned subsidiary, Mirant Potomac River, LLC, to generate electricity at its Potomac River Generating Station (the Plant) pursuant to the terms of the order.

In Order No. 202-05-3, I noted that the Plant is one of only three sources of electricity that serve the central business district of Washington, D.C., many federal institutions, and the Georgetown area, as well as other portions of Northwest D.C., and the District of Columbia Water and Sewer Authority's Blue Plains Advanced Wastewater Treatment Plant. The order further noted that:

PEPCO has applied to the [District of Columbia Public Service Commission] to construct two new 230 kV lines that would supply electricity to the Central D.C. area. In the same application, PEPCO has proposed building two new 69kV lines to supply the Blue Plains wastewater treatment plant. PEPCO proposes having the two 69 kV lines installed by the summer 2006 peak season, and the two 230 kV lines installed in 18 to 24 months. The two existing 230 kV lines that supply the Central D.C. area would need to be temporarily taken out of service sequentially in order to connect the new lines to the Central D.C. area. Once completed, these lines apparently would provide a high level of electric reliability in the Central D.C. area, even in the absence of production from the Plant.

The two 69 kV lines to the Blue Plains wastewater treatment plant have been completed. The two new 230 kV lines have been approved by the relevant regulatory authorities and are scheduled to be completed and in operation by mid-summer 2007.



On January 18, 2006, DOE issued a notice of the emergency order (published in the Federal Register on January 20, 2006, 71 FR 3279) in which DOE stated that it would prepare a Special Environmental Analysis (SEA) pursuant to the Council on Environmental Quality's Regulations Implementing the Procedural Requirements of the National Environmental Policy Act. The SEA would examine the potential impacts of the operation of the Plant pursuant to Order No. 202-05-3. DOE said it would make the SEA publicly available and would consider information contained in the SEA, and public comments on the SEA, in any future decision making regarding the operation of the Plant. The SEA is being issued today, November 22, 2006.


Order No. 202-05-3 was originally set to expire on October 1, 2006. However, because the reliability problems and other factors that were identified in Order No. 202-05-3 continued in the absence of the completion of the two new 230 kV lines, but the SEA had not been completed, on September 28, 2006, I issued a short-term extension of the emergency order pending completion and consideration of the SEA and DOE's review of comments thereon. That extension, Order No. 202-06-2, is set to expire December 1, 2006. In order to provide a sufficient amount of time for interested persons to review and comment on the SEA, and for DOE to consider any comments on the SEA, I am today issuing another short-term extension of the emergency order.

On February 17, 2006, I issued Order No. 202-06-1, which granted certain requests for rehearing of Order No. 202-05-3 for the limited purpose of further consideration. The rehearing requests continue under consideration and no action is being taken on those requests by the issuance of today's order.

DOE reiterates its expectation that the District of Columbia Public Service Commission will pursue demand response initiatives and actively promote conservation as additional means of enhancing reliability in the Central D.C. area.

Based on the above, I find that the circumstances which led to my previous determination that an emergency existed still continue, and therefore I hereby extend Order No. 202-05-3 and all the terms and conditions thereof until 12:01 a.m., February 1, 2007.

Issued in Washington D.C. at 2:50pm this 22 day of November, 2006.


Samuel W. Bodman
Secretary of Energy