

**STATE OF WYOMING
EXECUTIVE DEPARTMENT
EXECUTIVE ORDER**

2003-4

**IMPLEMENTING THE PROTOCOL GOVERNING SITING AND
PERMITTING OF INTERSTATE ELECTRIC TRANSMISSION LINES**

Whereas, because recent changes to transmission access requirements have created a more regional electric power market in the western United States, and

Whereas, because states have generally exercised authority to site electric transmission lines, and expanding wholesale electricity markets point out the need for closer cooperation between states and federal agencies, tribal governments and local governments in the efficient permitting and siting of new interstate transmission lines, and

Whereas, because a protocol has been established to enable affected states, local governments, federal agencies and tribal governments to participate in a systematic, coordinated, joint review of interstate transmission lines in the western United States, and

Whereas, because it is the intent of the Western Governors to work with affected states, local governments, federal agencies and tribal governments to expedite the siting and construction of needed transmission facilities to better ensure an adequate, affordable and reliable electricity supply to western consumers, and

Whereas, because a coordinated review of proposed interstate transmission facilities will better serve interstate needs, enable the construction of needed transmission and ensure the public interest is protected, as long as it is linked with pro-active regional transmission planning considering both transmission and non-transmission alternatives and appropriate systems of financing, and

Whereas, because a Memorandum of Understanding has been entered into between the U.S. Department of Energy, U.S. Department of Interior, U.S. Department of Agriculture, U.S. Environmental Protection Agency, Council on Environmental Quality and the Western Governor's Association regarding Energy Development and Conservation in the western United States, signed in 2001.

NOW THEREFORE, I, DAVE FREUDENTHAL, Governor of the State of Wyoming, hereby order the following:

That when an interstate electric transmission facility originating in or going through Wyoming is proposed, the Wyoming Public Service Commission and other Wyoming agencies that have a role in environmental siting and permitting will:

- Create an efficient environmental review process that results in documents that can be shared and used by all entities with jurisdiction in the siting and permitting.
- Establish and periodically review joint time lines for the conduct and timely completion of the review process and regulatory decisions.
- Establish a common understanding of the information needs, regulatory requirements and public interest issues prior to the environmental review process,
- Eliminate duplication of pre-application, scoping and permit review meetings among participating state, local, tribal and federal authorities,
- Create an understandable, streamlined review process that is structured, user friendly and predictable,
- Provide for early notification and sharing of information among affected states, local governments, federal agencies, tribal governments and project sponsors, and
- Preserve and protect the authority of each affected state, local government, tribal government and federal agency.

To implement this review process, the Wyoming Public Service Commission and other Wyoming review agencies or offices shall adopt the following elements as part of a joint, coordinated review of specific proposed interstate transmission facilities:

- An appointee of the Governor will participate in a Project Team made up of representatives of each state to coordinate the review of the proposed project.
- The reviewing Wyoming agencies shall notify the Governor's Planning Office (GPO) of any analysis related to need for the project, and the GPO shall use this information in any review of need for the proposed facility done by the Project Team.
- The reviewing Wyoming agencies shall, to the extent practicable, participate in joint activities, a system of record keeping, planning evaluating and monitoring the proposed transmission facility.

- The reviewing Wyoming agencies shall participate in the preparation and review of environmental assessments and impact statements, evaluation of project impacts, public involvement efforts, project construction and operation monitoring and any other activities necessary to determine compliance with applicable requirements; and
- The reviewing Wyoming agencies shall, to the extent practicable, comply with timelines, information requests, procedures and policies of the Project Team established under the Protocol...Governing the Siting and Permitting of Interstate Electric Transmission Lines in the Western United States.

Given under my hand the Executive Seal of the State of Wyoming on this _____ day of May, 2003.

Dave Freudenthal
Governor