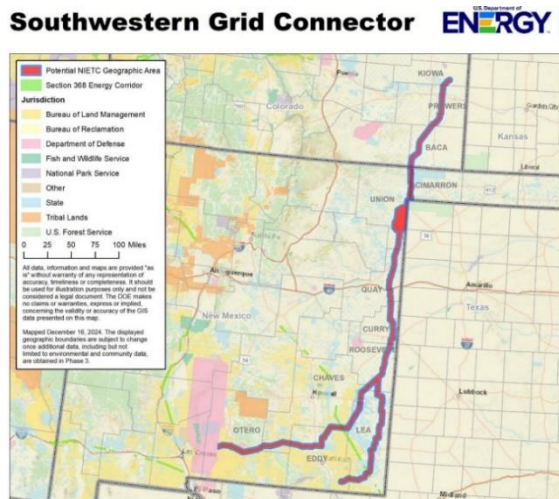


## Stated Purpose of NIETC

“A NIETC is a **geographic area** where...the DOE has identified...**present or expected transmission capacity constraints or congestion that adversely affects consumers...**and hampers access to reliable and affordable electricity.”

“NIETC designation identifies **targeted, high-priority areas** where the lack of adequate transmission **harms consumers** and where transmission development, or **an alternative non-transmission solution** is needed to address those consumer harms.”

NIETC Phase 3 map



NIETC Phase 2 map



Note: While the Phase 3 Southwestern corridor is 5 to 15 miles wide, the DOE is saying it may in the future revisit “other areas” through the opening of a new designation process.

## DOE’s Power of Eminent Domain

“Federal Energy Regulation Commission (agency within DOE) may grant permits for transmission projects within NIETCs where the state siting authorities do not have authority to site a transmission project, have not acted on an application to site a transmission project for over one year, or have **denied an application**. This may include the **transmission developer gaining the ability to obtain rights-of-way by exercising the right of eminent domain**, “

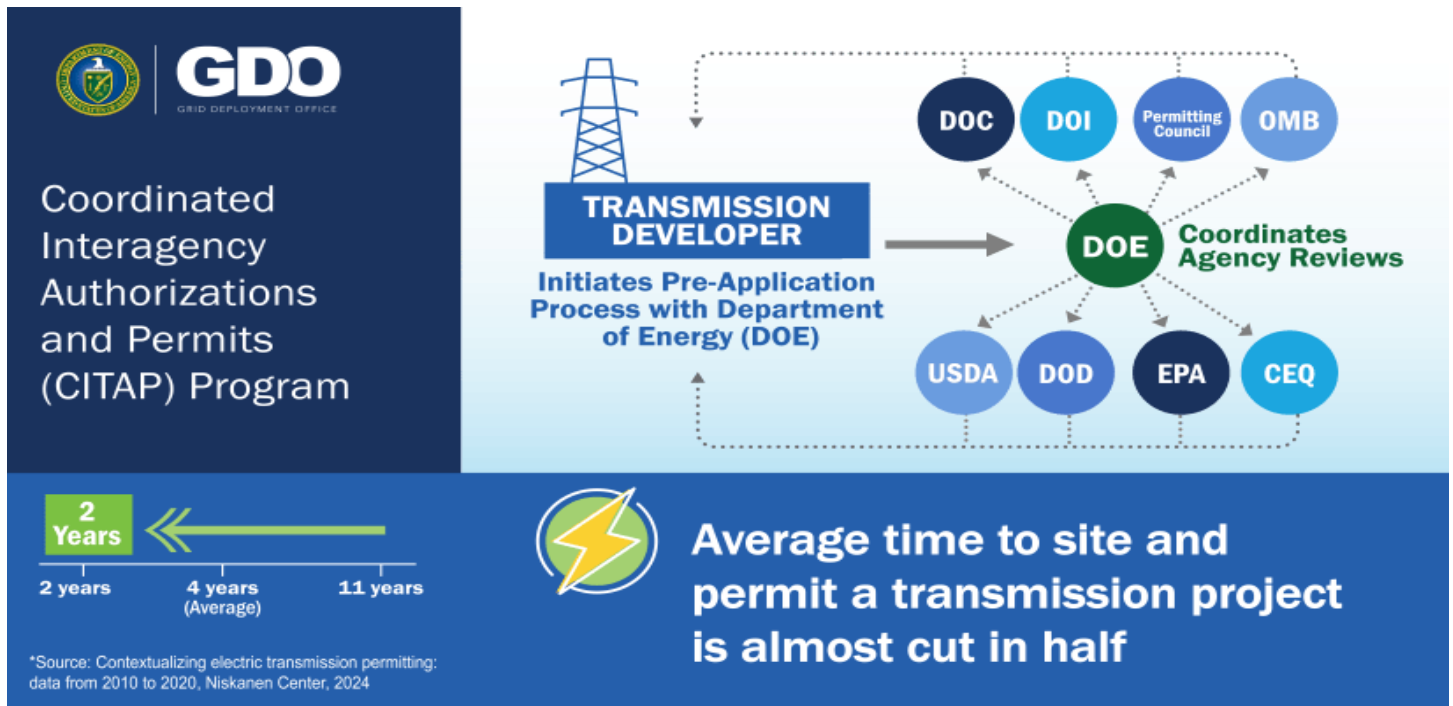
## What Can be Developed in a Corridor?

“In many cases, the solution to meet present or expected transmission capacity constraints or congestion that adversely affects consumers that DOE has identified through the NIETC process will be to construct new **“poles and wires”** transmission facilities, as NIETC designation can unlock key federal financing and permitting tools to facilitate such transmission infrastructure. In other cases, the solution may come in the form of alternative, non-traditional enhancements to the existing transmission network that increase operational efficiency without the need to build new transmission lines, such as grid enhancing-technologies, **energy storage solutions**, distributed energy resources, or **other solutions**.”

However, **it is up to market participants, transmission planning entities, state and local authorities, Tribal entities, and potentially FERC to determine the appropriate facilities to address the needs DOE has identified within any given NIETC**".

Note: Energy storage solutions are batteries, and batteries are dangerous. It's not unusual that batteries spontaneously combust and once burning they are too hot to be put out. Massive amounts of water are needed to manage the fires. The smoke is toxic requiring people to shelter in place or be evacuated from the area.

## Who Initiates a Transmission Development in a NIETC?



## What Current Policies are Driving the Establishment of NIETCs?

Fact Sheet: The Bipartisan Infrastructure Deal  
White House Brief - November 06, 2021

**“The Bipartisan Infrastructure Deal’s more than \$65 billion investment includes the largest investment in clean energy transmission and grid in American history. It will upgrade our power infrastructure, by building thousands of miles of new, resilient transmission lines to facilitate the expansion of renewables and clean energy, while lowering costs. And it will fund new programs to support the development, demonstration, and deployment of cutting-edge clean energy technologies to accelerate our transition to a zero-emission economy.”**

White House Announcement of Potential NIETCs

**“As today’s announcements demonstrate...the administration is committed to using every tool at our disposal to accelerate progress on transmission permitting and financing and build a clean energy future.”**

## Targeting Private Land

New Mexico has a quasi-governmental transmission infrastructure siting entity called the New Mexico Renewable Energy Transmission Authority (RETA).

“RETA takes this comment opportunity to confirm to DOE that RETA’s current trajectory will continue: that we **believe it is achieving -in New Mexico... - the path sought by DOE on a national scale....**”

“RETA collaborates to **create pathways for renewable energy transmission and storage....**”

The RETA (2020) Study targets private land to “**utilize the most accessible land and grid proximity sites**” for the expansion of utility scale wind and solar projects.

“The land types that could most readily facilitate this expansion are **private and state lands.**” RETA has identified private and state land for a “**least regrets’ approach** to interconnecting solar and wind resources across the state.”

“Renewable energy developers often target sites that are easier to permit, and, therefore, less costly.... **Private and state lands, which have fewer permitting requirements,** are developed well before federal and tribal lands, which are subject to rigorous environmental review requirements.”

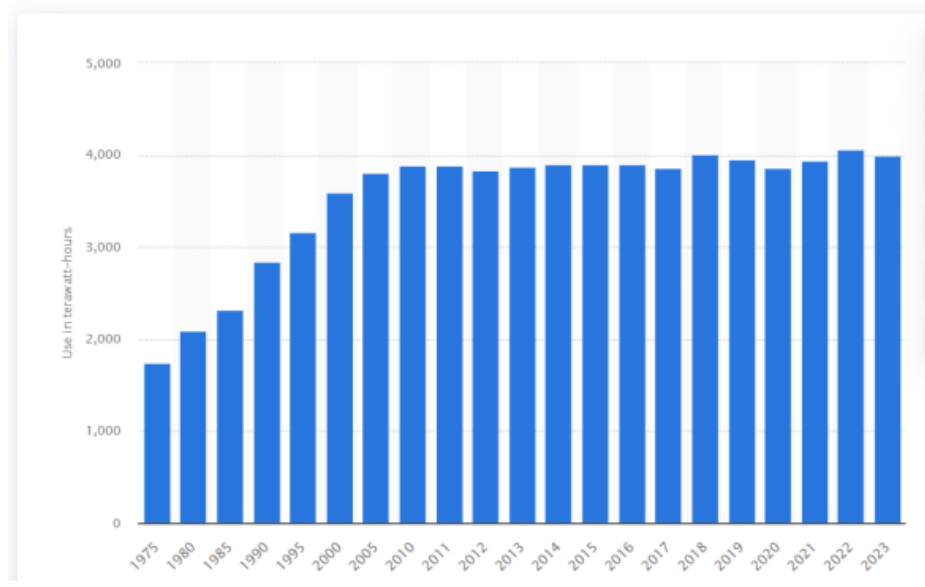
RETA, anticipates a **return on investment** for transmission infrastructure developers tapping into renewable energy “**of 9 to 38%.**”

## Has Electricity Been in Short Supply?

Energy & Environment › Energy

### Electricity end use in the United States from 1975 to 2023

(in terawatt-hours)



This bar chart shows that consumer **electricity use has not significantly increased** since approximately 2005. These massive NIETC corridors are not being driven by consumer harm but by government policy.

A DOE official said in a Quay County Commission Zoom meeting that the DOE is taking a very broad view of what consumer harm is.

## How Could the Southwest NIETC Impact Ag and its Surrounding Communities?

Agriculture Statistics, 2022 USDA Census

The NIETC would ultimately put under government control 325,000 acres of land in Baca, Prowers, and Kiowa counties in Colorado and 2,000,000 acres in New Mexico.

<u>State</u>	<u>Market Value of Ag Products</u>	<u>Value of Land and Buildings</u>
New Mexico	1,865,263,000	10,173,996,746
Colorado	640,991,000	4,592,771,328
<b>Total for both States</b>	<b>2,506,254,000</b>	<b>14,766,768,074</b>

Note: These numbers are for the whole counties that the NIETC Southwestern Grid Corridor goes through. These numbers represent the total value of ag products, land and buildings in the counties that are affected by the NIETC.

**Baca County produces \$130,867,000 in ag products annually with \$2,079,380,040 investment in ag land and buildings. Does not include tourism or any other revenue sources.**

## Landmark Resource Firm White Paper

### Would the a NIETC serving renewable energy reduce consumer harm?

“Federal Agencies failed to consider the cumulative impacts on the people within these states and the nation at large as a result of the subsidized buildout of wind and solar farms...”

“Renewable energy as a grid generation source of electricity has proved unprofitable and thus requires significant subsidies and allowances by government actors which manipulates the market order by directing investments away from efficiency and imposes excess costs on consumers and rate payers in the short and long term.”

### Why is the DOE moving forward now?

“Because FERC’s siting responsibilities rest on the designation of National Corridors, the Infrastructure Act amendments to FPA section 216 questionably expanded DOE’s authority to establish National Corridors to include geographic areas that are **expected to experience** such” electrical transmission “constraints or congestion, in addition to those areas currently experiencing those conditions.”

“The Infrastructure Act also established a \$2.5 billion Transmission Facilitation Program which needs the designation of NIETCs to unlock the finance.”

## What would be the impacts on people in the area of the NIETC?

“It is concerning that the Department of Energy wants to site massive transmission corridors through states, counties, and private lands in order to accommodate executive climate policy objectives established by international conventions.” The government’s lack of disclosure relating to the implications of accomplishing this policy “is in violation of the primary intent of the rule of law and due process...without which the **individual citizen is left exposed to unrestrained power.**”

The combination of lands needed for renewables, transmission corridors and the 30 by 30 conservation initiative “will **remove other productive uses** from a substantial amount of U.S. lands having significant impacts on **economic development....**having massive implications for **property rights, and reliable affordable energy.**”

## Is the NIETC Speculating with Our Land?

“A NIETC is a **geographic area** where...the DOE has identified...**present or expected transmission capacity constraints or congestion that adversely affects consumers...**and hampers access to **reliable and affordable electricity.**”

The executive director of New Mexico RETA said in answer to the following questions:

Do you need customers for renewable energy prior to building a transmission line?

The answer – “NO”.

Do you need a renewable energy source prior to building a transmission line?

The answer – “NO”.

## Conclusion

We believe the DOE, in trying to establish a NIETC, is failing to consider the impacts on **land**, the land owner’s **livelihood**, the legacy of our families, the **financial resources we count on** and the **future** of our local **economies** and **communities**. The DOE and their private partners are speculating with our private land and **water resources** without our input or permission.

**Everyone in the corridors will owe a debt to the DOE that will indefinitely encumber our land and that can be collected by a private company, with the help of the DOE, giving them ultimate control. Our future will be at their discretion and not ours.**