


FROM	NAME & TITLE	Theodore Atwood, Director	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	Department of General Services 800 Abel Wolman Municipal Building		
	SUBJECT	CITY COUNCIL BILL 10-0611		

DATE: November 10, 2010

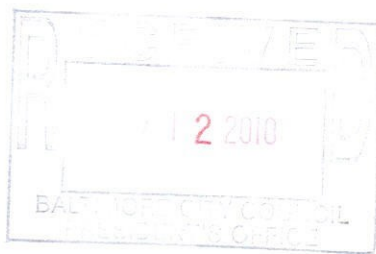
TO
 The Honorable President and Members
 of the Baltimore City Council
 c/o Karen Randle
 Room 400 - City Hall

I am herein reporting on City Council Bill 10-0611 introduced by the Council President on behalf of the Administration (Department of General Services).

The purpose of the Bill is to grant a franchise to Energy Answers International, Inc. to construct, use, and maintain a private 115 kV cable conduit system under and across portions of the West Patapsco Avenue, Potee Street, Hanover Street, Baltic Avenue, Second Street, Frankfurst Avenue, Frankfurst Avenue Relocated, Shell Road, and East Patapsco Avenue rights-of-way, to connect a Fairfield Alternative and Renewable Energy Project located on the property known as 1701 E. Patapsco Avenue with the Pumphrey Substation, subject to certain terms, conditions, and reservations.

Energy Answers International, Inc. is proposing to construct the Fairfield Alternative and Renewable Energy Project on the former FMC industrial site, located at 1701 E. Patapsco Avenue in the Fairfield peninsula area of the City. The facility will combust processed materials, sourced primarily from municipal solid waste, to produce electricity and steam. The combustible materials will be processed off-site, with the ferrous and non-ferrous metals recovered from the combustion residue. The remaining residue materials may be used as landfill cover or as part of recycled content building materials. The Public Service Commission has approved the proposed project as a power plant.

The company projects that up to 140 megawatts of electricity and steam can be produced, with the potential for providing energy directly to nearby industrial customers. To deliver this energy onto the power grid, a 115 kV cable conduit system needs to be constructed from the Fairfield facility to the BGE Pumphrey Substation, a PJM transmission injection site. The total length of the conduit cable system will be approximately 4.5 miles. Portions of the conduit alignment will need to cross several public rights-of-way. City Council Bill 10-0611, if approved, would authorize these portions of private conduit to be built and maintained in the public way. Approximately 9,584 linear feet of the private cable conduit system would be built in the City's rights-of-way.



- West Patapsco Avenue – approximately 218 linear feet;
- Potee Street – approximately 687 linear feet;
- Hanover Street, Baltic Avenue, Second Street and Frankfurst Avenue – approximately 4,528 linear feet;
- Frankfurst Avenue Relocated and Shell Road – approximately 3,971 linear feet; and
- East Patapsco Avenue – approximately 180 linear feet.

The conduit will consist of three rows of three, 6-inch diameter PVC pipes and one row of two 4-inch communications conduit encased in concrete and measuring 2 feet wide by 3 feet deep, with a minimum 4 feet of cover. Manholes will be installed along the alignment to allow for system maintenance and servicing. The proposed alignment will not impinge upon existing underground utilities. The project will be coordinated with a planned Department of Public Works 103” sanitary force main contract and Department of Transportation street reconstruction projects for Shell Road and Frankfurst Avenue.

Since the drafting of this ordinance, several technical amendments are necessary to correct certain references and certain alignment descriptions:

Amendment No. 1

On page 1, line 10 and on page 2, lines 7 and 17, correct the location of the Pumphrey Substation from “*Anne Arundel County, Maryland*” to “*Baltimore County, Maryland*”.

Amendment No. 2

On page 2, beginning on line 13, correct the word “*consist*” to “*consisting*”, correct the number of conduit rows from “*two*” to “*three*” and increase the minimum cover from “*3 foot*” to “*4 foot*”, so that it reads:

“...a private 115kV cable conduit system consisting of ~~two~~ three rows of three conduit and one row of two communications conduit measuring 2 feet wide by 3 feet deep, with a minimum of ~~3~~ 4 foot cover, ...”

Amendment No. 3

On page 2, line 44, between “*Route I-895*” and “*Westbound*” insert the phrase “*at the conduit alignment centerline station of 354+83, said point being at the I-895*”, so that it reads:

“...Maryland Route I-895 at the conduit alignment centerline station of 354+83, said point being at the I-895 Westbound Exit Ramp to Frankfurst Avenue.”

The Honorable President and Members
of the Baltimore City Council
November 10, 2010
Page 3

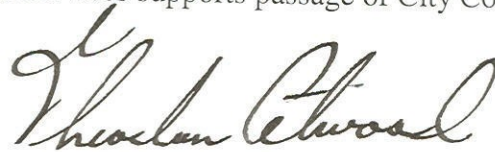
Amendment No. 4

On page 3, line 12 correct the centerline alignment station from "401+64" to "410+64" and on line 16 correct the centerline alignment station from "397+75" to "412+44", so that it reads:

"...said point being at the conduit alignment centerline station of 401+64 **410+64**, thence running southeasterly through the right-of-way of East Patapsco Avenue 180 feet to the Eastbound Side, Southerly right-of-way line of East Patapsco Avenue, 1436 feet Easterly of Shell Road, said point being at the conduit alignment centerline station of 397+75 **412+44**."

In accordance with the Minor Privilege Schedule of Charges and Regulations as established and set by the Board of Estimates, an annual franchise fee of \$73,662.62 is recommended for this type of encroachment into the public way.

Based on these findings, the Department of General Services supports passage of City Council Bill 10-0611.



Theodore Atwood
Director

TA/MMC:pat