

<b>FROM</b>	NAME & TITLE	THOMAS J. STOSUR, DIRECTOR	CITY of BALTIMORE <b>MEMO</b>	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 417 E. FAYETTE STREET, 8 <sup>th</sup> FLOOR		
	SUBJECT	CITY COUNCIL BILL #10-0611/FRANCHISE -- PRIVATE 115 KV CONDUIT		

**TO**

DATE:

November 5, 2010

The Honorable President and  
 Members of the City Council  
 City Hall, Room 400  
 100 N. Holliday Street  
 Baltimore, MD 21202

At its regular meeting of November 4, 2010 the Planning Commission considered City Council Bill #10-0611, which is for the purpose of granting 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, Frankhurst Avenue, Frankhurst 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 located in Anne Arundel County, Maryland, subject to certain terms, conditions, and reservations; and providing for a special effective date.

In its consideration of this Bill, the Planning Commission reviewed the attached staff report which recommended amendment to and approval of City Council Bill #10-0611 and adopted the following resolution, eight members being present (eight in favor).

**RESOLVED**, That the Planning Commission concurs with the recommendation of its departmental staff, and recommends that City Council Bill #10-0611 be amended and passed by the City Council.

If you have questions, please contact Mr. Wolde Ararsa, Division Chief of the Land Use and Urban Design Division, at 410-396-4488.

TJS/WYA/ttl

Attachments

cc: Ms. Kaliope Parthemos, Deputy Mayor  
 Ms. Sophie Dagenais, Chief of Staff  
 Ms. Angela Gibson, Mayor's Office  
 The Honorable Bill Henry, City Council Commission Representative  
 Ms. Nikol Nabors-Jackson, DHCD  
 Ms. Karen Randle, City Council Services  
 Mr. Walter Horton, Department of Real Estate



*Stephanie Rawlings-Blake*  
Mayor

## PLANNING COMMISSION

*Wilbur E. "Bill" Cunningham, Chairman*

### STAFF REPORT



*Thomas J. Stosur*  
Director

**November 4, 2010**

**REQUEST: City Council Bill #10-0611/Franchise – Private 115 Kv Conduit 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.**

For the purpose of granting a franchise to Energy Answers International, Inc., to construct, use, and maintain a private 115kV cable conduit system under and across portions of the West Patapsco Avenue, Potee Street, Hanover Street, Baltimore 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 located in Anne Arundel County, Maryland, subject to certain terms, conditions, and reservations; and providing for a special effective date.

**RECOMMENDATION:** Amend and Approve:

- Amend the Bill to replace all references of Anne Arundel County with Baltimore County, and;
- Approval, subject to comments from the Department of General Services.

**STAFF:** Kenneth Hranicky

**PETITIONER:** Administration (Department of General Services)

**OWNER:** Mayor and City Council

### **GENERAL AREA**

**General Area:** The City right-of-way affected by City Council Bill #10-0611 is approximately 3.3 miles in length. The conduit will mainly run through the Fairfield industrial area and the Cherry Hill and Lakeland neighborhoods which are mainly residential.

### **HISTORY**

There are no prior Planning Commission actions for this site.

### **CONFORMITY TO PLANS**

The project is in conformance with the Baltimore City Comprehensive Master Plan with respect to Earn Goal #1, Objective 1: Retain and Attract Business in all Growth Sectors.

## ANALYSIS

City Council Bill 10-0611, if approved, would grant an easement to Energy Answers International, Inc. under and along City ROW in southern Baltimore. Energy Answers International, Inc. is proposing the installation of a 115kV electrical distribution line within a duct bank along an approximately 5-mile corridor of which approximately 3.3 miles is located within the City. This duct bank will provide power distribution from a proposed power plant located at the former FMC Corporation chemical plant off of East Patapsco Avenue to the electrical power grid at the Baltimore Gas and Electric Pumphrey substation located at the western terminus in Baltimore County. Energy Answers International, Inc. is proposing to develop a facility to produce electricity and steam through the combusting of processed materials sourced primarily from municipal solid waste. The facility can produce up to 140 megawatts of steam and electricity for the power grid delivered through the PJM market. PJM Interconnection is a regional transmission organization (RTO) that coordinates the movement of wholesale electricity in all or parts of 13 states and the District of Columbia. The system includes over 6,000 substations and over 56,000 miles of transmission lines. For Energy Answers to create the PJM interconnection and convey the generated energy to the power grid, an 115kV cable conduit system needs to be constructed.

The general alignment of the conduit, moving from east to west, starts just north of Stonehouse Cove in the Fairfield industrial area and moves west to Shell road, following north until merging with Frankfurst Avenue, continuing west until crossing under Hanover Street and Patapsco River to meet up with and continue west under West Patapsco Avenue and turning south towards Baltimore County before reaching the railroad line that borders Southwest Area Park (aka Baltimore Highlands) in Baltimore County.

The initial term of the Franchise is 1 year, and will automatically renew, for 24 consecutive 1-year renewal terms. Each renewal term will be on the same terms and conditions as the initial term. The maximum duration for which the Franchise may operate, including the initial and all renewal terms, is 25 years – the maximum length of a franchise by Charter, Article VIII § 3.

Brooklyn-Curtis Bay Ministerial Alliance, Southern District Police-Community Relations Council and the Brooklyn and Curtis Bay Coalition have been notified of this action.



**Thomas J. Stosur**  
**Director**