

City Manager's Weekly Report

Friday, March 10, 2017

Department:

Administration - City Manager

Notable Notes:

Mayor and Council -

Various members of staff and I have continued to make ourselves available to meet with DART, UNICITY, Cecil Transit and the UD IPA to discuss options for transit improvement including the alignment of all service providers in Newark. Route data is being reviewed and overlapped which is expected to be followed by an additional set of meetings and ultimately public meetings.

Please find attached below the March 21st Traffic Meeting Agenda. Please be advised that at its February 21st meeting the Traffic Committee unanimously approved a request for stop signs in both directions at Rahway Drive at Webb Road, making it a four way stop.

There will be a large event at the UD President's home on March 13th that is calling for meters to be blocked off. The University is paying for the costs associated with the time.

I plan to attend a Delaware Smart Communities Event on March 22nd.

Members of our Police Department Administration and I had an opportunity to meet with UD representatives and State 911 to discuss the feasibility of merging our 911 centers. UDPD and Newark have agreed to share the cost of a feasibility study. Efficiency, cost savings to the state and both departments as well as better awareness and support have been identified as reasons to explore this option. I will keep you posted as this research progresses.

Activity or Project:

DEMEC

Description:

Upon advisement that PJM staff issued a recommendation to lift the project suspension that had been in place for the Artificial Island project which it said to be essential to maintaining electric grid stability, efficiency and economic benefits to electric consumers in the Delmarva Peninsula, DEMEC maintains and will continue to argue that Delaware rate payers continue to reject the initial cost allocation methodology where the DPL Zone - including DEMEC is being asked to assume almost all of costs of the project. Please also be advised that DEMEC now has a link on its website to the State Energy Efficiency Advisory Council ("EEAC") homepage. Scott Lynch represents DEMEC and all member communities on the Council.

Status: Started

Expected Completion: 3/10/2017

Execution Status: On Track

Activity or Project:

McKees Solar Park

Description:

We have recently discovered two broken panels at the site. It has been determined to be an act of vandalism. SolAIR, our contractor, will be replacing the panels.

Status:

Expected Completion:

Execution Status:

Activity or Project:

Description:

Status:

Expected Completion:

Execution Status:

Department:

Alderman's Court

Notable Notes:

Alderman's Court held three court sessions from 3/2/17 to 3/8/17 which included trials, arraignments, capias returns and video hearings. Prisoners are also transported for any trials that are scheduled while they are incarcerated. A representative from the parking division is here on Mondays and Wednesdays for any person wishing to appeal their parking ticket.

Judge Hatfield was here on 3/1/17 in the evening to do mock trials for the Explorers Club. Officer Mease was also present to assist.

A meeting with Gettier Security was held to address the ongoing issue of not having a bailiff on court days. At least 1 to 2 times a month a bailiff does not show.

Due to the upcoming St. Patrick's Day weekend, court has given the police officers two dates in April (4/26 and 4/27) to schedule arraignments.

This week we used the Language Link for the first time with an incoming call in regards to paying a bill.

Activity or Project:

Court Sessions

Description:

From 3/2/17 to 3/8/17 Alderman's Court handled 60 arraignments, 32 trials, 16 capias returns and

4 prisoners were transported to court. The court collected a total of 422 payments of which 276 were paid through PayPal and 146 were paid at court. The court also collected payments for criminal/traffic fines which included 149 from Govolutions (online payment) and 76 were paid at court for a total of 225 payments.

Status: Completed

Expected Completion: 3/9/2017

Execution Status: Completed

Activity or Project:

Description:

Status:

Expected Completion:

Execution Status:

Activity or Project:

Description:

Status:

Expected Completion:

Execution Status:

Department:

City Secretary and City Solicitor's Office

Notable Notes:

Bruce was in the office on March 7 for the Election Board meeting. Paul was in the office March 3 and March 9 for Court.

Renee met with Councilman Morehead on March 3 and Councilwoman Hadden on March 9.

Staff completed and finalized the agenda packet for the March 13 Council meeting on March 6, which was posted on the website and distributed to Council. The agenda can be found on the website here: <http://www.cityofnewarkde.us/ArchiveCenter/ViewFile/Item/5018>.

Bruce, Renee and Tara staffed the Election Board hearing on March 7 where the Board considered the

eligibility of Christopher Hamilton and Sharon Hughes to remain on the ballot. The Board unanimously voted to permit Mr. Hamilton to remain on the ballot. The Board also unanimously voted (with one member recusing) to permit Ms. Hughes to remain on the ballot provided that she filed the required paperwork with the State Election Commissioner's office within 24 hours. Per the State Election Commissioner's office, as of March 8, Ms. Hughes has filed the initial paperwork and it is pending the State's approval once the notarized signature page is received by their office. Bruce, Sarah and Renee spent extensive time on March 8 drafting and finalizing the written decision of the Board to be issued. That decision can be found on the website here: <https://de-newark3.civicplus.com/DocumentCenter/View/8168>.

Staff completed and finalized the agenda for the March 15 special Council meeting on the Rodney stormwater project on March 8, which was posted on the website and distributed to Council. The agenda can be found on the website here: <https://de-newark3.civicplus.com/ArchiveCenter/ViewFile/Item/5024>. Please note that the meeting will start at 6:00 p.m. in executive session (personnel) and the public session on the Rodney stormwater project will start at 7:00 p.m.

Renee attended a webinar on discipline and documentation for supervisors on March 8.

Tara and Teresa completed the advertisement and related mailing for the special use permit application for an in-home daycare at 211 Edjil Drive. This application is scheduled for public hearing at the March 27 Council meeting.

FOIA requests took some time this week. The following action was taken on requests:

- Sent information, completed and closed a February 15 FOIA request from SmartProcure regarding purchasing records since November 2016.
- Received and forwarded for review a March 2 FOIA request from the Newark Post regarding executive session minutes.
- Received, forwarded to staff for review and sent an administrative cost estimate for a March 3 FOIA request from Lender Consulting, Inc. regarding 800 and 900 Ogletown Road.
- Circulated to staff, received and sent information, completed and closed identical March 3 and 6 FOIA requests from Northeast Regional Council of Carpenters, Carpenters LU 173 for February building permit information.

The cancellation for the March 16 Board of Adjustment and the agendas for the March 13 Council, March 14 Conservation Advisory Commission, March 15 special Council and March 21 Traffic Committee meetings and the written decision from the March 7 Election Board meeting were forwarded to Council.

Regarding minutes, staff time was spent on the February 27 Council (Tara drafting) and March 7 Election Board (Sarah drafting) minutes. There are no outstanding minutes currently in the queue.

Sarah fulfilled 5 discovery requests for upcoming Alderman's Court cases this week. 89 total discovery requests have been fulfilled so far for 2017. The court calendar for March 23 was received and the 14 associated case files were compiled for the Deputy City Solicitor by Sarah. 11 court calendars with 175 associated case files have been compiled for 2017 so far. Sarah also fulfilled two pleas by mail.

The office received 5 new lien certificate requests this week, which were sent to Finance for processing. 10 lien certificates were completed and sent to the requestor. So far 76 lien certificate requests have been processed for 2017.

Activity or Project:

No progress to report

Description:

There is no progress to report on long term projects this week.

Status: In-Progress

Expected Completion: 3/9/2017

Execution Status: Behind Schedule

Activity or Project:

Description:

Status:

Expected Completion:

Execution Status:

Activity or Project:

Description:

Status:

Expected Completion:

Execution Status:

Department:

Community Relations

Notable Notes:

Special Council Meeting (Wednesday, March 15): In an effort to ensure local residents are aware of the meeting and have an opportunity to review the previously published documents (available here: <http://newarkde.gov/992/Stormwater-Proposal-Rodney-Dormitory-Sit>) as well as attend the meeting and express their thoughts and opinions, we have utilized several outreach efforts, including:

- Notice of the meeting is on our website homepage both in the Newark News section as well as the Newark Meetings (calendar) section.
- We have shared the meeting information on the City's Facebook and Twitter accounts.
- Information is posted on Channel 22.
- We mailed nearly 200 postcards to addresses within a 1000 ft. radius of the site.
- It is included in the InformMe notification going out this week to those who are signed up to receive meeting notifications.

Downtown Newark Map & Guide: Work continues to update the Downtown Newark Map & Guide GIS Map, which can be accessed through the City and DNP. All the new downtown businesses have been added to the map in the editing phase. After a final review of the map's information it will be launched to replace the current public map. We met with University of Delaware's Creative Production Manager to discuss the paper map & guide, as well as the most efficient ways to have the map updated and printed in a timely manner. He is gathering information about UD printing, while I update the map electronically to prepare for printing.

Five & Wine and Wine & Dine: More than 220 people are signed-up to participate in the Five & Wine 5-Mile Run/Walk. The registration price currently stands at \$30. The price will increase to \$35 after we hit 300 participants. We are still looking for volunteers to serve as course marshals during the race. Volunteers can sign up here: <http://www.signupgenius.com/go/5080c4dafa622a3f85-five>. The Five & Wine after party on the Academy Lawn will include free samples from nine Main Street restaurants. Those restaurants, along with four others, are also participating in Wine & Dine. We are creating a Wine & Dine GIS Map that will show participating restaurants and the menus. The map will launch next week. As part of Five & Wine and Wine & Dine we are raffling off two sets of 4-day VIP passes to Firefly. Tickets are \$50 each and available for purchase at the municipal building, or online here: <http://newarkde.gov/993/12692/Win-VIP-Firefly-Tickets>.

NPD 150th Anniversary: Work continues to gather content for the Newark Police Department's 150th Anniversary videos. This week we conducted interviews with retired officer Susan Poley and retired chief Gerald Conway. We've conducted six interviews with retired members of the department, and hope to schedule more in the coming weeks. The videos will play on social media and at the department's 150th anniversary party on June 17.

Creative Design/Website Edits

- Scheduled: traffic alerts and public meeting notices
- Posted several items for Newark News
- Updated several webpages, online forms, event dates, letterhead to reflect new website URL, and police recruitment brochure information
- Created City of Newark bike route sign, projects webpage for Public Works, postcards for Rodney Dorm special meeting, and several web graphics

Press Releases/Media Inquiries

- Upcoming Event: Parks and Recreation Summer Camp and Program Fair:
<http://bit.ly/2IH9BN>
- Newark Parks & Recreation Department Receives Donation for Scholarship Program:
<http://bit.ly/2n3U9h6>

Activity or Project:

School Hill/George Wilson Center Historical Research Project

Description:

No new information to report.

Status: Hold

Expected Completion: 12/20/2017

Execution Status: Behind Schedule

Activity or Project:

Description:

Status:

Expected Completion:

Execution Status:

Activity or Project:

Description:

Status:

Expected Completion:

Execution Status:

Department:

Electric Department

Notable Notes:

- Crews continued making pole rearrangements on Chestnut Hill Road for a new substation transformer and circuit.
- Work started on the 2017 12.47kv voltage upgrades. Step-down transformers are being installed on South Main Street.
- Tree trimmers are removing trees on Marrows Road along the Delaware Technology Park.
- Electricians turned on all court lights.
- Work started on building 30 fiber splice boxes for the fiber project.
- A broken conduit for the fiber project was found at the warehouse. A new conduit will be trenched in after Miss Utility mark outs are received.
- Surveys were completed at seven wells for an Arc Flash study by our contractor.

- Several pit lights on Main Street were repaired.
- Engineering worked on 2018 capital budget pricing.
- Electric department employees received new work order software training.
- Engineering reviewed a voltage problem on Markus Court.
- A power outage problem in December was reviewed.

Activity or Project:

SCADA and Automatic Restoration

Description:

The RFP recommendation is awaiting Council approval.

Status:

Expected Completion:

Execution Status:

Activity or Project:

12.47kv Voltage Upgrade

Description:

Work has started on the transformer installations needed on South Main Street.

Status:

Expected Completion:

Execution Status:

Activity or Project:

Description:

Status:

Expected Completion:

Execution Status:

Department:

Finance - Accounting Department

Notable Notes:

- PUB office will be closed for the day on Wednesday, March 29th for staff training. Advanced notice

has been (and will be) provided so our customers are not impacted by the closing. Signs have been posted at the Welcome Center and customer service windows.

- We are currently conducting interviews for the new Financial Analyst position approved by Council in the 2017 budget. Round one began this week, and we will have a Round 2, if necessary, in the next two weeks.
- Customer Service Representatives in PUBs have received stand-up desks to improve their overall health. Our CSR's are sedentary at the customer service windows, and have minimal opportunities to move during the day. Funds were obtained through a reimbursable grant from the Delaware Valley Health Trust (DVHT), which was awarded to the City to promote wellness for City staff. This wellness program gives the City opportunities to promote healthy initiatives to encourage healthy lifestyles, thereby decreasing healthcare costs. The remaining Finance employees will receive their stand-up desks once they are moved to their new location on the second floor.
- December 2016, the 2017 RSA and the 2017-2018 insurance renewal all are scheduled to be presented to City Council on the March 13th meeting.
- Accounting staff have been working diligently to clear out our filing storage area to make room for our pending move to the second floor in approximately two months.

Activity or Project:

Payments and Utility Billing (PUBS)

Description:

The group handled 582 phone calls last week, with the average call length of each call being 1:43. There were three service orders initiated by PUB during last week. The group processed 4,978 utility payments and CityView transactions, 538 of which were imported automatically with our electronic processes and 3,281 of which were imported via web, lockbox or preauthorized payment (PAP) over the last week.

Status: In-Progress

Expected Completion: 12/31/2017

Execution Status: On Track

Activity or Project:

Independent Financial Audit

Description:

The auditors from CliftonLarsenAllen will be back to continue their review of 2016 on March 27th and will be here for two weeks.

Status: In-Progress

Expected Completion: 6/30/2017

Execution Status: On Track

Activity or Project:

Description:

Status:

Expected Completion:

Execution Status:

Department:

Parks and Recreation Department

Notable Notes:

Director: Met with Parks staff, Tom and Rich about expanding our in-house tree removal and supplies needed to expand, conducted a meeting with Newark American Little League and Newark Charter School to discuss their rental agreement and Leroy Hill Field, met with Carol and Andrew about the Park mowing and horticulture bids that were received and keeping those services in-house for 2017 and look to contract out in 2018, inspected several park areas for needed future improvements and maintenance issues.

Recreation Superintendent: Reviewed bids and awarded the apparel bid for 2017; attended meeting with Kelly, Megan and Joe to discuss ideas for the 50th Anniversary of the Parks and Recreation Department in 2018; attended meeting at the Wilson Center with Newark Police, Joe and Chrissy regarding improving the security system on the interior and exterior; met with a representative from the Bike Project and Tyler regarding collaboration of activities during summer camps; sent in advertisement to the Newark Post for the Summer Camp Fair; reviewed and made final changes to the Summer Camp Guide prior to distribution; attended meeting with Newark American Little League and Newark Charter School; contacted references for candidates for the Recreation Specialist position.

Recreation Supervisor of Athletics: Completed Downes after care license renewal application and submitted to the Office of Childcare Licensing; Archery Clinic was held and a new session of Basic Introduction to Archery is scheduled to begin 3/6; visited Kells, Lewis, Phillips and Olan Thomas Parks with Director to mark locations for new fitness stations to be installed; Elementary Basketball concludes on 3/6, certificates, evaluations and volunteer coaches' plaques were handed out; the Wednesday B Adult Volleyball League concluded this week with the team Local Produce claiming the championship; proofed the Summer Camp Guide, preparing for the Camp Fair scheduled for 3/11.

Coordinator of GWC and Volunteers: CATCH Program at Downes Elementary School with a total of 15 participants; interviewed and conducted CATCH staff orientation; coordinated with dance instructors to begin the process of ordering dance costumes for the recital in May; updated and sent the GWC staff schedule for March; prepared for a GWC staff meeting; completed the 2017 application for license exemption for the George Wilson Center and Camp GWC; continued to plan for Camp GWC, specialty camps, and summer programs; continued conducting phone interviews and recruitment for summer camp volunteers; spring volunteer opportunities continue to be sent to volunteer organization leaders for recruitment of upcoming event volunteers; met with a new Adopt-a-Park volunteer.

Volunteer Hours: 1 Volunteer devoted a total of **36** hours assisting the City of Newark Parks Department from January – February on a variety of projects. Total Volunteer Hours for the week: **36** Hours.

Recreation Supervisor of Community Events: Prepared for and held a Newark Memorial Day Parade meeting; everything is on track for the Flags for Heroes display at the Newark Municipal Building and also for the Memorial Day Parade and Ceremony on the Green. The committee voted to purchase a Chair of Honor for the Ceremony and Parade; prepared for and held a Newark Community Garden Committee meeting. Rules and regulations are being modified to define the gardening season as March 1 to February

28 annually, preparing for the Newark Summer Camp Fair and other upcoming programs and events.

Parks Superintendent: Reviewed proposed planting plan and commented as needed, met on site with landscape contractor concerning planting installation at Candlewood Suites to get a few issues corrected for CO, went out with Code Enforcement and Electric Departments to assess several trees, conducted pre-bid meeting for upcoming mowing contract (for Reservoir, storm water basins, solar park, Water Department sites and one open space area), attended meeting with Parks Director, Recreation Superintendent, Parks Supervisor, parks staff member to discuss tree pruning/removal/climbing using in-house staff, talked with two residents concerning tree issues, completed 2017 Seasonal Employee Budget and reviewed it with Parks Director, and conducted three park inspections and developed work orders as needed.

Parks Supervisor: Assigned field staff work orders and assisted as needed, started researching price estimates for a bucket truck for forestry use and following up on some 2016 work orders.

Parks/Horticulture: Staff did tree/shrub pruning/removal as assigned, continued on work orders as assigned, did interior bed maintenance at City Hall, started rehabbing trailer #1419, continued on Rittenhouse punch list for upcoming Day Camp, continued working on ball field punch list for upcoming league play, did trash removal throughout park system, and did weed control in bed/sidewalk areas throughout park system.

Activity or Project:

Traffic Island Beautification Program

Description:

The Traffic Island Beatification Program has 30 sponsors secured for 2017, raising over \$18,000 for Traffic Island Beatification in Newark. This would include purchasing plant material, mulch and other supplies needed to keep the areas looking great.

Status: Started

Expected Completion: 4/28/2017

Execution Status: On Track

Activity or Project:

Description:

Status:

Expected Completion:

Execution Status:

Activity or Project:

Description:

Status:

Expected Completion:

Execution Status:

Department:

Planning and Development Department

Notable Notes:

Code Enforcement

- Main Street Movies 5 is now open and receiving great reviews.
- The demolition on South Main Street for the next phase of Chimney Ridge is continuing.
- Demolition has begun for the new hotel at 400 Ogletown Road.
- Construction is ongoing at Cleveland Avenue.
- About half the pilings for the new building on STAR Campus have been installed.
- Construction is ongoing at the Lofts at Center Street. Steel structure installation began at the site.
- Interior framing work is ongoing at the Heights on South Chapel Street.
- Interior wall and roof installation continues at the University of Delaware South Academy Street dormitory.
- Staff reported numerous trash and debris notices and violations issued this past weekend. Weekend patrols are continuing.
- Code staff is preparing for St. Patrick's weekend by visiting local establishments next week and coordinating efforts with NPD.
- Work continues to update data on older building permits and code cases in anticipation of the CityView replacement project. Staff attended several meetings this week for the new MUNIS system software.

Planning/Land Use

- This week the department received an application for an administrative subdivision to create a line for lease purposes at the main building on the STAR Campus.
- The Planning Commission will hold a public workshop on parking on Tuesday, March 21, 2017, 7:00-9:00 p.m. in the Council Chamber, and will specifically discuss various approaches and changes to the way the City mandates parking requirements through its Zoning Code.
- Development Manager Mike Fortner completed the January Financial Draw Report to New Castle County for the Community Development Block Grant Program.
- The following was also completed this week:
 - 10 Deed Transfer Affidavits
 - 35 Building Permit Reviews

Activity or Project:

N/A

Description:

N/A

Status: Completed

Expected Completion: 3/10/2017

Execution Status: Completed

Activity or Project:

Description:

Status:

Expected Completion:

Execution Status:

Activity or Project:

Description:

Status:

Expected Completion:

Execution Status:

Department:

Police Department

Notable Notes:

Chief's Office:

- Chief Tiernan received a thank you card and note from a city resident for his assistance. The resident's adult grandson was notified that his girlfriend was killed in an automobile accident in Maryland. Due to the shocking news, the grandson could not later recall what police agency notified him of the death or where the girlfriend's body was located. Chief Tiernan was able to ascertain the Maryland State Police barracks that handled the accident, and the grandson was provided the information and was able to recover the body.

Patrol:

- On March 1st, the patrol division investigated a report of a naked male engaging in lewd behavior in the area of Haines Street and Continental Avenue. Following an extensive investigation, patrol officers were able to quickly identify a suspect vehicle and the suspect. Warrants were quickly obtained and the suspect was taken into custody in Sussex County later the same day with assistance from the Delaware State Police.
- The patrol division continues their increased property checks and physical presence in the area apartment complexes following several sexual assault/kidnapping incidents that have occurred in NCCPD jurisdiction.

Traffic:

- As a result of several citizen complaints, the traffic division is currently conducting traffic enforcement activities at multiple locations throughout the city including North College Avenue and Prospect Avenue (stop sign), North College Avenue and Cleveland Avenue (pedestrians), and West Chestnut Hill Road (speeding).
- A traffic speed survey is also ongoing on O'Daniel Avenue as a result of citizen concerns. Data from this analysis will be used to determine enforcement activities.
- On March 9th, members of the Traffic Unit will attend a planning meeting for the upcoming Mayor's Bike Ride.

Special Operations Unit:

- During the week, SOU will continue their increased enforcement efforts for quality of life issues as the spring weather typically results in an increase in disorderly behavior.
- During the week, SOU will meet with a concerned resident on North Chapel Street regarding several recent incidents of disorderly behavior by area residents.
- During the week, members of SOU and Traffic are attending ALERRT, active shooter training.

Administration Division:

- Sgt. Bryda is attending a regional quarterly CALEA meeting on 3/10/17 in Frederick, MD in order to discuss emerging CALEA issues with other agencies.
- Andrew Maiura begins the Delaware State Police academy on 3/13/17.
- Cpl. Schwagel and Bill Hargrove have successfully completed inventorying the evidence room. Cpl. Schwagel is returning to patrol duties on 3/13/17.

Criminal Investigations Division:

- Lt. Rieger, M/Cpl. Marconi and Mrs. Pennachi will be attending a forum regarding Human Trafficking on May 10th at St. Helena's in Wilmington.
- During the week of February 27th, the Street Crime Unit continued to combat vice crimes occurring within the City limits. Utilizing undercover officers, SCU made arrests at the Super 8 (one prostitute arrested) and the Red Roof Inn (two arrests made).

Activity or Project:

N/A

Description:

N/A

Status: Completed

Expected Completion: 3/9/2017

Execution Status: Completed

Activity or Project:

Description:

Status:

Expected Completion:

Execution Status:

Activity or Project:

Description:

Status:

Expected Completion:

Execution Status:

3/5/2017

to 3/11/2017

CITY OF NEWARK
Newark, Delaware

Traffic Committee
Meeting Notice

The Traffic Committee will meet on **Tuesday, March 21, 2017, at 3:30 p.m.** in the Police Department upper level conference room to discuss the following:

1. Request for a stop sign at Townsend Road and Sunset Road.

Any questions regarding the above topics may be directed to Deputy Chief Mark Farrall of the Newark Police Department, at 366-7100, prior to the meeting.

Agenda Posted: March 8, 2017

Attest:



City Secretary

Sworn by:



Notary Public (Seal)

SARAH CAMPANELLI
NOTARY PUBLIC
STATE OF DELAWARE
My Commission Expires January 20, 2019

**UNITED STATES OF AMERICA
BEFORE THE
FEDERAL ENERGY REGULATORY COMMISSION**

)	
Delaware Public Service Commission and)	
Maryland Public Service Commission)	
)	
v.)	Docket No. EL15-95-000
)	
PJM Interconnection, L.L.C. and)	
Certain Transmission Owners Designated)	
Under Attachment A to the Consolidated)	
Transmission Owners Agreement, Rate)	
Schedule FERC No. 42)	
)	

COMMENTS IN SUPPORT OF COMPLAINT

LSP Transmission Holdings, LLC (“LSP Transmission”) and Northeast Transmission Development, LLC (“Northeast Transmission” and collectively with LSP Transmission “LS Power”) submit the following comments in support of the Complaint filed by the Delaware Public Service Commission and Maryland Public Service Commission (collectively “Complainants”) regarding the cost allocation for the project selected to address the needs identified in PJM’s Artificial Island competitive solicitation process (“Artificial Island Solution”).

LS Power believes that the Complainants have fully supported their complaint with facts that warrant the Commission ordering a revision of PJM’s existing cost allocation methodology to address the justness and reasonableness of the cost allocation when applied to the Artificial Island Solution. But the complaint raises broader issues for competitively procured transmission solutions in general. As the Commission is aware, in PJM transmission additions that are double circuit 345 kv and above have some region-wide cost allocation and some solution-based DFAX

cost allocation. Transmission additions that are single circuit 345 kV or lower voltage have cost allocation based on DFAX analysis alone. Thus, different potential solutions to a particular transmission issue may have vastly different cost allocations due to solely to the use of different facility voltages, leading to the potential for such cost allocation differences to become an issue in the selection of transmission solutions, rather than selection focusing on determination of the more efficient or cost-effective solution. As such, the issue identified in the complaint, application of 100% solution-based DFAX to the selected Artificial Island Solution, is not only an issue here but has the potential to undermine the Commission's larger goals in issuing Order No. 1000. The Commission can remedy this unintended consequence by mandating a revision of the PJM cost allocation methodology for both the Artificial Island Solution and future projects.

I. COMMENTS

PJM initiated the Artificial Island competitive solicitation process to address transmission issues arising from three New Jersey-located nuclear units, the second largest nuclear complex in the United States. The PJM problem statement provided no indication that the new transmission facilities which PJM sought through the Artificial Island competitive solicitation were specifically necessary to serve Delaware or Maryland ratepayers (i.e., that Delaware or Maryland ratepayers "caused" the need for new transmission facilities). Indeed, PJM did not connect the Artificial Island competitive solicitation to Delaware's or Maryland's use of the transmission system at all, identifying the "Scope of Work Objectives" as:

1. Generate maximum power (3818 MW total) from all AI Units (Salem-1: 1253MW, Salem-2: 1245 MW, Hope Creek:1320 MW) without a minimum MVAR requirement from the AI. Full maximum power must be maintained under both the baseline and all N-1 outage conditions of 500kV transmission lines in the AI area. For both the baseline and N-1 outage conditions, AI voltage must be maintained within operating limits and stable for all NERC Category B and C contingencies. NERC Category C3

contingencies “N-1-1 contingencies” do not need to be run on top of the N-1 outage condition.

2. Maximum MW output from AI should not be affected by the simultaneous outage of Power System Stabilizers (PSS) of Artificial Island units Hope Creek and Salem-2. The Salem-1 PSS is assumed to be on for all scenarios.
3. Reduce operational complexity.
4. Improve Artificial Island stability.
5. Maintain PJM System Operating Limits (SOLs).¹

In response to the Artificial Island Problem Statement, 26 proposals were submitted, which varied widely in terms of scope and technology. Project proposals to address the PJM-identified stability issue around the Artificial Island nuclear complex included both 500 kV and 230 kV solutions, included alternating current and direct current solutions, and ranged from \$116 million to \$1.5 billion in estimated capital cost. PJM evaluated the 26 proposals for system performance, constructability, and cost, ultimately identifying all or part of five proposals, including both 500 kV and 230 kV solutions that would be given further consideration.

PJM’s problem statement did not identify load flows from the Artificial Island nuclear complex to Delaware or Maryland as playing any role in the issues PJM sought to address. Although designed to address the same problem statement, the various 500 kV solutions and 230 kV solutions would have resulted in vastly different cost allocations under the current rules. Because the PJM Board selected the Northeast Transmission proposal to construct a new 230 kV transmission line across the Delaware River from the Salem substation to a new substation in Delaware (referred to in the Complaint as the "LS Power project"), PJM applied its 100%

¹ Artificial Island Problem Statement at 1-2.

solution-based DFAX cost allocation to measure the flow over the new line. The solution-based DFAX cost allocation would have only partially applied to the 500 kV alternatives.

The solution-based DFAX analysis was applied by PJM to measure the flow over the new line as a proxy for the ratepayers that “benefit” from addressing the Artificial Island issues. As might be expected, when a new transmission line is built near thousands of MWs of generation, particularly a new line that crosses what had been a physical barrier with no electrical flow, the flow over the new line will be away from the generation. In this instance, not surprisingly, the projected flow over the new crossing of the Delaware River indicated that the flow went to the Delmarva system, thus resulting in a determination that ratepayers in Delaware and Maryland were nearly the only beneficiaries of the new line. What is missing from this simplistic analysis is an evaluation of whether Delaware and Maryland ratepayers caused the issues that PJM sought to address or actually benefit to a greater degree than ratepayers in other parts of the region or sub-region from resolution of the Artificial Island stability issues.

As a result of the application of its 100% solution-based DFAX, PJM proposes to allocate nearly all of the costs for the selected solution to ratepayers in Delaware and Maryland. Showing the anomaly with this approach, the cost allocation among the two finalist 230 kV proposals and the two 500 kV proposals varied widely. The cost allocation information suggests DPL Zone ratepayers would be allocated approximately 90% of the costs associated with the 230 kV solution, versus approximately 33% of the costs associated with a 500 kV solution,² notwithstanding that the stability issues to be addressed by the various 230 kV and 500 kV proposals were the same. Further, if other proposals (among the 26 that were submitted) had

² Slide 117, PJM Transmission Expansion Advisory Committee, August 7, 2014 (<http://www.pjm.com/~media/committees-groups/committees/teac/20140807/20140807-teac-reliability-analysis-update.ashx>).

been identified as finalists, the costs would have varied still further even though the issues to be addressed by the RFP would not have changed and therefore the actual “beneficiaries” from addressing the issues should be the same. Differences in cost allocation appropriately did not play a role in the evaluation of solutions, but this phenomenon of having disparate cost allocations apply to transmission solutions of different voltages that are intended to address the same underlying issues has the potential to have this unintended consequence in future processes.

As noted, LS Power believes that the Complainants have established that the PJM cost allocation does not reflect an appropriate analysis of the cost causation for the Artificial Island Solution. Because transmission costs largely cannot be mitigated by ratepayers, the Commission must make an extra effort to ensure, on a case by case basis, that the allocation of costs for every project are aligned between those that cause the costs and those to whom the costs are allocated. In Order No. 1000 the Commission stated that “the costs of jurisdictional transmission facilities must be allocated in a way that satisfies the ‘cost causation’ principle,” citing the D.C. Circuit’s ruling that “it has been traditionally required that all approved rates reflect to some degree the costs actually caused by the customer who must pay them.” Order No. 1000, FERC Stats. & Regs. ¶ 31,323 at P 504, *quoting KN Energy, Inc. v. FERC*, 968 F.2d 1295, 1300 (D.C. Cir. 1992). If PJM’s proposed cost allocation for the Artificial Island Solution fails to allocate costs to those ratepayers, if any, who can be identified as causing the costs, or to the region or sub-region if no specific ratepayers can be identified as causing the costs, the Complaint should be granted. Utilization of a cost allocation methodology that does not result in allocation of costs to the parties that actually receive the benefits of a transmission solution is inconsistent with fundamental cost allocation principles and is therefore unjust and unreasonable. *Pub. Serv.*

Comm'n of Wisconsin v. Midcontinent Indep. Sys. Operator, Inc., 148 FERC ¶ 61,071 at P 61 (2014), *order denying reh'g*, 150 FERC ¶ 61,104 at P 73 (2015).

The Complaint also brings to light the potential for disparate cost allocation methodologies to impact selection of future transmission projects under Order No. 1000. The Commission must look at not only whether the Complaint identifies a problem with the specific cost allocation for the Artificial Island Solution that the Commission should correct, but also whether the process has identified a more systemic problem with application of cost allocation. In this instance, the Artificial Island Solution cost allocation and resulting Complaint identify just such an issue, which if not corrected by the Commission has the potential to undermine the very goals that led the Commission to issue Order No. 1000 in the first instance.

As noted above, the Artificial Island problem statement elicited 8 project sponsors proposing 26 solutions that covered a wide spectrum of possible transmission facilities. From LS Power's perspective, because it produced a wide range of proposals to address the identified issues at Artificial Island, with project cost estimates ranging from \$116 million to more than \$1.5 billion, the Artificial Island competitive solicitation produced exactly what the Commission contemplated when it issued Order No. 1000 – competitive forces identifying the most efficient and cost-effective solution to the stated problem. Further, the competitive process ultimately led to significant cost containment commitments, shifting additional risk from ratepayers to transmission developers.

But the process also led to an unexpected result: advocacy for projects based not on their technical merit but on the basis that one project would be better for certain constituents than another project because of differing cost allocation. As noted, both 230 kV and 500 kV solutions were proposed to address the Artificial Island problem statement, and it can be expected that

future competitive transmission solicitations in PJM will similarly elicit proposed project solutions of various voltages. This fact creates the potential for stakeholders to favor one proposal over another based not on the technical merit of the respective proposals but instead based on the individual stakeholder's share of the cost allocation for a particular solution. It also creates the potential for project sponsors to advocate for stakeholder support for project selection based on the disparate cost allocation. Although project sponsor advocacy is to be expected, the advocacy should be based on technical merit and overall value to ratepayers, not on an assertion that one solution would provide more favorable cost allocation than another.

In this instance, to their substantial credit, the Complainants and other constituents that would bear the brunt of the inappropriate cost allocation for the selected solution deferred to PJM to pick the best technical and most cost-effective solution. PJM did just that in selecting the Northeast Transmission 230 kV proposal. In resisting the temptation to advocate for one of the 500 kV proposals simply because it provided a more advantageous cost allocation, the Complainants and others harmed by the disparate cost allocation between solutions of different voltages relied on the fact that this Commission has an obligation to ensure that the cost allocation is just and reasonable and would therefore address the anomaly identified above. If the Commission fails to address the issue raised, the result will be a significant blow to the goal of Order No. 1000 to determine the more efficient or cost-effective project, as state siting authorities will naturally look at the local rate impact of projects that they are required to approve rather than whether the project addresses regional needs. Such an analysis will likely favor higher cost projects that are double circuit 345 kV or above given that the cost for those projects are spread across a wider pool of ratepayers, leading to the potential for unnecessary costs.

In a competitive process, where PJM has determined that projects of various voltages can solve the identified need, their relative cost allocation should be identical, i.e., if both a 500 kV solution and a 230 kV solution can solve the Artificial Island problem statement, the manner in which costs are allocated should be identical. It is bad policy and against the principles of Order 1000 requiring selection of the more efficient or cost-effective solution to promote a larger solution than necessary, and incur more costs than necessary, simply because of a difference in the cost allocation methodology among alternatives.

II. CONCLUSION

Based on the foregoing, the Commission should require revision of PJM's cost allocation methodology to ensure that transmission solutions of different voltages that are proposed to resolve the same identified issue would use the same approach to cost allocation. The Commission, through the Complaint, now has real world evidence that PJM's current cost allocation methodology does not always allocate costs in a manner that is roughly commensurate with benefits, or that matches benefits with costs as closely as possible, as cost causation principles require, thereby avoiding significant free ridership. Because of this, in direct contradiction to the goals of Order No. 1000, the cost allocation methodology as currently implemented has the potential to be a divisive factor in the determination of the more efficient or cost-effective solution to identified needs. The Commission therefore must find that the cost allocation methodology is inconsistent with Commission and Circuit Court precedent for allocation of costs for the Artificial Island Solution, and for future processes where multiple voltage solutions can address an identified need.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that I have served a copy of the foregoing document upon each person listed on the official service lists maintained by the Secretary of the Commission in the above-captioned proceedings.

Dated this 16th day of October, 2015.

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NEWARK POLICE DEPARTMENT

WEEK 02/26/17-03/04/17

INVESTIGATIONS

CRIMINAL CHARGES

	2016 TO DATE	2017 TO DATE	THIS WEEK 2017	2016 TO DATE	2017 TO DATE	THIS WEEK 2017
<u>PART I OFFENSES</u>						
a)Murder/Manslaughter	0	0	0	0	0	0
b)Attempt	0	0	0	0	0	0
Kidnap	2	0	0	1	0	0
Rape	0	1	0	3	0	0
Unlaw. Sexual Contact	2	2	0	0	0	0
Robbery	7	6	1	5	2	0
- Commercial Robberies	2	3	0	0	1	0
- Robberies with Known Suspects	1	0	0	0	0	0
- Attempted Robberies	1	0	0	0	0	0
- Other Robberies	3	3	1	5	1	0
Assault/Aggravated	1	3	1	1	8	0
Burglary	17	8	0	10	1	0
- Commercial Burglaries	5	3	0	0	0	0
- Residential Burglaries	9	5	0	8	1	0
- Other Burglaries	3	0	0	2	0	0
Theft	105	94	10	32	41	2
Theft/Auto	5	16	4	4	1	0
Arson	0	1	0	0	0	0
All Other	19	27	2	15	7	0
TOTAL PART I	158	158	18	71	60	2
<u>PART II OFFENSES</u>						
Other Assaults	67	46	2	24	17	0
Rec. Stolen Property	0	1	0	8	2	0
Criminal Michief	25	40	4	20	6	1
Weapons	2	5	2	5	6	1
Other Sex Offenses	0	0	0	0	0	0
Alcohol	25	9	0	38	31	3
Drugs	26	28	7	33	25	5
Noise/Disorderly Premise	111	124	18	46	45	9
Disorderly Conduct	26	28	3	21	6	0
Trespass	19	25	4	6	8	2
All Other	108	72	11	54	67	10
TOTAL PART II	409	378	51	255	213	31
<u>MISCELLANEOUS:</u>						
Alarm	185	69	8	0	0	0
Animal Control	56	75	19	0	0	0
Recovered Property	50	51	6	0	0	0
Service	6027	6785	819	0	0	0
Suspicious Per/Veh	108	93	8	0	0	0
TOTAL MISC.	6426	7073	860	0	0	0

	THIS WEEK <u>2016</u>	2016 TO <u>DATE</u>	THIS WEEK <u>2017</u>	2017 TO <u>DATE</u>
TOTAL CALLS	966	8,117	1,053	8,802



Newark Police Department
Weekly Traffic Report
02/26/17-03/04/17



TRAFFIC SUMMONSES	2016 YTD	2017 YTD	THIS WEEK 2016	THIS WEEK 2017
Moving/Non-Moving	1666	1652	233	93
DUI	31	20	5	1
TOTAL	1697	1672	238	94

TRAFFIC COLLISIONS				
Fatal	0	0	0	0
Personal Injury	36	43	2	6
Property Damage (Reportable)	209	169	20	23
*Hit & Run	58	40	3	8
*Private Property	45	34	5	8
TOTAL	245	212	22	29

*Included in the total collision numbers

Note: Typically, the YTD numbers are generated by adding the current week statistics to the YTD statistics from the previous reporting period. Periodically, the numbers for this report will be generated from the beginning of the year to capture data that may have otherwise been omitted due to a processing delay or other administrative anomaly, more accurately updating the year-to-date totals.