October 1, 2026
Niskanen Center
1201 New York Ave. NW, Suite 200B
Washington, D.C. 20005

U.S. Department of Transportation
1200 New Jersey Ave. SE
Washington, D.C. 20590

Submitted electronically via regulations.gov
Docket ID No. DOT-OST-2026-3269-0001

Re: Request for Information - America's Great Corridors of Commerce

The Niskanen Center (Niskanen) appreciates the opportunity to submit these comments on the U.S. Department of Transportation's (DOT) request for information (RFI) on the America's Great Corridors of Commerce (AGCC) initiative. Niskanen is a 501(c)(3) think tank and advocacy organization committed to robust markets and evidence-based policy. A key focus of our work is promoting grid modernization and expanding transmission infrastructure to meet the nation's growing electricity needs. We commend DOT's work to identify potential stretches of highway and railway right-of-way (ROW) where critical utility infrastructure can be colocated. We are pleased to offer the following comments for consideration.

Introduction

The U.S. is experiencing unprecedented electricity demand due in large part to the concurrence of artificial intelligence, electrification efforts, and many critical grid components reaching the end of their useful lifespan. The Department of Energy's (DOE) recent Draft National Transmission Needs Study confirms that the country is in critical need of more long-distance interregional and cross-interconnection transmission infrastructure[1] to serve growing power demand and modernize the grid.

The colocation of utility infrastructure in both highway and railways ROW has several benefits, chief among them being that the land is already developed, lessening the need for greenfield builds and potentially shortening environmental reviews. The nation's highways and railways also span massive distances, often connecting major population centers, making them a seemingly ideal choice for colocating critical broadband, electric, and water delivery infrastructure.

[1] Draft National Transmission Needs Study, Department of Energy, July 2026

However, there are important considerations for the practical implementation of colocation. First, the regulatory authorities that oversee the ROWs are often different from those that oversee the utilities themselves, leading to potential mismatches of expectations, safety considerations, and timelines. Second, in order for the ROWs to be used in the way the RFI suggests, significant engineering analyses of the existing physical infrastructure and the surrounding environment will likely be required. Third, the cost of siting transmission in the ROW, especially underground, could be substantial and will undoubtedly have direct impacts on consumers. We outline all of these considerations in further detail in the comments below.

Comments

Question 1: What are the most critical challenges and barriers to deploying the AGCC concept as described in the RFI? How can these challenges and barriers be mitigated? What actions and resources can the Federal government provide to help mitigate these barriers?

We offer comments on the following sub-sections of Question 1.

Technical feasibility

The RFI outlines three main approaches to utilize the ROW: traditional above-ground configuration, trenching, and "underground utility tunnel[s] capable of colocating multiple infrastructure items."[2] Trenching and above-ground configurations are both commonly used for broadband and transmission infrastructure in the U.S. However, underground tunnels are not. We are aware of only one U.S.-based company that has publicly available examples of their underground tunnel projects.[3]

We anticipate two key technical issues that may hinder implementation of the type of underground infrastructure the RFI envisions:

First, the physical conditions of the ROW will likely limit where it is practical or possible to build underground tunnels. Soil type, surface grade, depth to bedrock, depth to any water tables, and the presence of other manmade infrastructure are all potentially limiting factors.[4,5] Notably, data on the location of subsurface infrastructure has the tendency to be poor, with one study in South Dakota showing significant discrepancies between utility records and Subsurface Utility

[2] Request for Information, Department of Transportation, August 2026
[3] Project list - The Boring Company
[4] Tunneling under operating highways and railways: Part 1, Thadani, November 2022
[5] Encyclopedia Britannica: Tunneling techniques, Lane *et al.*, July 2026

Engineering data.[6] It will be important for DOT and DOE to carefully vet any ROWs it is considering for existing underground utilities.

Second, the energy required to bore large tunnels is sure to be massive. Tunnel boring machines (TBMs) are typically electrically driven. There are two options for procuring the energy necessary: connecting to the grid directly, or using off-grid energy sources like large batteries or diesel generators.[7] It may not always be possible to connect directly to the grid, either due to a lack of available grid capacity at the scale required, or a lack of physical grid infrastructure in the area of interest. In this case, diesel generators pose particular challenges, including the fluctuating price of fuel and localized impacts on air quality and noise levels. DOT should carefully consider how grid access (or lack thereof) will change the timeline to completion and/or the upfront project cost of boring underground tunnels.

Siting, planning, and permitting

We offer transmission-centric comments on each of these areas.

a. *Planning*

The siloed nature of transmission planning, permitting, and siting in the U.S. makes it inherently difficult to execute large-scale linear infrastructure projects. Projects planned in an existing ROW are no exception.

Transmission planning is currently done at the regional level if there is a Regional Transmission Organization or Independent System Operator present. Outside of these organized markets, states and/or individual utilities play a leading role in the planning effort. Federal Energy Regulatory Commission (FERC) Orders 1000 and 1920 put in place regional transmission planning mandates and cost allocation frameworks,[8] but currently there are no planning mandates or cost allocation frameworks for interregional transmission. Merchant developers have in large part attempted to fill the void by proposing projects that connect regions or cross the three major grid interconnections.[9]

In many cases, routes for both merchant and regionally-planned lines are already taking shape or are approved to some extent. DOT's efforts to produce additional available routes to host transmission and other utilities should focus on where these projects are currently being planned, particularly if relevant permitting and siting concerns are already

[6] Evaluating completeness and positional accuracy of traditional utility records compared to subsurface utility engineering: A comparative case study analysis, Adebiyi *et al.*, July 2025, p.1
[7] Power for Tunnel Boring Machine (TBM): Smart Energy Solutions for Efficient Tunneling, Foxtheon
[8] FERC Order 1000 and Order 1920 summaries
[9] Merchant developers fill 'void' in US interregional grid build-out, Hale, October 2023

present. An AGCC designation could then be an attractive option for developers of those lines.

b. *Permitting*

Despite a national increase in transmission planning efforts (in large part due to load growth and FERC Order 1920 implementation), there is still no streamlined way to permit the projects that are approved, regardless of whether the project is the product of regional planning processes or a merchant developer proposal. Currently, transmission lines must navigate a patchwork of state and local approval processes for each area they pass through.

The RFI attempts to address environmental permitting by suggesting "streamlining and expediting NEPA review[s]" and "navigat[ing] state-level environmental reviews."[10] However, other types of non-environmental permits must also be considered if ROW is being used. For example, railway ROW access requires right-of-entry permits, which have different application processes depending on the railway owner.[11] Additionally, if the ROW is currently being occupied by a utility, further access complications can arise.

The current proposal alludes to these permits, but is unclear on how such permits will be handled by the Corridor Manager. It will not only be critical for DOT to assess all the owners and occupants of the ROW of interest, but also to coordinate across jurisdictions. DOT should request that applicants provide this information as part of their application.

c. *Siting*

Before building can commence, the transmission developer must secure approvals from each state a line passes through, usually in the form of a Certificate of Public Convenience and Necessity (CPCN).[12] There are two key considerations for receiving CPCNs for transmission projects:

1. The voltage threshold for which transmission lines require a CPCN is not universal. For example, California[13] requires any new transmission lines with a voltage of 200kV or more to obtain a CPCN, while North Dakota[14] requires a CPCN for lines with a voltage over 115kV.

2. State denials of CPCNs can be unpredictable. For example, the Clean Line transmission project was denied a CPCN by the Arkansas Public Service

[10] Request for Information, Department of Transportation, August 2026
[11] Navigating 4 Challenges of Railroad and Highway Coordination, Filice *et al.*, October 2024
[12] The exact naming convention of the certificate can differ by state.
[13] CPUC General Order No. 131-E, January 2025
[14] ND Century Code Section 49-22-07

Commission because the merchant developer was not recognized under state law as a public utility.[15] More recently, the Pennsylvania Public Utility Commission refused to grant a developer a CPCN for a transmission line that was regionally planned because if built, they concluded that the line would increase electricity rates for Pennsylvania consumers.[16]

The CPCN process could interact with the AGCC initiative in several ways. Namely, if a corridor traverses multiple states, the individual CPCN requirements for each state would likely still apply. Further, the CPCN process may further differ for other non-electric infrastructure like broadband cables. DOT should ensure the CPCN voltage threshold and approval conditions for the state(s) a corridor passes through align with the characteristics of the proposed project and the developer.

Question 2: What can be done to minimize challenges and complexities or maximize opportunities for projects that cross jurisdictional borders?

We offer comments on the following sub-sections of Question 2.

Interstate cooperation and coordination

In order to facilitate cross-jurisdictional projects in the ROW, states must have confidence in DOT's evaluation of the projects and have access to vital information about the process. Project selection should consider the best interest of the consumers in the state(s) the project passes through *and* the broader region.

We recommend that DOT explicitly state that AGCC designation is technology and business-model neutral. Traditional above-ground placements, trenching, underground tunnels, and hybrid configurations all have a potential role. Similarly, both alternating and direct current projects at all voltage levels could benefit from the program. The ultimate configuration should depend on the needs and economics of the particular corridor.

As part of its effort to identify the best use of a corridor, DOT should consider proposals from multiple types of developers, including both investor-owned utilities (IOUs) and merchant or independent transmission providers. These developers may bring different financing models[17] as well as different approaches to project design, construction, and risk management/allocation (discussed further in Niskanen's response to *Question 7* of the RFI).

[15] When Do State Transmission Siting Laws Violate the Constitution?, Klass *et al.*, December 2015, p.11
[16] Transource Pennsylvania v DeFrank: The new frontier of transmission line challenges, Embury *et al.*, January 2025
[17] IOUs typically rely on rate-based financing, while merchant projects often rely on private contracts.

Above all, DOT should prioritize transparency in its selection process. One approach to do this is to develop a visual database of the proposed and selected projects. For each project, DOT could make clear what benefits the project has to consumers in the state/region in terms of affordability and reliability of the utility service. Making benefits simply and explicitly visible could motivate state and local policymakers to facilitate interstate coordination.

Laws, regulation, and utility accommodation policies

Utility accommodation policies (UAPs) dictate how ROWs can be used by utility providers, and each state has a unique policy. Recent attempts have been made to encourage Federal Highway Administration Division Offices to collaborate with state DOTs to prioritize reviewing their UAPs to better align with AGCC goals and collaborate with other states to prioritize shared ROW projects.[18]

We encourage the AGCC task force (along with DOT) to take an active role going forward in ensuring that UAPs are aligned with and will ultimately support the intended outcome of the RFI. While DOT specifically names railways as ROWs of interest in the RFI, UAPs do not apply to railways. We encourage additional coordination between the AGCC task force and railway owners to meet the spirit of the RFI.

Question 3: What are challenges, complexities, opportunities, and recommendations related to the proposed voluntary AGCC P3 model described in this RFI? How can the Federal government support procurement in this context?

The RFI describes the roles that a private Corridor Manager might perform, but it does not clearly define the proposed public-private partnership (P3), identify the public financial contribution, or explain how project revenues would support private financing.

Federal concierge services may reduce development time and risk, but they do not make a project commercially viable by themselves. DOT should clarify what federal, state, or ROW owner funding may be available, how demand and revenue risk would be allocated, and whether utility commitments would be secured before a long-term concession is procured.

The RFI appears to describe the government contribution as solely coordination and concierge services. This is different from other P3 models which may provide capital, credit support, or risk sharing. Unless DOT envisions a broader public contribution, we recommend that the agency describe AGCC as a technical assistance and permitting concierge program, rather than a P3.

[18] DOT Federal Highway Administration America's Great Corridors of Commerce Guidance on the Use of Highway Right-of-Way, September 2026

Question 4: What forms of technical assistance or support would help ROW owners, utilities, and project developers more effectively deploy AGCC corridors? Specifically consider the types of support that would be most helpful from the Federal interagency task force, considering the anticipated support described in this RFI.

The DOT can support stakeholders in making valuable data publicly available, which will help facilitate project development and selection. There are several known data gaps that could be addressed under this effort:

First, ownership data for railway ROW is often not well documented, and often "requires a title search, which can be both complicated and time consuming."[19] Because of this, it would likely be prudent for DOT to either independently verify applicant ownership information, or gather it themselves on behalf of developers for railway ROWs of interest. Further, making the data publicly available would likely aid in future development efforts outside of the AGCC initiative.

Second, data on the physical conditions along major highway ROW is often either unknown or not publicly available. For highway ROWs of interest for the AGCC initiative, it would likely be prudent for the DOT to aggregate data on ROW width, surface grade, depth to bedrock, depth to any water tables, soil conditions, and known underground infrastructure that is already present. Pacific Northwest National Laboratory's[20,21,22] and the DOE's[23] prior work may be instructive to the DOT in this regard. Further, making the data publicly available would likely aid in future development efforts outside of the AGCC initiative.

Question 5: Please comment on the approach to designate AGCCs described in this RFI. What are the potential positive and negative impacts of such an approach? How could this process be altered or improved?

The RFI's general approach is to designate corridors within highway and railway ROW, and create mechanisms to give developers access to the space and as well as streamline permitting processes within the corridors. In some ways, this mirrors the DOE's National Interest Electric Transmission Corridor (NIETC) program, which sought to designate corridors that developers could use to site transmission lines in. It included the provision for a federal backstop siting

[19] Who Actually Owns the Right-of-Way?, Rails to Trails Conservancy, May 2008
[20] Reinventing the Right of Way: Policy, Technical, and Economic Implications of Siting Transmission Lines Along Transportation Corridors: Proceedings of a Workshop—in Brief, National Academies, April 2025
[21] Electric Transmission in Transportation Rights -of -Way: Gaps Analysis, Pacific Northwest National Laboratory, 2025
[22] Data Appendices to the Electric Transmission in Transportation Rights-of-Way Gaps Analysis, Pacific Northwest National Laboratory, 2025
[23] National Transmission Needs Study, Department of Energy, October 2023 (particularly Figures V-9 thru V-15)

mechanism if the corridors were used. The Trump Administration recently cancelled the effort to designate NIETCs[24] after a two decade-long history plagued by public backlash.

The AGCC initiative can potentially sidestep the pitfalls experienced by the NIETC program in part because the program seeks to designate corridors within already existing highway and railway ROWs, rather than determining new greenfield routes from the top down. Further, the process is applicant-driven, meaning the ROW owners opt into the process.

The AGCC task force should ensure that applications they receive are not only supported by the applicant, but also by the owner of the ROW (if they are different), the developer of a transmission project, and the relevant state authorities for this initiative to be successful. Engaging with nearby defense and military installations can also ensure the proposed projects provide an added national security benefit. We anticipate that having all these stakeholders aligned in support will be critically important, especially in cases where the proposed projects are above ground within the ROW corridors.

Question 7. A goal of AGCC is to leverage opportunities to co-develop utility projects in support of increased affordability for utility ratepayers. AGCC seeks to catalyze opportunities for diverse, least-cost, least-risk resources which will not unnecessarily increase utility rates. Are there design elements of AGCC that are important to consider to ensure success of this goal?

In general, ensuring experienced and skilled staffing and sustained prioritization across federal agencies to provide effective concierge services will be critical to the success of the AGCC initiative. Interagency coordination is notoriously difficult, and limited staff capacity can delay or stall specific activities. The staff assigned to this effort will need to be skilled at coordinating across agencies and navigating the regulatory issues that can lead to litigation or lengthy reviews. They should also be prepared to support portions of projects located outside the designated corridor. Potential projects may not perfectly follow the routes of highway or railway ROWs, or may be too long to fit within one designated corridor.

To that end, we envision three[25] likely transmission-specific use cases for corridors resulting from the AGCC initiative:

- **Short distance, overhead** - These transmission lines are most likely to be intrastate using traditional alternating current technology to minimize cost. These proposals are likely to

[24] Energy Secretary Announces Cancellation of Three Proposed National Interest Electric Transmission Corridors, Department of Energy, August 2026

[25] Proposals for short distance underground configurations are not likely to be common because of their lack of cost-effectiveness in most scenarios.

come from developers hoping to circumvent an otherwise challenging localized permitting issue by using AGCC-designated stretches of ROW.

- **Long distance, overhead** - These transmission lines are most likely to be interstate and could use either high voltage alternating or direct current technology. These proposals are likely to come from a regional grid operator or a merchant developer, because these entities most commonly build interstate lines.
- **Long distance, underground** - These transmission lines are almost certain to use high voltage direct current (HVDC) technology, since it is the only type of transmission that functions underground at long distances. These proposals are likely to come from merchant developers, who are the main industry participants with substantial experience building HVDC lines.

We recognize that using the highway or railways ROW to build transmission could be a valuable proof of concept for the industry, even at short ranges. But an over-reliance on short-distance projects risks displacing potentially higher-value long-distance projects, simply due to the readiness of utilities who often prefer regionally sized projects where costs and benefits are straightforward.[26] Where long lines are unavoidable — the Midcontinent Independent System Operators's Multi-Value Projects, for instance — grid planners and utilities tend to break up lines into chunks that fit neatly within each utility or state footprint.[27] Such project designs fit outdated regulatory and business models that prevent innovation to modernize the grid.

Ratepayers stand to gain significant value[28] from interregional and cross-interconnection high capacity transmission. The RFI states that "[t]he Federal task force intends to prioritize longer multi-state corridors with regional significance."[29] We support this approach, whether on a corridor-by-corridor basis or across a portfolio of designations. Additionally, we recommend that DOT clarify in any eventual requests for proposals that the emphasis should be on high value, long range, high capacity transmission, because the best opportunities for the American consumer lie in those types of projects.

[26] Merchant developers fill 'void' in US interregional grid build-out, Hale, October 2023
[27] Multi-Value Projects (MVPs), Midcontinent Independent System Operator
[28] The price of power: How HVDC wires can bring cheaper electricity, Allen, June 2026
[29] Request for Information, Department of Transportation, August 2026

Conclusion

Thank you for the opportunity to submit this response. We look forward to continuing to work with DOT and others on opportunities to address America's pressing electric transmission needs.

Sincerely,

/s/ Liza Reed

Niskanen Center
1201 New York Ave. NW, Suite 200B
Washington, D.C. 20005
614-578-5328
lreed@niskanencenter.org