

CASE: PCN 5
WITNESS: SUDESHNA PAL

**PUBLIC UTILITY COMMISSION
OF
OREGON**

STAFF EXHIBIT 400

REDACTED Rebuttal Testimony

March 20, 2023

1 **Q. Please state your name, occupation, and business address.**

2 A. My name is Sudeshna Pal. I am a Senior Energy Policy Analyst employed in
3 the Energy Resources and Planning Division of the Public Utility Commission
4 of Oregon (OPUC). My business address is 201 High Street SE., Suite 100,
5 Salem, Oregon 97301.

6 **Q. Have you previously provided testimony in this case?**

7 A. Yes, my Opening Testimony was filed on January 17, 2023, as Staff/100/Pal.

8 **Q. What is the purpose of your testimony?**

9 A. The purpose of my testimony is to respond to Idaho Power's reply testimony,
10 and to intervenors' opening testimonies. I revisit and conclude my analyses on
11 filing requirements, necessity, and justification, present a final statement of my
12 findings regarding the necessity and justification of the project in the public
13 interest to the Commission. Finally, I provide a summary of the Staff witness'
14 findings and provide a recommendation for the Commission on whether to
15 issue a CPCN.

16 **Q. Can you summarize your testimony?**

17 A. Yes. My testimony considers additional and updated information on B2H costs
18 and benefits and examines if the petition filing requirements are adequately
19 met. I revisit justification of this project in the public interest, in the light of
20 Idaho Power's reply testimony and additional information available to Staff. I
21 address stakeholder opening testimonies, and express Staff's position on
22 responses from Idaho Power to other intervenors. I provide a supplemental
23 summary of public comments received that were not included in Staff/104, with

1 reference to the testimony where these issues are examined. Lastly, based on
2 this testimony and the testimony provided by other Staff witnesses, Staff
3 provides a recommendation for the Commission regarding evaluation of this
4 CPCN.

5 **Q. Which additional Staff witnesses are submitting rebuttal testimony?**

6 A. Staff witnesses Yassir Rashid, and Charles Lockwood are also submitting
7 rebuttal testimonies. Mr. Rashid discusses necessity for the purpose of system
8 reliability, safety, and practicability issues in Rashid/500. Mr. Lockwood covers
9 environmental justice (EJ) issues in Staff/600.

10 **Q. Please summarize the findings of Staff witness Yassir Rashid as to the
11 necessity, safety and practicability of the B2H project.**

12 A. Mr. Rashid evaluated whether Idaho Power had demonstrated a need for the
13 project for the improvement or maintenance of system reliability for Oregon
14 customers, whether the transmission line will meet safety standards, and if it
15 will be constructed in a manner that is practicable and feasible. In Mr. Rashid's
16 opening testimony he concluded that the route chosen by the Company is
17 practicable and feasible, but that Idaho Power had not presented adequate
18 analysis to support the system reliability criterion. Mr. Rashid also expressed
19 skepticism around Idaho Power's projected in service date for B2H given the
20 pending number of permits and easements, and from his own experience with
21 similar transmission projects. Idaho Power's reply testimony addressed Mr.
22 Rashid's concerns leading him to conclude that while Idaho Power had
23 demonstrated that the line will meet safety standards that he continues to

1 believe the Project completion date is overly optimistic. Mr. Rashid still believes
2 there is not adequate evidence to suggest B2H is needed to reliably serve
3 Idaho Power's Oregon customers.

4 **Q. Please summarize the findings of Staff witness Charles Lockwood as to**
5 **environmental justice issues.**

6 A. Mr. Lockwood examined whether Idaho Power evaluated the impacts of this
7 transmission project on environmental justice (EJ) communities. The goal was
8 to obtain information through data requests that would inform the Commission
9 of any such impacts. In the opening round Mr. Lockwood's testimony
10 (Staff/300/Lockwood) indicated that Idaho Power needed to provide some
11 missing pieces of information on EJ issues that were asked through data
12 requests. Mr. Lockwood's reply testimony (Staff/600/Lockwood) finds that the
13 information gaps have been addressed given the data available and concludes
14 that there will be both positive and negative impacts on EJ communities.
15 However, Idaho Power has shown reasonable mitigation efforts to minimize
16 negative impacts on EJ communities.

17 Although there are no specific requirements in the rules for EJ
18 considerations, Staff believes these findings could be used to evaluate the
19 petition under OAR 860-035-0030(1)(d) justification and (1)(e) consideration of
20 other factors.

1 **Q. What conclusion do you reach as to the necessity and justification of the**
2 **B2H project?**

3 A. Idaho Power has demonstrated a need for additional capacity that would be
4 met by this project and the project is in the public interest. Staff also finds that
5 the Company has demonstrated that there are both monetized and non-
6 monetized benefits and costs associated with this project. Staff's analysis finds
7 that Idaho Power has demonstrated that overall public benefits of this project
8 outweigh the costs and hence the project is justified in the public interest.

9 **Q. Do you consider any other issues in your evaluation of the petition?**

10 A. Yes. Additionally, I find that filing requirements are adequately addressed. Staff
11 has a fuller understanding of total costs and benefits related to the B2H project.
12 Negative impacts cannot be completely avoided; however, mitigation efforts
13 are ongoing and will be implemented both during and after the construction of
14 the transmission line. Idaho Power has been responsive to stakeholder
15 concerns and has assured that it will work with impacted residents to minimize
16 impacts. I also acknowledge that Idaho Power must complete several impact
17 management plans to meet conditions imposed in the EFSC Final Order (or,
18 EFSC Order), prior to beginning construction. This has introduced some
19 uncertainty in the process.

20 **Q. What is Staff's overall conclusion?**

21 A. Staff is satisfied with the analysis and testimony as put forward by Idaho Power
22 in this proceeding. Staff concludes that Idaho Power has demonstrated that the
23 B2H project meets the criteria of necessity, safety, practicability, and

1 justification and is in the public interest as described in OAR 860-025-0035 (1)
2 (a) – (e).

3 **Q. What is your recommendation for the Commission?**

4 A. I recommend that the Commission consider Staff's findings on the evaluation
5 criteria described in the OAR 860-025-0035 (1) (a) – (e) rules for this project,
6 including consideration of process-related uncertainties described above and
7 issue a CPCN for the B2H transmission line.

8 **Q. What are the projected dates for the completion of the impact
9 management plans required to begin construction of the project?**

10 A. The projected dates are provided in Idaho Power/403. The majority of these
11 plans are expected to be finalized and submitted to ODOE no later than June
12 6, 2023. A few plans related to full survey of wildlife and habitat protection are
13 to be completed by July 27, 2023. Most have an anticipated ODOE compliance
14 concurrence date of June 20 or earlier, except for a few with compliance
15 concurrence dates in July and August 2023. The EFSC site certificate is
16 conditioned upon completion of the Company's impact management plans.

17 **Q. What is the target date for the Oregon PUC to make a decision on the
18 issuance of this CPCN?**

19 A. The target decision date for the Oregon PUC is set at June 30, 2023.

20 **Q. Did you prepare any exhibits for this docket?**

21 A. Yes. I prepared exhibit Staff/401 which includes non-confidential data
22 responses from Idaho Power to Staff, Staff/402 which includes confidential

1 data responses from Idaho Power to Staff and Staff/403 that includes a
2 summary of public comments received post January 6, 2023.

3 **Q. How is your testimony organized?**

4 A. My testimony is organized as follows:

5	Issue 1. Filing requirements	7
6	Issue 2. Necessity	8
7	Issue 3. Justification.....	13
8	Issue 4. Additional Public Comments.....	30
9	Issue 5. Staff Recommendation	32

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ISSUE 1. FILING REQUIREMENTS

Q. What were Staff’s concerns about filing requirements?

A. As stated in Staff/100/Pal/14, Idaho Power’s petition did not meet the requirements of *OAR 860-025-0030 (2) (d),... (a)n estimate of both already incurred and forecasted costs of developing the transmission line project... for the purpose of Staff’s analysis.*

Q. Does Idaho Power’s Reply Testimony alleviate this concern?

A. Yes. Idaho Power provided information on missing pieces in the original filing. I will present the details. To summarize, this updated information includes a discussion on the components of and estimates of total cost of B2H including both PacifiCorp and Idaho Power’s shares and additional information on projected benefits of the B2H transmission line. This information is provided in Idaho Power/400/Barretto, Confidential/Idaho Power/402/Barretto, Idaho Power/500/Ellsworth and Idaho Power’s Confidential responses to Staff DRs 86, 88 and 89, discussed in more detail below.

Q. Based on the new information provided by the petitioner, what is your conclusion on meeting filing requirements?

A. Based on additional information provided by Idaho Power in response to Staff discovery and acknowledging that Idaho Power was the first to file a petition under the new requirements, I conclude that Idaho Power has now provided the information required for the purpose of Staff’s analysis.

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ISSUE 2. NECESSITY

Q. How did Staff evaluate necessity for this transmission line?

A. Staff primarily considered the criteria in OAR 860-025-0035(1)(a), “Whether the transmission line will meet a demonstrated need for transmission of additional capacity or improved system reliability that enables the petitioner to provide or continue to provide adequate and reliable electricity service.” Staff also considered OAR 860-025-0035(1)(e), *other factors relevant to the statutory criteria*.

Based on the criteria in this rule I evaluated whether Idaho Power had demonstrated a need for additional capacity and Staff witness Yassir Rashid examined whether Idaho Power had demonstrated a need for system reliability that will be met by the B2H project.

Q. What were Staff’s findings in the opening round of testimonies?

A. I concluded that Idaho Power had demonstrated a need for additional capacity that would be met by B2H. Staff witness Yassir Rashid concluded that the Company had not demonstrated that the transmission line is needed to provide reliable service to Oregon customers.

Q. Is Staff’s position on necessity unchanged from opening testimony?

A. Yes.

Q. What are the implications of these findings for the overall necessity for this project?

A. Staff’s understanding of paragraph (1)(a) suggests that demonstration of additional transmission capacity needs could still establish necessity even in

1 the absence of demonstrated system reliability needs. Other factors may
2 also be relevant to the statutory criteria of necessity.

3 **Q. Why is Staff providing testimony on Necessity again?**

4 A. In my opening testimony I had mentioned that I will present a conclusion on
5 Necessity after considering public comments and stakeholder (intervenor)
6 testimonies.¹

7 **Q. What public comments and intervenor testimonies did Staff consider?**

8 A. Staff heard in public comments that the B2H line is not needed to serve
9 Oregonians. Mr. Greg Larkin provides testimony that Oregon does not need
10 the B2H line since the Pacific Intertie DC transmission line can transfer
11 enough power between the Pacific Northwest and the Southwest. PacifiCorp
12 has provided testimony explaining an established need for B2H as energy
13 and capacity needs continue to grow on its system and the need for B2H to
14 enhance grid reliability.

15 **Q. Can you explain Mr. Larkin's concerns?**

16 A. Yes. In Greg Larkin/100, Mr. Larkin states that there are over 6000 pages of
17 public comments filed in the EFSC proceeding which expressed that many
18 Oregonians do not believe there is a need for or benefit from this
19 transmission line. Mr. Larkin extensively discusses that Oregon generates
20 more electricity than it needs, while Idaho is energy deficit. Hence the B2H
21 line will only be used to export power from Oregon to serve people in Idaho
22 and other states that need the power. He further explains that the Western

¹ Staff/100/Pal/28/17-21.

1 Interconnection and the Pacific Intertie Direct Current transmission line
2 already connect Oregon to other markets and therefore there is no need for
3 B2H.

4 **Q. Has Idaho Power responded to Mr. Larkin's concerns regarding the need**
5 **for this project?**

6 A. Yes. Idaho Power/500/Ellsworth/49 explains that during winter peak periods
7 the existing "transmission connections between Idaho and the Pacific
8 Northwest can reach their maximum flow ratings sending power into the
9 Pacific Northwest".² Mr. Ellsworth also explains that future energy landscape
10 with increasing electrification and retirement of fossil fuel resources would
11 enlarge this winter demand. Additionally, Mr. Ellsworth suggests that while
12 Mr. Larkin's assessment of Oregon net energy position is on an annual
13 basis, energy production and consumption materialize on a "near
14 instantaneous"³ basis.

15 **Q. How did PAC explain the need for B2H?**

16 A. PAC/100/Link explains that PacifiCorp's 2021 Integrated Resource Plan
17 (IRP) "demonstrates the need for B2H Project in 2026 to avoid a shortfall in
18 load-serving capability, which has only increased since the 2021 IRP was
19 filed."⁴ He also explains that "...once the B2H Project is energized,
20 PacifiCorp will receive incremental firm transmission rights from BPA

² Idaho Power/500/Ellsworth/49/6-8.

³ Idaho Power/500/Ellsworth/49/18.

⁴ PAC/100/Link/4/5-7.

1 needed to serve load in Central Oregon.”⁵ Mr. Link’s testimony further states
2 that “the B2H Project also enhances PacifiCorp’s ability to comply with
3 mandated reliability and performance standards,” as demonstrated in
4 PacifiCorp’s 2021 IRP.⁶

5 **Q. Is there any other information Staff used to further evaluate necessity of**
6 **this project?**

7 A. Yes. Idaho Power/502 and Idaho Power/503 respectively present copies of
8 BPA’s Letter to the Region from January 9, 2023, and BPA’s B2H Workshop
9 Presentation from January 23, 2023. This evidence establishes that BPA’s
10 participation in this project to serve its Southern Idaho customer load will
11 result in significant benefits (\$720 million over a 30-year period) for all its
12 customers including Oregon. As Idaho/504/Ellsworth/1 shows, BPA’s
13 customers are spread out in several states including Oregon. I discuss
14 benefits resulting from the B2H project specifically for Oregonians in greater
15 detail under Issue 3, Justification.

16 **Q. What is Staff’s conclusion on the necessity of this project?**

17 A. Staff believes that Idaho Power has demonstrated a need for additional
18 transmission capacity that would be met by B2H. Additionally, other regional
19 electricity providers including PAC and BPA have provided evidence of
20 needs on their system that will be met by the B2H line. Economic analyses
21 in IRPs (which are discussed in more detail later under Issue 3,

⁵ PAC/100/Link/4/9-11.

⁶ PAC/100/Link/5/12-13.

1 Justification) by Idaho Power and PacifiCorp have established B2H as a part
2 of their least-cost least-risk portfolios.

3 Staff believes that the need for reliable and affordable energy will
4 continue to exist for Oregonians as it will for customers outside of Oregon.

5 Idaho Power has demonstrated that B2H will be used to meet that need.

6 Therefore, Staff concludes that Idaho Power has demonstrated that the B2H
7 project is necessary under the criteria in OAR 860-025-0035(1).

ISSUE 3. JUSTIFICATION

1
2 **Q. What additional information did Staff seek to review to reach a**
3 **conclusion on this issue?**

4 A. In opening testimony, I identified some inconsistencies and missing information
5 related to project costs in Idaho Power's petition that prevented a
6 comprehensive analysis with respect to justification of this transmission line.
7 Staff was not convinced of the cost-effectiveness of this project as analyzed by
8 Idaho Power in its 2021 IRP and as presented as evidence in this proceeding.
9 Additionally, I needed a better understanding of noise impacts and mitigation
10 measures associated with this project to evaluate the overall impact of the
11 project.

12 **Q. What inconsistencies and missing information were identified in the**
13 **original Petition?**

14 A. Staff was unable to locate B2H transmission project-related upgrade costs
15 referred to in Idaho Power's initial testimony.⁷ Staff has already discussed the
16 missing information part in Issue 1 of this testimony. Additionally, the net
17 present value analysis used by Idaho Power to show cost-effectiveness of this
18 project was outdated and needed to be updated to reflect the most current
19 information on costs. Finally, updates on noise impact analysis and mitigation
20 efforts and consideration of stakeholder concerns were required to fully
21 understand if Idaho Power is working to minimize negative impacts of this
22 transmission line on impacted Oregon residents.

⁷ Idaho Power/100/Ellsworth/29.

1 **Q. Is the issue with the upgrade costs resolved for Staff?**

2 A. Yes. Idaho Power has provided a line-by-line comparison of the 2021 IRP and
3 the PCN5 cost components for the upgrade costs in their response to Staff
4 DR 116.⁸

5 **Q. Did Idaho Power provide information on already incurred and forecast**
6 **costs that were missing in the original petition?**

7 A. Yes. In response to Staff DR 86, Idaho Power provided information on already
8 incurred costs and forecasted costs. IPC stated that the previous cost
9 estimates inadvertently excluded an already incurred work order cost that
10 amounted to **[BEGIN CONFIDENTIAL]** [REDACTED] **[END CONFIDENTIAL]**,
11 as of December 31, 2022.⁹

12 **Q. Did Idaho Power provide information on PacifiCorp's share of incurred**
13 **and forecasted costs?**

14 A. Yes. In response to Staff DR 89, Idaho Power provided estimates of already
15 incurred and forecast costs for both Idaho Power and PacifiCorp.¹⁰

16 **Q. What estimates of PacifiCorp's share of incurred and forecasted costs**
17 **did Idaho Power provide?**

18 A. Idaho Power has provided incurred cost estimates of **[BEGIN**
19 **CONFIDENTIAL]** [REDACTED] **[END CONFIDENTIAL]** and a forecasted cost of

⁸ Exhibit Staff/401/Pal/1.

⁹ Confidential Exhibit Staff/402/Pal/1.

¹⁰ Confidential Exhibit Staff/402/Pal/2.

1 **[BEGIN CONFIDENTIAL]** [REDACTED] **[END CONFIDENTIAL]** for PacifiCorp's
2 share of total B2H project costs.¹¹

3 **Q. What is PacifiCorp's share of the total estimated cost of the B2H project?**

4 A. In Confidential Idaho Power/400/Barretto/7, Idaho Power provides the current
5 estimate to be **[BEGIN CONFIDENTIAL]** [REDACTED] **[END**
6 **CONFIDENTIAL]**.

7 **Q. Has Idaho Power updated all cost estimates?**

8 A. Yes. Idaho Power corrected for two errors for its share of total B2H costs,
9 namely, the exclusion of the work order expense, which added **[BEGIN**
10 **CONFIDENTIAL]** [REDACTED] **[END CONFIDENTIAL]** to its cost, and a calculation
11 error in estimating IPC's share of total B2H costs, which resulted in a decline of
12 **[BEGIN CONFIDENTIAL]** [REDACTED] **[END CONFIDENTIAL]** in its cost
13 share.¹² After these revisions, the most updated version of cost estimates
14 shows IPC's cost share to be approximately \$651 million.¹³

15 **Q. How do the updates affect Oregon's cost shares for the project?**

16 A. Idaho Power updated the cost share figures to approximately **[BEGIN**
17 **CONFIDENTIAL]** [REDACTED] **[END CONFIDENTIAL]** in B2H costs and
18 approximately **[BEGIN CONFIDENTIAL]** [REDACTED] **[END CONFIDENTIAL]**
19 in total project costs (B2H costs plus local interconnection and non-billable
20 labor costs).

¹¹ Confidential Exhibit Staff/402/Pal/2.

¹² Confidential Exhibit Staff/402/Pal/2-4.

¹³ Idaho Power/400/Barretto/5/Table 1.

1 **Q. Did Idaho Power provide an updated NPVRR analysis?**

2 A. Yes. In Idaho Power/500, Company witness Ellsworth explains that
3 transmission project costs are treated as bolt on costs in the IRP preferred
4 portfolio analysis. Hence the updated costs were simply substituted for the
5 costs used in the 2021 IRP. This change resulted in NPVRR benefits of \$228
6 million as opposed to \$266 million, and hence the preferred portfolio with B2H
7 is still cost-effective.

8 **Q. Has Idaho Power provided adequate information on noise mitigation**
9 **efforts in its Reply testimony?**

10 A. Yes. In Exhibit Idaho Power/1100, Company witness Bastasch presents
11 extensive analyses of the noise standards, methodologies, and outcomes of
12 noise exceedance analyses along the B2H transmission line. The testimony
13 also describes mitigation measures in detail. Staff finds this analysis to
14 adequately address Staff's concerns.

15 **Q. Are there any other noise-related issues that Staff notes?**

16 A. Yes. As noted in some of the Intervenors' testimony, EFSC's authority to issue
17 a variance and exception to compliance with noise standards was challenged
18 in the appeal of the EFSC Order at the Oregon Supreme Court. On March 9,
19 2023, the Supreme Court issued an opinion that affirms the EFSC Final Order
20 approving the project site certificate, ruling in favor of Idaho Power on the noise
21 standards issues.

1 **Q. What other factors did Staff consider its analysis on justification?**

2 A. Staff considered additional information on the benefits of this project. Idaho
3 Power provides estimated net benefit amounts of \$228 million for Idaho Power
4 customers in the first twenty years, \$720 million to Bonneville Power
5 Administration (BPA) and its customers in the first 30 years and \$1.7 billion to
6 PacifiCorp and its customers in the first 20 years of B2H energization.¹⁴

7 **Q. Does Staff believe that B2H will benefit Oregonians?**

8 A. Yes. In response to Confidential Staff DRs 91-95, Idaho Power provides
9 additional information on benefits from B2H for Oregon. **[BEGIN**

10 **CONFIDENTIAL]** [REDACTED]

11 [REDACTED]

12 [REDACTED] **[END CONFIDENTIAL].**¹⁵

13 **Q. Did Idaho Power quantify these benefits?**

14 A. In response to Confidential Staff DR 91 Idaho Power indicates **[BEGIN**

15 **CONFIDENTIAL]** [REDACTED]

16 [REDACTED]

17 [REDACTED]

18 [REDACTED]

19 [REDACTED] **[END CONFIDENTIAL].**¹⁶

20 For this reason, optimization of transmission rights for Idaho Power and
21 PacifiCorp between Mid-C and Mona electricity trading hubs is a material

¹⁴ Idaho Power/500/Ellsworth/14/Table 1.

¹⁵ Confidential Exhibit Staff/402/Pal/5-9.

¹⁶ Confidential Exhibit Staff/402/Pal/5.

1 consideration since this gives both Idaho Power and PacifiCorp unimpeded
2 transmission between these hubs with no pancaking of transmission rates.

3 **Q. Will B2H provide additional transfer capacity from Idaho to Oregon?**

■ A. **[BEGIN CONFIDENTIAL]** [REDACTED]
■ [REDACTED]

11 [REDACTED] **[END CONFIDENTIAL]** Staff finds this important in that,
■ despite the Company's primary business case, **[BEGIN CONFIDENTIAL]** [REDACTED]
■ [REDACTED]

14 [REDACTED] **[END CONFIDENTIAL]**.¹⁷

15 **Q. Has Idaho Power demonstrated that B2H will be used to serve**
16 **Oregonians?**

17 A. Yes. In response to DR 93 and in Idaho Power/500, Ellsworth/15-16, Idaho
■ Power represents that **[BEGIN CONFIDENTIAL]** [REDACTED]
■ [REDACTED]
20 [REDACTED] **[END]**

¹⁷ Confidential Exhibit Staff/402/Pal/6.

1 **CONFIDENTIAL**].¹⁸ Mr. Ellsworth's Reply Testimony provides examples of
2 power flow in winter peaking / winter storm events from Idaho to the Northwest.

3 **Q. Will PacifiCorp use B2H to serve its customers in Oregon?**

4 A. Yes. In response to Staff DR 6 to PacifiCorp (PAC), the utility explains that
5 transmission system changes associated with B2H are expected to provide
6 congestion relief between PAC East and PAC West (which includes Oregon)
7 while allowing for a potential flow of lower cost resources from one balancing
8 authority area to another and enhancing system reliability. PAC also identifies
9 that the transmission system upgrades associated with B2H are expected to
10 enable interconnection of 600 MW of additional resources. It is also expected
11 to enable 680 MW of load service into Central Oregon (which is currently 340
12 MW).¹⁹

13 **Q. Are there any other factors Staff considered while examining justification**
14 **of this project in the public interest?**

15 A. Yes. Staff reviewed available data on the environmental justice (EJ) impacts
16 related to B2H. Staff's final findings are discussed in Lockwood/600. Staff
17 concludes that given the size and scale of this project there will be both
18 positive and negative impacts to EJ communities near the project area. Staff
19 believes that Idaho Power has provided adequate information detailing these
20 impacts given the available information and proposes reasonable mitigation
21 measures for negative impacts.

¹⁸ Confidential Exhibit Staff/402/Pal/7.

¹⁹ Exhibit Staff/401/Pal/2-3.

1 **Q. Which parties provided testimony concerning the negative impacts of the**
2 **B2H transmission line?**

3 A. All intervenors, except for PacifiCorp, wrote testimony on the negative impacts
4 of the transmission line on communities that exist near the line. These included
5 concerns about land use, noise, and visual impacts, impacts on historical and
6 cultural resources on specific properties, impacts on protected plant and animal
7 species, wildfire risks, and loss of property values.

8 **Q. What are stakeholder concerns around land use classification and**
9 **valuation?**

10 A. Mr. Greg Larkin expressed concern regarding this issue in his opening
11 testimony. He asserts that his land is being erroneously classified as an
12 agricultural land instead of forest, and that Idaho Power has undervalued forest
13 lands. These concerns were addressed in Idaho Power's reply testimony.²⁰
14 Staff believes Idaho Power has adequately responded to these concerns to the
15 extent they are relevant to this proceeding. Staff acknowledges that issuance
16 of a CPCN facilitates the condemnation of interests in land, construction of the
17 line may limit use of certain parcels for other purposes, and that these events
18 may have a negative impact on private landowners.

19 **Q. What are the concerns around visual impacts?**

20 A. Several stakeholders expressed concerns regarding the visual impact of the
21 transmission line on the general surroundings of the project area including
22 Morgan Lake and Owyhee River Crossing. In Idaho Power's reply testimony,

²⁰ Idaho Power/400/Barretto/25-31.

1 the Company explains that an agreement was reached with the City of La
2 Grande for \$100,000 in Morgan Lake recreational upgrades that Idaho Power
3 would pay as a compensation for visual impacts.²¹ Additionally, the Company
4 explains that the BLM and EFSC found Idaho Power's visual impact studies
5 and mitigation plans to be adequate and those agencies determined that the
6 proposed route has less visual impact compared to the existing corridor. IPC
7 also states that BLM developed the current proposed Owyhee River Crossing,
8 and the Company cannot unilaterally move the route onto BLM land.²²

9 **Q. What are some stakeholder concerns around historical site evaluation?**

10 A. Mr. John Williams has expressed in his opening testimony concerns that there
11 were cultural sites located on his property that were not adequately addressed
12 by Idaho Power. He suggested that Idaho Power did not complete evaluation of
13 two identified sites and these sites are impacted by part of the proposed
14 transmission line. In reply testimony, Idaho Power provides an extensive
15 analysis of the specific sites referred to in Mr. Williams' testimony and explains
16 the mitigation measures regarding visual impacts that will be implemented on
17 his property.²³ Staff finds Idaho Power's analysis and suggested mitigation
18 measures to be reasonable.

²¹ Idaho Power/400/Barretto/30-31.

²² Idaho Power/600/Colburn/69-70.

²³ Idaho Power/700/Ranzetta/37-40.

1 **Q. What are some stakeholder concerns around noise impacts of this**
2 **transmission line?**

3 A. Several stakeholders voiced concerns around the impact from corona noise
4 that is generated from transmission lines. In opening testimony, Staff discussed
5 corona noise and concerns around it, including the need for additional
6 information about impact mitigation efforts. Stop B2H provides a detailed
7 analysis of noise impacts in the areas around the transmission line and
8 challenges Idaho Power's methodology. Stop B2H also points out that EFSC's
9 authority in granting noise-related exemptions and variances are being
10 currently challenged in the Supreme Court. Mr. Greg Larkin expressed that his
11 existing health issues would be worsened by corona noise.

12 **Q. How did Idaho Power respond to concerns around noise?**

13 A. In reply testimony, Idaho Power provides a detailed analysis of the noise
14 exceedance evaluation with respect to Oregon Department of Energy's Table 8
15 Sound Level Standards and Antidegradation Standard for Ambient Noise.²⁴ I
16 will not present the details for the sake of brevity, but Staff finds this analysis
17 reasonable. Idaho Power focused on analyzing corona noise during foul
18 weather as that is when the noise exceeds the antidegradation level by 10dBA.
19 IPC also explained that they used conservative assumptions which imply that
20 actual noise levels will be lower than those obtained in the study. IPC also
21 provides several mitigation measures, and this issue is further addressed in the
22 EFSC Order.

²⁴ Idaho Power/1100/Bastasch

1 **Q. Does Idaho Power respond to health concerns raised by Mr. Larkin?**

2 A. Yes. Idaho Power's witness Ellenbogen extensively discusses this issue. Dr.
3 Ellenbogen concludes that "...the corona noise from the B2H transmission line
4 at Mr. Larkin's home — or any of the 41 NSRs²⁵ expected to experience an
5 exceedance of the ambient antidegradation standard — are noises of orders of
6 magnitude below any concern for noise-induced hearing loss."²⁶ They also
7 state that Idaho Power's mitigation measures gave them confidence that these
8 will "lead to resolution of any nearby resident's concerns regarding health,
9 safety, or welfare."²⁷

10 **Q. What is Staff's conclusion on Idaho Power's response to Staff and**
11 **stakeholders' concerns on noise impact and mitigation?**

12 A. Staff is sympathetic to stakeholders' concerns regarding corona noise.
13 However, Staff believes that Idaho Power acknowledged this issue and is
14 making efforts to minimize these impacts. Staff agrees that IPC has used
15 reasonable methodologies to measure noise levels and followed ODEQ
16 standards. IPC is required under the terms of the EFSC Order to address
17 NSRs on a case-by-case basis and work on mitigation. Mitigation measures
18 include window installations, air sealings, and planting trees. IPC is also
19 implementing design measures that would reduce corona noise in accordance
20 with EFSC Noise Control Order.²⁸ Staff understands these efforts are ongoing

²⁵ NSR stands for Noise Sensitive Receptors which refers to properties in which the ambient noise standard is violated.

²⁶ Idaho Power/1200/Ellenbogen/33.

²⁷ Idaho Power/1200/Ellenbogen/29.

²⁸ Idaho Power/1100/Bastasch/27/5-10.

1 and will review any information provided in the Company's surrebuttal
2 testimony.

3 **Q. What other negative impacts were identified in Intervenors' opening**
4 **testimony?**

5 A. Concerns were raised regarding sensitive environmental resources along the
6 transmission line route, including specific plant species on Mr. Joel Rice's
7 property as discussed in Susan Geer's opening testimony and impacts on
8 wetlands.

9 Additionally, several concerns were raised including the designation of
10 Mr. Rice's property as a State Natural Area.

11 **Q. What is Staff's conclusion regarding these concerns?**

12 A. Staff issued multiple data requests and considered intervenor concerns
13 regarding these issues. Staff finds Idaho Power's response to the
14 environmental impact concerns and mitigation measures adequate.²⁹ Staff
15 notes that EFSC found IPC's studies on endangered species to be adequate in
16 the EFSC final order. Idaho Power/600/Colburn explains in detail the issue
17 around the Rice Glass Hill Natural Area. Idaho Power points out that the
18 application for a State Natural Area status is voluntary³⁰ and that the
19 registration of the Rice property as a State Natural Area occurred after Idaho
20 Power's application for land use permit at the EFSC. The EFSC ruling stated
21 that IPC was not required to analyze this parcel under the Oregon State

²⁹ Idaho Power/1400/Ottenlips and Idaho Power/1500/Stippel.

³⁰ Exhibit Staff/401/Pal/21.

1 Natural Area standard. Idaho Power did, however, evaluate the Rice parcel in
2 accordance with EFSC standards. The Company asserted that EFSC's
3 approval of the project route including the portion affecting the Rice Glass Hill
4 Natural Area allows it to develop the project as proposed irrespective of the
5 designation of the Rice Glass Hill Natural Area.³¹ However, Staff will review
6 any additional information other parties provide on the assessment of these
7 issues.

8 **Q. What is Staff's conclusion on the selection process of the Morgan Lake**
9 **Alternative?**

10 A. After reviewing Idaho Power's description of the route selection process and
11 response to intervenors in Exhibit Idaho Power/600/Colburn, and upon review
12 of the Company's responses to DR 60 and DR 90,³² Staff concludes the
13 selection of Morgan Lake Alternative was the outcome of a rigorous public
14 process and that adequate mitigation steps will be employed along the
15 selected route to minimize impacts.

16 **Q. What is Staff's overall understanding of the negative impacts on people**
17 **and mitigation efforts by the Company?**

18 A. As mentioned above, Staff realizes that there are negative impacts of this
19 transmission project on private lands, livelihoods, and the environment. Staff
20 believes that Idaho Power has performed various analyses of these impacts,

³¹ Exhibit Staff/401/Pal/20.

³² Exhibit Staff/401/Pal/4-19.

1 made efforts to avoid them, and provided mitigation measures where impacts
2 could not be entirely avoided.

3 **Q. Does Staff want the Commission to consider any other issues?**

4 A. Yes. As discussed earlier under the EFSC Order, several studies on impact
5 and mitigation must be completed prior to the construction of the project. Idaho
6 Power's reply testimony provides a timeline for the completion of these
7 projects.³³ As detailed in Exhibit Staff/500, the project is unlikely to be
8 constructed within the Company's timeline. Additional information may be
9 available before the record closes in this proceeding. However, based on the
10 available information, the benefits offered by the B2H transmission line are
11 somewhat tempered by these contingencies.

12 **Q. Does Staff have a conclusion regarding justification of this project?**

13 A. Yes. Overall, Staff believes Idaho Power has provided adequate information
14 regarding the monetized and non-monetized costs and benefits related to the
15 B2H transmission project. Based on this information, Staff evaluated the public
16 benefits and costs related to this project and finds it to be justified in the public
17 interest.

18 **Q. Please explain how Staff weighed the public benefits and costs of the**
19 **B2H transmission line.**

20 A. Staff considered the monetary benefits this transmission line would provide to
21 Idaho Power's customers, as well as the non-monetary benefits that were
22 described by the Company. Staff understands that most benefits will be

³³ Idaho Power/403/Barretto/1 (corrected).

1 realized over time. Although there are some uncertainties around the project
2 timeline and meeting EFSC conditions, there is no evidence that implies that
3 Idaho Power will not meet the conditions of the EFSC order or of any permitting
4 or legal roadblocks that would prevent the project from being built and the
5 benefits realized.

6 Staff weighed these benefits against the various monetized and non-
7 monetized costs of this project. Staff relied on IRP analyses from both IPC and
8 PAC for a comparison of monetized cost versus benefits. Both IRPs establish
9 significant net benefits from including the B2H project in their respective cost
10 and risk minimizing portfolios.

11 Staff considered non-monetized costs or negative impacts of the
12 transmission line and concluded that these costs can be reduced by mitigation
13 efforts by the Company. Staff witness Yassir Rashid concluded that there are
14 no health impacts from this line. Staff witness Charles Lockwood found
15 adequate mitigation measures to be in place to address negative impacts on
16 EJ communities. I have considered stakeholders concerns, Idaho Power's
17 testimonies and findings from the EFSC process to evaluate whether the
18 negative impacts have been adequately addressed and mitigation measures
19 provided. My findings suggest that the Company has demonstrated that with
20 mitigation plans the negative impacts will be reduced so that benefits to the
21 public exceed costs.

1 **Q. Given the benefits you have identified, are there feasible alternatives to**
2 **the transmission line?**

3 A. As stated earlier, Staff considered evidence provided by Idaho Power to
4 examine resource alternatives to B2H. Idaho Power has provided evidence of
5 Commission orders on its IRPs that acknowledge the B2H project as part of the
6 least cost least risk or preferred portfolio. The preferred portfolio is based on a
7 cost and risk analysis of various resource alternatives. Staff ensured that Idaho
8 Power provide Staff the results of such analyses with the most up to date cost
9 estimates for B2H. The project remains one of the most cost-effective
10 resources for IPC's customers. Moreover, there are regional benefits from this
11 transmission line that may not be realized from alternative resources. Idaho
12 Power's witness Mr. Ellsworth describes the broad range of benefits that are
13 unique to a high voltage transmission line like B2H.³⁴

14 **Q. Please describe any other considerations Staff believes are relevant to**
15 **whether the transmission line is justified in the public interest.**

16 A. Staff investigated the extent to which Oregonians will benefit from this
17 transmission line. Staff evaluated whether there are benefits that will be
18 realized beyond Oregon, and by customers of other regional electricity service
19 providers. Idaho Power has provided evidence that there are significant
20 monetary benefits in terms of cost savings for customers of Idaho Power, BPA,
21 and PacifiCorp. Staff acknowledges that there are benefits that are not
22 quantifiable, and those that will only be realized over time. This transmission

³⁴ Idaho Power/500/Ellsworth/33-35.

1 line would be used to connect to regional markets and integrate out of state
2 renewable resources, both of which seem vital to affordable and reliable
3 electricity service for the region, especially as we face a future with high
4 electrification and dispersed resources.

ISSUE 4. ADDITIONAL PUBLIC COMMENTS

Q. Has Staff reviewed additional public comment since Staff filed Opening Testimony?

A. Yes.

Q. What is the range of perspectives shared by these commenters?

A. Commenters shared a wide range of concerns associated with this project as well as the CPCN proceeding. Commenters pointed out that the CPCN proceeding is premature, that Idaho Power's application is incomplete and contains inaccurate information. Public comments also addressed PUC's evaluation criteria and suggested that the Company has failed to demonstrate a need for the project in public interest, particularly for its Oregon customers. Commenters also stated that the project is not justified given the widespread and significant negative impacts or non-monetized costs far outweigh the lack of benefits for Oregonians and that there are alternative routes and resources that would better serve Idaho Power's customers. Table 1 provides a summary of public comments.

Table 1

For CPCN	Against CPCN	Neutral	Total Comments
0	71	1	72

Q. Are there any common themes to the comments received?

A. The comments are primarily voiced in opposition to the project. A recurring

1 theme was the selection of the current route with the Morgan Lake Alternative
2 as opposed to the BLM preferred route that included the Glass Hill Alternative.
3 Commentators believe that the Glass Hill Alternative has fewer negative
4 impacts on natural resources as well as impacts associated with corona noise.
5 Others include negative impact of the project on the scenic resources of the
6 region, especially around the National Historic Oregon Trail Interpretive Center,
7 protected natural areas and plant and animal species, historical and cultural
8 resources. The health and safety issues of people living close to the high
9 voltage transmission line including the corona noise have been expressed in
10 several public comments. Multiple comments also suggested that Idaho Power
11 undervalued the impacts on landowners; that a lot of their mitigation plans, and
12 permits are pending; and that there was a pending appeal at the Supreme
13 Court against the EFSC Final Order. The comments suggested that the CPCN
14 should not be issued.

15 **Q. Does Staff's Testimony address these issues, as relevant to the CPCN?**

16 A. Yes. Staff's testimony considered and addressed stakeholders' issues
17 consistently. Staff issued several DRs looking for more information on specific
18 stakeholder issues and reviewed Idaho Power's responses to Staff DRs and
19 stakeholder testimonies. Staff has referred to these concerns and responses
20 as appropriate in its analysis of necessity, safety, practicability, and justification
21 in the public interest, of this project. Staff has also included summaries of
22 public comments received throughout the proceeding with its testimonies.

ISSUE 5. STAFF RECOMMENDATION

Q. Please summarize Staff's evaluation of Idaho Power's CPCN petition.

A. Staff used OAR 860-025-0030, OAR 860-025-0035, and OAR 860-025-0040 to evaluate Idaho Power's petition. Staff had found that the information provided by Idaho Power in its initial filing did not meet filing requirements under OAR 860-025-0030 but acknowledges this is the first petition filed under this rule since it was substantially revised by the Commission. However, Idaho Power provided information throughout the proceeding that was adequate to persuade Staff that the issues were addressed. The Commission may make its findings regarding land use by adopting the land use findings contained in the EFSC Final Order, pursuant to OAR 860-025-0040(7). Finally, Staff finds that the petition and all supporting information provided in this proceeding meet the criteria for evaluating the necessity, safety, practicability, and justification in the public interest as established in OAR 860-025-0035(1)(a) – (e).

Specifically, applying the criteria in the rule, I find that the project is in the public interest and that it meets the statutory criteria of necessity and justification. Staff witness Yassir Rashid finds that the project is in public interest and meets the criteria of safety and practicability. Finally, Staff witness Charles Lockwood provides evidence on environmental justice impacts. Mr. Lockwood's conclusion that the project may result in both positive and negative impacts on environmental justice communities, and that Idaho Power has demonstrated adequate mitigation measures can be considered under the criteria in OAR 860-025-0035(1) (d) or (1)(e).

1 Staff also realizes that there are process-related uncertainties that could
2 impact the project in future. This includes Idaho Power's ability to secure
3 remaining permits and finalize various draft plans to meet the conditions in the
4 EFSC site certificate. However, that does not undermine the benefits that will
5 be realized from this transmission line. These issues may be partly resolved
6 prior to the expected June 30 decision making date for the Commission.

7 **Q. What is your recommendation to the Commission?**

8 A. I recommend that the Commission consider Staff's findings on the evaluation
9 criteria described in the OAR 860-025-0035 (1) (a) – (e) rules for this project,
10 including consideration of process-related uncertainties described above, and
11 issue a CPCN for the B2H transmission line.

12 **Q. Does this conclude your testimony?**

13 A. Yes.

CASE: PCN 5
WITNESS: SUDESHNA PAL

**PUBLIC UTILITY COMMISSION
OF
OREGON**

STAFF EXHIBIT 401

**Exhibits in Support
Of Rebuttal Testimony**

March 20, 2023

Idaho Power Company's Response to
Staff's Information Requests Nos. 115-116

Topic or Keyword: Idaho Power / 400/Barretto

STAFF'S DATA REQUEST NO. 116:

Please indicate which component in Idaho Power/401/Barretto/1, include the \$96.5 million upgrade cost that was discussed in Mr. Ellsworth Direct testimony as referred to in Barretto/10.

IDAHO POWER COMPANY'S RESPONSE TO STAFF'S DATA REQUEST NO. 116:

The \$96.5 million in additional capital costs associated with investments anticipated to be specific to Idaho Power, and used for 2021 Integrated Resource Plan ("IRP") modeling, included \$35.3 million for local 230-kV upgrades necessary to integrate the Boardman to Hemingway ("B2H") project into the Treasure Valley load center, \$46.8 million for southern Idaho upgrades, and \$14.4 million associated with the net present value of the buyout of BPA's permitting interest. The following table lists each of the components and where they can be found on Idaho Power/401, Barretto/1:

2021 IRP Component	Idaho Power/401, Barretto/1 Line Identification	Idaho Power/401, Barretto/1 Column Identification	
		2021 IRP Plus 20% Contingency ²	December 2022 PCN 5 Update
Local 230-kV upgrades	Local Interconnection Costs	\$42,376,019	\$46,948,997
Southern Idaho upgrades	Total B2H Project Estimated Construction Costs ¹	\$969,749,393	\$1,148,869,390
BPA's permitting interest	BPA Permitting Buyout (Future) ³	\$22,715,669	\$28,444,985

Notes:

1. The southern Idaho upgrades are a component of the Total B2H Project Estimated Costs and are not separately identified.
2. The 2021 IRP Plus 20% Contingency line on Idaho Power/401, Barretto/1 does not tie to the amounts presented in Mr. Ellsworth's direct testimony because Idaho Power presented the 2021 IRP costs on Idaho Power/401, Barretto/1 with the inclusion of the contingency amounts for comparison to previously reported cost estimate purposes. For modeling in the 2021 IRP, the Company excluded contingency amounts from all potential resources and their associated costs.
3. The amounts presented on the BPA Permitting Buyout (Future) line of Idaho Power/401, Barretto/1 are future costs, as explained further in the Company's Response to Staff's Request No. 113, while Mr. Ellsworth's direct testimony presents the present value of those costs.

PCN 5 / PacifiCorp
January 12, 2023
OPUC Data Request 6

OPUC Data Request 6

Budget - Please explain the monetized and non-monetized benefits that B2H will bring to:

- (a) PacifiCorp's Oregon customers starting 2026, after B2H has been energized according to the current schedule.
- (b) PacifiCorp's non-Oregon customers starting 2026, after B2H has been energized according to the current schedule.

Response to OPUC Data Request 6

- (a) The transmission system upgrades associated with the Boardman-to-Hemingway (B2H) transmission project are expected to provide the following benefits that were monetized within the B2H variant analysis performed for PacifiCorp's 2021 Integrated Resource Plan (IRP) and the 2021 IRP Update:
 - Congestion relief: By increasing the transfer capability from PacifiCorp East (PACE) to PacifiCorp West (PACW) and providing transfer capability from PACW to PACE, the transmission system changes associated with B2H are expected to reduce congestion between PACE and PACW, allowing for a quantity of lower cost resources from one balancing authority area (BAA) to be dispatched to the other, with the direction, volume, and benefits depending on conditions. Congestion relief can also manifest as higher system reliability, as a broader pool of resources can be used to address potential shortfalls, which may in turn reduce resource needs for a given level of reliability.
 - Interconnection capacity: transmission system upgrades associated with B2H are expected to enable 600 megawatts (MW) of additional resources to be interconnected. For more details, please refer to the Company's response to OPUC Data Request 12.
 - Central Oregon load service: transmission system upgrades associated with B2H are expected to enable 680 MW of load service into Central Oregon, an increase from PacifiCorp's current 340 MW rights. For more details, please refer to the Company's response to OPUC Data Request 9.
 - Wheeling revenue: PacifiCorp's transmission system costs are recovered from all third-party wheeling customers as part of its annual formula update to its Open Access Transmission Tariff (OATT) rates. Existing wheeling customers represent approximately 20 percent of the long-term transmission service on PacifiCorp's system, and PacifiCorp's transmission upgrade costs modeled in the IRP account

Despite PacifiCorp's diligent efforts, certain information protected from disclosure by the attorney-client privilege or other applicable privileges, or law may have been included in its responses to these data requests. PacifiCorp did not intend to waive any applicable privileges or rights by the inadvertent disclosure of protected information, and PacifiCorp reserves its right to request the return or destruction of any privileged or protected materials that may have been inadvertently disclosed. Please inform PacifiCorp immediately if you become aware of any inadvertently disclosed information.

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for the 20 percent of transmission costs for B2H which would be recovered via OATT rates.

The following potential benefits were not quantified or monetized within the B2H variant analysis performed for PacifiCorp's 2021 IRP and the 2021 IRP Update:

- Reduced transmission losses: transmission upgrades can provide energy and capacity savings, much like end-use customer energy efficiency (EE) programs.
 - New wheeling revenue: revenues from the sale of firm or non-firm (NF) transmission capacity enabled by transmission system upgrades associated with B2H.
 - Market benefits: transmission capacity made available to the energy imbalance market (EIM) enables transfer benefits. Transmission rights also have benefits under the market constructs proposed for the enhanced day-ahead market (EDAM) and the Western Resource Adequacy Program (WRAP).
 - Local/regional reliability: by reinforcing the regional grid, the transmission system upgrades associated with B2H can increase the level of transmission service that can be maintained during outages or derates to other transmission facilities, and to reduce customer load curtailment due to certain transmission outages.
- (b) All of the benefits above would provide benefits to both Oregon and non-Oregon retail customers of PacifiCorp, generally in accordance with cost-causation principles and allocations identified through PacifiCorp's Multi-State Process (MSP). Note: local/regional reliability would provide reliability benefits to specific affected customers, generally in some proximity to transmission system upgrades associated with B2H or electrically adjacent paths.

PCN 5
Idaho Power Company's Response to
Staff's Information Requests Nos. 55-61

Topic or Keyword: Construction and Route Alternatives

STAFF'S DATA REQUEST NO. 60.

Please refer to the CPCN Petition, p.17 and Attachments 4, 6, 7 (Proposed Route).

- a. Please provide a detailed description and comparison of the BLM preferred route, the Mill Creek Alternative, and the final route (Morgan Lake Alternative) for which the Company is requesting the CPCN. Include in your response a comparison of physical features, proportion of private vs. public land, number of parcels impacted, area of land needed for condemnation, condemnation costs, existing utility corridors and acquired and pending easements, and feedback from local communities (also identify which local communities provided the feedback).
- b. Please provide a list of criteria that the Company used to compare these routes.
- c. Please explain what process was followed in obtaining feedback from local communities and provide copies of communication with local communities that specifically impacted the selection and rejection of these three route alternatives.
- d. Please explain the Company's reasons for choosing the final route for which CPCN is requested.

IDAHO POWER COMPANY'S RESPONSE TO STAFF'S DATA REQUEST NO. 60.

- a. The following is helpful context related to the Bureau of Land Management ("BLM") preferred route. First, Idaho Power's proposed route in the Energy Facility Siting Council ("EFSC") site certificate and as proposed in PCN 5 incorporates the majority of the BLM's preferred route. The only portion of BLM's preferred route for the entire Project that Idaho Power is not pursuing is the segment in Union County called the Glass Hill Alternative, which is approximately 33.7 miles in length. Second, the EFSC process did not require that Idaho Power pursue the Glass Hill Alternative, regardless of its status as part of BLM's preferred route. Third, while the EFSC process allows applicants to seek approval of alternative routes, EFSC does not require comparative analysis of proposed alternatives. As long as the alternatives independently satisfy EFSC's siting standards and rules, the Council will approve each of the alternatives, which is what happened with B2H with the Council approving each of the alternatives Idaho Power requested.

Comparative analyses were completed as part of the BLM process. As explained in Section 2.5.1 of BLM's Final Environmental Impact Statement ("FEIS"), the alternative routes in each segment were screened to characterize the key issues and impacts. In the FEIS, the following designations were used when referring to the three routes identified by Staff in this request:

- Idaho Power's Final Route/Morgan Lake Alternative: Variation S2-B1, Variation S2-C1, and S2-E2.
- Mill Creek Alternative: As referenced without variations.
- BLM's preferred route: Glass Hill Alternative with Variations S2-A2, S2-D2, and S2-F2.

PCN 5
Idaho Power Company's Response to
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Physical Features

Idaho Power has attached hereto the following excerpts from the FEIS relevant to BLM's comparative alternative route analysis related to the impacts on environmental and physical features:

- Attachment 1, Narrative comparison summary – This section of the FEIS summarizes the results of the comparison of alternative routes in Segment 2 - the Blue Mountains area, which encompasses the Morgan Lake Alternative, the Mill Creek Alternative, and the Glass Hill Alternative. Please note, this narrative discusses the Blue Mountains area in general, providing the overall context for the detailed comparison of alternative routes provided as Attachment 3 to this response.
- Attachment 2, Table 2-16 – This table summarizes the key considerations in the comparison of alternative routes. The highlighted column presents the key considerations for Segment 2 – the Blue Mountains area. Similar to Attachment 1, this table provides the overall context for key considerations that were considered in the more detailed comparison provided as Attachment 3.
- Attachment 3, Table 2-23 & Table 2-24 – These tables provide an alternative route summary of land use, agriculture, recreation, transportation, lands with wilderness characteristics, potential congressional designations, visual resources, cultural resources, Native American concerns, National Historic Trails, and socioeconomic and environmental justice concerns. The highlighted rows summarize the data by variation for each alternative: (1) final route/Morgan Lake Alternative (S2-B1, S2-C1, and S2-E2), (2) Mill Creek (no variations), and (3) Glass Hill Alternative (S2-A2, S2-D2, and S2-F2).

Idaho Power also has attached the comparative analysis table provided in the Company's 2017 Supplemental Siting Study, Attachment B-6 to Exhibit B of the EFSC application, which compares the constraints between the Mill Creek Route and the Morgan Lake Alternative (see Attachment 4). Because the Glass Hill Alternative was not included in the EFSC application, it was not included in this table.

Proportion of private vs. public land

Idaho Power has attached hereto the following excerpts from the FEIS relevant to BLM's comparative alternative route analysis related to land ownership:

- Attachment 5, Table S-1 – This table describes the number of miles of federal, state, and private lands crossed by the alternate routes in the Blue Mountains area.

Number of Parcels

There are approximately 31 parcels affected by the Mill Creek Alternative, and approximately 26 parcels affected by the Morgan Lake Route. Idaho Power has not completed a design for the Glass Hill Alternative, and therefore, the Company cannot estimate how many parcels would be affected by that route.

Idaho Power Company's Response to
Staff's Information Requests Nos. 55-61

Area of Land Needed for Condemnation and Condemnation Costs

Because Idaho Power has engaged in right-of-way negotiations only with those landowners along the Morgan Lake Route, the Company can estimate the area of land and condemnation costs only for that route, which was included in the Company's Petition as required under OAR 860-025-0030(2)(d)(A). Put another way, Idaho Power cannot estimate how much land would need to be condemned, and how much it would cost to condemn that land, along the Glass Hill Alternative or Mill Creek Alternative routes because Idaho Power has not tried to negotiate with those landowners.

Existing Utility Corridors

The three alternative routes all cross the Wallowa National Forest utility corridor in the same location, and therefore, there is no difference in the number of line miles within a utility corridor. This is the only designated utility corridor in this area.

Acquired and Pending Easements

Idaho Power has engaged in right-of-way negotiations only with those landowners along the Morgan Lake Route. Therefore, the Company has acquired and has pending easements with landowners only along that route. Idaho Power has no acquired or pending easements along the other two routes.

Feedback from Local Communities

In its response to (c) below, Idaho Power explains the local community feedback process it employed and summarizes the feedback that was received in connection thereto.

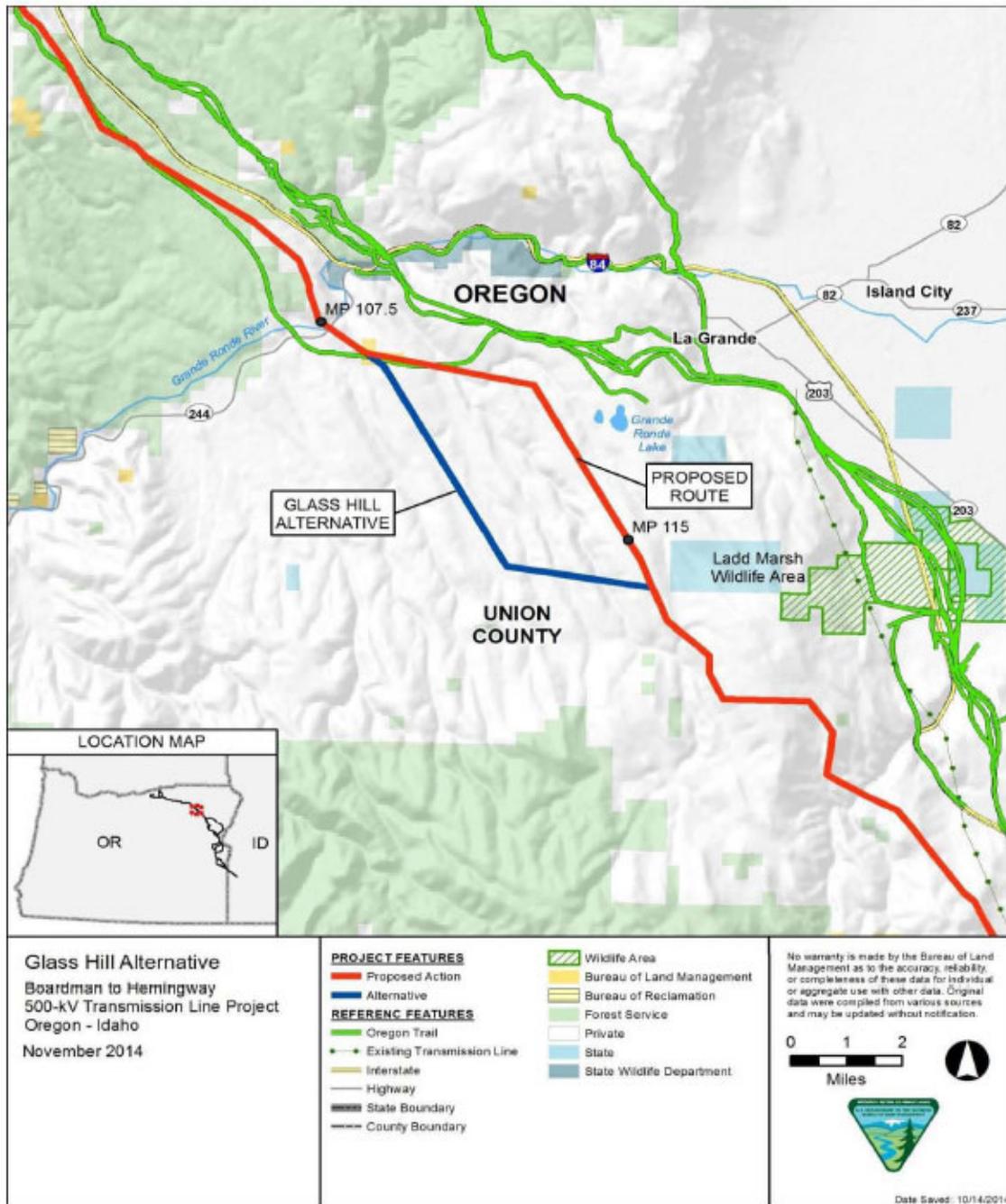
- b. In the FEIS, several criteria were used to compare the various routes, including land use, agriculture, recreation, transportation, lands with wilderness characteristics, and potential congressional designations (see Table 2-23 provided in Attachment 3), as well as visual resources, cultural resources, Native American concerns, National Historic Trails, and socioeconomic and environmental justice concerns (see Table 2-24 provided in Attachment 3). In its decision to pursue the Morgan Lake Alternative, Idaho Power considered those criteria as well as public feedback.
- c. As explained in Idaho Power's Response to Staff's Data Request 24, the Company engaged with, and solicited feedback from, local communities throughout the decade-plus-long siting process through the Community Advisory Process ("CAP"), BLM's National Environmental Policy Act process, EFSC's site certificate process, and other opportunities for engagement and communication. Idaho Power considered the feedback provided by local communities through those processes, along with the siting opportunities and siting constraints relevant to the particular area. Idaho Power applied that approach to the route alternatives in Union County as well as elsewhere along the B2H project.

Draft EIS Routes

In December 2007, Idaho Power submitted its application to BLM for a right-of-way across BLM-administered lands. In that application, Idaho Power proposed two routes in the vicinity of La Grande: (1) a variation of the Morgan Lake Alternative, which was considered the "Proposed Route" for BLM and National Environmental Policy Act of 1969 ("NEPA") purposes; and (2) the Glass Hill Alternative. Those were the two routes considered in BLM's 2014 Draft Environmental Impact Statement, as shown in the following figure.¹

¹ BLM Draft Environmental Impact Statement, Figures S-3 (Dec. 19, 2014).

PCN 5
Idaho Power Company's Response to
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Comments on Draft EIS Routes

The Glass Hill Alternative was confronted with substantial backlash from the affected landowners and other interested parties, some of which formed the Glass Hill Coalition specifically to challenge that route.² The Confederated Tribes of the Umatilla Indian

² See, e.g., Letter from Glass Hill Coalition to BLM (Mar. 16, 2015), BLM Final EIS, Appendix K at p. K6-156 (attached hereto as Attachment 6).

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Reservation ("CTUIR") also expressed disfavor for the Glass Hill Route due to impacts to cultural resources, stating: "The proposed route should be selected rather than the Glass Hill Alternative. Both alternatives will have impacts, but the proposed route introduces fewer new effects."³ Union County, on the other hand, requested that the Project be located as close to the existing 230-kV line as possible.⁴

Neither the Morgan Lake Alternative nor the Mill Creek Alternative were presented in the 2014 Draft EIS, and accordingly, no comments addressed the same.

BLM's Preliminary Agency-Preferred and Environmentally-Preferred Route

In the Draft EIS, BLM identified the "Proposed Route," which was a variation of the Morgan Lake Alternative, as BLM's preliminary agency-preferred route and preliminary environmentally-preferred route, explaining:

In the Blue Mountains Segment, the Proposed Action is the Environmentally and Agency Preferred Alternative primarily because the Proposed Action would disturb fewer acres of winter range and cause less vegetation disturbance. When compared to the Glass Hill Alternative, the Proposed Action would disturb 19 fewer acres of winter range during construction and 13 fewer acres during operation. Agency considerations include the closer alignment of the Proposed Action to an existing transmission line for 3 of the 7.5 miles and avoidance of effects on a relatively undisturbed landscape.⁵

Following the Draft EIS and prior to BLM issuing its final decision, BLM released a map of the alternative routes BLM developed in response to the comments received on the Draft EIS. Those new routes included the Morgan Lake Alternative and the Mill Creek Alternative:

- The Morgan Lake Alternative was developed in response to a request made by one of the affected landowners during the BLM's process to locate the route closer to the border of their property rather than bisecting it.⁶
- The Mill Creek Alternative was developed to locate the line closer to the existing 230-kV transmission line.⁷

EFSC Site Certificate

Idaho Power began to develop its route choices for the EFSC process prior to BLM issuing its Record of Decision and Final EIS due to a number of factors, including scheduling constraints related to meeting the Company's in-service date for B2H, timelines required to incorporate the route choices into the thousands of pages of the EFSC application, and uncertainty around BLM's schedule for issuing its decision. In choosing the routes to include in the EFSC application, Idaho Power based its decision

³ Letter from CTUIR to BLM (Mar. 19, 2015), BLM Final EIS, Appendix K at p. K2-2 (attached hereto as Attachment 7).

⁴ Letter from Union County Board of Commissioners to BLM (Mar. 10, 2015), BLM Final EIS, Appendix K at p. K4-62 (attached hereto as Attachment 8).

⁵ BLM Draft EIS at p. 2-72 (attached hereto as Attachment 9).

⁶ See BLM Final EIS at 2-139 (Elk Song Ranch Area) attached hereto as Attachment 10.

⁷ BLM Final EIS at 2-23. As a result, Union County confirmed this route-variation option as its preferred alternative.

PCN 5
Idaho Power Company's Response to
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on the feedback received on the Draft EIS as well as the siting opportunities and siting constraints in the area.

Idaho Power decided not to pursue the Glass Hill Alternative based on the strong opposition of the Glass Hill Coalition, the CTUIR's preference for the "Proposed Route," and BLM's indication in the Draft EIS that the "Proposed Route" was preferable to the Glass Hill Alternative. Instead, Idaho Power chose to pursue the Morgan Lake Alternative and the Mill Creek Alternative. The Company pursued the Morgan Lake Alternative because it was similar to the "Proposed Route" that BLM had indicated a preference for, while minimizing impacts to one of the affected landowners. Idaho Power pursued the Mill Creek Alternative based on the County's request for a route that followed the existing transmission line.

Idaho Power ultimately chose to pursue the Morgan Lake Alternative in its Petition for a Certificate of Public Convenience and Necessity based on feedback received from the local governmental entities, the City of La Grande and Union County, which stated a preference for the Morgan Lake Alternative over the Mill Creek Alternative due to the latter's proximity to the city:

the La Grande City Council, which represents over the more than 13,000 residents who are in closest proximity to B2H, has stated they object more to the [Mill Creek Alternative] than the Morgan Lake Alternative.⁸

Union County's request of IPC in development of the B2H line to stay out of cultivated agricultural areas and immediate view shed of the City of La Grande, based on the two routes proposed in the current application, the Morgan Lake Alternative would have less visually impacts to the City of La Grande than the proposed routes.⁹

- d. See Idaho Power's response to (c) above.

⁸ Letter from City of La Grande to Oregon Department of Energy (Apr. 27, 2018) (attached hereto as Attachment 11).

⁹ Letter from Union County to Oregon Department of Energy (Nov. 21, 2018) (attached hereto as Attachment 8).

STAFF'S DATA REQUEST NO. 90.

Please refer to IPC's response to Staff DR 60 and the Opening testimony of Susan Greer of Whitetail Forest LLC, Exhibit Susan Greer 100, Greer/16, lines 19-21.

- (a) Please explain in detail how each of the criteria considered by Idaho Power and identified in response to Staff DR 60 part b, supported its decision to pursue the Morgan Lake Alternative.
- (b) Please explain in detail how the public feedback considered by Idaho Power and identified in response to Staff DR 60 part b, supported its decision to pursue the Morgan Lake Alternative.
- (c) Please explain in detail the genesis of the Morgan Lake Alternative, including identification of each entity involved in development of the route and their respective role in the process and including a description of any public process to solicit feedback on the Morgan Lake Alternative.
- (d) Does IPC agree with Susan Greer's testimony that one landowner developed and proposed the Morgan Lake Alternative? If not, please explain.

IDAHO POWER'S RESPONSE TO STAFF'S DATA REQUEST NO. 90.

As background and context for Idaho Power's Response to Staff's Data Request No. 90, Idaho Power first provides the following detail regarding the routes that were considered in the Union County area, noting that the BLM's "preferred" routes at each of these stages is highlighted in yellow. These routes are also shown in the figure below.

2010 - IPC's CAP: Glass Hill Route (proposed) and Glass Hill Alternative
See 2010 CAP Proposed Routes Map

2014 - BLM's DEIS: Glass Hill Route (proposed) and Glass Hill Alternative
See 2014 BLM DEIS Alternatives Map

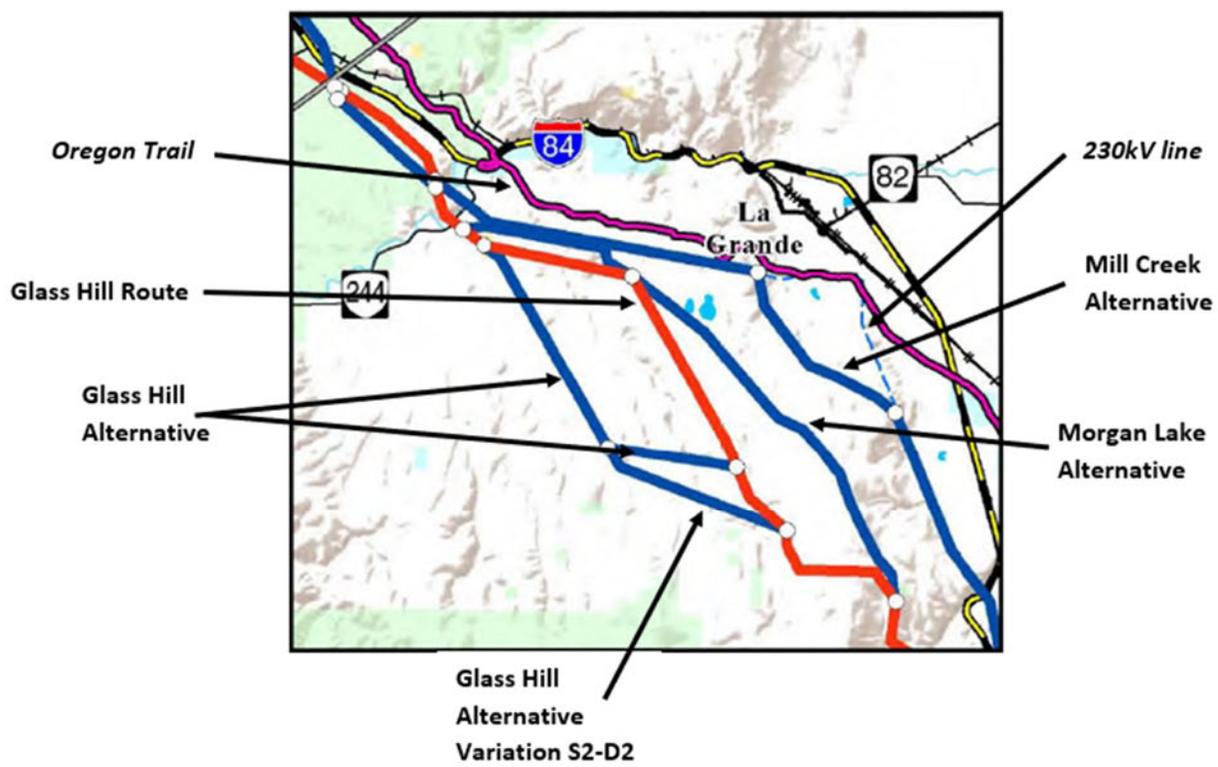
2016 - BLM's FEIS PAPA: Glass Hill Route, Glass Hill Alternative, Glass Hill Alternative with Variation S2-D2, Mill Creek Alternative and Morgan Lake Alternative
See 2016 BLM Prelim FEIS Alternatives Map

2016 - BLM's FEIS APA: Glass Hill Route, Glass Hill Alternative, Glass Hill Alternative with Variation S2-D2, Mill Creek Alternative and Morgan Lake Alternative
See 2016 BLM FEIS Alternatives Map

2017 - BLM's ROD APA: Glass Hill, Glass Hill Alternative, Glass Hill Alternative with Variation S2 D2, Mill Creek Alternative and Morgan Lake Alternative
See 2017 BLM FEIS Alternatives Map

2018 – IPC's ASC: Mill Creek Alternative (proposed) and Morgan Lake Alternative
See 2018 EFSC ASC Alternatives Map

Figure 1.



The BLM Preferred Alternative that was identified in the Final EIS is the Glass Hill Alternative and Variation S2-D2 in light blue color.

Figure 2.

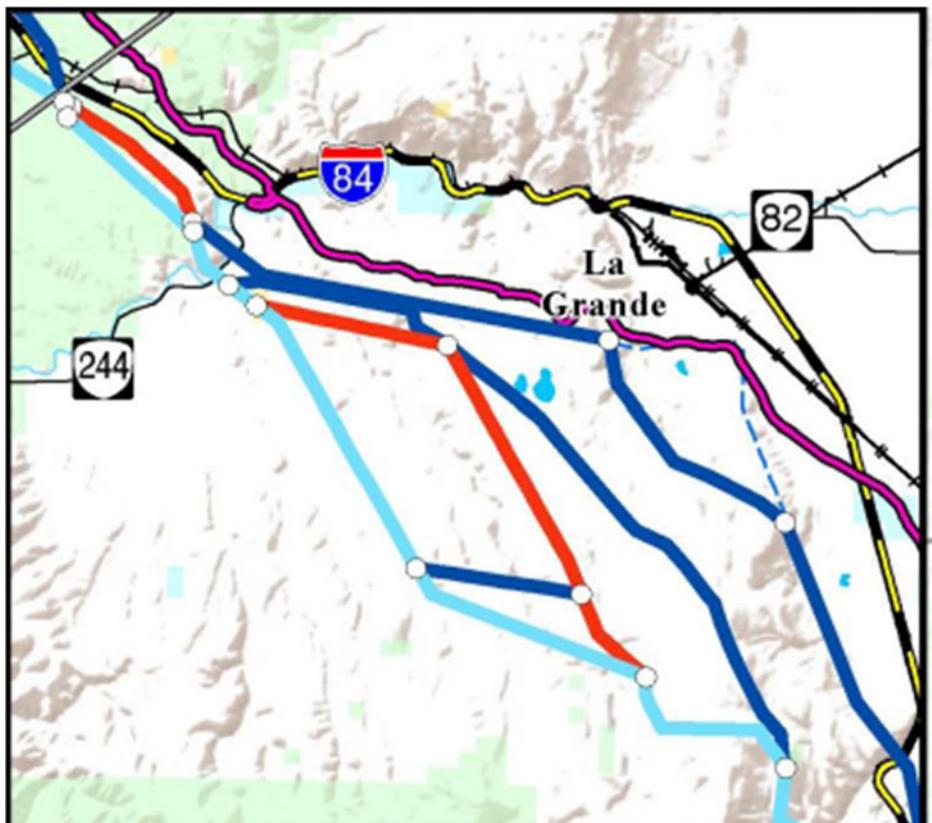
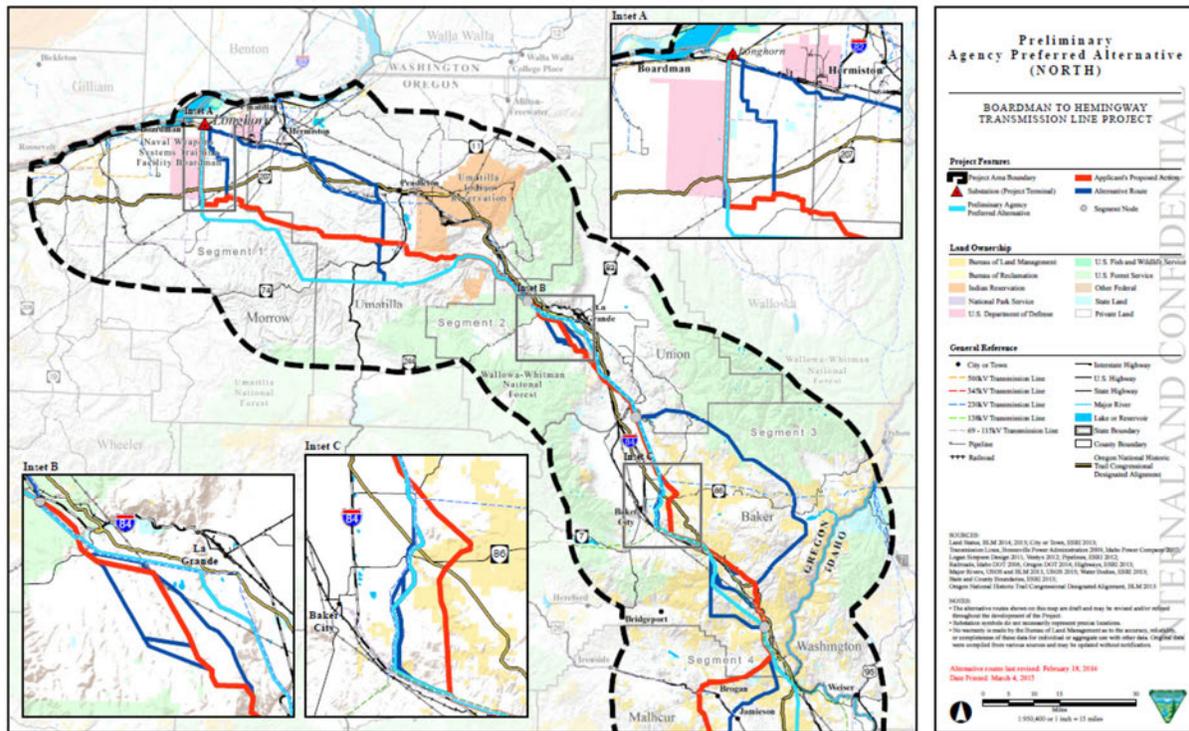


Figure 3.



(a) In response to Staff DR 60 part (b), Idaho Power explained:

In the FEIS, several criteria were used to compare the various routes, including land use, agriculture, recreation, transportation, lands with wilderness characteristics, and potential congressional designations (see Table 2-23 provided in [DR 60] Attachment 3), as well as visual resources, cultural resources, Native American concerns, National Historic Trails, and socioeconomic and environmental justice concerns (see Table 2-24 provided in [DR 60] Attachment 3). In its decision to pursue the Morgan Lake Alternative, Idaho Power considered those criteria as well as public feedback.

Staff asks for additional detail regarding how these factors were considered in support of Idaho Power's decision to pursue the Morgan Lake Alternative. For context, when Idaho Power determined which routes would be included in its Application for Site Certificate at the Energy Facility Siting Council ("EFSC" or "Council"), it selected the Mill Creek Alternative and the Morgan Lake Alternative, and elected not to move forward with the Glass Hill Alternative. In the 2015 Supplemental Siting Study provided, as Attachment B-4 to Exhibit B of the ASC, Idaho Power explained that:

The Glass Hill Alternative is not being carried forward from the pASC into the Amended pASC because the Proposed [Mill Creek] Route has fewer deep drainages and stream crossings than the Glass Hill Alternative and parallels an existing 230-kV transmission line with an existing developed road system (see

Figure 3.1-2). Additionally, the Glass Hill Alternative has steep terrain and would require the development of a new road system.

From a construction and permitting perspective, Idaho Power understood that although there were tradeoffs among the three routes in terms of impacts, all three routes would likely be possible to construct and permissible in accordance with Oregon state law as determined by EFSC. Indeed, both the Morgan Lake Alternative and the Mill Creek Alternative were found to comply with EFSC standards and relevant Oregon law as detailed in the Final Order approving the site certificate for B2H. Because all three routes were likely capable of being permitted, the input from the public was the primary factor in which routes to move forward and which would not be studied further.

As Idaho Power explained in its Supplemental Siting Study, included for reference as Attachment 1, in Union County “routing has been very difficult due to competing landowner opinions, environmental resource issues, visual impact concerns, and difficult construction conditions.”¹ Additionally, the Supplemental Siting Study explains:

The BLM Scoping Process in the fall of 2010 generated many stakeholder comments on the proposed and alternative routes in the Glass Hill area. Through the scoping process it became clear that there were many contradictory views regarding the location of the Proposed Route. IPC set up community meetings subsequent to the 2010 Scoping Process to continue to work with landowners in this area.²

As Idaho Power detailed in its Response to Staff’s Data Request No. 60 part (c), at the time that Idaho Power had to determine which routes to continue to advance in the EFSC review process, the consideration of public feedback—including from affected landowners, local government entities, and the Confederated Tribes of the Umatilla Indian Reservation (“CTUIR”)—were the primary drivers for the selection of the Mill Creek alternative and the Morgan Lake Alternative over the Glass Hill Alternative. Importantly, in 2016 Idaho Power understood that both landowners and Union County preferred the Mill Creek Route which would be collocated with an existing 230-kV transmission line.³ Additionally, the Mill Creek Route was selected by the BLM as the Preliminary Agency Preferred Route in 2016. The BLM subsequently reversed course and identified the Glass Hill Alternative with Variation S2-D2, which was somewhat unexpected as detailed in comment letters provided by the Glass Hill Coalition, included for reference as Attachment 2.

For convenience, the explanation provided in Idaho Power’s Response to Staff’s Data Request No. 60 part (c) is set forth again below.

Idaho Power decided not to pursue the Glass Hill Alternative based on the strong opposition of the Glass Hill Coalition, the CTUIR’s preference for the “Proposed Route,” and BLM’s indication in the Draft EIS that the “Proposed Route” was preferable to the Glass Hill Alternative. Instead, Idaho Power chose to pursue the Morgan Lake Alternative and the Mill Creek Alternative. The Company pursued the Morgan Lake Alternative because it was similar to the “Proposed Route” that BLM had indicated a preference for, while minimizing

¹ Attachment 1 at 1.

² Attachment 1 at 3.

³ Attachment 2.

impacts to one of the affected landowners. Idaho Power pursued the Mill Creek Alternative based on the County's request for a route that followed the existing transmission line. Idaho Power ultimately chose to pursue the Morgan Lake Alternative in its Petition for a Certificate of Public Convenience and Necessity based on feedback received from the local governmental entities, the City of La Grande and Union County, which stated a preference for the Morgan Lake Alternative over the Mill Creek Alternative due to the latter's proximity to the city.

- (b) Please explain in detail how the public feedback considered by Idaho Power and identified in response to Staff DR 60 part b, supported its decision to pursue the Morgan Lake Alternative.

As Idaho Power explained in response to (a), above, and in the Company's Response to Staff's Data Request No. 60, there was substantial public opposition to the Glass Hill Alternative. In its Response, Idaho Power provided a number of attachments detailing input from the local government entities regarding the Union County alternatives, as well as input from the CTUIR. For additional context, Idaho Power is also providing as Attachment 3 a comment letter from an organized landowner opposition group with more than 100 members, the Glass Hill Coalition, that was provided as part of the DEIS detailing its concerns. The organized opposition to the Glass Hill Alternative led Idaho Power to consider developing an alternative route, which ultimately became the Morgan Lake Alternative. The Mill Creek Alternative was also introduced as another route alternative based on input during the BLM public process. Although local government entities expressed a preference for the Mill Creek Alternative, they subsequently indicated a preference for the Morgan Lake Alternative over the Mill Creek Alternative. Furthermore, the CTUIR's preference was the proposed route (which became the Morgan Lake Alternative through routing refinements).⁴ Idaho Power also discussed the public participation information and routing history in Idaho Power's 2021 IRP Appendix D in Docket LC 78. See Attachment 4.

- (c) Please explain in detail the genesis of the Morgan Lake Alternative, including identification of each entity involved in development of the route and their respective role in the process and including a description of any public process to solicit feedback on the Morgan Lake Alternative.

Idaho Power, with public input, identified two routes through the Community Advisory Process in 2009. These two routes were, at the time, referred to as the Glass Hill Route ("Proposed Route") and the Glass Hill Alternative. There is an existing 230-kV line running into the City of La Grande, but the input at the time was to keep the new line out of the viewshed of the city. The maps below show early depictions of the two alternatives resulting from the Community Advisory Process. These two variations were submitted into the National Environmental Policy Act ("NEPA") process for evaluation of impacts and public comment.

⁴ DR 60, Attachment 7 ("The proposed route should be selected rather than the Glass Hill Alternative. Both alternatives will have impacts, but the proposed route introduces fewer new effects.").

Figure 4

Appendix D

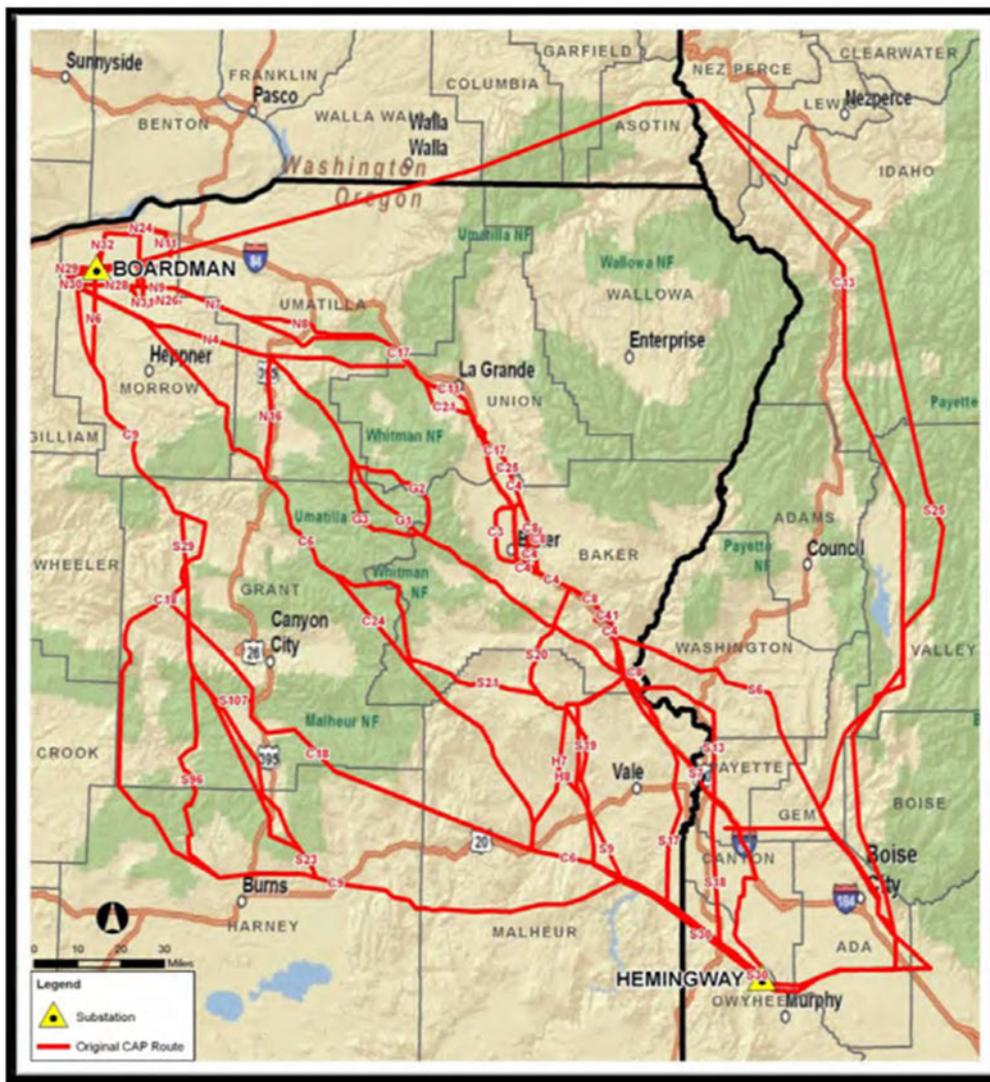


Figure D-1. Routes developed by the Community Advisory Process teams (2009 timeframe)

Figure 5

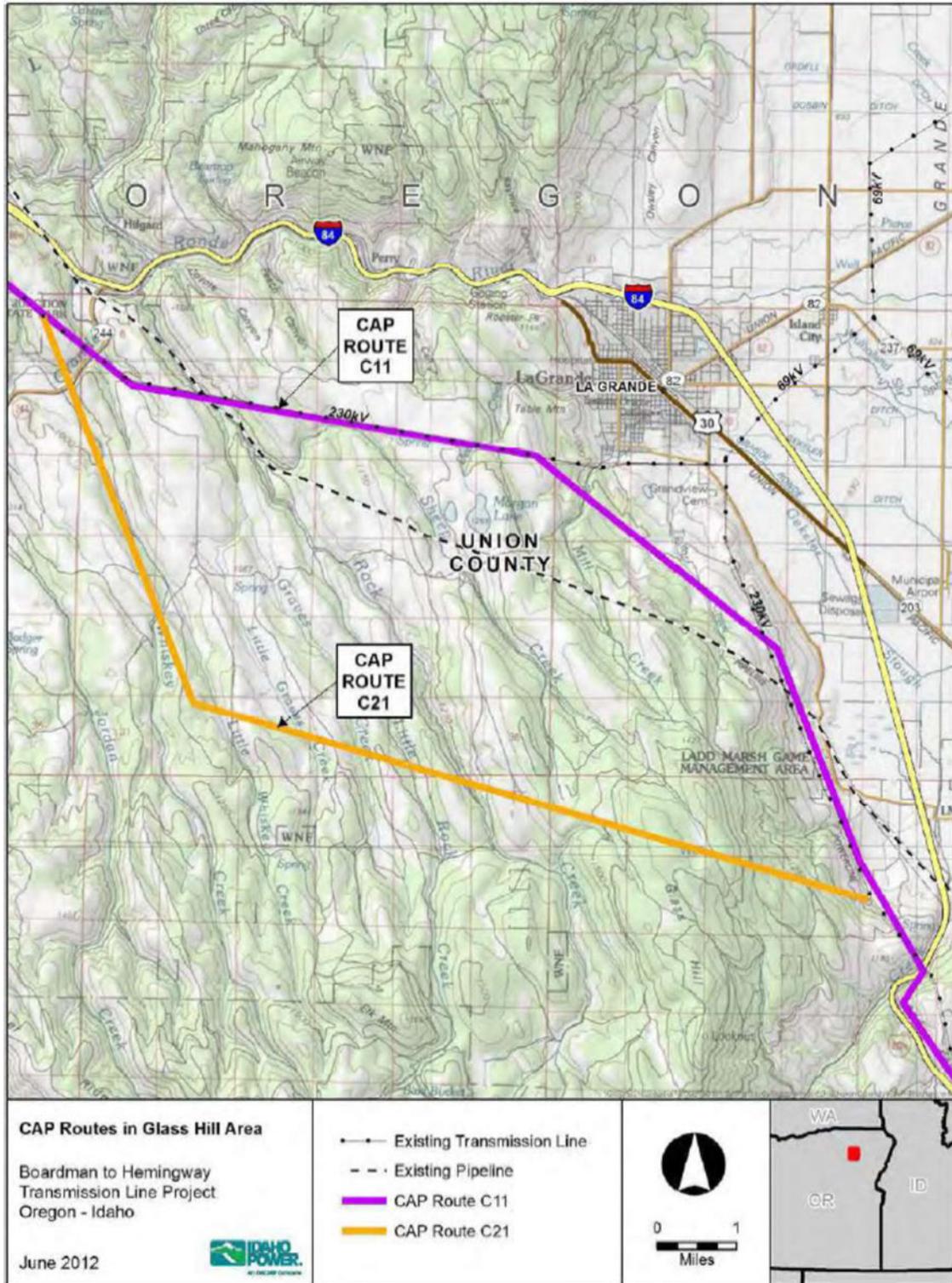


Figure 3.3-1. CAP Routes in Glass Hill Area

An opposition group was formed, the Glass Hill Coalition in opposition of the Glass Hill Alternative, which is the farthest west route variation. In light of the opposition to the Glass Hill Alternative from the Glass Hill Coalition, Idaho Power identified the Glass Hill Route as the Proposed Route in the NEPA process. The two routes below were identified in the BLM's draft EIS.

As part of the NEPA process, and in attempt to minimize impacts of the Glass Hill Route / Proposed Route at that time, the Morgan Lake Alternative was developed in coordination with a landowner as an alternative to the "proposed route." In particular, the Morgan Lake Alternative considered the landowner's request to site the alternative on his parcel in a way that would avoid bisecting it. In other words, Idaho Power was working with the landowner to move the corridor from one location on his property to another location on his property to minimize impacts. During the NEPA process, a fourth route variation was developed and evaluated—the Mill Creek Alternative—at the recommendation/request of Union County's B2H Advisory Committee. In January 2016, Union County's B2H Advisory Committee stated B2H should follow the existing 230-kV line.⁵ Idaho Power worked with Union County and BLM to create the Mill Creek Alternative. In March 2016, Mill Creek alternative became the Preliminary Agency Preferred Alternative. As shown in the mapping associated with BLM's Preliminary Agency Preferred Alternatives (Figures 2 and 3 above), there were four alternative routes and one route variation being considered. At the time that the BLM issued its Preliminary Final EIS, the Mill Creek Alternative was identified as BLM's Preliminary Preferred Route.

The Union County B2H Advisory Council and the BLM NEPA process both provided opportunities for input into the preferred routing and minimization of impacts.

(d) Does IPC agree with Susan Geer's testimony that one landowner developed and proposed the Morgan Lake Alternative? If not, please explain.

No. Idaho Power agrees that it worked primarily with one landowner of a large parcel (approximately 7,500 acres), to develop the Morgan Lake Alternative. However, it is important to note two important pieces of context. First, the impacted landowner and others formed the Glass Hill Coalition to oppose the Glass Hill Alternative, and thus it was not a single landowner driving the need to develop an alternative, but rather was a coordinated group of over 100 landowners. Second, the coordination with the impacted landowner concerned the location of the B2H project on that landowners' property, and did not involve moving the project entirely off his property and onto his neighbors' property. Idaho Power works with landowners to attempt to minimize impacts where possible, and the coordination with this particular landowner is consistent with Idaho Power's practices.

⁵ Attachment 2 at page 3.

Topic or Keyword: Susan Greer's Amended Opening Testimony

STAFF'S DATA REQUEST NO. 110:

Refer to Susan Greer/100/Page 3 Lines 19-20.

- a. Is the property referenced here (Joel Rice's land) designated as a State Natural Area?
- b. What are the implications of this designation for the construction of the proposed transmission line on the Rice property?

IDAHO POWER COMPANY'S SUPPLEMENTAL RESPONSE TO STAFF'S DATA REQUEST NO. 110(b):

On March 2, 2023, Idaho Power met with representative from the Oregon Parks and Recreation Department ("OPRD") concerning the fact that the Boardman to Hemingway Transmission Line Project would cross the Rice Glass Hill Natural Area. As detailed in Attachment 1, OPRD confirmed that the State Natural Area program is entirely voluntary, and does not impose any regulatory requirements or limitations on the use of the property as a result of designation as a State Natural Area.

IDAHO POWER COMPANY'S RESPONSE TO STAFF'S DATA REQUEST NO. 110:

- a. It is Idaho Power's understanding that Ms. Geer is referencing the Rice Glass Hill State Natural Area, which is privately owned by Joel Rice and is designated as a State Natural Area under the Oregon State Natural Area program.
- b. The Energy Facility Siting Council approved the location of the B2H Project, including that portion affecting the Rice Glass Hill Natural Area. Accordingly, the Company has the authority to develop the Project as proposed, notwithstanding the designation of the Rice Glass Hill Natural Area. Please see the Company's Response to Staff's Request No. 109 and the Reply Testimony of Mitch Colburn, Idaho Power/500, Colburn 73-79.



Oregon

Tina Kotek, Governor

Parks and Recreation Department

725 Summer St. NE, Suite C
Salem, OR 97301-1271
(503) 986-0707
Fax (503) 986-0794
stateparks.oregon.gov

Idaho Power
Jen Visser, Director of Government Affairs
Via email to JVisser@idahopower.com
P.O. Box 70
Boise, ID 83707

March 13, 2023

Dear Jen,

I am writing to confirm some facts about our management of the State Natural Areas program:

- The Oregon Parks and Recreation Department (OPRD) maintains a register of State Natural Areas of properties that represent rare species, ecosystems, and geological features identified in the Oregon Natural Areas Plan. OPRD is responsible for processing nominations and petitions received to **voluntarily add lands** to the register. As a voluntary program, one of OPRD's roles—with support from Portland State University's Oregon Biodiversity Information Center—is to analyze requests from owners to register properties and either recommend for or against those additions when under consideration by the Oregon State Parks and Recreation Commission.
- A management agreement to restore or improve registered properties is likewise voluntary.
- The consequences of a property not fulfilling elements of a management plan, or changing to the extent it no longer qualifies for registration, may be removal from the register. This is not the only possible response; more aggressive voluntary, remedial action by the landowner to restore or improve resources on a property is also a possibility.
- A property owner may voluntarily remove a parcel from the register.
- There are no regulatory requirements or limitations imposed on the use of the property by this program's rules as a result of the designation.

A full set of administrative rules that describe and control the program are online at <https://bit.ly/oregon-state-natural-area-rules>

If you need any more information about program requirements or management, please contact me.

With regards,

Chris Havel
Oregon Parks and Recreation Department
Office of the Director

Cc:
Noel Bacheller, Oregon Parks and Recreation Department
Guy Rodrigue, Oregon Parks and Recreation Department
Katie Gauthier, Oregon Parks and Recreation Department
Steve Shipsey, Oregon Department of Justice

CASE: PCN 5
WITNESS: SUDESHNA PAL

**PUBLIC UTILITY COMMISSION
OF
OREGON**

**STAFF EXHIBIT 402
IS
CONFIDENTIAL**

**Exhibits in Support
Of Rebuttal Testimony**

March 20, 2023

CASE: PCN 5
WITNESS: SUDESHNA PAL

PUBLIC UTILITY COMMISSION OF OREGON

STAFF EXHIBIT 403

Exhibits in Support of Rebuttal Testimony

March 13, 2023

DATE: March 13, 2023
TO: Public Utility Commission
FROM: Sudeshna Pal
THROUGH: Bryan Conway
SUBJECT: IDAHO POWER COMPANY
(Docket No. PCN 5)
Public Comments Summary

DISCUSSION:

The Public Utility Commission conducted two public comment hearings on Idaho Power Company's (IPC) petition for a Certificate of Public Convenience and Necessity to construct a 300-mile, 500KV transmission line spanning five counties in eastern Oregon: Morrow, Umatilla, Union, Baker, and Malheur. Those hearings were held on November 16, 2022, and December 5, 2022. At those two hearings, a total of thirty-one (31) comments were made, although some individual commenters spoke at both hearings. Of those comments, thirty (30) were opposed to the project while one (1) stated no explicit position on it.

Additionally, between January 6, 2023, and March 3, 2023, Consumer Services collected an additional seventeen (17) public comments relating to this project, all of which were opposed.

Comments in Opposition – These comments focused on multiple themes, including but not limited to:

1. IPC has not fully considered alternative routes for the transmission line.
2. The proposed line would have detrimental effects on tourism, a major component of local economies.
3. The line would increase the risk of wildfires in the region
4. Historic sites, specifically the Oregon Trail, would be threatened by construction of the line.
5. IPC has not adequately addressed public health and safety concerns, including related to noise.
6. The current proposed route would be highly disruptive to wildlife and the environment more broadly.
7. The proposed route would have a deleterious effect on agriculture in the region.
8. IPC has operated in bad faith in its dealings with regulatory authorities and its negotiations with landowners.

Neutral Comments – One commenter expressed interest in Idaho Power's clean energy goals without taking a direct position on this project.

PCN 5 Public Comment Hearing					November 16, 2022	
Speaker #	Name	Phone/In Person	Position	Comment Summary		
1	Jim Kreider	In Person	Oppose	Argued that IPC's certificate for public convenience and necessity filing was premature until plans for B2H have been acknowledged and construction contracts have been signed. Also argued that conflicting information about procedural schedules have been a burden to affected landowners.		
2	Lois Barry	In Person	Oppose	Questioned the need for the line and asserted that the regulatory review process for the proposed line has been manipulated by IPC.		
3	Peter Barry	In Person	Oppose	Questioned the necessity of the line and objected the regulatory process and opposed the line on multiple grounds, including environmental, aesthetic, and historic preservation grounds.		
4	Irene Gilbert	In Person	Oppose	Questioned the need for the line and the current cost estimates for its construction. Raised additional concerns with the environmental and public health risks posed by the project. Argued that the regulatory approval process was insufficiently thorough.		
5	Joann Marlette	In Person	Oppose	Concerned that the proposed route will disrupt the historic Oregon Trail Interpretive Center, with negative consequences for tourism and the local economy.		
6	Whit Desner	In Person	Oppose	Raised concerns with the deleterious impact the project would have on the Historic Oregon Trail Interpretive Center.		
7	Joel Rice	In Person	Oppose	Argued the line threatens the local environment and suggested that IPC has operated in bad faith during this process.		
8	John Williams	In Person	Oppose	Raised concerns with the negative effects this line will have on his property, particularly regarding historic preservation, and stated that he has been unable to get clear siting information from IPC.		
9	Jenny Mammen	In Person	Oppose	Raised concerns with the risk to human health and safety, particularly noting the risk caused by excessive traffic on certain roads around the local hospital during construction and the ongoing wildfire risk of operating the line.		

10	Dale Mammen	In Person	Oppose	Argued that the proposed route is a risk to the local hospital and would damage the aesthetic and historic value of the region.
11	Anne March	In Person	Oppose	Argued that the approval process was biased in favor of the company and against landowners and other stakeholders. Also expressed concerns with the risk to local ecology, human health, historic sites, and the aesthetic beauty of the region.
12	Lynn Duncan	In Person	Oppose	Raised concerns with the stability of the land along the construction route, the potential harm from wildfires, the threats to human health, and damage to the local environment and historic sites.
13	Dave Komlosi	In Person	Oppose	Argued that the proposed line would be a threat to human health, the local environment, the aesthetic value of the region, historic sites, and would increase the risk of wildfires in the area. Also claimed that IPC has acted impudently throughout the process.
14	Michael McCallister	In Person	Oppose	Asserted that IPC misrepresented facts in its filings and did not adequately assess alternative routes such as the NEPA route, which would be much less disruptive to the environment and local communities.
15	Fuji Kreider	In Person	Oppose	Raised concerns with the regulatory approval process and the company's cost estimates; highlighted the risks to human health and the local environment posed by the line.
16	Joe Horst	In Person	Oppose	Argued that the regulatory approval process disadvantageded landowners and the community and claimed the company operated in bad faith when describing its preferred route.
17	Kathy McDevitt	In Person	Neutral	Expressed interest in IPC's goal of 100 percent clean energy by 2045.
18	Andrew Sporlabuhda	In Person	Oppose	Agreed with concerns raised by other commenters regarding the threat posed by the line to human health, the environment, historic sites, and the aesthetic value of the region.
19	Sam Myers	Phone	Oppose	Argued that the line increases the threat of wildfires and jeopardizes local agriculture.

PCN 5 Public Comment Hearing					December 5, 2022
Speaker #	Name	Phone/In Person	Position	Comment Summary	
1	Vivian Young	In Person	Oppose	Argued that IPC used inaccurate or incomplete information in its petition and warned of risks to the environment, human health, historic sites, the aesthetic value of the region, and the local economy.	
2	Jonathan Tollman	In Person	Oppose	Claimed that IPC had abused the regulatory approval process and incorporated inaccurate information in its petition.	
3	Irene Gilbert	In Person	Oppose	Raised concerns about the threat the line poses to local agricultural communities and expressed dismay about the confusion and bad faith in the regulatory approval process.	
4	Fuji Kreider	In Person	Oppose	Stated that the full economic risks of the proposed line have not been adequately quantified and considered. Argued that alternative routes and mitigation suggestions were not properly considered by IPC or regulatory agencies. Questioned why alternative technologies were not explored as options.	
5	Timothy Crouch	Phone	Oppose	Argued that IPC has operated in bad faith, trespassing on his land and including inaccurate information in its petition and other filings.	
6	Steve Knuston	Phone	Oppose	Stated that the proposed line is unnecessary and that IPC has failed to demonstrate the financial feasibility of B2H.	
7	Marie Lyon	Phone	Oppose	Argued that IPC has acted in bad faith, failing to keep affected landowners apprised of its plans for B2H and the impact on the surrounding area.	
8	Randy Siltanen	Phone	Oppose	Claimed that B2H is unnecessary due to abundant energy resources in Idaho, that the proposed route is overly disruptive compared to alternatives, and that the line doesn't make financial sense.	
9	Lois Barry	Phone	Oppose	Argued that alternative resources, such as the Gateway West transmission line, would be better and less disruptive ways to meet IPC's needs.	

10	Suzanne Fouty	Phone	Oppose	Stated that IPC had done a poor job in its analysis of the line's impact on soils and other ecological factors and argued that the entire regulatory process has been too opaque.
11	Jim Bishop Faust	Phone	Oppose	Stated that the proposed line would disrupt GPS based irrigation systems like the one used on his ranch and that alternative lines or alternative energy resources would be preferable ways for IPC to meet its needs.
12	Jim Kreider	Phone	Oppose	Claimed that IPC has a history of behaving dishonestly and argued that the company's claims in this proceeding should be treated skeptically.

PCN 5 PUBLIC COMMENTS SUMMARY

NUMBER	DATE	NAME	POSITION	SUMMARY
1	1/8/2023	Matthew Cooper	Opposed	Questioned the need for the proposed line, argued that environmentally preferred routes should be considered instead, and asserted that this proceeding is premature given appeals to the Oregon Supreme Court.
2	1/8/2023	Arlene Young	Opposed	Argued that the costs to landowners and the risk to historic, cultural, ecological, and aesthetic resources warrant denial of the project.
3	1/9/2023	Cheryl Cosgrove	Opposed	Asserted that the proposed route jeopardizes the local ecology and that less disruptive routes were not adequately considered.
4	1/9/2023	Megan Cooke	Opposed	Stated that the proposed line would pose a major threat to plant and animal life in the region and to the local ecology more generally.
5	1/10/2023	James R. Wilkinson	Opposed	Argued that approval of the project would run counter to Oregon's climate change goals; that safer and more resilient energy solutions should be explored; that the process has been opaque and that the regulatory process is biased against stakeholders; and that Oregon will receive little to no benefit from the project.
6	1/10/2023	Greg Larkin	Opposed	Stated that the line would pose risk to human health and safety and to ecological resources; that IPC has not sufficiently demonstrated the need for the project; that Oregonians will not benefit from the line; that the health and safety impacts of the line have not been adequately studied and that mitigation plans are insufficient; that construction of the project will lead to higher prices for Oregon's electric ratepayers; that the projected costs of construction are inaccurate; and that alternative routes were not explored.
7	1/10/2023	Karen Antell	Opposed	Asserted that the proposed route for this line poses an extreme ecological risk for the region which could be mitigated by utilizing alternative routes; argued that alternative routes, technologies, or transmission upgrades should be explored over construction of B2H.

8	1/10/2023	Michael McAllister	Opposed	Claimed that IPC has provided false, inaccurate, or misleading information throughout the review and approval process; that IPC has not selected the environmentally preferred route for the line; and that the project would pose a significant risk to the ecological and cultural resources of the region.
9	1/10/2023	Susan Geer	Opposed	Offered several alternative means to meet IPC's energy needs and multiple routes developed by stakeholders and government agencies which were not included in IPC's application to EFSC and claimed that the proposed route poses the greatest threat to the historic, ecological, economic, and cultural resources of the region.
10	1/10/2023	David Trochell	Opposed	Stated that the proposed project poses a major wildfire risk in addition to threatening the natural, ecological, and aesthetic resources of the region.
11	1/10/2023	Jennie Sue Dunn-Dixon	Opposed	Argued that alternative routes that would be less disruptive to the local ecology were not adequately considered or included in IPC application.
12	1/10/2023	Irene Gilbert	Opposed	Argued that new technologies risk making this line a stranded asset; that the line would be target for terrorism; that the project poses a high risk for wildfires; that IPC has a history of failing to properly maintain hazard materials at sites it controls; that the company has behaved dishonestly during this proceeding; and that the line may be infeasible and the project costs are underestimated by IPC.
13	1/10/2023	Suzanne Fouty	Opposed	Asserted that IPC misrepresented findings and research regarding soil impacts and other factors; that the line is likely unnecessary; that the line fails to meet Oregon's climate and environmental goals; and that the project poses a major terrorism, drought, and wildfire risks.
14	1/10/2023	Jeanie Taylor	Opposed	Stated that alternative routes that would be less disruptive to the unique ecology of the region were not adequately considered.
15	1/18/2023	Lois Barry	Opposed	Argues that the regulatory process has been captured by IPC to the disadvantage of ratepayers and other Oregon stakeholders; claims that the line is unnecessary and the cost estimates for construction are inaccurate.

16	1/14/2023	Peter Barry	Opposed	Asserts that the proposed line is not a least cost, least risk option and is not in the best interest of Oregon and questions whether the regulatory review process has been fair to impacted stakeholders and landowners.
17	1/31/2023	Wendy King	Opposed	Argues that IPC inaccurately tied its proposed project to government climate change goals and questions the total emissions that would be generated by construction of the project.

CASE: PCN 5
WITNESS: YASSIR RASHID

**PUBLIC UTILITY COMMISSION
OF
OREGON**

STAFF EXHIBIT 500

Rebuttal Testimony

March 13, 2023

1 **Q. Please state your name, occupation, and business address.**

2 A. My name is Yassir Rashid. I am an Electrical Engineer and Senior Utility
3 Analyst employed in the Safety, Reliability, and Security Division of the Public
4 Utility Commission of Oregon (Commission). My business address is 201 High
5 Street SE, Suite 100, Salem, Oregon 97301.

6 **Q. Have you previously provided testimony in this case?**

7 A. Yes. My Opening Testimony is labeled Staff Exhibit 200 and was filed on
8 January 17, 2023. I attached four supporting exhibits to Staff Exhibit 200.

9 **Q. What is the purpose of your testimony?**

10 A. The purpose of this testimony is to provide my examination of Idaho Power
11 Company's (Idaho Power, or the Company) response to the issues I raised in
12 my Opening Testimony, which relate to whether the Boardman to Hemingway
13 transmission project (the Project, or B2H) is needed to provide reliable electric
14 service to the Company's customers in Oregon. I will also comment on the
15 Company's plan to energize the Project by summer 2026, if approved. In
16 addition to the above, I respond to issues raised by the intervenors, as well as
17 laying out my conclusions regarding the aforementioned issues.

18 **Q. Could you summarize your conclusions when you filed your Opening**
19 **Testimony?**

20 A. My conclusions were as follows:

- 21 • Idaho Power had not demonstrated that the Project is necessary to maintain
22 electric service reliability to its Oregon customers.

- 1 • Idaho Power had demonstrated that the Project would provide extra
- 2 electricity transfer capability for resources that it identified in its 2021 IRP.
- 3 • The route that Idaho Power identified and EFSC approved is practicable and
- 4 feasible for the transmission line.
- 5 • Idaho Power has many hurdles in the way of completing the Project, and
- 6 that its goal to energize the Project by summer 2026 is an ambitious, if not
- 7 unrealistic in-service date.

8 **Q. Has Idaho Power provided information that changed your conclusions**
 9 **that you laid at the end of your Opening Testimony?**

10 A. No, Idaho Power has not provided such information. In my Reply Testimony, I
 11 will explain why that is the case.

12 **Q. After reviewing Idaho Power’s Reply Testimony, would you like to add to**
 13 **the conclusion that you outlined in your Opening Testimony?**

14 A. Yes. I concluded that Idaho Power provided information that suggests that it
 15 will construct and operate the Project to the acceptable industry safety
 16 standards.

17 **Q. Did you prepare an exhibit for this docket?**

18 A. No, I have not prepared supporting exhibits to this testimony.

19 **Q. How did you organize testimony?**

20 A. My testimony is organized as follows:

21 Issue 1. Necessity 3

22 Issue 2. Safety 7

23 Issue 3. Practicability 11

24 Conclusion 13

ISSUE 1. NECESSITY

1
2 **Q. In Staff Exhibit 200, you concluded that Idaho Power “[had] not**
3 **demonstrated that the Project is necessary to maintain electric service**
4 **reliability to its Oregon customers.” Has Idaho Power provided new**
5 **evidence in its Reply Testimony that made you change that**
6 **conclusion?**

7 A. No, Idaho Power has not provided new evidence for me to change my
8 conclusion. Idaho Power witness Jared Ellsworth dedicated a section of his
9 reply testimony to address Staff’s conclusion regarding the need for B2H for
10 reliability purposes. Mr. Ellsworth stated, “[r]eliability, looking into the past, can
11 be measured with various metrics, but reliability looking forward is a function of
12 exposure and risk.”¹ Staff would generally agree with the premise of that
13 statement; however, to assess the need for the Project under OAR 860-025-
14 0035(1), the Company must perform an objective engineering analysis where it
15 identifies those risks and examines the status of the grid in the area of study
16 under different contingency scenarios. The Company has not provided such
17 engineering analysis.

18 Indeed, the Company can assert that a redundant transmission line
19 would enhance reliability; however, such assertion generally needs to be
20 framed under the conditions, scenarios, or reliability standards which will be
21 impacted with the line’s existence, and for which the redundancy provides such
22 benefit. Therefore, without providing engineering studies or designations of

¹ Idaho Power/500, Ellsworth/28.

1 standards that are improved with the line's existence, the Company still lacks
2 the evidence that the Project is needed for reliability purposes. It is still Staff's
3 position, particularly in the context of the proposed Project, that enhancement
4 of reliability, however desirable, is different from maintenance of reliability and
5 that the Company did not provide evidence to support either of these
6 dimensions of reliability.

7 **Q. What method has the Company used to evaluate the reliability benefits**
8 **that the Project will provide?**

9 A. The Company used a method in energy resource planning for assessing
10 electric grid resources sufficiency called Loss of Load Expectation (LOLE).²
11 LOLE is a metric that assesses the time (measured in days of hours) that the
12 overall electric grid resources fail to meet demand over a specific period of
13 time. A certain value of LOLE is chosen to run a probabilistic model, which
14 then determines whether the available resources are adequate serve the load
15 in the overall area of study.

16 While it is more common in the industry to select a LOLE value of 0.1
17 days per year, Idaho Power selected 0.05 days per year in its modeling. In its
18 2021 IRP, Idaho Power indicated that the Company selected a LOLE value of
19 0.05 days per year because of extreme weather events as of late, as well as
20 because of the uncertainty of water availability, which affects hydro
21 generation.³ However, this deviation from industry accepted practice by

² Id. – Ellsworth/29

³ Idaho Power's Petition for CPCN, Attachment 14 – Page 152

1 selecting a smaller value of LOLE tends to exaggerate the conclusion of the
2 model and therefore supports a position to require more resources than would
3 be required with the more regularly chosen 0.1 days per year.

4 **Q. Why do you believe that Idaho Power's use of LOLE as a measure to**
5 **evaluate reliability as it relates to Oregon is not an indicator that B2H is**
6 **needed to provide reliable service to Oregon customers?**

7 A. LOLE is a good method to evaluate resource adequacy for the whole grid.

8 However, Idaho Power has not demonstrated that reliability of its electric
9 system in eastern Oregon will suffer if the Project is not constructed.

10 Furthermore, the Project will only traverse through eastern Oregon without
11 allowing the ability for interconnection to the line because of lack of substations
12 along the transmission line route. That deficiency will limit access to the
13 transmission line, and therefore will not provide desired redundancy and
14 interconnectivity to energy resources in that part of Oregon.

15 **Q. Has the Company entertained a scenario where customers and potential**
16 **local energy producers in eastern Oregon would likely reap the benefit of**
17 **the extra transfer capability through interconnecting to the B2H**
18 **transmission line?**

19 A. No, the Company has not provided an explanation as to how customers and
20 potential local energy producers can benefit from the line, whether by specific
21 interconnections or any other methods. It is clear that the purpose of the B2H
22 transmission line, as it is laid out in this docket and based on the way the
23 transmission line is designed is to transfer electricity over nearly 300 miles

1 between two substations that lie outside Idaho Power's Oregon service
2 territory. This is analogous to an expressway through an area with no on or off
3 ramps. Such design makes it infeasible to experience any benefits of the
4 expressway, i.e. there must be substantial capital invested to interconnect to
5 the transmission line.

6 **Q. Do you have any reactions to incorporation of substations along the**
7 **transmission line route within Oregon?**

8 A. Yes, while the line is intended to serve bulk transfers into Idaho, I believe some
9 method of delivery into Oregon via substations could produce additional
10 benefits which might alter my conclusions regarding the Project's value and
11 ability to interconnect local energy producers to customers in Oregon. There
12 are not any transmission substations inside that 300-mile route that would
13 enable potential energy producers within that stretch to interconnect with the
14 transmission line. Adding substations along the route of the transmission line
15 could provide an extra energy source for consumers along areas where the
16 transmission line will traverse and add redundancy if needed. Adding
17 substations could potentially enable energy producers who are interested in
18 developing energy projects in the area to seamlessly interconnect with the
19 energy markets using the line as an existing infrastructure.

ISSUE 2. SAFETY

1 **Q. In your Direct Testimony, you made comments based on the assumption**
2 **that introducing the B2H transmission line could potentially increase**
3 **wildfire risk. Has Idaho Power addressed that concern?**

4 A. Yes. Idaho Power witness Christopher Lautenberger states, “the risk of wildfire
5 from the high voltage transmission lines that will be installed as part of the
6 Project is minimal.”⁴ However, Dr. Lautenberger did not substantiate that
7 claim. Mr. Lautenberg further states, “[a]ny risk of fire which will occur during
8 the construction phase has been sufficiently addressed by Idaho Power’s Fire
9 Prevention and Suppression Plan...”⁵ Dr. Lautenberger referenced Attachment
10 U-3 to Oregon’s Energy Facility Siting Council (EFSC) Final Order in the
11 Boardman to Hemingway Transmission Line case, which includes that plan.⁶
12 Staff reviewed the document, which “establishes standards and practices to
13 minimize risk of fire ignition and, in case of fire, provide for immediate
14 suppression...”⁷ during construction of the project and during operation. Based
15 on my review, I believe Idaho Power’s Fire Prevention and Suppression Plan is
16 more generic in nature and could include more details to it, but when combined
17 with Idaho Power’s Wildfire Mitigation Plan (WMP), it would be a reasonable
18 resource.

⁴ Idaho Power/1300, Lautenberger/61.

⁵ Id.

⁶ Idaho Power/1302, Lautenberger/77.

⁷ PCN 5 CPCN Supplemental Application filed on November 9, 2022, Filing16 of 16, Attachment 1 – Page 10523.

1 **Q. Has Idaho Power addressed the transmission line wind loading concerns**
2 **that Mr. Sam Myers raised in his Opening Testimony?**

3 A. Yes. Idaho Power witness Joseph Stippel addressed Mr. Meyers' concerns
4 where he listed the engineering codes and standards that are used to design
5 the transmission line components,⁸ including National Electrical Safety Code
6 (NESC) and the American Society of Civil Engineers (ASCE) Manual 74, which
7 Staff cited in Opening Testimony.⁹

8 **Q. Did the Company create a clear understanding of how this line will be**
9 **operated to mitigate any concerns surrounding wildfire impacts?**

10 A. Dr. Lautenberger pointed to the Company's WMP as a method of
11 demonstrating the Company's ability to operate a high voltage line mindful of
12 wildfire risks that exist in the vicinity of the proposed line (compared to the
13 230 kV corridor which Dr. Lautenberger references). The plans filed by the
14 Company are not sufficiently detailed to interpret how this line's operation may
15 differ, given the difference in the voltage nor does it address whether the
16 design, construction, and operation (and thus inferentially the performance) of
17 this line will be materially the same as the California operators against which it
18 was compared to infer ignition propensity. Thus, while they stand as potentially
19 relevant comparators, the details to support the engineering, operational and
20 system protection strategies have not been provided and cannot be evaluated
21 to apply these comparisons with confidence.

⁸ Idaho Power/1500, Stippel/9 – 14.

⁹ Exhibit Staff/200, Rashid/16.

1 **Q. Does Staff have a concern regarding the strength of the line relating to**
2 **wind or other environmental conditions?**

3 A. No, I want to reiterate the basis for this response. The Company has identified
4 that it will use NESC loading criteria to design the viable loading cases. This
5 line will be in NESC Medium Loading District as it is defined in NESC Section
6 25, Structural loading for Grades [of construction] B and C, which implicates
7 loading for wind only and for wind and ice combined. Mr. Meyers has asserted
8 that using higher design speeds than “minimum” for the structures is
9 appropriate. I concur with Mr. Meyers’ assertion, and I would add that based on
10 my experience, transmission line designers typically design those lines to
11 standards that exceed the minimum loading requirements.

12 **Q. Do you believe that the lattice tower design that Idaho Power selected for**
13 **the transmission line is preferable?**

14 A. I am not a structural engineer but based on experience and observation of
15 power lines during utilities’ facilities inspections, I agree with the testimony that
16 Dr. Lautenberger provided on pages 10 through 18 of his Reply Testimony.¹⁰ It
17 is well known that for a transmission line with higher voltage rating, lattice
18 tower design is more appropriate, because lattice tower design can support
19 larger loads which are the result of larger wires and insulators, to compensate
20 for the higher wind and ice loading that comes with them.

21 **Q. Are you satisfied with the Company’s response to Mr. Meyers concerns**
22 **regarding the design of the transmission line?**

¹⁰ Idaho Power/1500, Lautenberger/10 – 18.

1 A. Yes, I am.

2 **Q. What is Staff's recommendation regarding the safety of the B2H**
3 **transmission line?**

4 A. I conclude that Idaho Power has demonstrated the line can, at minimum, be
5 constructed, and operated in a manner that meets safety standards and
6 addresses hazards presented to the public by the transmission line. Staff
7 expects the Company to meet minimum safety requirements and comply with
8 best industry standards to safely construct, maintain, and operate the line.

ISSUE 3. PRACTICABILITY

1
2 **Q. In your Opening Testimony, you expressed skepticism about Idaho**
3 **Power’s expectation to energize the Project by summer 2026. Has the**
4 **Company provided new evidence that erased that skepticism?**

5 A. No, I am still skeptical about the Project’s constructability timeline; however,
6 not as skeptical as I was when I filed my Direct Testimony. The Company
7 provided Exhibit Idaho Power/404, which provided better details about the
8 Company’s plan to construct the Project. That being said, although the
9 Company indicated that “preconstruction activities remain on schedule, and
10 [Quanta Infrastructure Solutions Group]¹¹ had assured Idaho Power that their
11 schedule is achievable,”¹² the Company also agrees with Staff “that there is
12 substantial work ahead to reach project energization by summer 2026,
13 including acquiring easements, finalizing the detailed design, obtaining permits
14 and concurrence, procurement, construction, and commissioning.”¹³

15 Based on experiences being involved (from a regulatory standpoint) in
16 similar transmission projects, I still believe that the Company’s plan to energize
17 the line by summer 2026 is overly ambitious and difficult to achieve. However,
18 a delay in its in service date doesn’t eliminate its value to Idaho Power’s
19 resource stack; it just delays when it will become valuable.

20 Additionally, the Oregon supreme court recently affirmed the Energy
21 Facility Siting Council (EFSC) Final Order that approved the Company’s site

¹¹ The Company introduces QISG as its constructability consultant for the Project.

¹² Idaho Power/400, Barretto/24.

¹³ Id.

1 certificate.¹⁴ While this decision removes some previous uncertainty from my
2 Opening Testimony around Idaho's proposed construction schedule, much of
3 the work to energize by the summer of 2026 remains.

¹⁴ See *STOP B2H Coalition v. Oregon Department of Energy, Oregon Energy Facility Siting Council, and Idaho Power Company*, ___ Or ___, (SC 2069919), (March 9, 2023).

CONCLUSION

1 **Q. After reviewing Idaho Power's Reply Testimony, have you changed the**
2 **conclusion that you reached in your Opening Testimony, which you**
3 **summarize at the beginning of this testimony?**

4 A. No. Based on the information that Idaho Power provided in Reply Testimony, I
5 reiterate my position that Idaho Power has not demonstrated that the Project is
6 necessary to maintain electric service reliability to its Oregon customers.

7 I further conclude that although Idaho Power has demonstrated that the
8 Project would provide extra electricity transfer capability for resources that it
9 identified in its 2021 IRP, interconnection to B2H transmission line from points
10 not close to the two ends of the transmission line will not be feasible.

11 I conclude that Idaho Power can construct and operate the transmission
12 line in a manner that meets safety standards and addresses the dangers it
13 presents to the public.

14 My position is still that the route Idaho Power has identified and EFSC
15 has approved is practicable and feasible for the transmission line.

16 Lastly, I reiterate what I concluded in my Opening Testimony that Idaho
17 energizing the B2H transmission Project by summer 2026 is overly ambitious, if
18 not unrealistic.

19 **Q. Does this conclude your testimony?**

20 A. Yes, it does.

CASE: PCN 5
WITNESS: CHARLES LOCKWOOD

**PUBLIC UTILITY COMMISSION
OF
OREGON**

STAFF EXHIBIT 600

Rebuttal Testimony

March 20, 2023

1 **Q. Please state your name, occupation, and business address.**

2 A. My name is Charles Lockwood. I am a Utility Analyst employed in the Utility
3 Strategy and Integration Division of the Public Utility Commission of Oregon
4 (Commission or OPUC). My business address is 201 High Street SE.,
5 Suite 100, Salem, Oregon 97301.

6 **Q. Are you the same Charles Lockwood who previously submitted direct**
7 **testimony in this proceeding on behalf of Staff?**

8 A. Yes.

9 **Q. Does Staff reach a conclusion regarding environmental justice issues?**

10 A. Yes. Staff concludes that given the size and scale of this project there will be
11 both positive and negative impacts to EJ communities near the project area.
12 Staff believes that Idaho Power has largely demonstrated the extent of these
13 impacts and proposed reasonable mitigation measures where needed.

14 **Q. What is the purpose of your testimony?**

15 A. The purpose of my testimony is to respond to Idaho Power's Reply Testimony
16 regarding the Environmental Justice implications of the proposed Boardman to
17 Hemmingway Transmission Line Project (B2H or Project). Specifically, I will
18 respond to the Reply Testimony of Shane Baker (Idaho Power/900) and
19 Jake Weigler (Idaho Power/1000), addressing what Staff believes to be helpful
20 for our considerations and identifying areas where data remains unavailable.

21 **Q. Did you prepare an exhibit for this docket?**

22 A. No.

ISSUE 1. ENVIRONMENTAL JUSTICE

Q. Why is Staff considering the environmental justice impacts of the B2H project in this docket?

A. The Public Utility Commission of Oregon (Commission) is a natural resource agency, that under ORS 182.545, when making a decision, must “consider the effects of the action on environmental justice issues.” Additionally, in Order No. 22-351, the Commission directed Staff to include environmental justice considerations as part of the CPCN petitions.

Staff’s focus is on gathering information about environmental justice impacts and planned mitigation measures to support the Commission’s evaluation. For a deeper and more comprehensive analysis of all relevant statutes and orders see Staff’s Opening Testimony.¹

Q. What additional information related to environmental justice has Staff reviewed since filing opening testimony?

A. Staff reviewed Idaho Power’s responses to data requests (DR) 44-54, which pertain to environmental justice issues, as well as Idaho Power’s testimony of witnesses Shane Baker (Idaho Power/900) and Jake Weigler (Idaho Power/1000).

Q. What major inquiries did Staff expect Idaho Power to address in the Company’s Reply Testimony?

A. Staff sought several pieces of key information and outlined in its testimony the major pieces of information still missing based on Idaho Power’s DR responses

¹ Staff/300, Lockwood 2-5.

1 and the analysis provided in the Bureau of Land Management's (BLM) Final
2 Environmental Impact Statement (FEIS). The major pieces of information Staff
3 requested included additional baseline information on the overall impact of the
4 Boardman to Hemmingway project (B2H or the Project) on environmental
5 justice communities when compared to the state of Oregon, clarification on
6 mitigation efforts by Idaho Power on agricultural impacts to rural communities,
7 and further information about Idaho Power's outreach to and engagement with
8 tribal communities impacted by the Project.

9 **Q. Did Idaho Power adequately address Staff's noted major inquiries?**

10 A. Yes. Through the Reply Testimony of Company witnesses Shane Baker
11 (Idaho Power/900) and Jake Weigler (Idaho Power/1000), Staff believes that
12 Idaho Power has addressed Staff's major inquiries.

13 **Q. Did Idaho Power provide clarity on the location of environmental**
14 **justice communities along the proposed route?**

15 A. Yes. In Staff's DRs (44–54), Staff requested more detailed and specific
16 demographic data regarding the communities located near and on the
17 proposed transmission route.

18 **Q. Please describe the additional demographic data Staff was further**
19 **seeking.**

20 A. Specifically, Staff was seeking additional information such as household
21 specific or more granular data to best understand the potential impacts of the
22 B2H project. Idaho Power communicated that the data Staff was seeking is not
23 publicly available. The Company did provide spatial analysis using

1 demographic data at a census block level from the Environmental Protection
2 Agency (EPA) EJ Screen tool to demonstrate the Project's geographic
3 relationship with environmental justice communities using Geographic
4 Information Systems (GIS) software to produce a map set.

5 In the Reply Testimony of Jake Weigler, Idaho Power submitted a series
6 of maps illustrating the relationship between the B2H route and environmental
7 justice communities in the area.² Figures 2, 3, and 4 show concentrations of
8 various environmental justice groups using Census data. Figure 5 shows the
9 locations of Native American reservation lands near B2H. Figures 6 and 7
10 detail rural communities using a definition provided by the Oregon Office of
11 Rural Health and the Census respectively. In addition to the maps, Idaho
12 Power provided accompanying review of each as well as the data used for
13 constructing each map.³

14 **Q. Did Idaho Power provide further information on the characteristics of**
15 **the environmental justice communities along the proposed route?**

16 A. Yes. In addition to providing the location of the environmental justice
17 communities, Figures 8–13 show the concentration of population by square
18 kilometer across Eastern Oregon.

19 **Q. Please describe Staff's conclusion upon review of the provided**
20 **figures.**

² Idaho Power/1000, Weigler 12-13 and Exhibit Idaho Power/1003.

³ Idaho Power/1003.

1 A. While we do not have household specific data, Idaho Power's provided
2 population density figures show that generally communities are not located
3 close to the proposed B2H route.

4 **Q. Please describe any additional information on the potential impacts the**
5 **proposed transmission line may have on communities of color.**

6 A. As seen in Figure 3, few of the census blocks crossed by B2H contain a
7 significant concentration of people of color compared to the rest of Oregon,
8 with none of the census blocks in the highest percentile, and only two regions
9 in Morrow County and Malheur County include a relatively higher percentile.⁴

10 **Q. What steps have or will be taken to mitigate the potential impacts the**
11 **proposed transmission line may have on communities of color?**

12 A. Idaho Power's chosen route is adjacent to the two blocks identified in Morrow
13 County, meaning the project does not risk geographically dividing a community
14 of color. In addition, Figure 13 shows that the Malheur County block has
15 exceptionally low population density with the vast majority of residents in the
16 block living on its eastern boundary, closer to Ontario and farther from the
17 proposed route.⁵ The Company notes that the selected route avoids impacts
18 to these communities and the Company did not say whether further steps were
19 warranted or taken to mitigate impacts to communities of color.

20 **Q. Please describe any additional information on the potential impacts the**
21 **proposed transmission line may have on low-income communities.**

⁴ Idaho Power/1000, Weigler/15.

⁵ Id.

1 A. As seen in Figure 2, there are areas of relatively higher concentrations of
2 low-income individuals along the B2H route, specifically in Morrow, Baker, and
3 Malheur counties.⁶ Only one census block in southern Baker County is in the
4 highest percentile.

5 **Q. What mitigation steps have or will be taken to mitigate the potential**
6 **impacts the proposed transmission line may have on low-income**
7 **communities?**

8 A. As mentioned previously, Idaho Power's proposed route works to actively
9 mitigate the potential impacts on communities such as low-income
10 communities by avoiding highly populated areas.

11 **Q. Please describe any additional information provided by the Company**
12 **on the potential impacts the proposed transmission line may have on**
13 **rural communities.**

14 A. In Staff's Opening Testimony, Staff expressed concern that the BLM's analysis
15 of potential impacts of the line in its FEIS was insufficient to fully understand
16 the impacts of the line on environmental justice communities, especially
17 considering the detailed potential impacts on agricultural lands expressed in
18 the FEIS.⁷ Idaho Power's reply testimony details the Company's existing
19 evaluation of agricultural impacts, focusing on the prior EFSC Testimony of
20 Kurtis Funke and the Company's Agricultural Lands Assessment.⁸

⁶ Idaho Power/1000, Weigler 14.

⁷ Staff/300, Lockwood 6-17.

⁸ Idaho Power/1000, Weigler 40.

1 **Q. What mitigation steps have or will be taken to mitigate the potential**
2 **impacts the proposed transmission line may have on rural communities?**

3 A. Idaho Power's existing evaluation highlights the potential agricultural impacts
4 from the B2H line and comprehensive landowner mitigation plans not included
5 in the Company's DR responses (44–54). Idaho Power notes the Company
6 has rerouted the line to avoid irrigated areas and sited towers along agricultural
7 field boundaries where feasible.⁹ Idaho Power also notes that given that the
8 vast majority of the Project area includes agricultural lands, to the extent there
9 is overlap among members of environmental justice communities and
10 agricultural landowners, Idaho Power has proposed mitigation for such impacts
11 to agricultural practices.¹⁰

12 **Q. Please describe any additional information on the potential impacts the**
13 **proposed transmission line may have on tribal communities.**

14 A. In Idaho Power's Reply Testimony of Shane Baker, the Witness provides an
15 in-depth overview of Idaho Power's outreach to and consultation with tribal
16 governments impacted by the B2H project. Staff raised an initial concern
17 based on the BLM's FEIS and Idaho Power's response to DR 44, that the
18 Company had not contacted tribal governments other than the Confederated
19 Tribes of the Umatilla Indian Reservation (CTUIR), whose ceded lands are
20 near the B2H project area. Idaho Power's supplemental response to DR 44

⁹ Idaho Power/1000, Weigler/41.

¹⁰ Id.

1 and Reply Testimony of Shane Barker illustrate Idaho Power's past and
2 ongoing tribal consultation process.

3 Specifically, Idaho Power's additional information detail extensive
4 government-to-government coordination between federal agencies like the
5 BLM, Idaho Power, and 21 tribal governments, which include eight tribal
6 governments who had previously expressed connection to lands associated
7 with the B2H project and an additional 13 tribal governments who are members
8 of the Columbia River Inter-Tribal Fish Commission and the Northwest Indian
9 Fisheries Commission.¹¹

10 **Q. Please describe how Idaho Power detailed the Company's tribal**
11 **engagement.**

12 A. Idaho Power detailed their tribal engagement in three additional ways. First,
13 through the creation of the Cultural Resources Working Group. Second,
14 through several joint planning documents including the National Historical
15 Preservation Act Programmatic Agreement (PA), which works to detect and
16 address any adverse effects to cultural resources. Lastly, through tribal
17 participation in Idaho Power's EFSC Application for Site Certification through
18 the Oregon Department of Energy and the Company's Historic Properties
19 Management Plan.¹² Idaho Power/904 includes a Consultation Log and PA
20 Tracking Sheet that detail all correspondence with the tribes and agencies,
21 including emails, phone calls, in-person meetings, and document submissions.

¹¹ Idaho Power/900, Baker 7.

¹² Idaho Power/900, Baker 8-13.

1 This log also tracks the distribution of project reports related to cultural
2 resources and the responses received from the stakeholders, including tribes,
3 agencies, and NGOs.¹³

4 **Q. Taking mitigation efforts into account, please summarize the**
5 **environmental justice issues posed by the transmission line.**

6 A. Staff appreciates Idaho Power's willingness to provide additional information to
7 address the concerns Staff previously raised in its initial testimony surrounding
8 the potential impacts of B2H on all environmental justice communities near the
9 project area. However, Staff still notes several environmental justice issues
10 posed by the transmission line including remaining agricultural impacts and
11 impacts on areas historically used for tribal resources on environmental justice
12 communities.

13 In Staff's Opening Testimony, Staff noted potential impacts to agricultural
14 productions loses ranging from \$10,100 to \$666,400 based on placement of
15 the B2H route.¹⁴ And while Idaho Power has illustrated mitigation efforts, the
16 scale of the B2H project in Eastern Oregon, where agricultural profits
17 contribute largely to the region's economy, Staff believes it is important to note
18 that Idaho Power may limit agricultural impacts, but the Company is unlikely to
19 prevent them entirely.

20 Very similarly, Idaho Power has taken extensive steps to mitigate
21 potential impacts to tribal communities through engagement with tribal

¹³ See *generally* Idaho Power/904.

¹⁴ Staff/300, Lockwood/13.

1 governments. However, like agricultural impacts, impacts to historical and
2 cultural resources for tribal communities are still likely to occur, given the
3 nature and location of the Project.

4 **Q. Did Idaho Power quantify all the impacts of the B2H project on**
5 **environmental justice communities?**

6 A. No. In Idaho Power's Reply Testimony of Jake Weigler, the Company states
7 that evaluating the actual impacts of the project at the scale of B2H on
8 environmental justice communities is not possible, due to the lack of granular
9 data on the locations of members of these communities and the requirement of
10 a more extensive study of individualized impacts.¹⁵ Therefore, Idaho Power's
11 analysis is based broadly on the potential impacts and benefits to the general
12 community. Idaho Power does not provide detailed quantifiable data regarding
13 the potential impacts and benefits to environmental justice communities along
14 the proposed B2H route, but instead provides broader benefits such as
15 increased integration of clean energy onto Idaho Power's system, increased
16 system-wide reliability, increased investment in the local economies, and an
17 estimated increase of \$5.8 million in annual tax benefits to the counties for
18 project-specific tax dollars.¹⁶

19 Idaho Power asserts benefits are significant while the impacts, where
20 they may exist, are minimal and addressed by mitigation. Staff remains unsure
21 of the quantitative nature of this conclusion without additional concrete

¹⁵ Idaho Power/1000, Weigler/38.

¹⁶ Idaho Power/1000, Weigler/39.

1 information because many of the impacts and benefits are described
2 qualitatively.¹⁷

3 **Q. Did Idaho Power provide information supporting its assessment of the**
4 **impacts of the B2H project on environmental justice communities?**

5 A. The Company provided additional information that informs some aspects of
6 these impacts. Idaho Power also included general statements for which it did
7 not provide supporting quantitative information. In describing benefits to
8 environmental justice communities, the Company states that transitioning off
9 fossil fuels provides benefits to environmental justice communities because
10 fossil fuel facilities have historically been constructed in environmental justice
11 communities. However, Idaho Power does not present evidence to support
12 this statement and similarly general statements. Staff would however note that
13 the Reply Testimony of Jake Weigler does provide more detailed information
14 regarding the mitigation practices Idaho Power will be utilizing to lessen the
15 impacts to agricultural operations.

16 **Q. Did Idaho Power adequately address any potential impacts Staff raised in**
17 **previous testimony?**

18 A. Staff believe that Idaho Power has adequately addressed the impacts of the
19 B2H project on rural and tribal communities through their subsequent
20 information. Idaho Power's ESFC testimony and Agricultural Lands
21 Assessment shows significant mitigation to any potential impacts of B2H on the
22 rural community. Idaho Power's also showed engagement and cooperation

¹⁷ Idaho Power/1000, Weigler/3.

1 with tribal governments throughout the siting and development process to
2 mitigate damage to cultural resources.

3 **Q. How do the impacts of the B2H project on environmental justice**
4 **communities inform the Staff's consideration for the project?**

5 A. Due to the size and scale of the B2H project and the proposed route location in
6 Eastern Oregon, Staff recognizes that the project will have both negative and
7 positive impacts to communities near the project area. Staff's goal with the
8 usage of environmental justice DRs and subsequent information is to provide
9 the Commission with an understanding of the impacts of B2H on environmental
10 justice communities when considering the criteria for issuance of the CPCN
11 process. However, Staff notes that while it sought additional quantifiable
12 information regarding these impacts, that many impacts may be difficult to
13 quantify, and consideration of environmental justice impacts will need to rely on
14 qualitative information.

15 **Q. Does the information referenced in Staff's testimony provide a full and**
16 **detailed assessment of environmental justice issues presented by the**
17 **proposed transmission line given the information readily available?**

18 A. Yes.

19 **Q. Is there additional information that would inform Staff's review?**

20 A. Yes. In Staff's current review the information presented by Idaho Power
21 through DR responses and testimony is qualitative in nature. Staff recognizes
22 that this is the first effort of the Commission to include environmental justice in
23 its overall CPCN process. Therefore, Staff will continue to work towards

1 capturing more quantitative data through the creation of environmental justice
2 SDRs and future CPCN processes. Staff also notes that the Oregon
3 Environmental Justice Council is currently developing an environmental justice
4 tool that will allow the Commission to direct utilities to acquire more quantitative
5 data useful to deliberations on future projects. The tool should be available
6 sometime before September 15, 2025.¹⁸

7 **Q. Is this information readily available?**

8 A. No. Currently, Staff does not have the information readily available to further
9 inform Staff's review as described above.

10 **Q. Does this conclude your testimony?**

11 A. Yes.

¹⁸ Oregon House Bill 4077, Sections 12 and 18.

PCN 5
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CERTIFICATE OF SERVICE

PCN 5

I certify that I have, this day, served the foregoing document upon all parties of record in this proceeding by delivering a copy in person or by mailing a copy properly addressed with first class postage prepaid, or by electronic mail pursuant to OAR 860-001-0180, to the following parties or attorneys of parties.

Dated this 20th day of March, 2023 at Salem, Oregon

/s/ Kay Barnes

Kay Barnes
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