

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

**IN THE MATTER OF IDAHO POWER COMPANY'S, PETITION FOR CERTIFICATE OF PUBLIC
CONVENIENCE AND NECESSITY. Docket: PCN 5**

Intervenor Opening Testimony

Greg Larkin

Date: January 17, 2023

Greg Larkin, Intervenor

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I am an intervenor in the decisions regarding the Certificate of Public Convenience currently being considered. I am an Oregonian directly impacted by the decision regarding the Certificate of Public Convenience. I share concerns with many other landowners who will be subject to Condemnation of their land based upon a decision to issue this Certificate. My comments relate to the PUC charge to “ensure Oregonians have access to safe, reliable and fairly priced utility services that advance state policy and promote the public interest.” I am presenting my Testimony in a question and answer format.

Question: Do you believe the B2H Transmission Line promotes the “public interest” required to be determined under OAR 860-025-0035(1)?

No. Idaho Power has spent literally millions of dollars paying public agencies and their legal staffs to promote the development of this line over objections of Oregon citizens and utility users as a whole.

A review of the public comments provided to the Energy Facility Siting Council regarding the Draft Site Certificate show an overwhelming percentage of the comments objected to this transmission line. The comments included objections to the development of this transmission line due to failing to justify the costs, the ability of Idaho Power to obtain more reasonably priced renewable energy by

supporting developments within Idaho which would not necessitate this transmission line discouraging renewable energy development and conservation in Idaho. The lack of need or benefit to Oregon citizens and electric customers, safety and health concerns, resource damages and a host of additional reasons. I concur with the arguments submitted regarding these concerns and submit that the public comments submitted to the Energy Facility Siting Council (EFSC) regarding the costs, less costly options, lack of benefits to Oregon and safety and health concerns be considered as evidence in support of my arguments regarding these issues and in support of refusing to issue a Certificate of Public Convenience. The fact that the Public Comments include over 6,000 pages gives an indication that the public does not believe their needs will be met by the B2H Transmission line. A review of just a few of the 13 page list of comments confirms this to be the case (Public Comments from EFSC Draft Proposed Order Hearing – Exhibit 101)

The following issues apply to landowners where the transmission line will cross properties and adjacent properties to the transmission line which will be the subject to Condemnation of lands and indirect impacts of this transmission line:

The following information relates to the failure of Idaho Power to **“justify the costs, the ability of Idaho Power to obtain more reasonably priced renewable**

energy by supporting developments within Idaho which would not necessitate this transmission line, discourages renewable energy development and conservation in Idaho, the lack of a need or benefit to Oregon citizens and electric customers”

Question: Do you believe that the use of the B2H transmission line to transport electricity produced in Oregon to other states should be used to justify the need for this transmission line by the Oregon Public Utility Commission? OAR 860-025-0035(l)(a)

1No. The Oregon PUC should not consider Idaho Power's stated need to utilize the transmission line to purchase and transport renewable energy to out of state retail or wholesale purchasers. The Oregon PUC is charged with determining that **Oregonians** have access to safe, reliable and fairly priced utility services. Oregon electric users will absorb costs of this transmission line as well as subjecting an already economically disadvantaged part of the state with additional expense. Additional burdens will result from removing significant portions of land that provide economic benefits to the area and should not include consideration of Idaho Power's desire to increase their revenue through the purchase and sale of energy to other states. There are little or no benefits to this state and a host of costs.

Question: Do you believe that there was reasonable consideration given to the alternative of producing energy in Idaho to meet their customer's needs? OAR 860-025-0035(l)(d)

No. Idaho Power would be acting in a more responsible manner and reduce costs by developing energy resources in the state rather than relying upon Oregon to produce energy to be transported by the B2H Transmission Line to Idaho. In the notice that the Bonneville Power has completed their agreement to remove themselves from being partners in the B2H Transmission Line, they indicate that one advantage is the fact that they will be , “ eliminating today’s interim service’s reliance on market purchases that carry cost, availability, and carbon content risks.” (Bonneville Power Agreement with Idaho Power and PacifiCorp Exhibit 102, Page4 Paragraph 3) Bonneville Power considers it a benefit that they will no longer be vulnerable to the risks associated with purchasing power from the market at the same time as Idaho Power is insisting that this is the most economical and reliable method to meet their energy needs. What makes sense would be for Idaho to use available land in the state for energy development.

--Idaho has available land in Idaho for energy developments

A. Idaho includes 83,642 square miles and has a population of 1.84 million people. (Page 1, Microsoft Bing search “how large is Idaho in Square Miles Exhibit

103)

B. Oregon includes 98,466 square miles and has a population of 4.24 million people. (Page 1, Microsoft Bing search “how large is Oregon in Square Miles Exhibit 104)

Idaho is nearly the same size as Oregon with less than ½ the population. Given these numbers, you would expect Idaho to have more land for development of renewable energy than Oregon.

Idaho customers currently pay less for electricity than Oregon customers:

A. Idaho citizens pay 8.17 cents per kWh for their electricity. (Idaho Electric Profile , Table 1 Summary Statistics , EIA Exhibit 105)

B. Oregon citizens pay 8.95 cents per kWh for their electricity. (Oregon Electric Profile 2021 Exhibit 106)

Idaho is not actively working to become energy independent:

A. Idaho generates 16,836.473 net Mwh of electricity but sells 25,285.616 net Mwh of electricity. (Idaho Electric Profile 2021, EIA Exhibit 105)

B. Oregon generates 61,016,874 net Mwh of electricity and sells 54,135,205 Mwh of electricity. (Oregon Electric Profile 2021 Exhibit 106)

Question: Is it in the public interest of Oregon Citizens to be utilizing State and Private land and resources to produce energy for Idaho? OAR 860-025-0035(l)(d)

No. Idaho is only producing approximately 30% of the energy they use in state and importing approximately 70% from out of state. (Idaho Energy Profile, First sentence of Second Paragraph, Page 2, Exhibit 107) Oregon, on the other hand has been a net exporter of electricity every year since 2007. (Oregon Energy Profile, First Sentence, Second Paragraph, Page 3, Exhibit 108) Oregon is already making a significant contribution to assisting other states in obtaining renewable energy (EIA State Energy Data System “Oregon Energy Consumption Estimates, 2020” Last Item on Table Net Interstate Flow of Electricity Exhibit 109) Building a transmission line to allow Idaho Power to purchase energy from Oregon will increase competition and cost of energy for Oregon customers even more and place pressure on Oregon to develop even more renewable energy developments beyond those necessary to meet the needs of Oregon citizens. Relying on energy produced in Oregon is not a reasonable or long term method of addressing Idaho Power's energy needs when there are significant untapped opportunities for in state generation which would provide energy near where it is needed and where the availability of the needed energy can be reliably predicted.

Question: Does Oregon need energy transported to the state on the Boardman to Hemingway Transmission Line during times when local generation is not adequate to meet a short term need? “OAR 860-025-0035(l)(d)

No. Oregon generates an adequate supply of electricity to meet current as well as future increased needs, and are exporting electricity without having to build any additional energy developments. Oregon's excess power goes to other states by way of the Western Interconnection which is already in place. The Western Interconnection links Oregon's electricity grid to the California grid allowing large interstate electricity transfers between the Pacific Northwest and the Southwest. This Pacific Intertie Direct Current transmission line can move up to 3,220 megawatts of power. While this line was originally intended to move energy south, it is also available and is sometimes used at night and in the winter to meet heating needs in the Pacific Northwest. (Oregon Energy Profile, February 17, 2022 , Second Paragraph, Page 3, Exhibit 108) Given this seldom used, but available resource for electricity to meet the needs of Oregon Citizens, there is no basis for stating that the Boardman to Hemingway Transmission Line is going to provide a benefit to Oregon consumers by providing electricity from Idaho during these brief times of increased need beyond what is being locally generated. This is even more ridiculous given that Idaho is not producing the electricity, but instead is only acting as a transporter of energy that could be obtained from the already existing Pacific Intertie.

Question: Do you believe that approving a Certificate of Public Convenience will

result in creating a disincentive for Idaho to develop local renewable energy sources and increase the use of Conservation to address need? OAR 860-025-0035(l)(a) and (d)

Yes. It is in the public interest to minimize impacts to land and resources necessary to provide adequate reliable electric service at the least cost. Providing a Certificate of Public Convenience will allow Idaho Power to continue their dependence upon energy that must be moved hundreds of miles at significant costs and line loss. As noted by BPA earlier, the energy being purchased will not necessarily be available when needed and the costs may be unpredictable. It will also support a lackluster support for rooftop solar and conservation since rooftop solar alone could provide 26.4% of the electricity used in Idaho (Solar Power in Idaho Wikipedia, Exhibit 110) . Reliance upon resources outside the state in the long run will result in increased costs to both Oregon and Idaho Consumers and remove Idaho Power from having any control over the cost or access to energy for their customers. Immediate damages and costs will fall nearly entirely upon Oregon landowners and citizens who are facing the loss of private property through condemnation to build an “energy freeway” that will be inflationary and establish an Energy Corridor through important resource areas.

Question: Do you believe that approval of this Certificate will encourage

additional losses to Oregon citizens and the state?

Yes. Once a utility corridor is created, it provides access for additional utilities to widen the corridor removing additional land. In addition, the demand to meet out of state energy needs will spur additional energy development that is not needed to meet Oregon customer needs. OAR 860-025-0035(l)(d)

Question: Will it require the generation of more power due to transmitting power long distances over this transmission line as opposed to developing power near where it will be used? OAR 860-025-0035(l)(a) and (d)

Yes. Energy transported for long distances loses capacity and the further it is moved, the greater the loss. The amount of energy that Idaho Power would be required to purchase to meet their projected future need by transporting it on this transmission line compared to local generation would be inflated due to line loss.

Question: Would locally produced power cost less to deliver to Idaho Power customers than that purchased and transported from Oregon on the B2H line?
OAR 860-025-0035(l)(d), OAR 860-02-0035(2)(k)(A)

Yes. For example, Idaho Power has a 20 year Purchase Agreement with Jackpot Holdings to purchase solar power from their Idaho solar development for 2.175 cents per kWh.(Renew Economy/ Clean Energy News and Analysis, April 2, 2019

by Joshua S. Hill Exhibit 112) According to Idaho Power's web site, this is more reasonable than any other solar power they are using.

Idaho Power's web site, first line says (Exhibit 111 states, "The declining cost of solar technology, along with tax incentives and other factors, has made solar power more popular in recent years". The declining cost of building solar developments including the benefit of avoiding costs of transporting the energy make it a very practical, low cost and with battery backup, dependable alternative. A1 Solarstore placed Idaho as Number 16 in the list of states regarding the solar potential (Exhibit 113) . In spite of this, the only solar produced in Idaho that Idaho Power currently is using is 120 MW from Jackpot and the solar they are required by the Public Utility Regulatory Policies Act (PURPA) to buy. Idaho Power needs to look to the state where most of their customers live to develop electricity for them. A 2016 report by the National Renewable Energy Laboratory estimated that rooftop solar alone has the potential to provide 26.4% of all electricity used in Idaho. (Exhibit 110)

Similar results for the development of wind energy in Idaho can be obtained from their web site. The company owns one small wind farm, Telocaset in far Eastern Oregon near their Oregon customers. The only other wind power they use is from small developments that they are required by PURPA to purchase energy

from. Their web site states that the energy from the Telocaset Wind development is the cheapest they receive. According to the August 31, 2021 article "See how much of its wind energy potential Idaho Uses" by Edward Bruns/Shutterstock, Stacker, Bottom of Page 1 Exhibit 114), Idaho currently has 973 megawatts of wind energy with a capacity of 212,830 megawatts of wind energy, yet it appears no effort is being exerted to build wind resources in Idaho. It appears that Idaho Power is not, in fact, an energy company at all. Their only interest in or contribution to providing energy to customers is a desire to obtain the guaranteed profits obtained by building electricity highways and charging the people who actually produce electricity and their customers for using these energy highways. Idaho Power customers and Oregon citizens are being forced to pay for this transmission line as well as the significant profit that Idaho Power receives and distributes to their stockholders.

Question: Will this transmission line result in safety and health damages to Oregon citizens? (OAR 860-025-0035(l)(b))

Yes. For example, the developer has not completed an assessment of health and safety impacts to the residents who will be exposed to noise. The BLM preferred route appears to result in fewer citizens living in areas where noise exceedances are predicted to occur. For multiple locations along the planned transmission line

route noise level will exceed the state Noise limits contained in the state
“Ambient Degradation Standard”.

I am one of at least 41 residences where the noise limits are projected to exceed the legal limits. I suffer from tinnitus resulting from my previous employment with the railroad. This condition is exacerbated due to the fact that I also have insomnia. Both these conditions can be verified by medical records from Oregon Health Sciences University. I am not providing records at this time due to their confidential nature. In the event that the Commissioners require proof, I will make them available to the commissioners only as protected under HIPPA rules.

The corona noise predicted to occur at my home will make my residence uninhabitable for me. Idaho Power has shown that for Union County the average number of days with foul weather which produces corona noise is 22%, as shown on Table X-8, Page X-26 in the Application for Site Certificate, Page 30, Exhibit 115) given the % of days that typically have bad weather, I can expect the noise at my home to exceed the DEQ safe noise standard for approximately 80 days each year based upon weather predictions.. (Application for Site Certificate, Table X-8 entitled “Daily and Hourly Frequency of Foul Weather) Exhibit 115

My medical records document that my current medical conditions make me particularly sensitive to noise. A lack of sleep can make my tinnitus worse and I

am to be “cautious about additional exposure to loud noise, as additional damage to the inner ear may aggravate my tinnitus.” I also developed high blood pressure due to the stress that has occurred over the years with the threat of losing my home. I developed heart issues which necessitated me wearing a heart monitor for a period of time during the EFSC Contested Case Process.

It is well documented that elevated noise levels can create a variety of health concerns for individuals including exacerbating tinnitus (Strategic Health Impact Assessment on Wind Energy Development in Oregon, March 2013, Public Health Division, Oregon Health Authority, March 2013, Prepared by the Public Health Division, Oregon Health Authority includes Section B on Noise. Exhibit 116) This section provides general information regarding the impacts of noise. It states, “This section begins with an overview of sound and noise, the impacts of noise on human health, and methods to measure and assess community noise.” On Page 25 it states that noise from a lineal object (such as a transmission line) appear to have lower rates of decrease (attenuation) because of the contribution of sound from multiple sources. On Page 28 of this document it indicates that there are three broad categories of health effects from exposure to noise. a. Subjective effects such as annoyance which can mean a significant degradation in the quality of life; b. Sleep, communication and concentration impacts; c. physiological effects

such as anxiety, hearing loss and tinnitus. For individuals such as myself who already have underlying health issues, the addition of the corona noise will clearly exacerbate existing hearing, tinnitus, sleep and anxiety issues. The developer has made no effort to determine the current health issues of those who will be exposed to noise from this line.

They have also failed to compare the number of homes subjected to noise beyond the standards for the Morgan Lake route compared to the BLM Preferred route and whether the people have preexisting conditions, are either elderly or young since that would increase their sensitivity to noise from the development. It appears to me that there would be far fewer homes exposed. Additional documentation regarding the seriousness of the health impacts being allowed by Idaho Power is included in the "World Health Organization" manual. It recommends that the nighttime noise level be below 40 Decibels.

Question: Will the lack of providing for a safe and healthy environment free from noise above the DEQ standards result in future costs to the Developer not currently budgeted for? (OAR 860-025-0035(l)(d))

Yes. All residences who experience noise above the Oregon Ambient Degradation Standard have the right to pursue civil action against the developer in the County in which they live. They are able to request a jury trial to establish damages. I

intend to pursue this future action and I understand there are others who will also be taking this action. I do not believe litigation is being budgeted for by Idaho Power.

Question: Are there other safety and health concerns you have regarding this transmission line? OAR 860-025-0035(I)(B) and OAR 860-025-030(2)(I)

Yes. The developer is not proposing timely monitoring that will assure that safety issues related to the exposure to energized lines, equipment or metal objects will not critically harm those working or moving around or under transmission lines during the life of the project. Idaho Power is treating this as a responsibility of the landowner who no longer controls the land containing the transmission line. They appear to believe that by providing information to the landowner they have taken care of their responsibility to protect the safety of those at risk due to their development. In considering the issuance of a Certificate of Public Convenience, the PUC should require ongoing monitoring of the transmission line to assure the transmission line is not creating energized items which create safety hazards.

Question: Is that all the safety and health concerns you have?

No. I live in an area that is designated as having an extreme risk of fire. Table 6 of the Wildland-Urban Interface Ranking Summary Page 37 Exhibit 119) shows the Morgan Lake area where I live as having a score of 37 which is it is the highest

risk for fire in Union County. Also, The Union County Environmental and Societal Risk Assessment Exhibit 120 states that the Union County wildfire risk score of 59,29% is high. There is only one road to access or leave my home which parallels the transmission line. The developer is not providing location specific fire management programs that address the high fire hazard areas that exist along the transmission line route and, in fact, claims that there are no high risk areas along the entire transmission line. The Boardman to Hemingway transmission line will create a significant risk to me and others in high risk areas being crossed by this transmission line without providing methods to address this safety risk. They are planning to rely on existing volunteer fire departments which lack the equipment and manpower to address fires along this development without leaving the communities that support them at risk. Firefighters will be required to travel significant distances and much of the terrain they would have to cross make access to the locations of much of the transmission line right of way make response times excessive. Oregon, like other states, is deficient in resources and rely on a shrinking and aging pool of firefighters. Firefighters are needed to respond to fires, as well as medical emergencies. Comments provided during the Energy Facility Siting Process from counties lodged concerns regarding the inadequacy of local firefighting resources to deal with the increased fire risk

associated with this development. They made specific requests regarding the need for equipment and funding for manpower to address this risk. These comments and requests are not being required and the PUC firefighting plan has no provision for this need. (Why there is a Volunteer Firefighter Shortage <https://www.fireandemfund.com/oin-now/>)

Question: Are Oregon citizens and landowners going to be adequately compensated for impacts of the transmission line and allowing the transmission line to cross their property? OAR 860-025-0030(2)(k)(E)

No. Idaho Power is not planning to provide compensation to Oregon citizens and landowners given the significance and duration of the impacts they will have on Oregon landowners and citizens. Example One: for the Morgan Lake Alternative, Idaho Power is claiming that the \$100,00 payment (\$1,000 per month for the life of the line) is providing mitigation for the impacts to Morgan Lake Park.) (ODOE - Proposed Order on ASC and Attachments 2019-07-02, Page 250 of 10016) This amount is not only ridiculous in relation to the scenic values it claims it covers, but it also fails to provide any mitigation for the recreational or habitat impacts to the park including Twin Lake which is discussed in the Jan 3, 2023 Article by Karen Antell entitled “Protect This Place: Oregon's Twin Lake”

<https://therevelator.or/author/Kantell/> (Exhibit 122) “Idaho Power Responses to

comments and Request for additional information on the ApASC from Union County, Page 124 to 126 Reponse Idaho Power, lists in their Response to Comments from Union County the fact that the County, Page 124-125 Exhibit 122, stated concern regarding the failure of the developer to address Morgan Lake impacts regarding it's value as a Recreation area. This section also documents the fact that Morgan Lake and Twin Lake included in the Morgan Lake City Park are also of significant value to the greater county and mitigation provided to the City fails to address the damages experienced by additional users who, like myself, do not live within the City Limits of La Grande.

--Example Two: My land is designated as A-4 which in the Union County Ordinance (Union County Zoning, Petitioning and Subdivision Ordinance {UZPSO} Article 5, 5.01 Purpose) is defined as "Forest Land". My land is "Forest Land" that is available for Agricultural use, my Property Tax statements show in error that my land is "Farm Use/ EFU/Vacant and "Farm Use/EFU/Improved". State LCDC rules and Court decisions require Forest land to be determined based upon the soil capacity to produce timber. You must consider how many square feet of timber an acre of soil is capable of producing in one year. The rules specify that all land in combined zones must have a determination regarding soil productivity (capacity) based upon specific resources including the NRCS Soil Conservation

Services soil maps. (See the Amended Opening Brief submitted to the Oregon Supreme Court by Irene Gilbert which was determined to not be timely; sworn statement of Scott Hartell obtained during the EFSC Contested Case process and the Table of Soil Values (Exhibit 125) which Mr. Hartell states in his sworn statement (Exhibit 124) was the only resource used to determine soil capacity and which contains no soil rating for the soils in the A-4 area being called Agricultural or Range Land.) Based upon their faulty decision regarding what land in Union County is “forest land” by definition, Idaho Power claims they will only impact 525.2 acres of forest land in the Morgan Lake Alternative (Page 195 of Final Order on the ASC for the Boardman to Hemingway Transmission Line, September 27, 2022).

Idaho Power placed a value on the 530 acres of forest land they claim they would cross as a total of \$97,000 or \$182 per acre. The Oregon Department of Energy recalculated the value and determined that forest land had a value of \$401 per acre per year of economic loss and the value over the 100 year life of the transmission line would be \$21.3 million dollars for the loss of 530 acres of forest land. There is a similar disparity in the establishment of value of the forest land in Umatilla County. The council is considering the \$21.3 million dollar amount as mitigation provided to owners of forest land even though Idaho Power is not

being required to pay it, and in fact, they are not paying it. Rather than pay property owners based upon the values identified above, Idaho Power is offering ridiculously low values for the use of the transmission right of way. One property owner has calculated the amount of land he will lose at 12 acres which according to the value over the 100 year period would mean the payment should be near \$481,200 for the loss of potential timber production alone. Idaho Power has offered him \$40,000 for the right of way across his land.

The point is, Idaho Power is offering Oregon Landowners a fraction of the lost value of the land over the life of this transmission line. Most of these landowners do not have attorneys representing their interests, they have never dealt with right of way payments and many believe that they must accept what they are offered. Providing Idaho Power with a Certificate of Public Convenience allows Idaho Power to threaten these vulnerable landowners by saying they must either accept their offer or they will condemn the land. This is taken as a threat by most people and they are afraid to refuse the offer.

Like most landowners in Eastern Oregon, I rely upon my land to provide me with a home, income, and provide for my retirement. My monetary resource is my land and I believe I will lose close to 12 acres. Idaho Power is claiming it is Agricultural land absent the required soil evaluation and absent using the definition in the

Union County Zoning, Petitioning and Subdivision Ordinance which states all land in the A-4 zone as “Forest Land. Forest land can be used for a variety of uses including Agriculture, Wildlife, Timber. UCZPSO Section 5 states: The purpose of the Timber-Grazing Zone (A-4) is to protect and maintain **forest lands** for agriculture, grazing, and forest use, consistent with existing and future needs for agricultural and forest products. The A-4 Zone has been applied to lands designated as Timber-Grazing in the Land Use Plan. “ In spite of the definition contained in the county code, the LCDC rules and statutes, and multiple court decisions stating that the definition of Forest Land is based upon the ability of the soil to produce timber by determining the cubic feet of timber per acre per year that the soil could produce, the Union County Planner allowed Idaho Power to call over 50% of the land in the A-4 designation Agricultural Land. (Final Order on the ASC for the Boardman to Hemingway Transmission Line, September 27, 2022, Table LU-5, Page 196.) By calling my land Agricultural Land, the developer is able to avoid having it evaluated as a conditional use which requires consideration of the resources and lack of fire protection that is mandated for forest land. It also means that there will be no mitigation required to compensate for the habitat damages.

Question: Do you believe that having a transmission line crossing your land will reduce the value of all your land?

Yes. The Appraisal Group One completed an extensive review and compilation of the impacts of transmission lines on real estate values. While some studies found there were no measurable effects, there are a number of recent studies that indicate the effect is measurable and ranges from a loss of 10% to over 30% of the overall property value. (Valuation Guidelines for Properties with Electric Transmission Lines” by Kurt C. Kielisch, ASA, IFAS, SR/WA, R/W-AC) Exhibit 126 (Paramount Property Analysts, Transmission Lines and Property Value, July 14, 2016) Exhibit 127.

Question: Has Idaho Power disclosed a need and budget for the development that appears to be at all accurate?

No. Idaho Power has only submitted information regarding a need for 25% of the transmission line which includes moving energy out of Oregon to sell on a wholesale basis to out of state customers. They also include an inaccurate statement that the transmission line is needed to move energy from Idaho to Oregon when production of in-state electricity is not meeting Oregon's need. They are now saying they will absorb the costs and use of 50% of the development of the Boardman to Hemingway line with no supporting justification

for this need or cost. They are claiming that they can sell part of their share to some other unknown utility in their Non-Binding agreement. That means three things: 1. No one is stepping forward to commit to this cost and use of the transmission line; 2. That virtually any customer who uses electricity may be paying for this transmission line without knowledge of the impact it will have on their rates and absent any opportunity to object to this line; and 3) Oregon electricity users can be expected to be forced to pay increased costs to compensate for the costs of between 50% and 75% of this transmission line either directly or indirectly with minimal or no benefit from it. The Oregon Public Utility Commission should be considering all Oregon electricity customers as subject to cost increases of an undetermined amount based upon the lack of a realistic budget associated with the construction of the utility line and deny the Certificate of Public Convenience due to the cost and lack of benefits to Oregon citizens.

Question: Has the developer met the requirements of OAR 860-025-0040 for issuance of a site certificate based upon the Energy Facility Siting Council making a determination that the development complies with LCDC statutes and rules?

No. The site certificate was issued prior to the developer completing the Plans required to document eligibility under the rules. Until the plans required to show compliance with LCDC including such items as Fire Protection, Habitat Mitigation,

Weed Management, Agricultural Management Plan, Forest Management Plan have been finalized, there is no documentation that the development meets the LCDC goal requirements. **This concern is heightened due to the fact that according to Attachment K-1, Page 37 of the application for this transmission line, Idaho Power is required to provide a copy of the Agricultural Mitigation Plan to any agricultural landowner or landowner designee prior to obtaining a Right of Way.**

Question: Do you know what the actual impacts will be to Oregon and to your property?

No. Idaho Power has not finalized their planned route so no one can tell where they may be impacted. The developer has already submitted an Amendment to add land to the development in all of the counties being crossed which was not included in the site when the transmission line boundary was approved.

(Amendment 1 to Site Certificate. Exhibit 128). This includes adding access roads and changing the transmission line route. **There is no way to tell what area is actually going to be covered by a Certificate of Public Convenience at this time.**

It is clear that Idaho Power has not provided the information required by ORS 758.015 and OAR 860-025-0035 related to developing this line in Oregon. The purpose of the line is intended to benefit Idaho Power, Idaho Utility users and

unknown other out of state purchasers of energy produced in Oregon. The developer has not provided justification for the need for the transmission line based upon Idaho Power's submissions to the Public Utility Commission which only attempted to justify 25% of the costs and need for the line when in fact, they are now stating they will have ownership of 50%. No other group has filed Integrated Resource Plans documenting a need for 50% or the capacity of the line. The PUC staff have gone on record stating that the proposal, including the transmission line; is basically equal to other plans. Some of those plans do not include the transmission line and would avoid the damages and costs to me, other landowners and utility users in Oregon.

Idaho Power has not provided information regarding the ability of existing transmission lines to carry the energy they indicate they need through hardening of existing lines and establishing the true capacity of the lines based upon FERC requirements that renewable energy developments be required to provide a consistent amount of electricity being placed on transmission lines. This necessitates the use of battery backup and other methods to remove the need to reserve line capacity adequate to accommodate the radical changes in energy being placed on existing transmission lines.

The cost figures being provided by Idaho Power are not believable. The costs of

every item and employee being used to construct this transmission line have experienced significant increases since 2016. Idaho Power claims their costs have not increased. This can only be seen as a manipulation of figures to hide the true cost of this transmission line to make it appear to be a reasonable alternative to not building it. According to the Bureau of Labor Statistics, consumer prices are 1.24 times as high in 2022 as they were in 2016. The inflation rate currently is 7.11% which if it continues, will make the projections even more ridiculous. This developer needs to document what items they considered in their 2016 budget, which of those items continue to be in their budget, or have been removed, what the current costs would be, and project what the costs will be by the time construction actually occurs. What will be shown is that the costs of this transmission line will increase while the costs of locally generated wind and solar energy is decreasing making this project increasingly unjustifiable over even a few years.

I would like to incorporate all my prior comments to Energy Facility Siting Council and the Public Utilities Commission, as well as Kerry Stanley's Noise Study document and testimony.

Due to the need to submit this testimony timely, I am not going to repeat the information that has been submitted by Irene Gilbert in her Comments, Susan

Geer, STOP B2H, Susan Fouty, or others who's comments and exhibits support my concerns as listed above. I am incorporating their comments by reference.

At this time I do not have commitments from expert witnesses therefore, I would like to reserve the right to submit this witness testimony prior to the Evidentiary Hearing.

In order to comply with the procedural schedule, I am testifying to the best of my knowledge at this time. I reserve the right to add additional evidence as I learn more from the data requests or discovery period, up and until the evidentiary record is closed by the ALJ.

I would also request to reserve the right to be represented by an attorney.

I hereby declare that the above statements are true to the best of my knowledge and belief, and I understand that they are made for use as evidence in administrative and court proceedings and are subject to penalty for perjury.

Dated this 17th day of January, 2023.

/s/Greg Larkin

Greg Larkin

CERTIFICATE OF MAILING

On January 17, 2023, I certify that I filed the above Opening Testimony with the Administrative Law Judge via the OPUC Filing Center, for the Docket # PCN-5, and to the following party as noted below.

/s/ Greg Larkin

Greg Larkin

Intervenor, PCN-5

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