

C. Tom Arkoosh, ISB No. 2253
ARKOOSH LAW OFFICES
913 W. River Street, Suite 450
P.O. Box 2900
Boise, ID 83701
Telephone: (208) 343-5105
Facsimile: (208) 343-5456
Email: tom.arkoosh@arkoosh.com
Admin Copy: erin.cecil@arkoosh.com

Attorneys for Cox Communications

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF IDAHO POWER)	
COMPANY’S PETITION FOR)	Case No. IPC-E-21-25
APPROVAL OF A CUSTOMER)	
SURCHARGE AND MODIFIED LINE)	COMMENTS OF COX
ROUTE CONFIGURATION FOR)	COMMUNICATIONS
CONSTRUCTION OF A NEW 138 kV)	
TRANSMISSION LINE IN THE WOOD)	
RIVER VALLEY)	
_____)	

COMES NOW Cox Communications (“Cox”), by and through its counsel of record, C. Tom Arkoosh of Arkoosh Law Offices, and hereby submits the following comments pursuant to the *Notice of Modified Procedure/Order No. 35244*, filed November 30, 2021:

The State of Idaho has granted to Intervenor Cox, and Cox now holds, the franchise authority as a system operator to provide cable service in the Sun Valley, Ketchum, Hailey, and Bellevue, Idaho service areas, as well as parts of unincorporated Blaine County. Cox uses Idaho Power’s existing poles to support high-capacity fiber optic and coaxial cabling that delivers cable television, telephone, Internet connectivity, cellular connectivity, Emergency 911, and other important telecommunications services to Blaine County’s residential, business, and government communities located in the northern portion of Blaine County. Currently, Cox has equipment attached to Idaho Power lines that will be replaced in the proposal pending before the Commission. In this Docket, Cox wishes to obtain the Commission’s assurance that the structure

of Idaho Power's new project provides space and access to attach Cox's equipment that is displaced by Idaho Power's proposal.

One specific portion of the routing concerned the Blaine County Commission in its determination of the conditional use permit granted Idaho Power. Idaho Power's current *Application* in this matter seeks approval of the "Owl Rock Road Route." *Application*, p. 16-17; p. 28, Request for Relief. That route was as approved by the Blaine County Board of County Commissioners as set out in the *Findings of Fact, Conclusion of Law and Decision*, March 15, 2021 ("Final CUP"). *Application*, p. 17. For reference, Idaho Power has attached a copy of the Final CUP to the Adelman Direct Testimony as Exhibit No. 2.

The Final CUP which the *Application* propounds to this Commission requires at page 13, paragraph 18: "Cox Communication shall have access to lease for a single communications wire only on the above ground transmission line, including raising up to 19 poles to match heights and locations described in Exhibit C2."

A copy of Exhibit C2 to the Final CUP for the Owl Rock Road Route which the *Application* seeks approval is attached hereto. As provided in Exhibit C2 to the Final CUP, Cox has access to the new poles, including requiring poles to be heightened from Idaho Power's original design to accommodate Cox's communication wire.

It bears relating that if through some slippage Cox cannot run its equipment on the new project, Cox would incur extra expenses for which Cox would seek reimbursement. This would be a needless and unnecessary expense that hopefully will be avoided.

REQUESTED RELIEF

Although Cox understands from Idaho Power the current design of the proposed project does have room for Cox's attachments, Cox wishes to assure that the Commission specifically

orders the same in its final order in this matter to assuage any future challenge. This is especially so in light of Idaho Power's request pursuant to Idaho Code §67-6528 that the Commission's final order in this matter is in fact the final regulatory determination concerning land use by the proposed transmission line. There appears to be much third-party contention regarding the Idaho Power transmission line and the granted Final CUP that the Commission's final order will put to rest.

DATED this 20th day of December 2021.

ARKOOSH LAW OFFICES



C. Tom Arkoosh
Attorney for Cox Communications

CERTIFICATE OF MAILING

I HEREBY CERTIFY that on the 20th day of December 2021, I served a true and correct copy of the foregoing document(s) upon the following person(s), in the manner indicated:

Commission Secretary Idaho Public Utilities Commission 472 W. Washington Boise, ID 83702	<input type="checkbox"/>	U.S. Mail, Postage Prepaid
	<input type="checkbox"/>	Overnight Courier
	<input type="checkbox"/>	Hand Delivered
	<input type="checkbox"/>	Via Facsimile
	<input checked="" type="checkbox"/>	E-mail: secretary@puc.idaho.gov

Commission Staff: John Hammond, Jr. Deputy Attorney General Idaho Public Utilities Commission 11331 W. Chinden Blvd., Bldg. No. 8, Suite 201-A (83714) PO Box 83720 Boise, ID 83720-0074	<input type="checkbox"/>	U.S. Mail, Postage Prepaid
	<input type="checkbox"/>	Overnight Courier
	<input type="checkbox"/>	Hand Delivered
	<input type="checkbox"/>	Via Facsimile
	<input checked="" type="checkbox"/>	E-mail: john.hammond@puc.idaho.gov

Idaho Power Company: Donovan E. Walker Idaho Power Company PO Box 70 Boise, ID 83707	<input type="checkbox"/>	U.S. Mail, Postage Prepaid
	<input type="checkbox"/>	Overnight Courier
	<input type="checkbox"/>	Hand Delivered
	<input type="checkbox"/>	Via Facsimile
	<input checked="" type="checkbox"/>	E-mail: dwalker@idahopower.com dockets@idahopower.com

Timothy E. Tatum Idaho Power Company PO Box 70 Boise, ID 83707	<input type="checkbox"/>	U.S. Mail, Postage Prepaid
	<input type="checkbox"/>	Overnight Courier
	<input type="checkbox"/>	Hand Delivered
	<input type="checkbox"/>	Via Facsimile
	<input checked="" type="checkbox"/>	E-mail: ttatum@idahopower.com

Blaine County Board of County Commissioners: Ronald L. Williams Williams Bradbury, P.C. P.O. Box 388 Boise, ID 83701	<input type="checkbox"/>	U.S. Mail, Postage Prepaid
	<input type="checkbox"/>	Overnight Courier
	<input type="checkbox"/>	Hand Delivered
	<input type="checkbox"/>	Via Facsimile
	<input checked="" type="checkbox"/>	E-mail: ron@williamsbradbury.com

Timothy K. Graves
Chief Deputy Prosecuting Attorney
219 First Avenue South, Suite 201
Hailey, ID 83333

U.S. Mail, Postage Prepaid
 Overnight Courier
 Hand Delivered
 Via Facsimile
 E-mail:
tgraves@co.blaine.id.us

Bradley Mullins
MW Analytics, Energy & Utilities
Electronic Copies Only

U.S. Mail, Postage Prepaid
 Overnight Courier
 Hand Delivered
 Via Facsimile
 E-mail:
brmullins@mwanalytics.com

Kiki Leslie A. Tidwell:

Kiki Leslie A. Tedwell
704 N. River Street, #1
Hailey, ID 83333

U.S. Mail, Postage Prepaid
 Overnight Courier
 Hand Delivered
 Via Facsimile
 E-mail:
ktinsv@cox.net



C. Tom Arkoosh

ATTACHMENT 1

Tina Lewis

From: Allison Marks
Sent: Tuesday, January 5, 2021 4:25 PM
To: Tina Lewis
Subject: FW: Cox above ground web posting request
Attachments: Communication cable summary.pdf

Tina0 Please post as **C-2 Communications cable summary received 1.5.2021**

From: Barber, Tom <TBarber@idahopower.com>
Sent: Tuesday, January 5, 2021 4:02 PM
To: Tom Bergin <tbergin@co.blaine.id.us>; Allison Marks <amarks@co.blaine.id.us>
Subject: RE: Cox above ground web posting request

From: Barber, Tom
Sent: Tuesday, January 5, 2021 3:41 PM
To: 'Tom Bergin' <tbergin@co.blaine.id.us>; Allison Marks <amarks@co.blaine.id.us>
Subject: RE: Cox above ground web posting request

Allison, I asked HDR do perform a study to determine if any pole heights would have to increase with Cox Cable attached. I have attached the study summary page, as well as the Plan and Profile drawings that show which poles had to increase in height.

Basically, 19 poles had to be increased in height to accommodate a communication cable.

Thanks.

Tom Barber, P.E.

Idaho Power | Project Management
1221 W. Idaho St, Boise, ID 83702
ph 208-388-5667
cell 208-869-5997

From: Tom Bergin <tbergin@co.blaine.id.us>
Sent: Tuesday, January 5, 2021 12:14 PM
To: Allison Marks <amarks@co.blaine.id.us>; Barber, Tom <TBarber@idahopower.com>
Cc: Cherp, Guy (CCI-Central Region) <Guy.Cherp@cox.com>
Subject: [EXTERNAL]RE: Cox above ground web posting request

KEEP IDAHO POWER SECURE! External emails may request information or contain malicious links or attachments. Verify the sender before proceeding, and check for additional warning messages below.

To All,

If it is of any assistance, the materials that the county has that are available to all including the public can be found at:

https://www.co.blaine.id.us/707/7087/Idaho-Power-138kV-Transmission-Line-Mate?activeLiveTab=widgets#liveEditTab_versionsList

Once we receive a design that includes a communications underline, we will post that as well. Tom

From: Allison Marks

Sent: Tuesday, January 5, 2021 11:30 AM

To: Barber, Tom <TBarber@idahopower.com>

Cc: Tom Bergin <tbergin@co.blaine.id.us>; Cherp, Guy (CCI-Central Region) <Guy.Cherp@cox.com>

Subject: Cox above ground web posting request

Tom and Guy,

I do not see any structural drawings submitted with this CUP Modification of the transmission line, without the distribution, that includes the communication line. I think it would be best if Guy works directly with Idaho Power to get information he needs regarding structural specifics above and below underground.

What we do have is a drawing of existing conditions in regards to the current distribution line.

Allison

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Wood River to Ketchum Design Report

HDR Engineering

Design Engineer: Daniel Wiggs

This report regards the section of transmission line from the Wood River Sub to Hospital Drive, between Hailey and Ketchum, Idaho. Communication wire has been strung from structure ten (10) to structure one-hundred-sixty-five (165). This section, between these two ending structures, parallels Buttercup Rd and Highway 75.

It was requested that communication wire be strung from structure 10 to structure 165. To complete this task, two main design alterations were of necessity. The communication wire was placed at the minimum distance of 5'- 9" below the 138kV phasing, on each pole. The minimum communication to ground clearance of 15' 6" was applied. Accordingly, the minimum communication to ground clearance over a roadway, 18'-0", was also utilized within this design. Despite these design alterations, there were sections of line that did not meet this minimum 15.5' or 18' NESC clearance. The associated structures that are required to be heightened for the addition of communication wire are listed in the table below.

STRUCTURE #	WITHOUT COMM AGH	WITH COMM AGH
21	50'	60'
22	45'	60'
26	34'	38.5'
27	34'	38.5'
44	38.5'	43'
47	38.5'	43'
63	38.5'	43'
64	34'	38.5'
67	34'	38.5'
69	34'	38.5'
71	38.5'	43'
72	34'	38.5'
77	34'	38.5'
81	34'	38.5'
84	34'	38.5'
98	45'	50'
99	38.5'	43'
115	34'	38.5'
162	38.5'	43'

To achieve the addition of the communication wire to this transmission line, the above structures would need to be increased to their "With Comm AGH," in order to meet NESC minimum clearance requirements.