

RECEIVED
2021 AUG 18 PM 12:58
IDAHO PUBLIC
UTILITIES COMMISSION

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF IDAHO POWER
COMPANY'S PETITION FOR APPROVAL
OF A CUSTOMER SURCHARGE AND
MODIFIED LINE ROUTE
CONFIGURATION FOR CONSTRUCTION
OF A NEW 138 KV TRANSMISSION LINE
IN THE WOOD RIVER VALLEY

Case No. IPC-E-21-25

PETITION TO INTERVENE

Leslie A. Tidwell hereby files this formal petition to intervene in the above-referenced matter pursuant to Rules of Procedure 71 through 75 of the Idaho Public Utilities Commission, ID APA 31.01.01.071-.075. The basis of this notice of appeal follows:

1. The name and address of this Intervenor is:

Kiki Leslie A. Tidwell
704 N. River St. #1
Hailey, ID 83333
(208)578-7769
ktinsv@cox.net

2. Tidwell is a ratepayer in Idaho and a Blaine County resident. Idaho Power has requested an order for surcharges and tariffs that will regressively impact Tidwell as a small Idaho Power ratepayer. Idaho Power has failed to mention several facts in its application to the Idaho PUC and Tidwell needs to be able to participate in this matter at the PUC to bring this

information to light. For instance, approximately \$14 million of the project's cost is to underground transmission lines in Ketchum, Idaho, primarily, according to the PUC's own staff testimony in case IPC-E-16-28, for aesthetic reasons. Ratepayers in Idaho have never borne the burden of undergrounding transmission lines for any city's residents' benefit, the most recent example being Eagle, Idaho.

3. This project was not started as a redundant transmission line; it was a project to repair the original line. Repairing the original line actually is not part of this project today and is not included in the project costs. For 10 years prior to July 2015, a second permanent redundant line was never needed in Idaho Power's planning proposals. For 10 years in Idaho Power's plan, it was Ketchum's cost to bury any power lines in the city. It was around July 2015 that Idaho Power then actually put the Ketchum total undergrounding costs into the base project cost for all ratepayers to pay, to further eliminate any resistance to this project from the City of Ketchum. This is detailed in CAC member Rick LeFaivre's July 14, 2015 email to Tidwell which detailed that 'Idaho Power told the CAC that, for \$2 million more, the temporary line proposed to accomplish repairing the original line, could become permanent; in "a brilliant financial engineering move" that uses the \$2 million tearing down of the temporary line to offset the \$14 million + costs of undergrounding in Ketchum, you get a redundant line.' Ratepayers would be better off paying \$2 million of a temporary line and repairing the original line than paying for \$14 million of undergrounding in Ketchum.

4. In addition to the base project cost borne by Idaho ratepayers, Idaho Power has proposed a tariff on Blaine County residents' power bills for undergrounding 1.4 miles of transmission line at the hospital area's Owl Rock Road to East Fork, project cost \$4,100,000 and undergrounding distribution lines from South Hospital Drive to W. Meadow drive for

\$5,700,000. As a resident of Hailey, neither of these projects benefits Tidwell in terms of backup power redundancy nor essential electrical service. In a letter from IPCo's attorney, Donovan Walker, to Blaine County attorney, Ron Williams, he details that this tariff is non-essential to electrical service, "This 3 percent threshold is consistent with the current 3 percent cap on franchise fee collection by city. If implemented, many city residents within Blaine County (Bellevue, Hailey, Ketchum, and Sun Valley) would pay a total of 6 percent of their Idaho Power bills toward costs not required for the provision of safe, reliable electric service."

5. Idaho Power has not detailed in their application the overall financial details of their proposals. Idaho Power's Pat Harrington has previously shared in the document, *Enhanced WRV Funding Proposal 01-05-2021* that IPCo's interest rate is 9.59%. At this interest rate, Blaine County residents pay \$22,381,200 in total tariff payments over 20 years, which includes \$12,581,197 in interest payments to Idaho Power, plus another annual \$35,000 administration fee totaling up to \$700,000 over 20 years, total IPCo portion of this tariff is \$13,281,197 on top of a \$9,800,000 project. The flat tariff charges that Idaho references in their application is a regressive charge to small homeowners or tenants; it is the same amount monthly for a \$3 Million home or \$25,000 trailer home, so it puts a larger percentage financial burden on the smaller ratepayer/homeowner than the more affluent one. For a power company which makes a \$230 million net income each year and which has paid its CEO up to \$4.7 million per year, this tariff to the smallest ratepayers who can least afford it is egregious.

6. Idaho Power fails to mention in their application that there is a petition for judicial review action with Blaine County, CV07-21-00169 which challenges the Blaine County Commissioners' ability to amend a settled conditional use; it "a. is in violation of constitutional, statutory provisions, ordinances, or administrative rules of Blaine County; b. is in excess of the

statutory authority or authority of the administrators under the ordinances of Blaine County; c. was made upon unlawful procedures; and d. was arbitrary, capricious, and/or an abuse of the agency discretion.”. Tidwell is a party to this action. An excerpt from this case, “Decision being appealed: On March 15, 2021, the Blaine County Board of County Commissioners ("Board") issued 'Findings of Fact & Decision' (" Decision') approving Idaho Power Company's (IPCo") Application to Modify a Conditional Use Permit issued to IPCo under a Decision of the Blaine County Board of County Commissioners dated June 4, 2019 (" Original Decision'). The heading of the Decision is as follows: REGARDING AN APPLICATION OF: Idaho Power Company for a Conditional Use Permit (CUP) to place a 138-kv redundant transmission line from the Wood River Substation just north of Hailey to the Ketchum Substation on Sun Valley Rd., within the City of Sun Valley. The Original Decision granted a CUP to IPCo under the sole condition that IPCo underground the entire line from the "Wood River Substation to the traffic light at the intersection of Elkhorn Road and Highway 75." 5. The Original Decision found that "an overhead transmission line bisecting the Wood River Valley from Hailey to Ketchum remains significant. This disturbance will severely impact residential areas, the Scenic Highway Overlay District, the bike path, public facilities, and the travelling public along the Sawtooth Scenic By-Way along Highway 75." Original Decision, p. 6. Petitioners are all property owners within the impacted area described in the Original Decision. As such, Petitioners are affected and aggrieved persons as defined in Idaho Code Section 67-6521 and Petitioners' substantial rights have been prejudiced by the Decision allowing IPCo to build the transmission lines overhead, as set forth in the Decision.” The Blaine County Commissioners, in their June 4, 2019 Decision on Appeal stated, ““Nevertheless, the (PUC) Commission’s review, and likewise the (Blaine County Commissioners) Board’s review on appeal, is limited to considering the facts presented against

the applicable standards of evaluation. Within the constraints of this review, a menu-based approach involving multiple funding-based scenarios as flexible conditions of approval are unlikely to withstand legal scrutiny. Funding issues, preemption, and the need for a redundant transmission line are simply not zoning considerations.” In a footnote on the same page: “1. IPC has argued that the issuance of the CPCN is evidence of an intent to preempt the County’s zoning laws pursuant to Idaho Code Section 67-6528. The Board disagrees for several reasons. First, the CPCN lacks any language declaring an intent to preempt the County’s zoning, and includes language that encourages cooperation between the County and IPC. Second no conflict exists between the Commission’s decision and the CPCN, as the Commission conditionally approved IPC’s application.”

7. This project is not cost effective for the ratepayers of Idaho. In the direct testimony of PUC’s Michael Morrison, May 5 2017 in case IPC-E-16-28, he stated that “Full redundancy comes at a high cost because it requires the Company to fully duplicate the existing transmission line... it would only have provided a very small benefit for its \$30 million cost.” In the largest power outage of Blaine County Christmas eve 2009, no power reached the Hailey Wood River substation, so no power could be transmitted north, no matter how many transmission lines there are. Idaho Power is incorrect in stating that a transmission line is a source of power; it is only conduit for power transmission and does not produce power in and of itself.


8. Idaho Power did not do an adequate exploration of non-wires alternatives, the price of which has declined exponentially in the last ten years, and which are being installed in lieu of transmission in many states and countries today. Microgrids, batteries, backup diesel generators, and other distributed generation close to loads provide larger resilience to communities than overhead wires vulnerable to fire or ice storms. IPCo’s plan has the second proposed

transmission line located within yards of the first on Buttercup Road; if a fire or ice storm impacts the original line, there is the strong probability that it will impact the second line as well. Tidwell can provide current costs of other non-wires projects.

9. Tidwell was an Intervenor in IPC-E-16-28. In documents provided to Tidwell as an Intervenor, Idaho Power provided internal meeting minutes which detailed how IPCo carefully selected CAC members to ensure “the committee’s support of our desired outcomes.” As well Idaho Power gave the CAC only selected materials and guided the CAC to only proposals that were in boundaries that IPCo had determined, “the committee will know right off the bat if we weren’t willing to accept their proposals.” As a ratepayer paying for this project, Tidwell can provide documents which show Idaho Power, as a for-profit corporation, benefits financially from this project at the expense of Idaho ratepayers.

Kiki Leslie A. Tidwell respectfully requests that the Commission grant her petition to intervene with full party status in this proceeding and to appear and participate in all matters as may be necessary and appropriate; and to present evidence, call and examine witnesses, present argument, and full participate in the proceedings.

DATED this 18th day of August, 2021.



Leslie A. Tidwell
Pro Se

CERTIFICATE OF SERVICE

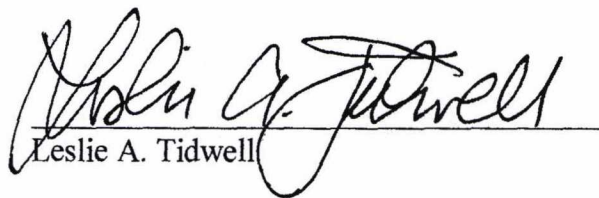
I hereby certify that on this 18th day of August, 2021, I caused to be served a true and correct copy of the foregoing by the method indicated below, and addressed to the following:

Blaine County
Ronald L. Williams
Williams Bradbury, P.C.

U.S. Mail
 Overnight Mail
 Hand Delivery
 Fax
 Email
ron@williamsbradbury.com

U.S. Mail
 Overnight Mail
 Hand Delivery
 Fax
 Email

U.S. Mail
 Overnight Mail
 Hand Delivery
 Fax
 Email



Leslie A. Tidwell