

JAN 14 2022

Boise, Idaho

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

**COMMENTS #2 ON CASE**

Kiki Leslie A. Tidwell, Intervenor, hereby files comments on Case IPC-E-21-25 pursuant to Rules of Procedure 71 through 75 of the Idaho Public Utilities Commission, ID APA 31.01.01.071-.075 as 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](mailto:ktinsv@cox.net)

2. Idaho Power gives the Idaho Public Utilities Commission the net present value number of \$9.8 million as the cost of undergrounding the distribution line between the hospital and the Wood River Substation. However, the Company fails to mention that Blaine County ratepayers will be paying \$13,281,197 in interest and fees on top of the \$9.8 million on their power bills for the next 20 years. This adds up to \$22,381,200 in interest and principal plus

**COMMENTS #2 ON CASE IPC-E-21-25- 1**

\$700,000 in fees, so \$23,081,200 million total. For \$23 million, Blaine County ratepayers could actually purchase backup generators or distributed generation/batteries at most all of the substations in the County and have true resiliency improvements for all citizens rather than a slightly lower transmission line height without the distribution line. \$23,081,200 is a lot to pay for non-essential cosmetics. Carey, Bellevue, and Hailey residents don't receive any increased resiliency to their homes; this \$23 million does not include backup generators or batteries at their substations.

3. This plan between the County and Idaho Power is very financially lucrative for Idaho Power, with \$13,281,197 being paid to them in interest and fees. **I believe that this deal was created in non-public meetings between Blaine County and Idaho Power.** In his June 4, 2020 letter to Donovan Walker, Lead Counsel Idaho Power Company, Blaine County's attorney Ron Williams specifically noted that Blaine County met with Idaho Power without the public present. "During the recent conference call involving representatives of Blaine County (BC), Idaho Power Company (IPC) and Idaho PUC Staff (Staff), BC discussed several initial proposals or ideas regarding undergrounding IPC's transmission facilities from the Wood River Substation just north of Hailey to Elkhorn Road, just south of Ketchum (Transmission Line.)" Since several specific proposals with financial ramifications were discussed, the public should have been noticed about this meeting and allowed to participate. The Idaho PUC participated in this meeting and Terri Carlock was cc'ed on Williams' letter.

4. Therefore, the Idaho PUC have prejudiced themselves in this matter. Commissioner Greenberg also had non-public meetings with the Idaho PUC; Commissioner Greenberg responded to my public comment at a Commissioners' meeting with the statement that he had had a conversation with an Idaho PUC representative regarding a potential ruling outcome. He

reported to the public that the Idaho PUC has “already heard and rejected the argument about backup power.” (Special Meeting of the September 2020 Session Idaho Power Evening Worksession September 10, 2020).

5. At the Blaine County Commissioners regular meeting, The Blaine County Commissioners also met in executive session August 11, 2020 under IC section 74-206 (1) (f) , agenda’ed as an Action Item on pending or imminent litigation – Idaho Power transmission line. On August 7, 2020, I submitted a Public Records Request and requested, “Who is the pending litigation from and what is the issue that would be litigated?”. I checked with any groups which could possibly be threatening or undertaking litigation with Blaine County on the transmission line, including Idaho Power. None were. This was only a subterfuge for the Blaine County Commissioners to agree on cutting the deal with Idaho Power on the transmission line. During the timeframe in which Blaine County debated about the transmission line action Blaine County Commissioner Dick Fosbury was hosted for a tour and a dinner by his college co-alumnus, Idaho Power CEO Darrel T. Anderson.

6. Idaho Power dismissed the options of distributed generation/batteries as being too expensive back fifteen years ago. A March 2021 MIT report <sup>1</sup> has detailed that lithium battery costs have dropped 97% from 1991 to 2020 and that future steep price declines are anticipated. It is widely anticipated that the average price per kilowatt-hour for batteries is expected to hit \$101 in 2023,. Solar generation costs have declined significantly as well. “A significant portion of the cost declines over the past decade can be attributed to an 85% cost decline in module price. A decade ago, the module alone cost around \$2.50 per watt, and now an entire utility-scale PV system costs around \$1 per watt,” said NREL Senior Financial Analyst David Feldman.

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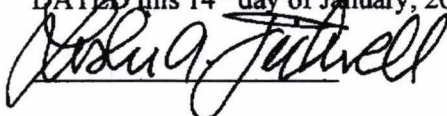
<sup>1</sup> [Study reveals plunge in lithium-ion battery costs | MIT News | Massachusetts Institute of Technology](#)



“With similar reductions in hardware costs for storage systems, PV and storage have become vastly more affordable energy resources across the nation.”<sup>2</sup> Although Idaho Power has contracted with Jackpot Solar at a \$.02175 per kWh PPA rate for a 2023 start date, it has not built any of its own renewable generation facilities, nor installed batteries yet on its system.

7. Idaho Power, in its comments submitted on this case, implies that the Idaho Public Utilities Commission already has approved all aspects of this transmission line. However, in Case IPC-E-16-28, the Idaho PUC specifically retained the ability to separately rule on the approval of any cost of this line, “In summary, having considered the record before us, we issue this Order granting Idaho Power the requested CPCN for a second 138 kV transmission line as requested in the ORDERNO, 33872 15 Company’s Application. This Order does not constitute approval of any cost of the line for ratemaking purposes. The Company will be required to apply to the Commission for inclusion of the costs of the line in its rates at a later date.”<sup>3</sup> However, I believe that the Idaho PUC should now recuse themselves from the ratemaking decision on this case due to their prejudgment of the outcome as relayed to Commissioner Greenberg in September of 2020. The ratepayers of Blaine County who will be saddled with \$23 million on their utility bills for the next twenty years deserve better than a deal that was hatched in non-public meetings.

DATED this 14<sup>th</sup> day of January, 2022.



Leslie A. Tidwell  
Pro Se

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<sup>2</sup> [Documenting a Decade of Cost Declines for PV Systems | News | NREL](#)

<sup>3</sup> [Idaho PUC Case IPC-E-16-28, Order 33872, pg 16](#)



**CERTIFICATE OF SERVICE**

CERTIFICATE OF SERVICE I HEREBY CERTIFY that on the 14<sup>th</sup> of January 2022 I served a true and correct copy 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 upon the following named parties by the method indicated below, and addressed to the following:

Donovan E. Walker, Idaho Power Company  
P.O. Box 70 Boise, Idaho 83707-0070

U.S. Mail  
 Overnight Mail  
 Hand Delivery  
 Fax  
 Email [dwalker@idahopower.com](mailto:dwalker@idahopower.com), [dockets@idahopower.com](mailto:dockets@idahopower.com)

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Blaine County Board of Commissioners

Ronald L. Williams, Williams Bradbury, P.C.  
PO Box 388

**COMMENTS #2 ON CASE IPC-E-21-25- 5**

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**Cox Communications**

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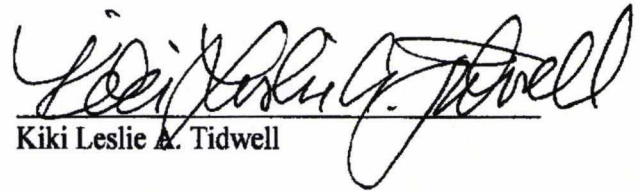
**Mark DiNunzio**

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**COMMENTS #2 ON CASE IPC-E-21-25-6**

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Kiki Leslie A. Tidwell

COMMENTS #2 ON CASE IPC-E-21-25- 7

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Case No. IPC-E-21-25

**EVIDENCE SUBMITTED FOR  
CASE**

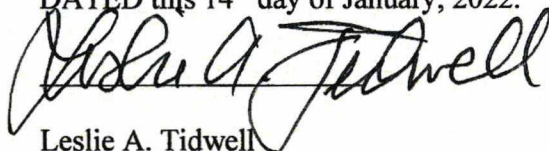
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Evidence submitted for this Case.

DATED this 14<sup>th</sup> day of January, 2022.



Leslie A. Tidwell  
Pro Se

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Blaine County Board of Commissioners

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Kiki Leslie A. Tidwell

**From:** Ron Williams  
**Sent:** Thursday, June 4, 2020 10:16 AM  
**To:** Walker, Donovan; Carlock, Terri  
**Cc:** Allison Marks; 'Bradley G. Mullins (brmullins@mwanalytics.com)'; Ron Williams  
**Subject:** Blaine County

June 4, 2020

Donovan Walker  
Lead Counsel  
Idaho Power Company

Donovan,

During the recent conference call involving representatives of Blaine County (BC), Idaho Power Company (IPC) and Idaho PUC Staff (Staff), BC discussed several initial proposals or ideas regarding undergrounding IPC's transmission facilities from the Wood River Substation just north of Hailey to Elkhorn Road, just south of Ketchum (Transmission Line).

As of August 15, 2019, IPC estimated the total cost for an underground transmission project to be \$67,991,516. Of that amount, IPC estimated the incremental cost of undergrounding to be \$32,889,228 ("Cost Differential"). In previous correspondence with BC and Staff, IPC has requested BC pay a Contribution in Aid of Construction ("CIAC") of \$38,151,504 to finance the Cost Differential, including \$5,262,276 in tax gross-up. IPC was willing to allow BC to pay the CIAC over time, with interest charged to BC at IPCs pre-tax Rate of Return.

Since BC would not own the transmission line, BC cannot issue secured bonds to cover the proposed \$38,151,504 CIAC payment. Further, BC has investigated revenue financing through the development of a Local Improvement District (LID) and has found that such an option is also not feasible. A potential LID would only include the properties of unincorporated lands, and by statute, must exclude all properties 5 acres or greater. Accordingly, the LID financing alternative would be too burdensome on too few properties, whose owners receive no greater benefit from the underground Transmission Line than any other property excluded from the restrictive LID definition.

Idaho PUC Order No. 33872 directed parties to "continue to work together" to resolve underground Transmission Line funding issues and disputes, "as there may still be opportunities to find areas of common interest and common ground." In our May 28, 2019 meeting, we discussed the following straw proposals, which reduce the 100% underground Cost Differential assigned to BC customers, reduce the interest carrying charge and spread the base of payors beyond the few property owners of an LID. These proposals were made by BC to IPC in an attempt to find that common ground.

1. *Tariff Rider Surcharge:* The Cost Differential will be recovered on a uniform cents-per-kWh basis to Blaine County customers through an IPC tariff rider. The final Cost Differential amounts included in the tariff rider will be reviewed in a subsequent IPC general rate case, when the Transmission Line costs are known and approved in base rates. The tariff rider will be applied to all electric service customers taking service within Blaine County, or to a specific geographic subset of BC as determined by the BC Commission. The Cost Differential will become a regulatory asset of IPC and the amortization period of



the tariff surcharge will be negotiated and agreed to by BC, IPC and Staff. Interest on the regulatory asset will be at IPC's incremental cost of debt, estimated at 3.7%. IPC would have available to it 100% debt financing of the \$68 million line through the Idaho Energy Resources Authority (IERA) at an interest rate expected to be at or close to IPC's cost of debt estimate. Alternatively, the parties would investigate if it could debt finance through the IERA on a tax exempt interest basis, because of the involvement of BC in the financing. Use of a tariff surcharge would avoid the \$5 million tax gross-up charged to BC through CIAC financing.

2. *OATT Revenue Credit:* When calculating its formula Open Access Transmission Tariff ("OATT") rates, IPC will classify the entirety of the Transmission Line costs, including the Cost Differential amounts, as a network resource, not just the portion of the investment represented by the overhead line option. Therefore, the Cost Differential assigned to BC customers will also include a credit for the incremental OATT wheeling revenues attributable to the Cost Differential amount and included in OATT formula rates. The revenue credit will equal the percentage of the IPC transmission network used by wholesale customers multiplied by the annual OATT revenue requirement attributable to the Cost Differential.

While some may initially view the use of this particular transmission segment as not currently being used as heavily as other portions of IPC's transmission system for wholesale transactions -- therefore justifying 100% situs assignment to BC -- the same could be said for other elements of IPC's cost of service and the assignment of other 'uniform' costs to IPC customers in the Wood River Valley. For example, as pointed out by IPC's answer to BC's Data Request No. 5, BC's winter peak is more than twice its summer peak, yet IPC's system peaks in the summer and much of IPC's costs are allocated or weighted based on that summer peak. In that regard, BC customers of IPC are already significantly subsidizing other IPC customers and customer classes with respect to the system cost of energy and capacity. The point is that once we go down the road of assigning some costs on a system basis and other costs on a situs basis, how far down that road do we go?

3. *Wildfire Mitigation Credit:* The parties would investigate the potential wildfire cost savings that would result in the Transmission Line being placed underground, taking into account wildfire cost savings to IPC, BC, BC residents, BC businesses and other local, state and federal agencies and landowners in BC. The expected wildfire cost savings agreed to by the parties will be present valued and credited against the Cost Differential revenue requirement assigned to BC customers.

4. *Ratebase/Ratemaking Adjustments:* In the future rate case when the Transmission Line is approved to be included in base rates, BC and Staff will review the actual Cost Differential amount, including the methodology used to calculate the Cost Differential. This will include, among other things, a review of the final incremental rate base balances associated with undergrounding, appropriate reserve balances for accumulated depreciation, and the rate base impacts of deferred income taxes.

We appreciate the opportunity to provide this straw proposal and look forward to future discussions with IPC and Staff on this matter. The Blain County Commission has found that helping preserve the scenic Wood River Valley, through the undergrounding of the Transmission Line, is necessary to maintain the economy, well-being, and safety of its BC residents. We are hopeful to reach a common ground that will allow BC to maintain these objectives.

*Ron Williams*



**Williams Bradbury, P.C.**

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Mobile: 208.890.4620	Boise, ID 83712

cc: Terri Carlock, IPUC Staff

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1 OFFICE OF THE BOARD OF COUNTY COMMISSIONERS  
2 OF BLAINE COUNTY  
3 SPECIAL MEETING OF THE SEPTEMBER 2020 SESSION  
4 IDAHO POWER EVENING WORKSESSION

5  
6 **Fourth Day**

**Thursday, September 10, 2020**

7 Pursuant to Statutory Provisions, the Board of Blaine County Commissioners (BCC) met this day at  
8 6:00 p.m. Present were Chairman Jacob Greenberg, Vice-Chair Angenie McCleary, and Commissioner  
9 Dick Fosbury; Blaine County Chief Deputy Prosecuting Attorney Tim Graves; County Legal Consultant  
10 Ron Williams; County Administrator Derek Voss; County Administrative Services Manager Mandy  
11 Pomeroy; Administrative Services Support Specialist Kay Draper; Land Use and Building Services  
12 Director Tom Bergin and Land Use Planner Allison Marks; Recording Secretary Sunny Grant; Edison  
13 Electric Institute State Energy & Regulatory Policy Director Alison Williams; Idaho Power Vice President  
14 Regulatory Affairs Tim Tatum; IP Local Area (Blaine County) Energy Advisor Amber Larna; IP Counsel  
15 Pat Harrington; IP Attorney Donovan Walker; IP Project Manager Tom Barber; Idaho Conservation  
16 League Conservation Associate Ben Otto; Bruce McMahon; Valley Club Owners Association President  
17 Steve Miner, and VCOA attorney Fritz Haemmerle; Ginna Lagergren; Greg Adams, attorney  
18 representing Rolling Rock Properties; Cox Communications Market Representative Guy Cherp; Jane H.  
19 Mason; Jim Burdick; Jim Speck; John Dondero; John Milner; Jon Gilmour; Michelle Pabarcus; Jon  
20 Walker; Julie Cord; Kim Seely; Kris Dondero; Larry Isham; Laura Midgley; Lawrence Schoen; Linda and  
21 Bill Potter; Lisa Mayer; Marcia Hart; Mary Fauth; Matt Youdall; Ryan Eckert; Shirleen Coleman;  
22 Stephen Romano; Sven Berg; Wendolyn Holland; Pat Murphy; Kiki Tidwell; Beth Chiodo; Bruce Norvell;  
23 Cynthia Woolley; Dina Blackburn; and Eric Potter.

24  
25 Due to the continuing COVID-19 pandemic, most participants in this meeting were by webconference or  
26 teleconference.

27  
28 Chairman Greenberg called the meeting to order at 6:00 p.m.

29  
30 Chairman Greenberg said the focus of this evening's meeting is if the public is willing to pay for  
31 undergrounding the proposed power lines, and what exactly they're willing to pay for— undergrounding  
32 transmission lines, undergrounding the distribution lines and a section of the transmission lines, and/or  
33 undergrounding distribution lines and allowing certain Local Improvement Districts to pay to  
34 underground power lines in front of their subdivisions. He said some people may be willing to pay to  
35 underground the lines if that's the only alternative, but want to look at other alternatives. Greenberg  
36 said the majority of public comments and petitions that he had seen favored paying for undergrounding  
37 the lines or some other funding option.

38  
39 Greenberg showed photos of the power poles with the redundant lines on one pole, which would be an  
40 increase from the current four lines to seven to 10 lines on poles that will be eight to 15 feet taller than  
41 the current poles. There will be more poles to carry the added lines. The current proposal is 11 miles of  
42 redundant overhead transmission lines. There would be large structures at locations where the power  
43 lines go underground or come up aboveground. The County could underground just distribution lines at  
44 a lesser cost of about \$5.7 million.

45  
46 Greenberg related the history of Idaho Power's proposed redundant lines since 1962. More recently,  
47 the Public Utilities Commission overruled its own staff who said the redundant line wasn't necessary,  
48 and gave Idaho Power a Certificate of Public Convenience and Necessity—preliminary approval to  
49 install the lines, with a mandate to negotiate with local officials to put the lines in the Scenic Corridor. In  
50 May, 2019, Blaine County approved a Conditional Use Permit for the redundant lines, with the condition  
51 that the lines be placed underground. But the PUC has primacy over local Land Use decisions. The  
52 PUC decision can be appealed to the Supreme Court, and Idaho Power would have to get final  
53 approval from the PUC; and, after Idaho Power knows all the costs, they have to get rate approval from



1 the PUC.

2  
3 Citizens are concerned about the scenic impact in a tourist-based economy, fire hazards, and  
4 electromagnetic fields. Idaho Transportation Department designates scenic corridors, but has no  
5 authority over utilities.

6  
7 The PUC determined that the redundant lines were, in their view, necessary, and appropriate in that  
8 location, above ground. But Blaine County Planning and Zoning and the County Commissioners  
9 determined that the line had to be underground to meet county zoning, which made paying for the  
10 undergrounding Blaine County's responsibility. Graves said if the Blaine County community can't pay  
11 for undergrounding the power line, Idaho Power has the right to ask the PUC to nullify the County's  
12 decision.

13  
14 County consulting attorney Ron Williams said Blaine County attorneys had been in discussion with the  
15 PUC and Idaho Power, and confirmed what Graves said. Williams said any decision can be directly  
16 appealed to the Idaho Supreme Court. He was uncertain if there was case law.

17  
18 Greenberg said Idaho Power's cost estimate to underground transmission lines was \$38 million, or \$21  
19 million if the \$10 million contingency isn't necessary, without any interest. A levy would require all  
20 Blaine County taxpayers in all jurisdictions to pay \$56 per \$100,000 assessed value per year for ten  
21 years. A 30-year levy would be \$36 per \$100,000 assessed value per year for 30 years.

22  
23 Graves said Idaho Law allows County Commissioners to establish a Local Improvement District (LID)  
24 for certain areas or subdivisions for undergrounding utility lines. It doesn't require an election, but it  
25 excludes agricultural parcels larger than five acres, and excludes cities, even though cities would  
26 benefit most from underground transmission lines. The Farm Bureau initially agreed to change Statute  
27 to include language parcels in excess of five acres, except for active agriculture, but an Idaho legislator  
28 defeated it before a floor vote. Subdivisions could offer to support a voluntary LID.

29  
30 Bonding is most likely not available, since the County does not own the power lines infrastructure.

31  
32 Idaho Power can fund the project through a 10-year levy (\$38 million) or 30-year levy (\$59 million) at  
33 9.59% annual interest. The County tried to negotiate this interest rate, but PUC authorized this rate of  
34 return.

35  
36 Another option is for Idaho Power to apply a 3% (\$3.77 residential or \$8.43 commercial) monthly  
37 surcharge to Blaine County residents' electric bills for 20 years, which would provide \$9.1 million to  
38 fund undergrounding distribution lines, plus 1.1 mile of transmission lines north of the hospital. This  
39 would keep power poles the same height they are now.

40  
41 Idaho Power V.P. Regulatory Affairs Tim Tatum and Transmission and Distribution Senior Manager  
42 Eric Hackett presented a short PowerPoint of the redundant power lines and surcharge details.

43  
44 Chairman Greenberg said everyone wants the power lines underground, so the public comment should  
45 focus on if and how the community is willing to pay for it.

46  
47 **Public Comment:**

- 48 • Linda Potter and Bill Potter, 95 Greenhorn Road, asked the BCC to preserve our unique  
49 environment and provide safe and secure power delivery. She felt everyone would be willing to pay  
50 some part for undergrounding. She added that if one line goes down, the redundant will as well.  
51 • Michelle Pabarcus said redundant lines is not the solution to community health and safety.  
52 • Valley Club Owners Association president Steve Miner said the HOA had elected to hire attorney  
53 Fritz Haemmerle as their spokesman.



1 Attorney Fritz Haemmerle, representing Valley Club OA, attended all P&Z hearings regarding the  
2 redundant lines, and the only option under the approved Conditional Use Permit is for Idaho Power  
3 to bury the transmission line. If other options are being considered, the community should be given  
4 necessary information to make a decision.

- 5 • Cox Communications Market Vice President WRV Guy Cherp said Cox owns existing infrastructure  
6 on the power poles. If the power lines are undergrounded, Cox would expect its wires to be  
7 underground and paid for in a manner similar to power lines.
- 8 • Wendolyn Holland asked if Blaine County had considered hiring a state lobbyist to challenge the  
9 Idaho Power high interest rate and perhaps municipal ownership of infrastructure. Holland disclosed  
10 that she works with lobbyists, but is not one herself.
- 11 • Laura Midgley asked why northern segments are a priority for undergrounding when the southern  
12 "redundant" lines are together and most at risk of wildfire from the east or west.
- 13 • Larry Schoen opposed asking power customers outside the project service area to pay for  
14 undergrounding the entire line. He said a reasonable surcharge for 20 years will at least maintain  
15 status quo in the scenic corridor.
- 16 • John Milner said the County should treat everyone fairly and bury the whole line or don't bury any of  
17 it. He said overhead lines create enormous risk and are an eyesore. He said 9.1% interest rate in  
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- 26 • Julie Cord favors burying the entire line, and the BCC should look for funding options for that. She  
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- 33 Murphy said the County should take note of fires all over the west this summer, many of which were  
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46 rejected the argument about backup power. Blaine County's legal advice is that the BCC doesn't have  
47 many options, but he would like to hear from intervenors and stakeholders.

48  
49 The BCC will schedule a follow-up meeting.

50  
51  
52 **ADJOURN**

53 **At the hour of 8:23 p.m., with no more business before them, the County Commissioners**

1 **adjourned.**

2  
3  
4  
5  
6  
7

Attest: \_\_\_\_\_ Approved \_\_\_\_\_  
JoLynn Drage Jacob Greenberg  
County Clerk Chairman

DRAFT



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

**EVIDENCE SUBMITTED FOR  
CASE**

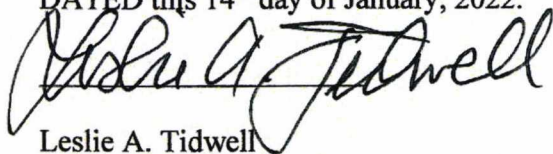
Kiki Leslie A. Tidwell, Intervenor, hereby files comments on Case IPC-E-21-25 pursuant to Rules of Procedure 71 through 75 of the Idaho Public Utilities Commission, ID APA 31.01.01.071-.075 as follows:

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](mailto:ktinsv@cox.net)

Evidence submitted for this Case.

DATED this 14<sup>th</sup> day of January, 2022.



Leslie A. Tidwell  
Pro Se

**CERTIFICATE OF SERVICE**

CERTIFICATE OF SERVICE I HEREBY CERTIFY that on the 14<sup>th</sup> of January 2022 I served a true and correct copy 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 upon the following named parties by the method indicated below, and addressed to the following:

Donovan E. Walker, Idaho Power Company  
P.O. Box 70 Boise, Idaho 83707-0070

U.S. Mail  
 Overnight Mail  
 Hand Delivery  
 Fax  
 Email [dwalker@idahopower.com](mailto:dwalker@idahopower.com), [dockets@idahopower.com](mailto:dockets@idahopower.com)

Timothy E. Tatum, Idaho Power Company  
P.O. Box 70 Boise, Idaho 83701-0070

U.S. Mail  
 Overnight Mail  
 Hand Delivery  
 Fax  
 Email [ttatum@idahopower.com](mailto:ttatum@idahopower.com)

John Hammond, Jr.  
Deputy Attorney General  
Idaho Public Utilities Commission  
11331 W. Chinden Blvd., Bldg No. 8 Ste 201-A  
Boise, ID 83720-0074

U.S. Mail  
 Overnight Mail  
 Hand Delivery  
 Fax  
 Email [John.hammond@puc.idaho.gov](mailto:John.hammond@puc.idaho.gov)

Blaine County Board of Commissioners

Ronald L. Williams, Williams Bradbury, P.C.  
PO Box 388  
Boise, ID 83701  
Email: [ron@williamsbradbury.com](mailto:ron@williamsbradbury.com)



U.S. Mail  
 Overnight Mail  
 Hand Delivery  
 Fax  
 Email [ron@williamsbradbury.com](mailto:ron@williamsbradbury.com)

Prosecuting Attorney  
219 First Ave. South Ste 201 Timothy Graves  
Chief Deputy  
Hailey, ID 83333

U.S. Mail  
 Overnight Mail  
 Hand Delivery  
 Fax  
 Email [tgraves@co.blaine.id.us](mailto:tgraves@co.blaine.id.us)

Bradley G. Mullins  
MW Analytica, Energy & Utilitiies

U.S. Mail  
 Overnight Mail  
 Hand Delivery  
 Fax  
 Email [brmullins@mwanalytics.com](mailto:brmullins@mwanalytics.com)

#### Cox Communications

C. Tom Arkoosh, Arkoosh Law Offices  
PO Box 2900  
Boise, ID 83701

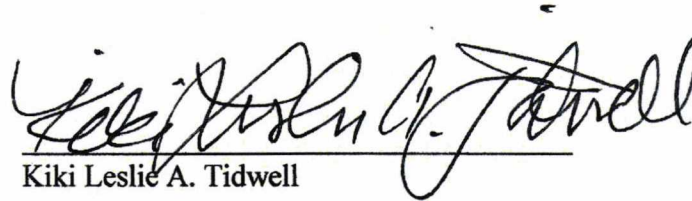
U.S. Mail  
 Overnight Mail  
 Hand Delivery  
 Fax  
 Email [tom.arkoosh@arkoosh.com](mailto:tom.arkoosh@arkoosh.com)  
[Erin.cecil@arkoosh.com](mailto:Erin.cecil@arkoosh.com)

#### Mark DiNunzio

U.S. Mail  
 Overnight Mail  
 Hand Delivery  
 Fax

**EVIDENCE ON CASE IPC-E-21-25-3**

X   Email [mark.DiNunzio@cox.com](mailto:mark.DiNunzio@cox.com)

  
Kiki Leslie A. Tidwell

**From:** Ron Williams  
**Sent:** Thursday, June 4, 2020 10:16 AM  
**To:** Walker, Donovan; Carlock, Terri  
**Cc:** Allison Marks; 'Bradley G. Mullins (brmullins@mwanalytics.com)'; Ron Williams  
**Subject:** Blaine County

June 4, 2020

Donovan Walker  
Lead Counsel  
Idaho Power Company

Donovan,

During the recent conference call involving representatives of Blaine County (BC), Idaho Power Company (IPC) and Idaho PUC Staff (Staff), BC discussed several initial proposals or ideas regarding undergrounding IPC's transmission facilities from the Wood River Substation just north of Hailey to Elkhorn Road, just south of Ketchum (Transmission Line).

As of August 15, 2019, IPC estimated the total cost for an underground transmission project to be \$67,991,516. Of that amount, IPC estimated the incremental cost of undergrounding to be \$32,889,228 ("Cost Differential"). In previous correspondence with BC and Staff, IPC has requested BC pay a Contribution in Aid of Construction ("CIAC") of \$38,151,504 to finance the Cost Differential, including \$5,262,276 in tax gross-up. IPC was willing to allow BC to pay the CIAC over time, with interest charged to BC at IPC's pre-tax Rate of Return.

Since BC would not own the transmission line, BC cannot issue secured bonds to cover the proposed \$38,151,504 CIAC payment. Further, BC has investigated revenue financing through the development of a Local Improvement District (LID) and has found that such an option is also not feasible. A potential LID would only include the properties of unincorporated lands, and by statute, must exclude all properties 5 acres or greater. Accordingly, the LID financing alternative would be too burdensome on too few properties, whose owners receive no greater benefit from the underground Transmission Line than any other property excluded from the restrictive LID definition.

Idaho PUC Order No. 33872 directed parties to "continue to work together" to resolve underground Transmission Line funding issues and disputes, "as there may still be opportunities to find areas of common interest and common ground." In our May 28, 2019 meeting, we discussed the following straw proposals, which reduce the 100% underground Cost Differential assigned to BC customers, reduce the interest carrying charge and spread the base of payors beyond the few property owners of an LID. These proposals were made by BC to IPC in an attempt to find that common ground.

1. *Tariff Rider Surcharge:* The Cost Differential will be recovered on a uniform cents-per-kWh basis to Blaine County customers through an IPC tariff rider. The final Cost Differential amounts included in the tariff rider will be reviewed in a subsequent IPC general rate case, when the Transmission Line costs are known and approved in base rates. The tariff rider will be applied to all electric service customers taking service within Blaine County, or to a specific geographic subset of BC as determined by the BC Commission. The Cost Differential will become a regulatory asset of IPC and the amortization period of



the tariff surcharge will be negotiated and agreed to by BC, IPC and Staff. Interest on the regulatory asset will be at IPC's incremental cost of debt, estimated at 3.7%. IPC would have available to it 100% debt financing of the \$68 million line through the Idaho Energy Resources Authority (IERA) at an interest rate expected to be at or close to IPC's cost of debt estimate. Alternatively, the parties would investigate if it could debt finance through the IERA on a tax exempt interest basis, because of the involvement of BC in the financing. Use of a tariff surcharge would avoid the \$5 million tax gross-up charged to BC through CIAC financing.

2. *OATT Revenue Credit:* When calculating its formula Open Access Transmission Tariff ("OATT") rates, IPC will classify the entirety of the Transmission Line costs, including the Cost Differential amounts, as a network resource, not just the portion of the investment represented by the overhead line option. Therefore, the Cost Differential assigned to BC customers will also include a credit for the incremental OATT wheeling revenues attributable to the Cost Differential amount and included in OATT formula rates. The revenue credit will equal the percentage of the IPC transmission network used by wholesale customers multiplied by the annual OATT revenue requirement attributable to the Cost Differential.

While some may initially view the use of this particular transmission segment as not currently being used as heavily as other portions of IPC's transmission system for wholesale transactions -- therefore justifying 100% situs assignment to BC -- the same could be said for other elements of IPC's cost of service and the assignment of other 'uniform' costs to IPC customers in the Wood River Valley. For example, as pointed out by IPC's answer to BC's Data Request No. 5, BC's winter peak is more than twice its summer peak, yet IPC's system peaks in the summer and much of IPC's costs are allocated or weighted based on that summer peak. In that regard, BC customers of IPC are already significantly subsidizing other IPC customers and customer classes with respect to the system cost of energy and capacity. The point is that once we go down the road of assigning some costs on a system basis and other costs on a situs basis, how far down that road do we go?

3. *Wildfire Mitigation Credit:* The parties would investigate the potential wildfire cost savings that would result in the Transmission Line being placed underground, taking into account wildfire cost savings to IPC, BC, BC residents, BC businesses and other local, state and federal agencies and landowners in BC. The expected wildfire cost savings agreed to by the parties will be present valued and credited against the Cost Differential revenue requirement assigned to BC customers.

4. *Ratebase/Ratemaking Adjustments:* In the future rate case when the Transmission Line is approved to be included in base rates, BC and Staff will review the actual Cost Differential amount, including the methodology used to calculate the Cost Differential. This will include, among other things, a review of the final incremental rate base balances associated with undergrounding, appropriate reserve balances for accumulated depreciation, and the rate base impacts of deferred income taxes.

We appreciate the opportunity to provide this straw proposal and look forward to future discussions with IPC and Staff on this matter. The Blain County Commission has found that helping preserve the scenic Wood River Valley, through the undergrounding of the Transmission Line, is necessary to maintain the economy, well-being, and safety of its BC residents. We are hopeful to reach a common ground that will allow BC to maintain these objectives.

*Ron Williams*

Williams Bradbury, P.C.

P.O. Box 388	Street Address
Boise, ID 83701	802 W. Bannock St.
Office: 208.344.6633	Suite LP 100
Mobile: 208.890.4620	Boise, ID 83712

cc: Terri Carlock, IPUC Staff

*This e-mail message from the law firm of Williams Bradbury, P.C. is intended only for named recipients. It contains information that may be confidential, privileged, attorney work product, or otherwise exempt from disclosure under applicable law. If you have received this message in error, are not a named recipient, or are not the employee or agent responsible for delivering this message to a named recipient, be advised that any review, disclosure, use, dissemination, distribution, or reproduction of this message or its contents is strictly prohibited. Please notify us immediately at 208.344.6600 if you have received this message in error, and delete the message.*



1 OFFICE OF THE BOARD OF COUNTY COMMISSIONERS  
2 OF BLAINE COUNTY  
3 SPECIAL MEETING OF THE SEPTEMBER 2020 SESSION  
4 IDAHO POWER EVENING WORKSESSION

5  
6 **Fourth Day**

**Thursday, September 10, 2020**

7 Pursuant to Statutory Provisions, the Board of Blaine County Commissioners (BCC) met this day at  
8 6:00 p.m. Present were Chairman Jacob Greenberg, Vice-Chair Angenie McCleary, and Commissioner  
9 Dick Fosbury; Blaine County Chief Deputy Prosecuting Attorney Tim Graves; County Legal Consultant  
10 Ron Williams; County Administrator Derek Voss; County Administrative Services Manager Mandy  
11 Pomeroy; Administrative Services Support Specialist Kay Draper; Land Use and Building Services  
12 Director Tom Bergin and Land Use Planner Allison Marks; Recording Secretary Sunny Grant; Edison  
13 Electric Institute State Energy & Regulatory Policy Director Alison Williams; Idaho Power Vice President  
14 Regulatory Affairs Tim Tatum; IP Local Area (Blaine County) Energy Advisor Amber Larna; IP Counsel  
15 Pat Harrington; IP Attorney Donovan Walker; IP Project Manager Tom Barber; Idaho Conservation  
16 League Conservation Associate Ben Otto; Bruce McMahan; Valley Club Owners Association President  
17 Steve Miner, and VCOA attorney Fritz Haemmerle; Ginna Lagergren; Greg Adams, attorney  
18 representing Rolling Rock Properties; Cox Communications Market Representative Guy Cherp; Jane H.  
19 Mason; Jim Burdick; Jim Speck; John Dondero; John Milner; Jon Gilmour; Michelle Pabarcus; Jon  
20 Walker; Julie Cord; Kim Seely; Kris Dondero; Larry Isham; Laura Midgley; Lawrence Schoen; Linda and  
21 Bill Potter; Lisa Mayer; Marcia Hart; Mary Fauth; Matt Youdall; Ryan Eckert; Shirleen Coleman;  
22 Stephen Romano; Sven Berg; Wendolyn Holland; Pat Murphy; Kiki Tidwell; Beth Chiodo; Bruce Norvell;  
23 Cynthia Woolley; Dina Blackburn; and Eric Potter.

24  
25 Due to the continuing COVID-19 pandemic, most participants in this meeting were by webconference or  
26 teleconference.

27  
28 Chairman Greenberg called the meeting to order at 6:00 p.m.

29  
30 Chairman Greenberg said the focus of this evening's meeting is if the public is willing to pay for  
31 undergrounding the proposed power lines, and what exactly they're willing to pay for— undergrounding  
32 transmission lines, undergrounding the distribution lines and a section of the transmission lines, and/or  
33 undergrounding distribution lines and allowing certain Local Improvement Districts to pay to  
34 underground power lines in front of their subdivisions. He said some people may be willing to pay to  
35 underground the lines if that's the only alternative, but want to look at other alternatives. Greenberg  
36 said the majority of public comments and petitions that he had seen favored paying for undergrounding  
37 the lines or some other funding option.

38  
39 Greenberg showed photos of the power poles with the redundant lines on one pole, which would be an  
40 increase from the current four lines to seven to 10 lines on poles that will be eight to 15 feet taller than  
41 the current poles. There will be more poles to carry the added lines. The current proposal is 11 miles of  
42 redundant overhead transmission lines. There would be large structures at locations where the power  
43 lines go underground or come up aboveground. The County could underground just distribution lines at  
44 a lesser cost of about \$5.7 million.

45  
46 Greenberg related the history of Idaho Power's proposed redundant lines since 1962. More recently,  
47 the Public Utilities Commission overruled its own staff who said the redundant line wasn't necessary,  
48 and gave Idaho Power a Certificate of Public Convenience and Necessity—preliminary approval to  
49 install the lines, with a mandate to negotiate with local officials to put the lines in the Scenic Corridor. In  
50 May, 2019, Blaine County approved a Conditional Use Permit for the redundant lines, with the condition  
51 that the lines be placed underground. But the PUC has primacy over local Land Use decisions. The  
52 PUC decision can be appealed to the Supreme Court, and Idaho Power would have to get final  
53 approval from the PUC; and, after Idaho Power knows all the costs, they have to get rate approval from



1 the PUC.

2  
3 Citizens are concerned about the scenic impact in a tourist-based economy, fire hazards, and  
4 electromagnetic fields. Idaho Transportation Department designates scenic corridors, but has no  
5 authority over utilities.

6  
7 The PUC determined that the redundant lines were, in their view, necessary, and appropriate in that  
8 location, above ground. But Blaine County Planning and Zoning and the County Commissioners  
9 determined that the line had to be underground to meet county zoning, which made paying for the  
10 undergrounding Blaine County's responsibility. Graves said if the Blaine County community can't pay  
11 for undergrounding the power line, Idaho Power has the right to ask the PUC to nullify the County's  
12 decision.

13  
14 County consulting attorney Ron Williams said Blaine County attorneys had been in discussion with the  
15 PUC and Idaho Power, and confirmed what Graves said. Williams said any decision can be directly  
16 appealed to the Idaho Supreme Court. He was uncertain if there was case law.

17  
18 Greenberg said Idaho Power's cost estimate to underground transmission lines was \$38 million, or \$21  
19 million if the \$10 million contingency isn't necessary, without any interest. A levy would require all  
20 Blaine County taxpayers in all jurisdictions to pay \$56 per \$100,000 assessed value per year for ten  
21 years. A 30-year levy would be \$36 per \$100,000 assessed value per year for 30 years.

22  
23 Graves said Idaho Law allows County Commissioners to establish a Local Improvement District (LID)  
24 for certain areas or subdivisions for undergrounding utility lines. It doesn't require an election, but it  
25 excludes agricultural parcels larger than five acres, and excludes cities, even though cities would  
26 benefit most from underground transmission lines. The Farm Bureau initially agreed to change Statute  
27 to include language parcels in excess of five acres, except for active agriculture, but an Idaho legislator  
28 defeated it before a floor vote. Subdivisions could offer to support a voluntary LID.

29  
30 Bonding is most likely not available, since the County does not own the power lines infrastructure.

31  
32 Idaho Power can fund the project through a 10-year levy (\$38 million) or 30-year levy (\$59 million) at  
33 9.59% annual interest. The County tried to negotiate this interest rate, but PUC authorized this rate of  
34 return.

35  
36 Another option is for Idaho Power to apply a 3% (\$3.77 residential or \$8.43 commercial) monthly  
37 surcharge to Blaine County residents' electric bills for 20 years, which would provide \$9.1 million to  
38 fund undergrounding distribution lines, plus 1.1 mile of transmission lines north of the hospital. This  
39 would keep power poles the same height they are now.

40  
41 Idaho Power V.P. Regulatory Affairs Tim Tatum and Transmission and Distribution Senior Manager  
42 Eric Hackett presented a short PowerPoint of the redundant power lines and surcharge details.

43  
44 Chairman Greenberg said everyone wants the power lines underground, so the public comment should  
45 focus on if and how the community is willing to pay for it.

46  
47 **Public Comment:**

- 48 • Linda Potter and Bill Potter, 95 Greenhorn Road, asked the BCC to preserve our unique  
49 environment and provide safe and secure power delivery. She felt everyone would be willing to pay  
50 some part for undergrounding. She added that if one line goes down, the redundant will as well.  
51 • Michelle Pabarcus said redundant lines is not the solution to community health and safety.  
52 • Valley Club Owners Association president Steve Miner said the HOA had elected to hire attorney  
53 Fritz Haemmerle as their spokesman.



1 Attorney Fritz Haemmerle, representing Valley Club OA, attended all P&Z hearings regarding the  
2 redundant lines, and the only option under the approved Conditional Use Permit is for Idaho Power  
3 to bury the transmission line. If other options are being considered, the community should be given  
4 necessary information to make a decision.

- 5 • Cox Communications Market Vice President WRV Guy Cherp said Cox owns existing infrastructure  
6 on the power poles. If the power lines are undergrounded, Cox would expect its wires to be  
7 underground and paid for in a manner similar to power lines.
- 8 • Wendolyn Holland asked if Blaine County had considered hiring a state lobbyist to challenge the  
9 Idaho Power high interest rate and perhaps municipal ownership of infrastructure. Holland disclosed  
10 that she works with lobbyists, but is not one herself.
- 11 • Laura Midgley asked why northern segments are a priority for undergrounding when the southern  
12 "redundant" lines are together and most at risk of wildfire from the east or west.
- 13 • Larry Schoen opposed asking power customers outside the project service area to pay for  
14 undergrounding the entire line. He said a reasonable surcharge for 20 years will at least maintain  
15 status quo in the scenic corridor.
- 16 • John Milner said the County should treat everyone fairly and bury the whole line or don't bury any of  
17 it. He said overhead lines create enormous risk and are an eyesore. He said 9.1% interest rate in  
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47 many options, but he would like to hear from intervenors and stakeholders.

48  
49 The BCC will schedule a follow-up meeting.

50  
51  
52 **ADJOURN**

53 **At the hour of 8:23 p.m., with no more business before them, the County Commissioners**

1 **adjourned.**

2  
3  
4  
5  
6  
7

Attest: \_\_\_\_\_ Approved \_\_\_\_\_  
JoLynn Drage County Clerk Jacob Greenberg Chairman

DRAFT