

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON
PCN-2**

**In the Matter of the Petition of
TILLAMOOK PEOPLE'S UTILITY DISTRICT
PETITION FOR CERTIFICATE OF
PUBLIC CONVENIENCE AND NECESSITY**

INTERVENOR REPLY TESTIMONY OF ERIC PETERSON

March 25, 2019

I. Introduction

Pursuant to the Prehearing Conference Memorandum issued by Public Utility Commission of Oregon ("Commission") Administrative Law ("ALJ") Judge Patrick Power dated February 5, 2019, Eric Peterson submits this intervenor Post-Hearing Reply Testimony. Eric Peterson respectfully requests that the Commission deny its Petition for a Certificate of Public Convenience and Necessity ("CPCN") for the construction of an 8.6-mile-long overhead transmission line from a breaker in the Tillamook Substation owned by the Bonneville Power Administration to the proposed new Oceanside Substation

II. Background

TPUD states that the Transmission Line is needed to enhance system reliability for existing and new customers in large portions of TPUD's service territory and that it will construct and operate the new transmission line in accordance with the Plan of Operations and standard mitigation programs and easement submitted as evidence of the TPUD's intent to construct the proposed transmission line in accordance with Tillamook County and State of Oregon land use standards.

III. Route

TPUD's proposed route develops a new corridor through Farm Zone F-1, Forest Zone F, Estuary Natural Zone EN, Estuary Conversation Zone EC – 1, Rural Commercial Zone RC, and Rural Residential 2 Acre Zone RR-2. The impact are greater along the proposed route than any of the alternatives and disrupts the scenic area of the bay more than any of the alternatives. TPUD's proposed route is not a path along an existing corridor. It is a new route that goes through the center of farmer and forest properties severely hampering the efficient use of the properties it crosses. The transmission line also goes through Farm Zone F-1, Forest Zone F, Estuary Natural Zone EN, Estuary Conversation Zone EC – 1, Rural Commercial Zone RC, and Rural Residential 2 Acre Zone RR-2. The proposed transmission crosses through county overlay zones: flood hazard shoreline and fresh water wetlands.

IV. Argument

TPUD's proposed 8.6-mile route develops a new corridor through more Farm Zone F-1, Forest Zone F, Estuary Natural Zone EN, Estuary Conversation Zone EC – 1, Rural Commercial Zone RC, and Rural Residential 2 Acre Zone RR-2 than any of the alternatives and disrupts the scenic area of the bay more than any of the alternatives. It significantly parcelizes both farm and forest land and requires several miles of corridor that are not in existing transmission corridors. The proposed mitigation and operations plans are woefully inadequate and do not address bio-security, gates, cow paths, milking hour impacts and other impacts on herd disruption. "Trust us" is not an adequate standard. At a minimum, the PUC must include stipulations in a CPCN Order that the TPUD must develop operational mitigation, cooperative operative agreements and easements with each farm operation. Based on the evidence in the record in this proceeding, TPUD has not met provided adequate assurances, mitigation and impact evaluation to meet the legal requirements under ORS 758.015 for granting a CPCN. I, Eric Peterson, Intervenor respectfully requests that the commission deny TPUD's Petition for a CPCN.

Dated this 25th day of March 2019

Eric Peterson