

To: Oregon Public Utility Commission

From: Ellen Barton
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RE: AR 626 – Certificate of Public Convince and Necessity

I am writing to strongly disagree with allowing a utility, namely Idaho Power, to take private land through Eminent Domain *before* it has all the permits required to do so. Such action is cooperating with a large wealthy utility company to the detriment of small private landowners. It must be the *last* step in the development of the project.

Should B2H be allowed to install the proposed power line through northeast Oregon with this action on the part of the OPUC, it would open the door to other such land grabs by other utility companies. When would the OPUC say enough is enough? Would it have the power or courage to say no to other similar actions? Would individual members of the commission stand back and have a similar land grab applied to his or her own land and property? I think not.

As I understand the power of eminent domain, it is based on state law set by our legislature. A regulatory commission should not change the rules based on individual circumstances. Rule changes belong in the legislature where all can see what is happening and approval is made by a majority of legislators.

At the heart of the matter is the fact that Idaho Power *does not need to construct this line*. Since it was first proposed, evaluations of this “need” have proved it to be unnecessary. A campaign to conserve consumption by the customers using Idaho Power would have solved the “need” of this proposed line. Today’s energy-saving homes and appliances make the task almost automatic.

I live on a residential street that would be a major route for large equipment traveling to the construction area for this power line. Do I want to have multiple large trucks and other equipment going by my house daily for several months? Of course not. Would the members of the commission want the same situation in their neighborhood. I think not.

I have not seen evidence that the OPUC has taken into account the many effects this power line would have on the communities of northeast Oregon. Tourism will be negatively affected. Who wants to see the Oregon Trail Interpretive Center impacted by large towers and buzzing power lines. A major recreational lake near La Grande also would be impacted by towers and lines, as well as nearby home owners in the area, some within the city limits of La Grande. Construction

of this line would open the area to increased wildfire risk and increased invasive plant species harmful to native flora and fauna.

I feel the commission is ignoring the concerns of landowners and rushing to accommodate the wishes of Idaho Power. Rules are rules, and if they require time to follow, so be it. **Do not take private land just because Idaho Power is impatient and choses not to submit the completed accurate applications.**

Respectfully,

Ellen Barton