

Idaho Power's B2H is a textbook example of regulatory failure: The Commission has spent the past 14 years dealing with Idaho Power's wishful thinking.

Consider this abbreviated history of the B2H:

2008 The first B2H IRP was filed; it stated it was essential to have the line completed by 2016.

2008 Idaho Power applied, as a "shovel ready project" to be one of President Obama's fast track transmission projects, designed "to speed economic recovery by creating thousands of jobs." Idaho Power's claim to be "shovel ready" is but one example of the corporation's typical empty promises.

2011 The President's staff visited Idaho to help move the (non-existent) project along.

2016 Idaho Power's IRP stated the B2H would cost \$1.2 billion. I believe this is the figure they have proposed since 2008. Obviously Idaho Power does not expect close scrutiny of their facts and figures.

2017 Elliot Meisner at BPA cancelled the 1-5 Corridor Reinforcement Transmission Line: "doubling costs prompted us to take a hard look at all of our transmission practices and analytics, including a fresh look at load (electrical demand) forecasts, generation changes and market dynamics."

The B2H, like BPA's I-5 Corridor Reinforcement Line, should have been cancelled long ago. Idaho Power subsequently abandoned any pretense of Need for the line, claiming it would benefit from

participation in the EIM market; when that didn't wash, it became all about resiliency, which we know can be achieved with much less environmental and economic costs.

Currently Idaho Power is offering new green-washing "need" figures, based on their customary wishful thinking. Yes, many new transmission lines are needed to deliver affordable, renewable energy, but the B2H is not one of them. This \$7.2 billion corporation is a monopoly. Oregon's ratepayers depend on OPUC's protection.

In 2017 OPUC failed the ratepayers by providing acknowledgement for preliminary construction of the B2H, even though basic questions about need and cost remained unanswered. Using the Commission's partial acknowledgement as definitive "proof of need," Idaho Power promptly delivered 240 lb. 17,000 page junk file Applications for Site Certificates to 5 eastern Oregon county planning offices with a 30 day response period. County Commissioners were informed by Idaho Power staff, "It's a done deal." Utilities are profiteering bullies. PUC's are the public's only protection. Effective regulation is your responsibility.

The EFSC process, which OPUC is now condemned to accept, was a folly. One ALJ decided 41 contested cases in EFSC's quasi-legal procedures, frequently citing Idaho Power's blatantly self-serving ASC as evidence of compliance, without realizing that errors and omissions in the application itself were the basis of the contested cases. Responsibly researched contested cases were filed by Stop B2H Coalition members, many with advanced degrees, who had studied the ASC in detail for more than four years. The ALJ ruled for Idaho Power in every single case, and, based on that incredibly skewed process,

EFSC then issued a site certificate for the B2H, a mockery of EFSC as a regulatory agency.

I have read the new CPCN rules. The last statement p. 30 (7)
(7) If a proposed transmission line is subject to the jurisdiction of the Energy Facility Siting Council (EFSC), the Commission will not take final action until EFSC has issued a site certificate for the transmission line. The Commission will adopt the findings made as a part of the EFSC-issued site certificate, and the requirements of OAR 860-025-0040 (2) - (6) shall not apply.

This is a regulatory nightmare: The Commission erroneously provided a basis for Idaho Power to apply to ODOE for a “needed” transmission line. ODOE & EFSC then accepted Idaho Power’s self-serving application as proof of regulatory compliance, and now that EFSC has issued a site certificate based on that application, the Commission “will adopt the findings made by EFSC.” In the case of the B2H, EFSC and ODOE have apparently assumed a partnership with Idaho Power, to the detriment of their regulatory mission.

It’s apparent that regulatory agencies have traditionally considered project applicants as equals, and have regarded public commenters and/or intervenors as side-line interference to the professional business of “getting these projects built.” Graphically, it would look like a kindergartener’s view of family: two tall smiling stick figures (agency and applicant) standing beside a knee-high unhappy stick figure (the public).

Consider that during the past three years, the Stop B2H Coalition, all volunteers, have spent literally thousands of hours researching and writing contested cases while participating in seven different levels of

EFSC quasi-legal proceedings, while also raising sufficient funds to pay substantial legal fees. STOP recently received a validating \$40,000 grant from Oregon Community Foundation to support our case against EFSC in the Oregon Supreme Court.

Corporate Idaho Power has spent over \$200 million in application fees, plus an untold amount in legal fees. Why not? If the line is approved, shareholders and Idaho Power executives will benefit from a 10% profit on whatever the line ultimately costs, whether it's needed or not – all at ratepayers' expense.

EFSC's clear commitment to project applicants leaves the Commission with an exceptional responsibility to the public sector. OPUC has no obligation to Idaho Power, even though in the past an OPUC staff member actually stated "well, we've spent so much time on it already...." Yes, hundreds of hours of agency time wasted by Idaho Power, still applying for a transmission line whose completion was "essential" by 2016, and whose costs, over the years, will never increase in their Land of Wishful Thinking.

This Idaho corporate utility has followed the reverse of Oregon Energy Trust's conservation and energy efficiency approach for decades. In 2018 Idaho Power's then CEO Darrel Anderson was questioned after a presentation at the Boise City Club about "Why isn't Idaho Power concerned about conservation?" He responded that conservation was not a priority because Idaho Power had abundant power sources.

Construction of the unneeded B2H is designed to enrich Idaho Power's shareholders and executives, while Oregon rate payers foot the bill for an unneeded transmission line. Last year, the Idaho PUC staff

noted that Idaho Power proposed using the \$1.2 billion B2H to fill a 5 MW capacity deficiency projected for August 2029, which prompted a flurry of revised Need figures. The “Need” remains elusive, and the absurd \$1.2 billion figure is estimated to be within 85% accuracy.

Idaho Power has been a stalking horse for Pacific Power, its silent partner in the B2H, for years. Thousands of Pacific Power rate payers will also be paying for this line. Commissioner Bloom stated in April 2018 that Pacific Power needs to be accountable for its 54% of the line. It hasn’t happened yet. Either the OPUC is a regulatory agency or, like EFSC, it is designed to rubber stamp every project proposed by a utility.

I disagree with Commissioners Decker saying “this is an iterative process,” designed to help Idaho Power correct deficiencies in its IRP. Over the years, Idaho Power’s flawed data has misled the OPUC into participating in the utility’s fantasy of a needed transmission line. As a regulatory agency, OPUC is not obligated to patiently help applicants correct their errors. The Commission has accepted Idaho Power’s many IRPs, filed and withdrawn, amended countless times, sometimes years behind schedule. Idaho Power has thus been enabled by the Commission to believe it deserves to build the B2H because they *want* to build it, not because they *need* to build it. The B2H should have been cancelled years ago.

Idaho Power’s budget figures for least cost/least risk remain unconvincing, based on their usual refusal to accept the reality of dramatic and cost-saving advances in power delivery and storage, among other developments. Idaho Power’s decades of obsequious promises of “more clarification,” followed by their failure to answer staff and public’s comments and questions have paved a clear road for

the Commission to deny acknowledgement of this IRP. It's time to say "enough" and recognize that the B2H is not needed, and, if built, would be an incredibly destructive and expensive dinosaur, an enduring scar across Oregon and embarrassment to the Commission.

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Please note: I am not a NIMBY. I have concentrated on filing contested cases on several aspects of the proposed B2H's negative affects on beautiful Morgan Lake Park, a unique and irreplaceable gem which Idaho Power's "Morgan Lake Alternative" would border with 13 130' transmission towers.

My property, 150 acres of wooded hillside, is a mile above La Grande and a mile below Morgan Lake Park. My land has been protected from logging and hunting for almost 60 years to protect its natural beauty and the wildlife that depend on it. If Idaho Power's "Preferred Mill Creek Route" is adopted, at least three B2H towers will cross the middle of my place, destroying the nature preserve and/or its substantial value as forested view real estate. Nevertheless, I have not actively argued against the Mill Creek Route. If the line were needed, better that it cross my property than deface Morgan Lake Park.

During my 30 year university teaching career, I frequently taught Advanced Expository Writing and Critical Thinking. I am frustrated and appalled by Oregon agencies' acknowledgement of Idaho Power's IRP's and ASC. I would not have accepted their flawed reasoning and unsupported assertions and conclusions from undergraduate students. Oregon can do better.