

**BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH**

In the Matter of the Application of  
PacifiCorp for a Certificate of  
Convenience and Necessity Authorizing  
Construction of the Lake Side  
Power Project..

Docket No. 04-035-30

**DIRECT TESTIMONY OF RICHARD ROSS**

1    **Q.     Please state your name and business address.**

2    A.     My name is Richard Ross. My business address is 10 South Geneva Road, Vineyard,  
3    Utah 84058.

4  
5    **Q.     What is your occupation?**

6    A.     I am Manager of Contracts at Geneva Steel, LLC.

7  
8    **Q.     Please describe your educational background and experience.**

9    A.     This information is included in Appendix A to my testimony.

10

11   **Q.     On whose behalf are you appearing in this proceeding?**

12   A.     I am appearing on behalf of Geneva Steel, LLC, in support of PacifiCorp's application  
13   for a Certificate of Convenience and Necessity authorizing the construction of the Lake Side  
14   power plant to be built at the Geneva site in Utah County.

15

16   **Q.     Could you please give us some background on the Geneva Steel site?**

17   A.     On January 25, 2002, Geneva Steel filed its voluntary petition under Chapter 11 of the  
18   Bankruptcy Code. Geneva continued to operate its business as a debtor-in-possession.

19

20   Nevertheless, the point was reached at which Geneva recognized it had to sell its assets. One of  
21   those assets is the real property upon which the Geneva steel mill is located. To make this real  
22   property marketable, Geneva undertook extensive efforts to ensure the property is marketable for  
23   development.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30

With approval of the Bankruptcy Court, Geneva was able to sell a portion of this property to Summit Vineyard, LLC, to build the Lake Side power plant. The site sold to Summit is described more fully in the Conditional Purchase and Sale Agreement attached as Exhibit A.

**Q. Could you please describe some of the efforts that Geneva undertook to make the real property marketable for development?**

- A. Geneva undertook the following:
- Applied for and received Subdivision approval from Vineyard City
  - Obtained clarification of environmental liability assumed by successor owners
  - Established utility corridors to insure delivery of critical utilities to the site
  - Met with Lindon City officials to facilitate an agreement for domestic sewer discharge into their system
  - Provided water rights and emission credits to ensure property would be suitable for economical power generation
  - Provided proven deep wells for water extraction as required

**Q. You mentioned that the Bankruptcy Court has approved the sale of this property to Summit. When was this approval final?**

A. On June 24, 2004, Geneva and Summit executed a Conditional Purchase and Sale Agreement. On July 28, 2004, the Federal Bankruptcy Court of Utah approved this Conditional Purchase and Sale Agreement without receiving any opposition. The Order is attached hereto as Exhibit B. This is the property upon which the Lake Side project will be built. There was a ten day appeal period following the approval date and no appeals were filed.

**Q. What other efforts has Geneva undertaken regarding Summit's construction of the Lake Side power plant?**

- A. Geneva is cooperating in, and assisting where necessary, to complete the permitting process. These efforts include the following:
- Met with the Utah Division of Air Quality regarding emission credit transfer

- 1       • Met with the Corp of Engineers regarding possible wet lands located on the site  
2       • Met with Vineyard City Officials to facilitate eventual issuance of building permits and  
3       business license  
4       • Met with Summit civil and environmental engineering professionals to evaluate the real  
5       property  
6       • Met with State Water Engineer regarding transferability of water to Summit for use in the  
7       Lake Side power plant.  
8

9       **Q. Does Geneva expect any other benefits from Summit's Lake Side power plant?**

10      A. Geneva is excited about the economic development opportunities the Lake Side plant  
11      could bring to the community. Many of the current and prior Geneva employees live and work  
12      in this area. Any additional development brought about by the Lake Side power plant will mean  
13      more jobs and a boost in the local economy.  
14

15      **Q. Does that conclude your testimony?**

16      A. Yes, it does.