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BEFORE THE UTILITY FACILITY REVIEW BOARD

ROCKY MOUNTAIN POWER,

Petitioner,

vs.

WASATCH COUNTY,

Respondent.

**REBUTTAL TESTIMONY OF
CHAD B. AMBROSE**

Docket No. 16-035-09

1 **Q. Please state your name, business address, and present position.**

2 A. Chad Ambrose, 7657 Holden Street, Midvale, Utah, 84047, Regional Business Manager
3 for Rocky Mountain Power.

4 **Q: Did you previously file testimony in this proceeding?**

5 **A:** Yes, I filed direct testimony on April 8, 2016.

6 **Q. What is the purpose of your rebuttal testimony?**

7 **A.** My testimony will clarify that the intent of the “Powering Our Future: Summit Wasatch
8 Electrical Plan Local Planning Handbook,” which is referred to in my testimony as the
9 Summit Wasatch Electrical Plan (and referred to hereinafter the “Electrical Plan”), is to
10 provide guidance when siting electrical facilities in Summit and Wasatch Counties. I will
11 also clarify that, contrary to Wasatch County’s (the “County”) allegation in its
12 Memorandum in Opposition to Petition for Review (the “County Memo”), the
13 Company’s proposed alignment for the Wasatch Segment does not “ignore” the Electrical
14 Plan, and in fact is in harmony with the plan.

15 **Q. Did you participate in the Electrical Plan efforts?**

16 **A.** Yes, I participated in the project. I was a member of the Electrical Plan Task Force on
17 behalf of Rocky Mountain Power. In that role, I attended a majority of the meetings, and
18 was a presenter at several of the meetings.

19 **Q. In the County Memo, the County asserts that the Electrical Plan is the Company’s**
20 **“own handbook for the Summit and Wasatch County area” (emphasis added). Is**
21 **that characterization accurate?**

22 **A.** No. While the Company was a key participant, the Task Force was made up of numerous
23 governmental and industry participants within Wasatch and Summit Counties, all of

1 whom participated, to varying degrees, in the development of the Electrical Plan. The
2 plan is not owned by any particular party. As stated in the executive summary of the
3 Electrical Plan, “[t]he task force leading this effort includes a broad range of stakeholders
4 including planning representatives from Summit and Wasatch Counties, municipalities in
5 the counties served by Rocky Mountain Power, regional transportation and growth
6 planners and the other key stakeholders. An independent facilitator guided their
7 deliberations while Rocky Mountain Power served as technical adviser. As a group they
8 share the goal of encouraging mutual understanding and cooperation with a county-wide
9 perspective.” Exhibit CBA-1, p. iii, Executive Summary.

10 **Q. What is the purpose of the Electrical Plan?**

11 **A.** As noted in my direct testimony, the Electrical Plan was a yearlong collaborative effort
12 among the Company, local governmental entities including Wasatch and Summit
13 Counties, and local businesses, which was intended to integrate local governments’ long-
14 term land-use development plans with future electrical network requirements. The
15 primary goal of this process was to develop a clear and documented plan to help guide
16 future infrastructure siting discussions and decisions, and ensure adequate electrical
17 capacity for local communities to achieve their goals. Exhibit CBA-1, p. iii, Executive
18 Summary.

19 **Q. Does the Electrical Plan constitute a Rocky Mountain Power standard for siting**
20 **facilities?**

21 **A.** No. The purpose of the Electrical Plan is to “facilitate discussion about the final site
22 selection among local jurisdictions, the community and Rocky Mountain Power when it
23 comes time to build additional electrical infrastructure to meet customers’ needs.” Exhibit

1 CBA-1, p. 5. The Electrical Plan is not a Rocky Mountain Power standard; however, the
2 Company uses the Electrical Plan as a guidance document when determining facility
3 locations for Summit and Wasatch Counties. The Electrical Plan does not require the
4 Company to locate electrical facilities within specific corridors or locations. In fact,
5 facility locations identified for planning purpose change due to a myriad of factors,
6 including accommodating property owners' use of their land. Furthermore, to the best of
7 my knowledge, neither Wasatch nor Summit County has formally adopted or
8 implemented the Electrical Plan.

9 **Q. Is the Electrical Plan intended to supersede property owner rights on which future**
10 **electrical infrastructure may be located or relocated?**

11 A. No – the Electrical Plan is a guidance document. The Company's obligation related to
12 property owner rights is outlined in my direct testimony, as follows: "The Company
13 operates under its Utah tariff (Utah Rule 12 section 6) which provides that the Company
14 will relocate distribution-voltage facilities crossing a landowner's property, provided
15 performance of the request is feasible, the Applicant or Customer pays the costs for such
16 relocation, and the Applicant or Customer provides adequate rights-of-way. Relocations
17 for transmission-voltage facilities are at the discretion of the Company, but are typically
18 evaluated in the same manner as with distribution-voltage facilities. In addition to the
19 tariff cited above, the Company has a long history of working with landowners and
20 locating or relocating facilities in locations that respect the landowner's property rights
21 and property uses." Direct Testimony of Chad B. Ambrose, p. 6, lines 1-9.

22 As demonstrated by the Company's work with Promontory, the Company cannot and
23 does not ignore property owner rights in favor of criteria set forth in the Electrical Plan.

1 A property owner may identify the location for facilities on their property if the location
2 meets the technical requirements laid out in Mr. Kenneth Shortt's direct testimony, and
3 the property owner covers the additional costs associated with the requested relocation.

4 **Q. Was the Electrical Plan intended to override or supersede the Company's tariffs or**
5 **other applicable laws?**

6 A. No. As expressly noted, the Electrical Plan "has no force of law; however communities
7 and the utility can realize measurable benefits over time if [it] is implemented
8 voluntarily." Exhibit CBA-1, p. 20. The Electrical Plan was intended as a guidance
9 document, and while the Company tries to implement the guidance contained in the plan
10 in its transmission line siting process, the Electrical Plan is of no force of law and does
11 not replace the Company's legal responsibilities under its tariffs, or the applicable
12 statutes, regulations or industry standards.

13 **Q. What is the purpose of the transmission line criteria found on page 12 of the**
14 **Electrical Plan?**

15 A. As stated in the plan, the siting criteria "were developed to guide the future facility siting
16 process. The criteria represent the priorities established by the task force to optimize
17 benefits and mitigate drawbacks to both the community and Rocky Mountain Power.
18 They will be particularly useful in comparative evaluation of alternative sites." Exhibit
19 CBA-1, p. 8. The thirteen criteria were identified by the stakeholders that participated in
20 development of the Electrical Plan, to capture a broad range of factors to be considered
21 when locating facilities. Some criteria were identified as being more significant to the
22 participants, however no single criterion defines the location of facilities and all should

1 be considered: “the siting criteria must be considered as relative priorities among several
2 others and adapted to community circumstances.” Exhibit CBA-1, p. 8.

3 **Q. Was the Brown’s Canyon Tap to Silver Creek 46 kV segment contemplated in the**
4 **Electrical Plan?**

5 **A.** Yes. Please refer to the maps on pages 18-19 of the Electrical Plan (Exhibit CBA-1), and
6 note that this segment is noted as being “subject to change.” (The more detailed version
7 of these maps, available online at <https://www.rockymountainpower.net/ed/esi/cep.html>,
8 notes more specifically that the line is “Existing single circuit 46 kV line. Will require
9 rebuild to double circuit 138 kV. One side energized at 46 kV.”)

10 **Q. In the County’s Memo, the County asserts that “[b]y moving the Wasatch segment**
11 **RMP is ignoring its own handbook for the Summit and Wasatch County area based**
12 **on the preference of a developer.” Please provide the Company’s response to the**
13 **County’s assertion.**

14 **A.** The County’s assertion is based on an incorrect application of the Electrical Plan’s
15 objectives and an overly-simplistic view of the transmission line siting process. As
16 clarified above, the Electrical Plan’s siting criteria were developed to guide future facility
17 siting processes. Exhibit CBA-1, p. 8. The plan calls for a balancing of several factors
18 when siting electrical facilities, and acknowledges that there will be conflicts among the
19 criteria at any given site. The Electrical Plan, however, does not provide the final word on
20 siting decisions. As previously noted, property owners are permitted to express their
21 siting preferences and, in accordance with Rocky Mountain Power’s tariff, if the property
22 owner’s proposed location is operationally acceptable to Rocky Mountain Power and the

1 property owner pays the cost differential, the Company accommodates those reasonable
2 requests.

3 The County's assertion further ignores the mitigation measures proposed by the
4 Company during the conditional use permit application process. As is customary with all
5 of the Company's transmission projects, the Company evaluates the factors that impact
6 transmission projects as part of its planning process. As a result of this evaluation, and as
7 set out in further detail in the direct testimony of Donald T. Watts, the Company
8 proposed several mitigation measures to address the conflicts identified as part of the
9 application process, including measures directed at mitigating the impacts on the view
10 shed and residences in the vicinity of the proposed transmission line in Wasatch County.

11 **Q. Does the Wasatch segment ignore the Electrical Plan?**

12 A. No; in fact, the Wasatch segment is in harmony with the Electrical Plan, which clearly
13 notes that the Brown's Canyon Tap to Silver Creek 46 kV segment was planned to be
14 rebuilt at 138 kV. The Electrical Plan is a guidance document that is not intended to
15 determine exact locations of specific facilities. Furthermore, a representative from
16 Promontory was a member of the task force who was actively involved in drafting the
17 Electrical Plan, including the transmission line criteria.

18 **Q. In your direct testimony you outlined the discussions between Promontory and the**
19 **Company that resulted in the selection of the Wasatch Segment as the Company's**
20 **preferred alignment. Wasatch County alleges that the Company selected the**
21 **Wasatch Segment based "on the preference of the developer." Is this statement**
22 **accurate?**

1 **A.** No. Consistent with the Electrical Plan, the Company will usually attempt to upgrade an
2 existing transmission line in the current alignment. However, while the Company and
3 Promontory cooperated in identifying the Wasatch Segment, the Company independently
4 completed its customary analysis of the Wasatch Segment to insure the proposed
5 alignment met all technical requirements, which it did. Additionally, Promontory had
6 contested the sufficiency of the historic easement located through the middle of their
7 property. Given the prospect of pursuing lengthy and costly litigation to enforce the
8 existing easement rights, as well as the fact that Promontory was willing to grant fixed-
9 width easements along the Wasatch Segment, while still remaining on Promontory
10 property and pay the incremental costs to relocate the transmission line, the Company
11 concluded that the selection of the Wasatch Segment as the preferred alignment was in
12 the best interest of the Company's ratepayers.

13 **Q: Does this conclude your rebuttal testimony?**

14 **A:** Yes.