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**BEFORE THE UTAH UTILITY FACILITY REVIEW BOARD**

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In the Matter of Rocky Mountain Power's Petition for Review and Midway City's Counter-Petition for Review	<b>DIRECT TESTIMONY OF BENGT JONSSON FOR VOLT</b>  Docket No. 20-035-03
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1       **Q:     Please state your name, your address, and your position at Valley-Wide**  
2       **Opposition to Large Transmission (“VOLT”)**

3       A.     My name is Bengt Jonsson. I live at 945 String town Road, in Midway Utah. I  
4       am the President of the Valley-wide Opposition to High Voltage Transmission  
5       (“VOLT”).

6       **Q:     What is VOLT?**

7       A:     VOLT is a nonprofit corporation formed in 2018 by residents and citizens of  
8       Heber Valley who are concerned that the construction of overhead high-voltage  
9       transmission lines through the heart of our community will indelibly mar the  
10      pastoral beauty of Midway City, one of Utah’s most iconic small-towns.

11      **Q:     What is the purpose of your testimony?**

12      A:     I am submitting testimony on behalf of fifty-three of VOLT’s members in  
13      Midway City who are impacted by RMP’s transmission lines. I am also  
14      presenting testimony as an affected landowner with property sited directly in the  
15      path of RMP’s lines. RMP has not identified or acquired necessary right-of-way  
16      for its high-voltage transmission lines. Consequently, RMP’s estimated standard  
17      cost of overhead line construction does not include the costs of obtaining or  
18      condemning these necessary rights-of-way.

19      **Q:     Q:     What is your understanding of the rights-of way are necessary for**  
20      **RMP overhead construction?**

21      A.     RMP will be required to obtain easements that follow the path of the line depicted  
22      in the map attached to this written testimony as Exhibit 1. The map is prepared by  
23      VOLT and depicts RMP’s proposed overhead construction design identified as  
24      “Option B,” the City Council’s preferred route. The route is about one mile in  
25      length. It begins on 970 South, then proceeding north it follows a private, gated  
26      lane until it reaches Stringtown Road. It runs about an eighth-mile stretch along  
27      Stringtown Road to Wards Lane and then west along Wards Lane until it turns  
28      west and reaches Midway City boundary. RMP has already taken the position  
29      that easements required for 138 kV lines are between 55’ and 60’ wide. RMP’s  
30      Construction Agreement with HLP specifies that rights-of way for RMP’s 138 kV

lines must be at least 55' in width. RMP is, therefore, required to obtain easements across in Midway City that are at least 55' in width and that run the length of its mile-long line. I estimate that this includes area of roughly 411,840 square feet, almost 9.45 acres.

**Q: Are you familiar with the facilities to be constructed under the “Option B” design?**

**A:** Yes. Option B proposes to construct two new 138 kV transmission lines strung across at least fifteen (15) poles. The map identifies the poles as either purples or white circles along the route. Under Option B, at least three of the poles will be massive steel towers that are 7' in diameter and between 85' and 115' feet tall. These towers will be sited on private property. I have included a picture on one of these poles on another part of the line in Exhibit No. 1. The remaining poles are identified as purples dots on the map. These poles will be constructed of wood or steel and will range in size of 2.5' to 3' in diameter and 75' to 80' tall.

**Q: What rights-of-way has RMP obtained from private landowners in Midway City for its overhead transmission line?**

**A:** None, that I am aware of.

**Q: What portion of estimated stranded costs provided by RMP for overhead construction are for obtaining necessary rights-of-way?**

**A.** RMP estimates it will cost between \$22,598 and \$25,743. RMP's cost estimate presented to Midway City is attached here as Exhibit No. 2. RMP claims that it can build on top of HLP's distribution line and use HLP's existing easements without incurring any cost of obtaining separate or additional rights-of-way. In a report attached as Exhibit IRR-L to direct testimony submitted by RMP witness Benjamin LeFevre, it is assumed that HLP's prescriptive rights-of-way are 54.5' wide, approximately 27' on either side of its line. RMP has identified eleven (11) properties (including two parcels I own) where HLP's existing prescriptive rights-of-way may not be wide enough to accommodate the addition of RMP's transmission facilities. RMP estimates that it must acquire between 13,123 sq. ft. and 14,952 sq. to expand HLP's existing easements on these properties. RMP

estimates this will cost \$22,594-\$25,743.

**Q. Please describe HLP's existing facilities and rights-of-way in Midway City.**

A: HLP maintains 46 kV/12.5 kV distribution line sited on private property in Midway City along the path identified in Exhibit 1. This line owned by HLP is used to provide power service to Midway City and its residents. I do not know when the line was constructed, only that it has been in place for more than twenty years. The line is strung on wood poles that vary in height between 45' and 55'. RMP's height estimates for existing lines include portions of the line that are buried in the ground- up to 8 ft. deep. It is a single circuit line.

**Q: Please describe HLP's facilities located on your property.**

A: HLP's line is sited in my front yard about 27 feet from the front door of my home on 945 Stringtown Road. The map identifies my home as No. 12. The line also sits at the front of the parcel I own next-door at 955 Stringtown Road, identified as No. 11 on the map. I own the parcel next to it at 945 Stringtown Road. I have included a picture of the line on my property in Exhibit No. 3. As you can see HLP's line is sited within seven feet of two 100-year old willow trees in my front yard. There is a 50' tall wooden pole on my property neighbor's property on the other side of our home at 945. HLP occasionally performs light tree trimming to maintain a clearance of 8' to 10' feet from its line.

**Q: How wide are clearances maintained by HLP on your property?**

A: HLP's website advises property owners that it requires 10' wide clearance on either side of its line. Meaning, HLP may remove vegetation and structures within a 20' wide corridor that follows the path of HLP's line. But, HLP does not aggressively maintain clearance. In fact, certain portions of the line are within five to eight feet of existing structures and trees. The line is sited through agricultural and residential property. The line along Stringtown Road is bordered by old growth trees including 100-year old willow trees on my property. The portion of the line running across property No. 9 and No. 10 is actually sited on a private lane. Here, the line runs through pockets of beautiful cottonwood and willow trees in some areas. There are fences constructed immediately below

HLP's lines, within inches of HLP's poles. At the end of the lane, there is a small barn constructed immediately beneath one of HLP's lines.

**Q: Does HLP maintain any recorded easement on your property?**

**A:** No. I have searched county records. HLP does not have any recorded easement on my property or any other private property for its south line Midway that I could find. The Notices of Easement submitted by RMP in this proceeding do not include HLP's line in Midway. No one from HLP has ever claimed to me that they have recorded easements in Midway.

**Q: Are you aware that HLP claims an easement that is between 55.5' to 60' on your property?**

**A:** No. HLP's claim is totally fictitious. My front door is 27 feet from HLP's center line. Steps to my front porch would be in HLP's easement. HLP's centerline are located about 20 feet from my house. My neighbor's house is sited 26' away from HLP's pole sited in their front yard. There are fences, barns, homes, old-growth trees within at least 10' feet of the length of HLP's line in Midway City. At most I would estimate that HLP could claim 8' to 10' right-of-way by prescription on either side of line, simply by passage of time. In some places, it does not appear as though HLP maintains any clearance because there are trees that actually touch HLP's lines.

**Q: What would be the impact of RMP's transmission lines that require 30' wide easement on either side of its center line on your property?**

**A:** If RMP were to construct its line as proposed under "Option B" my home would be in RMP's easement, sited beneath two 138 kV transmission lines spanning the length of my front yard on my property. I will lose both my 100 year-old willow trees. RMP has offered homeowners tree replacement vouchers valued at \$25 per voucher. The value of a mature, old-growth tree that can be purchased and replanted can cost tens of thousands of dollars. The pole located on property No. 14 would be dangerously close to my neighbor's house, within less 18 feet. Another neighbor down the street with a home on property No. 15, would actually have a steel transmission tower 7' wide and 115' tall in his front yard. All of the

homes on the line on Stringtown Road would lose our beautiful views of Mount Timpanogos. Even worse, for those of us living in homes sited twenty feet or less from RMP's lines and poles would be constantly subjected to the hum of high-voltage transmission lines moving power over RMP's transmission system located in our front yards.

**Q: As a homeowner in Midway, are you willing to have the line buried along your property, and waive any claims you may have to damages for loss of property or value in your home?**

A. Of course. I've polled the other VOLT members with property on the portion of RMP's line in Midway City. They too are willing to waive claims to monies for severance and other damages if the line is buried. Pursuant to the City Council's instruction, VOLT has collected more than \$500,000 to be paid to RMP. This fund will offset a portion of actual excess costs that must be paid by Midway City if the line is buried.

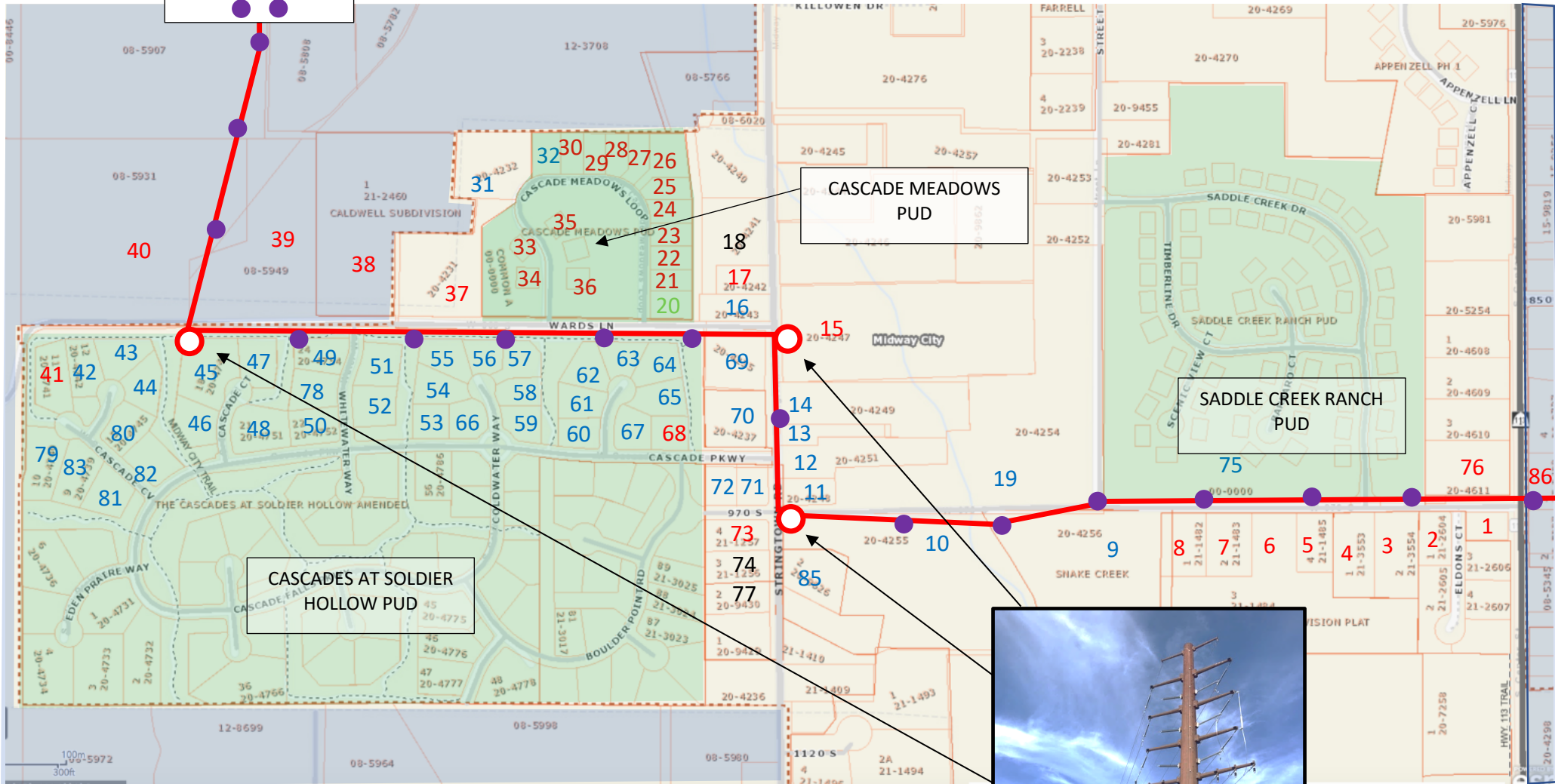
**Q. Does this conclude your direct testimony?**

A. Yes.

# **EXHIBIT 1**

# MIDWAY UTAH RMP / HLP JORDANELLE – MIDWAY TRANSMISSION LINE IMPACT MAP

To Midway Substation  
At least 2 more poles



- KEY**
- BLUE = APPRAISAL RECEIVED
  - RED = APPRAISAL NEEDED
  - = PROPOSED ROUTE
  - = 7ft Diameter 85-115' Steel Pole (seen in picture)
  - = 3ft Diameter 75-80' Steel Pole (6) or 2.5ft Diameter 75-80' Wooden Pole?
  - = Wasatch County

Proposed Poles



Existing Poles





## **EXHIBIT 2**

# PROVIDE COST AND SIZE OF EASEMENTS

	Short Span	Long Span	Underground
Wards Lane	0sf	0sf	134sf
Stringtown Road	1401sf	1729sf	1298sf
970 S. West	4676sf	5489sf	329sf
970 S. East	7046sf	7734sf	813sf
Total	13123	14952	2574
Fee Acre Price	\$ 150,000.00	\$ 150,000.00	\$ 150,000.00
% of Fee	0.5	0.5	0.5
Est. Easement Cost	\$ 22,594.70	\$ 25,743.80	\$ 4,431.82

## **EXHIBIT 3**

