

Heidi Gordon (#11655) (hgordon@fabianvancott.com)
FABIAN VANCOTT
215 So. State Street, Suite 1200
Salt Lake City, Utah 84111
Telephone: 801-531-8900

Bret Reich (#9542) (bret.reich@pacificorp.com)
PACIFICORP, d/b/a ROCKY MOUNTAIN POWER
1407 W. North Temple, Suite 320
Salt Lake City, Utah 84116

Attorneys for Petitioner Rocky Mountain Power

BEFORE THE UTAH UTILITY FACILITY REVIEW BOARD

<p>PACIFICORP, doing business as ROCKY MOUNTAIN POWER,</p> <p style="text-align: right;">Petitioner</p> <p style="text-align: center;">vs.</p> <p>MIDWAY CITY,</p> <p style="text-align: right;">Respondent</p>	<p style="text-align: center;">REBUTTAL TESTIMONY OF BENJAMIN LEFEVRE</p> <p style="text-align: center;">Docket No. 20-035-03</p>
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1 **Q: Have you read the direct testimony of Jerry Webber and the attachments, filed in**
2 **this proceeding?**

3 A: Yes.

4
5 **Q: Do you agree with Mr. Webber's conclusions as to the compensable value of the**
6 **impact to the properties, if the transmission line is built above-ground?**

7 A: No. The testimony provided by Mr. Webber, based on his appraisals of the properties
8 impacted by proposed power corridor upgrade, concludes a total value decrease of
9 \$3,410,162 across a total of 49 properties shown in the table at the end of his provided
10 testimony. The column labeled "decrease value" shows the calculation for each property.
11 However, based on the rebuttal testimony of Mr. Benjamin Clegg, a project manager
12 working on the power corridor expansion, there are a number of properties included in
13 Mr. Webber's opinion where no property or property rights will be acquired as part of the
14 power corridor expansion.

15
16 There are a total of 49 properties in the table provided with Mr. Webber's testimony that
17 are shown to have what he calls "decrease value". Of these 49 properties, the analysis by
18 Mr. Clegg shows that 40 of them do not have any property that will be acquired as part of
19 the project. Excluding the "decrease value" estimates of those 40 properties the
20 remaining impacted properties show a total "decrease value" of \$767,712. This is
21 \$2,642,450 (or approximately 77%) less than the \$3,410,162 shown in Mr. Webber's
22 exhibit.

23
24 It is also noted that there is also another parcel in the list that Mr. Clegg believes is a
25 duplicate (Property 84 appears to be a duplicate of Property 10). If that is a duplicate, the
26 total value decrease by Mr. Webber's figures would be \$691,344. That would be
27 \$2,719,418 (or 80% less), than the \$3,410,162 shown in Mr. Webber's exhibit.

28
29 **Q: In conducting an eminent domain appraisal, is it typical to include properties that**
30 **are not physically touched by the project?**

1 A: No. Typical eminent domain appraisal practice would only include estimates of property
2 value for properties where there is actually an acquisition of property (such as land) or
3 property rights (such as an easement).

4
5 **Q: Have you performed any independent appraisals on the properties in question?**

6 A: No.

7
8 **Q: Then, what property values did you use to conclude that Mr. Webber’s analysis**
9 **includes between \$2,642,450 and \$2,719,418 in “decrease value” that is not**
10 **applicable to determining the value of easements for the proposed overhead**
11 **transmission line?**

12 A: I based my calculations on the property values used by Mr. Webber. If the properties in
13 question were appraised by me, I might reach different conclusions as to the fair market
14 value of the underlying properties or the easements than Mr. Webber’s conclusions.

15
16 **Q: So, using Mr. Clegg’s summary of which properties would be directly impacted by**
17 **an overhead transmission line and Mr. Webber’s property valuations—with the**
18 **understanding that you have not done an independent appraisal of these properties**
19 **yourself—what do you calculate to be the value of the additional easements that**
20 **would need to be acquired by Rocky Mountain Power for the transmission line to be**
21 **constructed overhead?**

22 A: Between \$691,344 and \$767,712.

23
24 **Q: Does this conclude your rebuttal testimony?**

25 A: Yes.

26