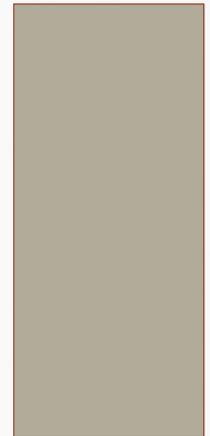


TRANSMISSION LINE
ROCKY MOUNTAIN POWER &
HEBER LIGHT AND POWER

CONDITIONAL USE



PROPOSED CONDITIONAL USE

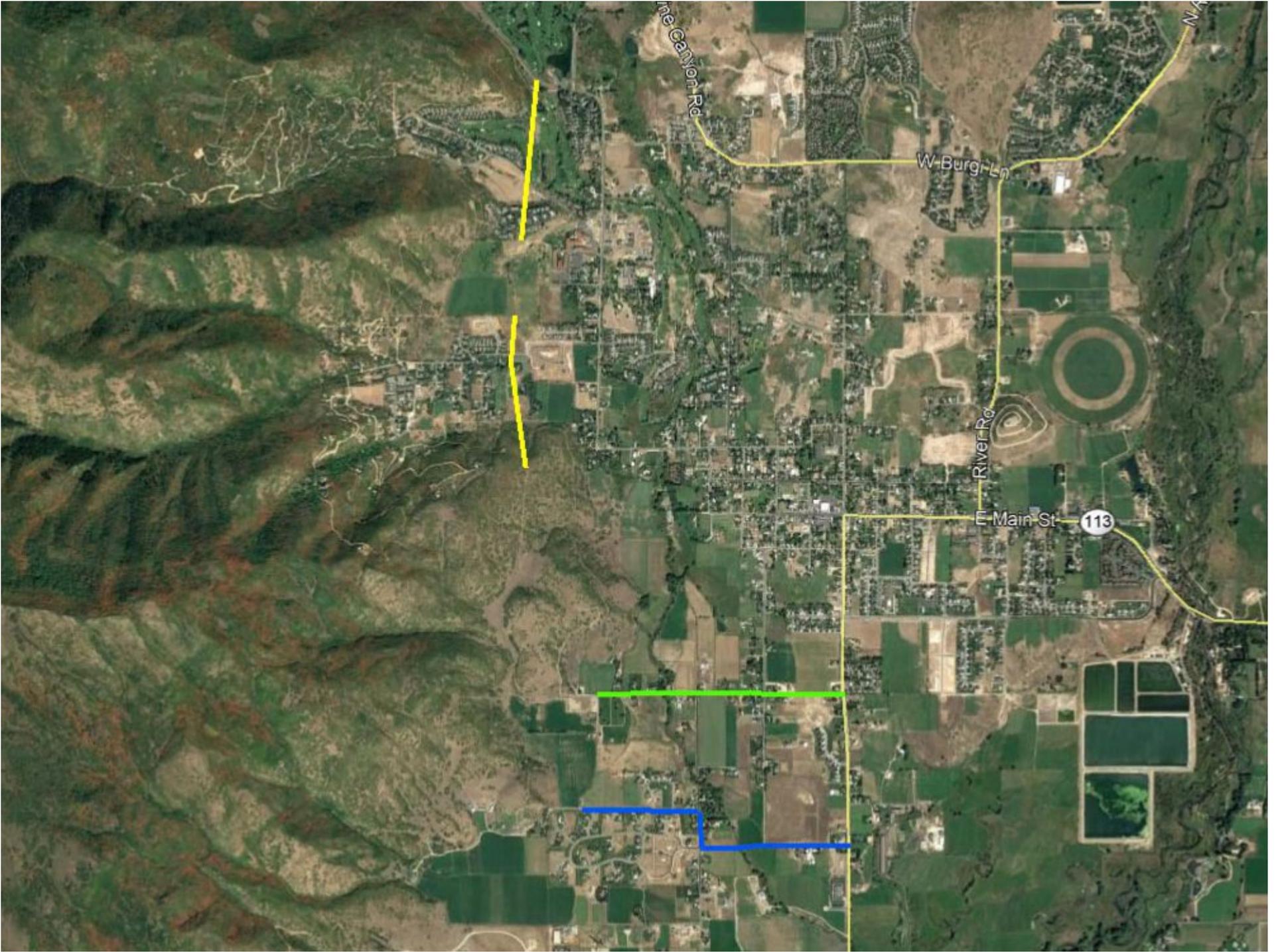
- Rebuild existing HL&P (46-138kV)
- Install RMP lines on the same poles (138kV)
- Establish a second transmission line interconnection
 - Strengthen reliability
 - Increase capacity in Midway and surrounding area
- About 1 mile of transmission line in Midway
 - Follow historic route
 - Stringtown Road, Wards Lane, and 970 South
- Pole heights would range from 65' – 85'
- Distribution lines would be buried by HL&P

CITY CODE

- Midway adopted a transmission line code on 1-15-2019
- Transmission lines allowed as a conditional use
- Resident concerns
 - Aesthetics
 - Health
 - Property values
 - Potential other options (lack of)

TRANSMISSION LINES IN MIDWAY

- Judge Line (west of Homestead Drive)
 - Rocky Mountain Power
 - 1 mile
- 500 South
 - Heber Light & Power
 - 0.8 miles
- 970 South
 - Heber Light & Power
 - 1 mile



SWISS ALPINE



LIME CANYON



LIME CANYON



500 SOUTH



500 SOUTH



500 SOUTH



970 SOUTH



970 SOUTH



STRINGTOWN ROAD



STRINGTOWN ROAD



WARDS LANE



WARDS LANE 65' POLE



Stringtown Road 55' Pole



Hwy 113
Approx. 60'



970 South 55' Pole



WARDS LANE 65'



Stringtown Road



970 South



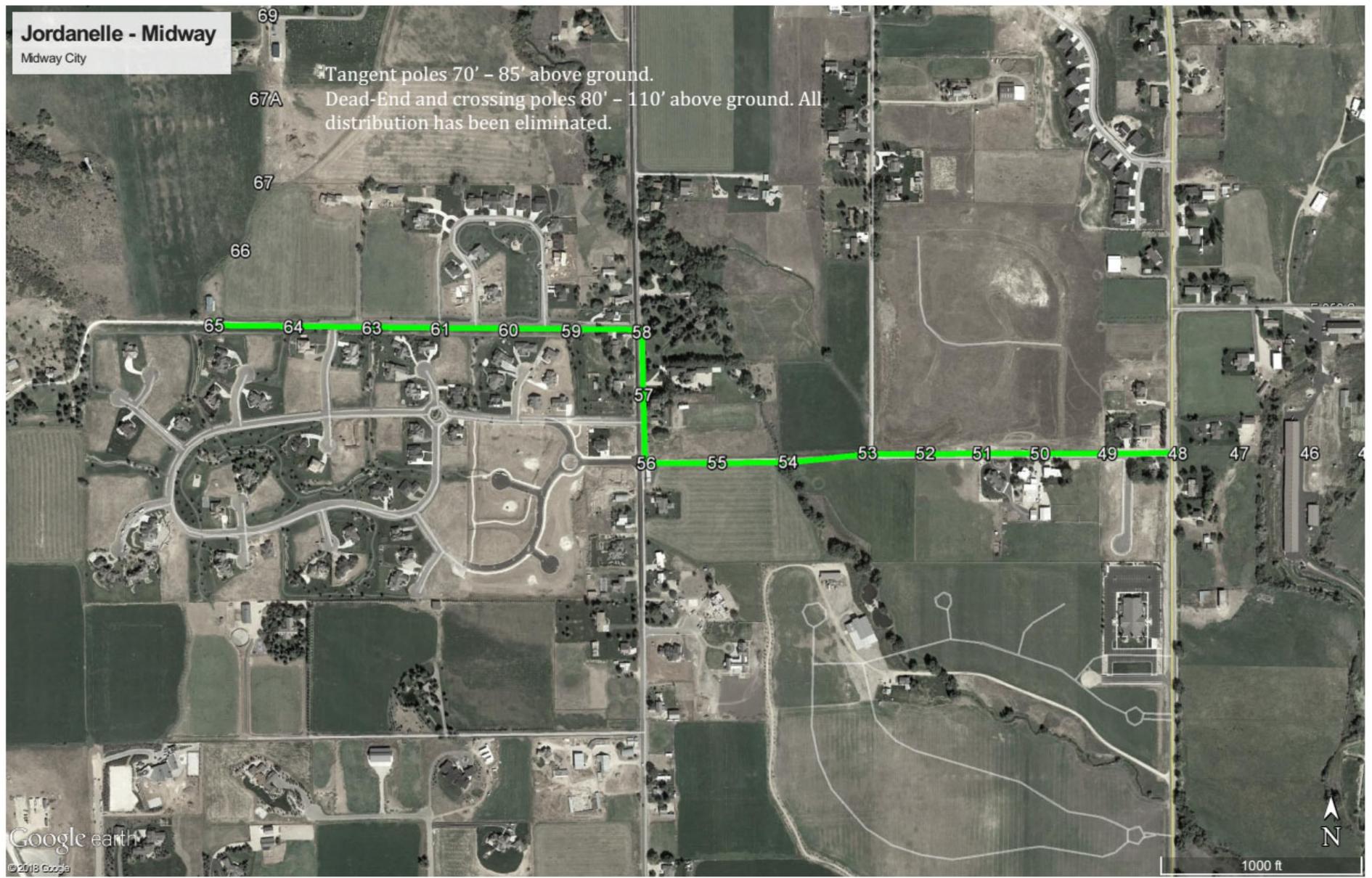
TRANSMISSION LINE PROPOSAL

CONDITIONAL USE

Jordanelle - Midway

Midway City

Tangent poles 70' - 85' above ground.
Dead-End and crossing poles 80' - 110' above ground. All
distribution has been eliminated.



Google earth

© 2018 Cuzzia

1000 ft



Tangent Pole



Dead End Pole

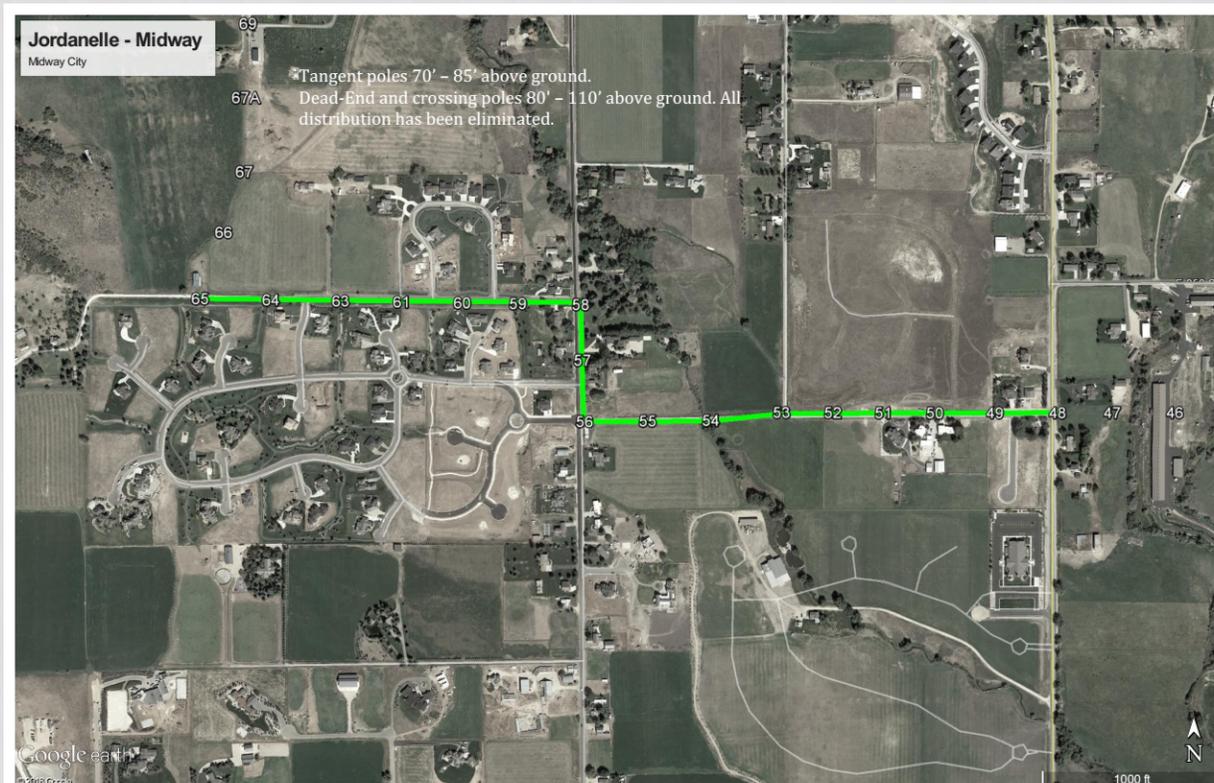


SUBMITTED DOCUMENTS

- Underground Transmission Cost/Feasibility Study
- Transmission Lines and Property Values: Review of the Research
- EMF Electric and Magnetic Fields Associated with the Use of Electric Power
- Powering Our Future: Summit Wasatch Electrical Plan Local Planning Handbook

ROUTE

- Section.13.47 (D)(1)
 - Prefers transmission lines follow historic routes
 - Proposal is to follow existing route



POLE HEIGHT

- Section.13.47 (D)(2)
 - Prefers the shortest poles allowed by industry standards
 - All options should be considered for aesthetics and for harmonizing with the vision of the General Plan
 - Taller poles may reduce the number of poles required
 - Shorter poles may require the most amount of poles
 - Proposal is to replace existing 55'-65' (total length of poles) poles with poles that are 65'- 85' in height
 - All distribution and, possibly, communication lines will be buried

TYPES OF POLES

- Section.13.47 (D)(3)
 - Limits the types of poles and focuses on the visual impact
 - No galvanized poles or reflective material is allowed
 - Pole color and material will focus on minimizing the visual impact
 - Wood poles or metal poles are both options
 - Wood poles would be taller than metal poles
 - If metal poles are chosen then the City may determine the color
- Section.13.47 (D)(4)
 - Any reasonable conditions may be imposed

BURIAL OF TRANSMISSION LINES

- Section.13.47 (E)
 - Allows the City to require the burial of transmission lines and distribution lines
 - Application states that distribution and communication lines will be buried
 - If transmission lines area required to be buried
 - Cost must be considered
 - The City or some other source must pay the difference in cost
 - Must be paid within 30 days after construction has commenced
 - Limited time allowed to pay the difference in cost creates complications that would need to be considered

SPECIAL ASSESSMENT OPTIONS

- 4-million-dollar amount
- 20-year term
- % is based on taxable value in Midway

% of Total Taxable Value	100%	50%	25%	10%	5%
Annual Cost per \$100,000 of Property Value	\$23.26	\$46.52	\$93.04	\$232.59	\$465.19
Annual Cost per \$500,000 of Property Value	\$116.30	\$232.59	\$465.19	\$1,162.97	\$2,325.93
Annual Cost per \$1,000,000 of Property Value	\$232.59	\$465.19	\$930.37	\$2,325.93	\$4,651.86

BOND OPTIONS

- 4-million-dollar bond
- Maximum time length of 21 years
 - \$88.61 per year on a \$4400,000 residence
 - \$161.12 per year on a \$4400,000 business
- Full time resident
 - \$20.14 for every \$100,000 assessed market value
- Full time resident
 - \$36.62 for every \$100,000 assessed market value
- Businesses
 - \$36.62 for every \$100,000 assessed market value

BURIAL OF TRANSMISSION LINES

- Two poles are required, one for each transmission line

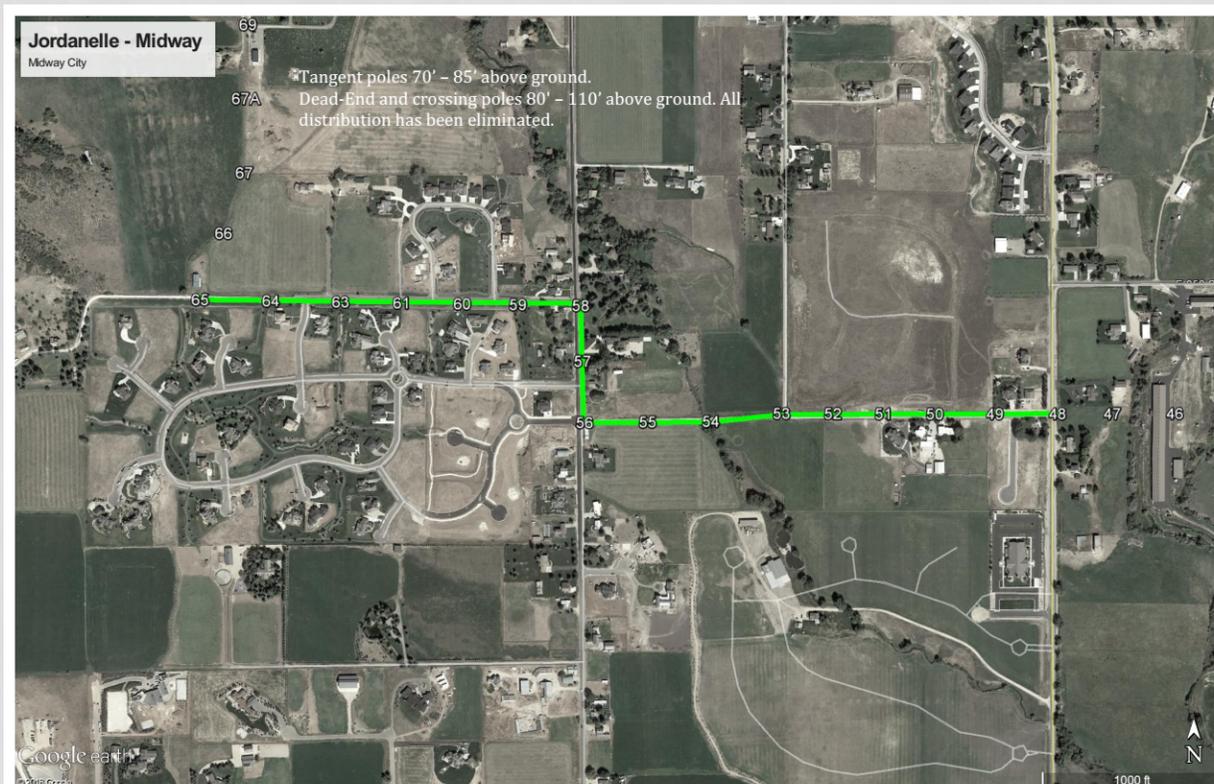


POLE HEIGHT & NUMBER OF POLES

- Option A
 - 21 poles
 - 65' – 83'
 - 6 steel poles and 15 wood poles
- Option B
 - 16 poles
 - 70' - 85'
 - 6 steel poles and 10 wood poles
- Option B Alternate
 - 16 poles
 - 70' – 88'
 - 7 steel poles and 9 wood poles

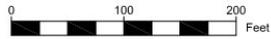
ALTERNATIVE ROUTE STUDY

- Section.13.47 (D)(1)
 - Prefers transmission lines follow historic routes
 - Proposal is to follow existing route



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



JORDANELLE-MIDWAY TRANSMISSION LINE MIDWAY RIGHT-OF-WAY MAP

Section 3, Township 4 South, Range 4 East, SLB&M
Wasatch County, Utah

Option A (short spans)

Existing 46kV ROW: 27' from centerline
138kV ROW: 28.5' from centerline

- LEGEND:**
- PROPERTY LINE
 - - - ROAD RIGHT-OF-WAY LINE
 - PAVED ROAD
 - - - UNPAVED ROAD
 - x-x- FENCE
 - EXISTING POWER LINE
 - EXISTING POLE
 - EXISTING GUY/ANCHOR
 - PROPERTY CORNER MARKER
 - PROPOSED POWER LINE
 - PROPOSED POLE
 - - - EXISTING RIGHT-OF-WAY LINE
 - - - PROPOSED RIGHT-OF-WAY LINE



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Drawing # 17412-Midway-A
Sheet 1 of 4
7/05/2019

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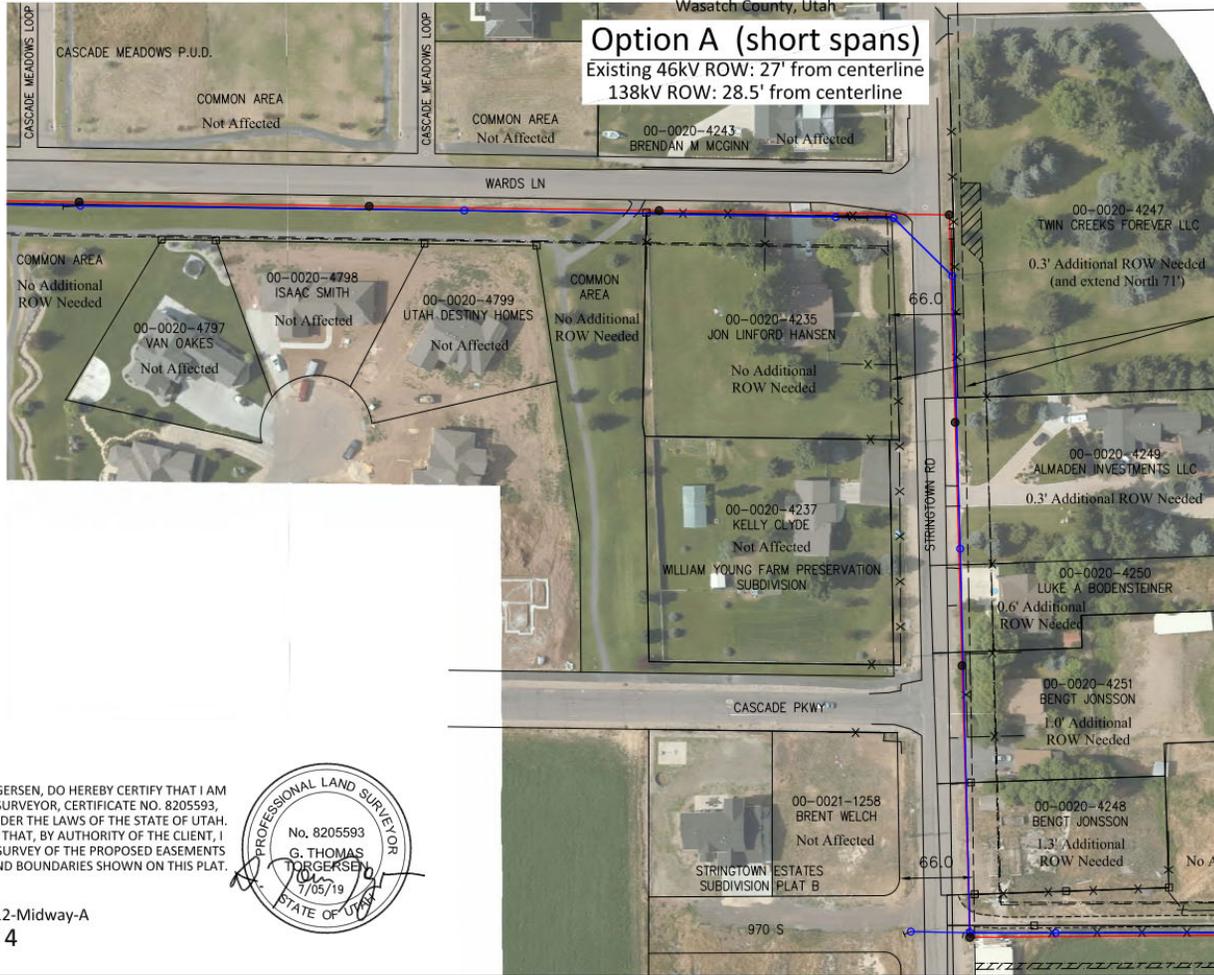
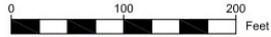
ROCKY MOUNTAIN POWER
A DIVISION OF PACIFICORP

JORDANELLE-MIDWAY TRANSMISSION LINE MIDWAY RIGHT-OF-WAY MAP

Section 3, Township 4 South, Range 4 East, SLB&M
Wasatch County, Utah

Option A (short spans)

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- PROPERTY LINE
 - - - ROAD RIGHT-OF-WAY LINE
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 - EXISTING POWER LINE
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 - PROPERTY CORNER MARKER
 - PROPOSED POWER LINE
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Stringtown Road right-of-way lines based on 33' half-width from centerline (Typ.)

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JORDANELLE-MIDWAY TRANSMISSION LINE MIDWAY RIGHT-OF-WAY MAP

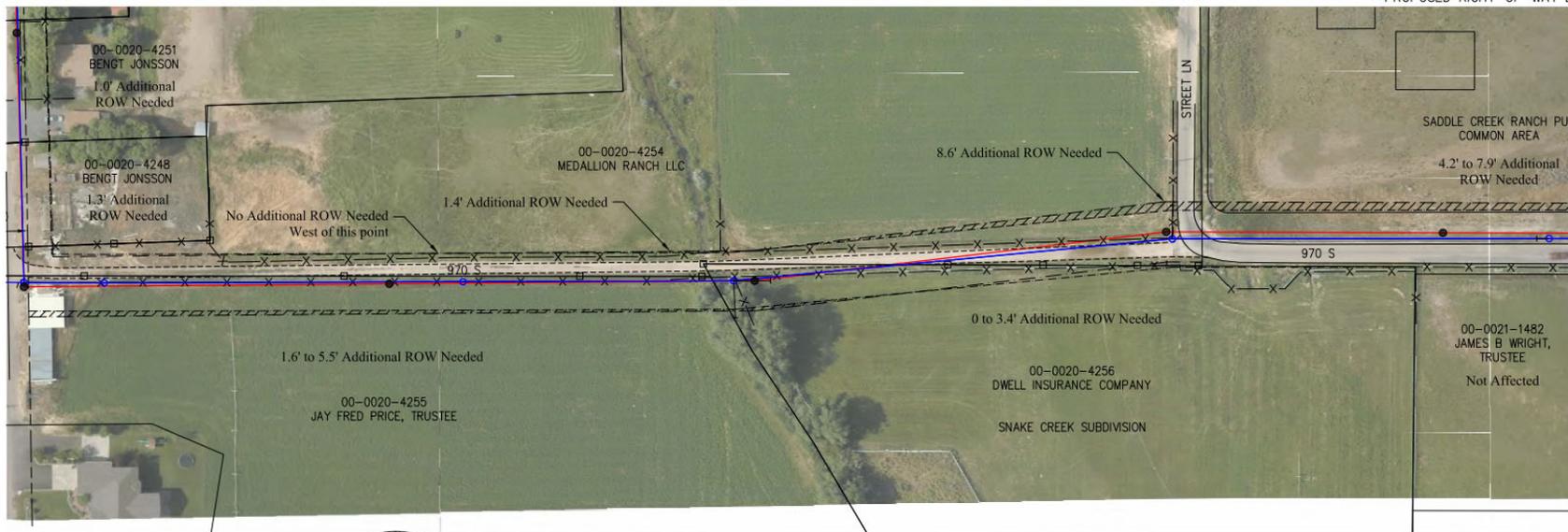
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Wasatch County, Utah

Option A (short spans)

Existing 46kV ROW: 27' from centerline

138kV ROW: 28.5' from centerline

- LEGEND:**
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 - - - ROAD RIGHT-OF-WAY LINE
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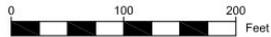
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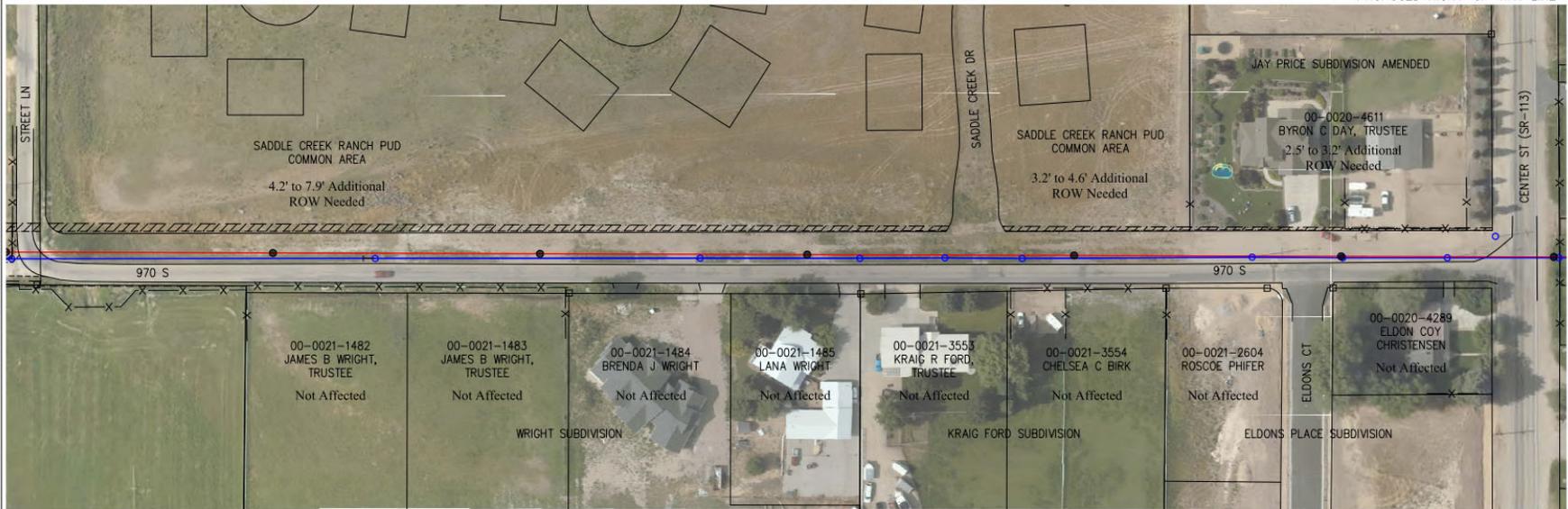
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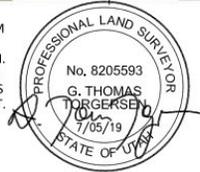
Option A (short spans)

Existing 46kV ROW: 27' from centerline
138kV ROW: 28.5' from centerline

- LEGEND:**
- PROPERTY LINE
 - - - - ROAD RIGHT-OF-WAY LINE
 - PAVED ROAD
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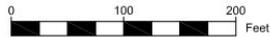
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JORDANELLE-MIDWAY TRANSMISSION LINE MIDWAY RIGHT-OF-WAY MAP

Section 3, Township 4 South, Range 4 East, SLB&M
Wasatch County, Utah

Option B (long spans)

Existing 46kV ROW: 27' from centerline
138kV ROW: 29' from centerline

- LEGEND:**
- PROPERTY LINE
 - - - - - ROAD RIGHT-OF-WAY LINE
 - PAVED ROAD
 - - - - - UNPAVED ROAD
 - x - x - FENCE
 - EXISTING POWER LINE
 - EXISTING POLE
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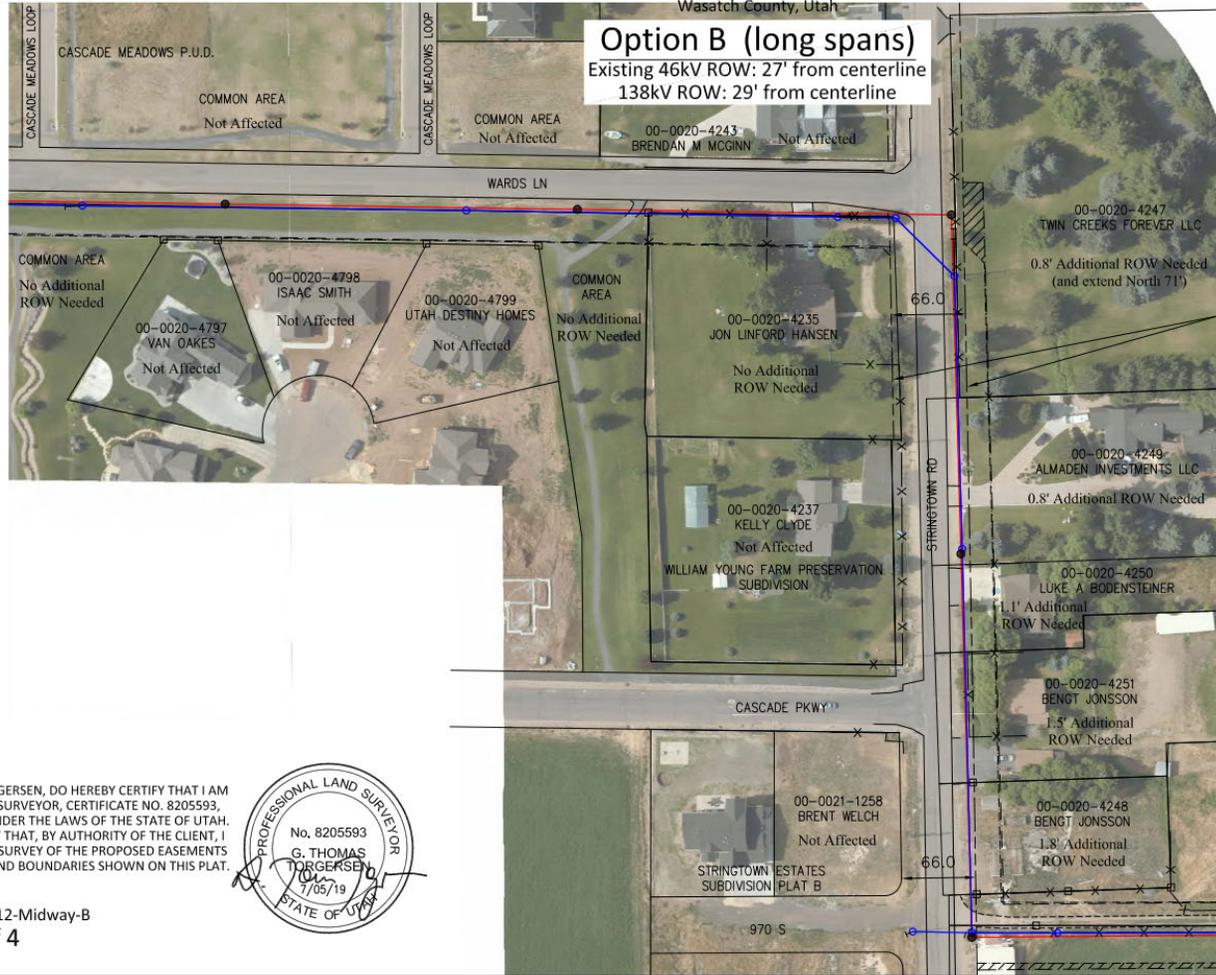
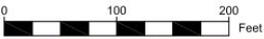
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JORDANELLE-MIDWAY TRANSMISSION LINE MIDWAY RIGHT-OF-WAY MAP

Section 3, Township 4 South, Range 4 East, SLB&M
Wasatch County, Utah

Option B (long spans)

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138kV ROW: 29' from centerline



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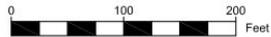
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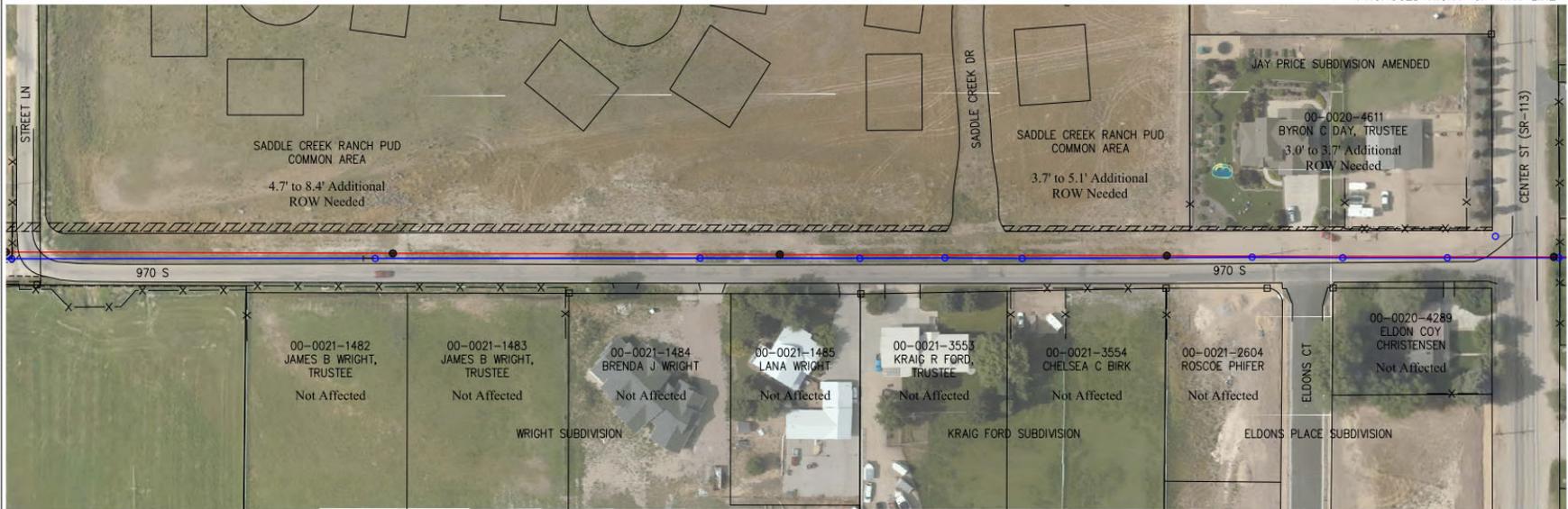
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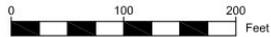
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JORDANELLE-MIDWAY TRANSMISSION LINE MIDWAY RIGHT-OF-WAY MAP

Section 3, Township 4 South, Range 4 East, SLB&M
Wasatch County, Utah

Option C (Underground)

Existing 46kV ROW: 27' from centerline
138kV Underground ROW: 15' from centerline and 30'x80' for vaults

LEGEND:	
	PROPERTY LINE
	ROAD RIGHT-OF-WAY LINE
	PAVED ROAD
	UNPAVED ROAD
	FENCE
	EXISTING POWER LINE
	EXISTING POLE
	EXISTING GUY/ANCHOR
	PROPERTY CORNER MARKER
	PROPOSED POWER LINE
	PROPOSED POLE
	EXISTING RIGHT-OF-WAY LINE
	PROPOSED RIGHT-OF-WAY LINE
	PROPOSED VAULT



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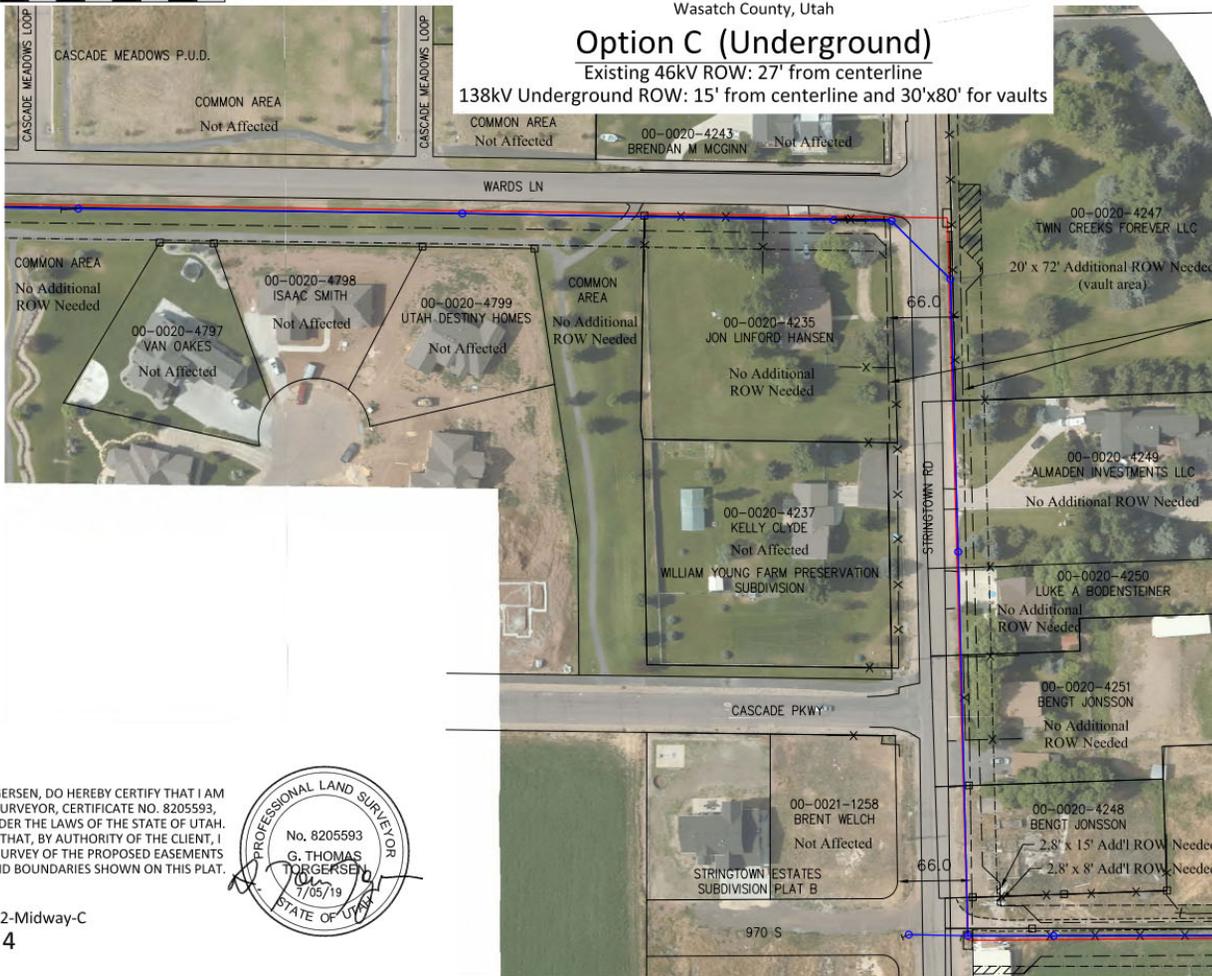
JORDANELLE-MIDWAY TRANSMISSION LINE MIDWAY RIGHT-OF-WAY MAP

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Wasatch County, Utah

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 - - - PROPOSED RIGHT-OF-WAY LINE
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Stringtown Road right-of-way lines based on 33' half-width from centerline (Typ.)

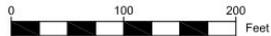
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LEGEND:

—	PROPERTY LINE
- - -	ROAD RIGHT-OF-WAY LINE
—	PAVED ROAD
- - -	UNPAVED ROAD
x-x	FENCE
—	EXISTING POWER LINE
o	EXISTING POLE
T	EXISTING GUY/ANCHOR
□	PROPERTY CORNER MARKER
—	PROPOSED POWER LINE
●	PROPOSED POLE
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- - -	PROPOSED RIGHT-OF-WAY LINE
□	PROPOSED VAULT



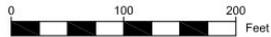
I, G. THOMAS TORGERSEN, DO HEREBY CERTIFY THAT I AM A LICENSED LAND SURVEYOR, CERTIFICATE NO. 8205593, AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY THAT, BY AUTHORITY OF THE CLIENT, I HAVE DIRECTED A SURVEY OF THE PROPOSED EASEMENTS AND AFFECTED LAND BOUNDARIES SHOWN ON THIS PLAT.



Drawing # 17412-Midway-C
Sheet 3 of 4
7/05/2019

PREPARED BY:
TORGERSEN ENGINEERING
265 North 600 East
Richfield, Utah 84701
(435) 893-0081
www.TorgEng.com

ROCKY MOUNTAIN POWER
A DIVISION OF PACIFICORP



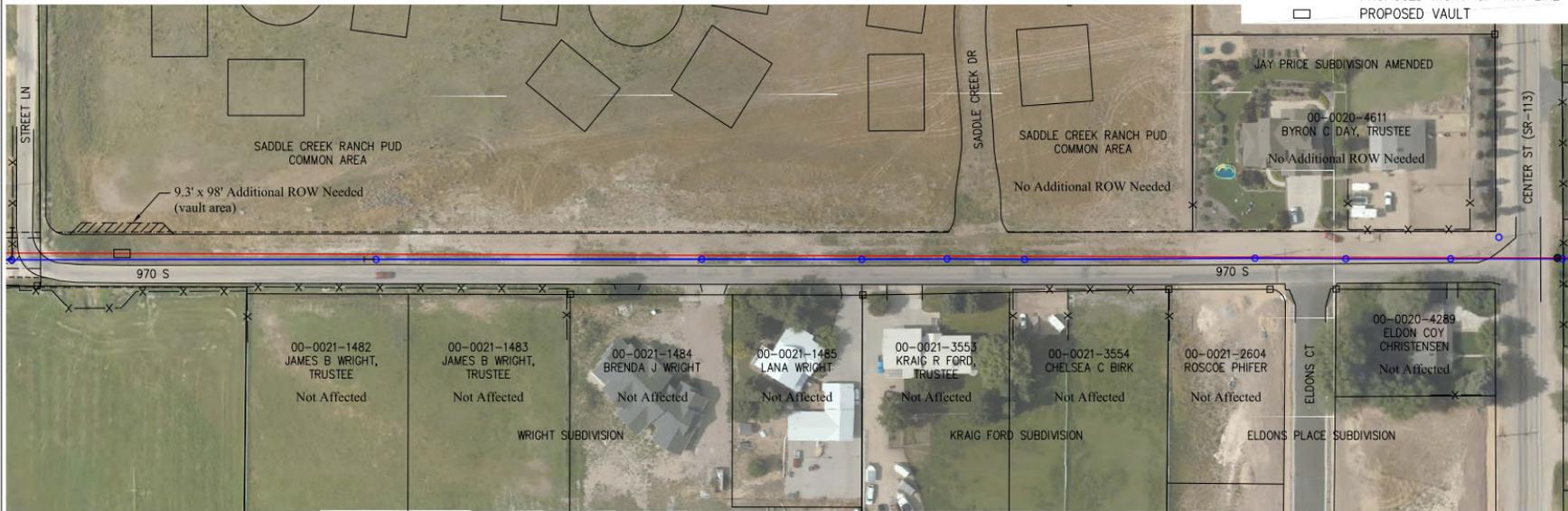
JORDANELLE-MIDWAY TRANSMISSION LINE MIDWAY RIGHT-OF-WAY MAP

Section 3, Township 4 South, Range 4 East, SLB&M
Wasatch County, Utah

Option C (Underground)

Existing 46kV ROW: 27' from centerline
138kV Underground ROW: 15' from centerline and 30'x80' for vaults

LEGEND:	
	PROPERTY LINE
	ROAD RIGHT-OF-WAY LINE
	PAVED ROAD
	UNPAVED ROAD
	FENCE
	EXISTING POWER LINE
	EXISTING POLE
	EXISTING GUY/ANCHOR
	PROPERTY CORNER MARKER
	PROPOSED POWER LINE
	PROPOSED POLE
	EXISTING RIGHT-OF-WAY LINE
	PROPOSED RIGHT-OF-WAY LINE
	PROPOSED VAULT



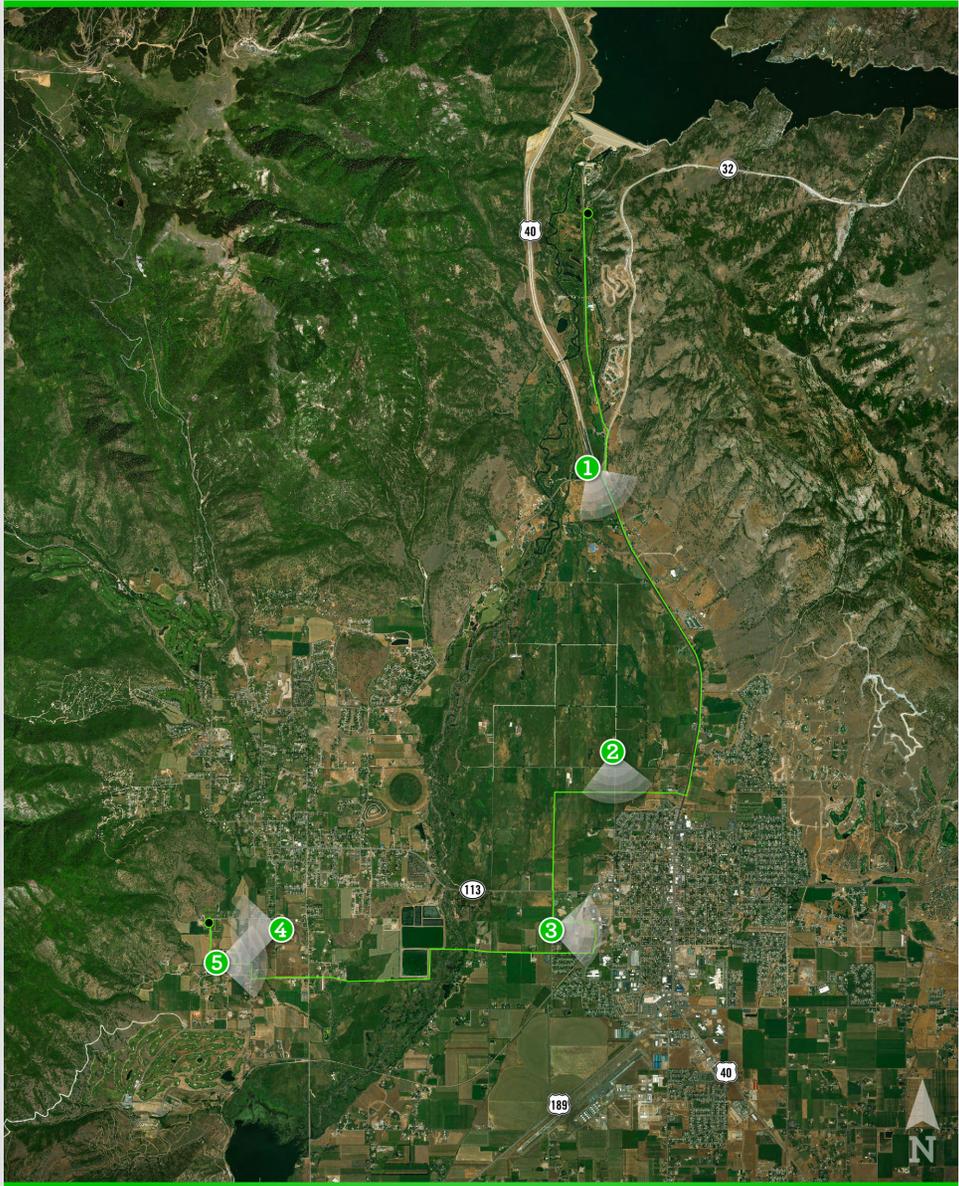
I, G. THOMAS TORGERSEN, DO HEREBY CERTIFY THAT I AM A LICENSED LAND SURVEYOR, CERTIFICATE NO. 8205593, AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY THAT, BY AUTHORITY OF THE CLIENT, I HAVE DIRECTED A SURVEY OF THE PROPOSED EASEMENTS AND AFFECTED LAND BOUNDARIES SHOWN ON THIS PLAT.



Drawing # 17412-Midway-C
Sheet 4 of 4
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ROCKY MOUNTAIN POWER
A DIVISION OF PACIFICORP



— TRANSMISSION LINE TO BE REBUILT

① VIEWPOINT LOCATION

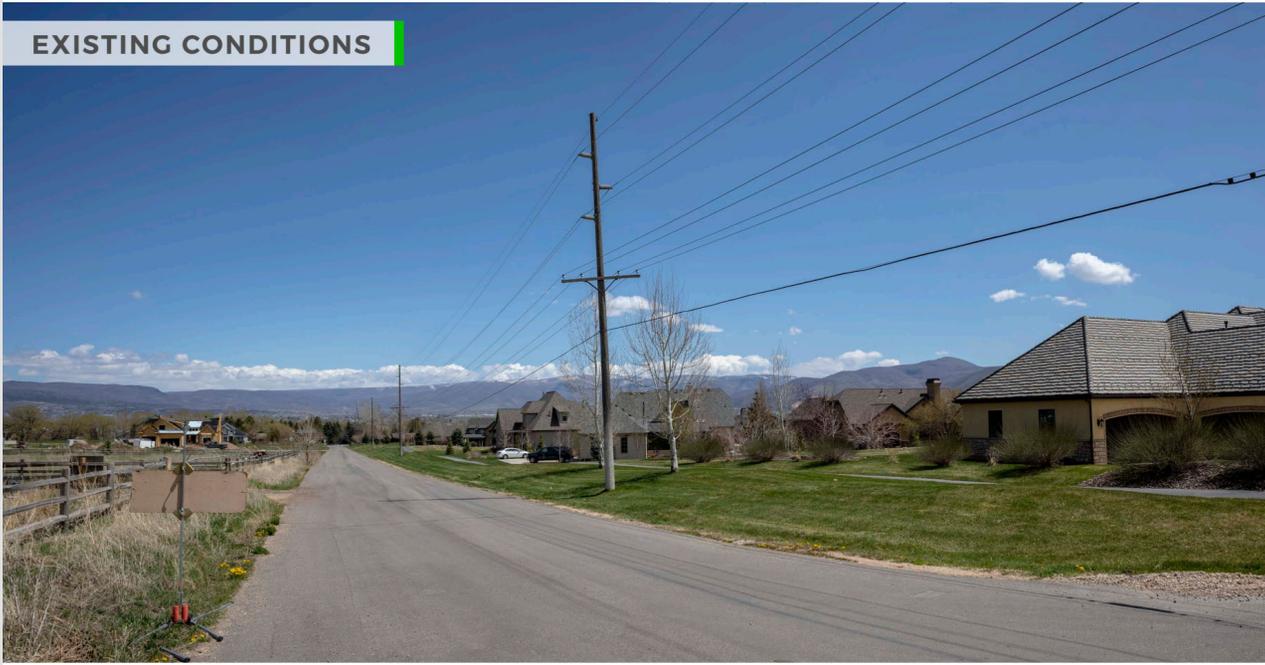
● SUBSTATION

JORDANELLE TO MIDWAY TRANSMISSION LINE UPGRADE PROJECT

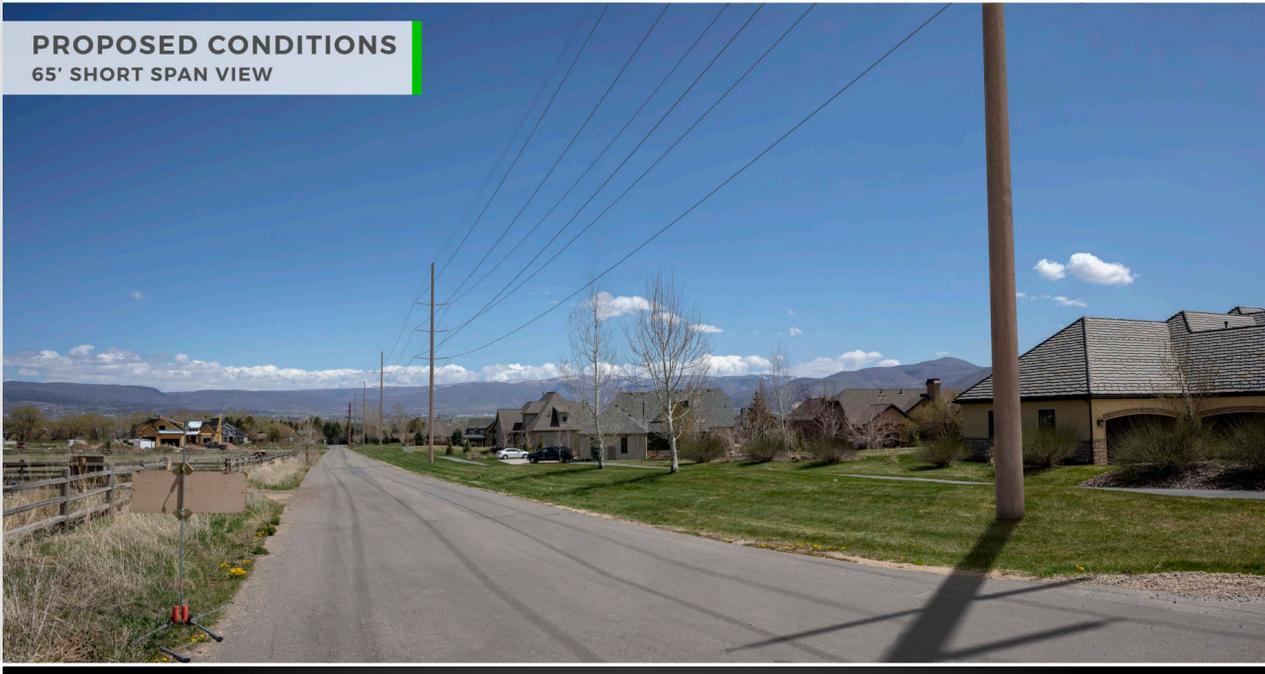


PHOTO SIMULATION BY
POWER ENGINEERS

EXISTING CONDITIONS



PROPOSED CONDITIONS
65' SHORT SPAN VIEW



EXISTING CONDITIONS



PROPOSED CONDITIONS
70' LONG SPAN VIEW



PROPOSED CONDITIONS
65' SHORT SPAN VIEW



PROPOSED CONDITIONS
70' LONG SPAN VIEW



Typical Span Lengths Proposal
Span Length: 300ft - 395ft
16 Total Structures
Structure Height Above Ground:
70ft - 85ft



Reduced Pole Height Proposal
Span Length: 185ft - 395ft
21 Total Structures
Structure Height Above Ground:
65ft - 83ft



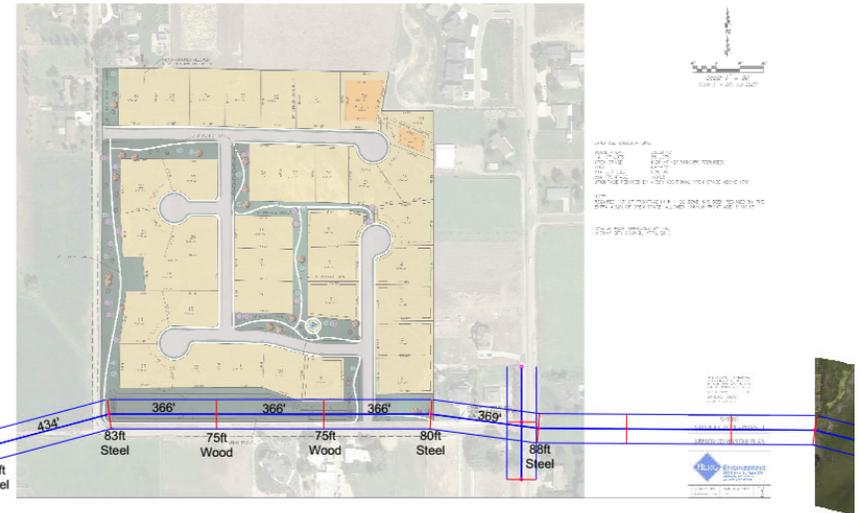
LONG & SHORT SPAN OPTIONS

		970 S (Center - 250 W)						970 S (250 W - Stringtown)			Stringtown (970 S - Wards Lane)			Wards Lane (Stringtown - County)									
Short Span / Shorter Poles	Structure Number	# 1	# 2	# 3	# 4	# 5	# 6	# 7	# 8	# 9	# 10	# 11	# 12	# 13	# 14	# 15	# 16	# 17	# 18	# 19	# 20	# 21	
	Pole Height (Feet)	83	80	75	70	70	70	72	75	80	81	75	65	71	65	65	65	65	65	65	65	65	70
	Pole Material	Steel	Wood	Wood	Wood	Wood	Wood	Steel	Steel	Wood	Steel	Wood	Wood	Steel	Wood	Wood	Wood	Wood	Wood	Wood	Wood	Wood	Steel
	Span (Feet)	210	264	264	264	264	264	395	348	348	241	216	184	258	258	258	258	258	258	258	258	258	Steel
Long Span / Taller Poles	Structure Number	# 1	# 2	# 3	# 4			# 5	# 6	# 7	# 8	# 9		# 10	# 11	# 12	# 13	# 14	# 15	# 16			
	Pole Height (Feet)	85	80	75	75			72	75	80	81	75		73	75	75	75	75	75	70			
	Pole Material	Steel	Wood	Wood	Wood			Steel	Steel	Wood	Steel	Wood		Steel	Wood	Wood	Wood	Wood	Wood	Steel			
	Span (Feet)	382	382	382	382			395	348	348	340	301		333	313	331	343	390	355				
Long Span / Taller Poles / 970 Road	Structure Number	# 1	# 2	# 3	# 4			# 5	# 6	# 7	# 8	# 9		# 10	# 11	# 12	# 13	# 14	# 15	# 16			
	Pole Height (Feet)	88	80	75	75			83	78	80	80	75		73	75	75	75	75	75	70			
	Pole Material	Steel	Steel	Wood	Wood			Steel	Steel	Wood	Steel	Wood		Steel	Wood	Wood	Wood	Wood	Wood	Steel			
	Span (Feet)	369	366	366	366			434	366	366	369	302		333	313	331	343	390	355				

Longer Span Summary:	Long span results in two (2) fewer poles that are 0' - 5' taller.	Both designs are identical.	Long span results in one (1) fewer pole that is 0' - 10' taller.	Long span results in two (2) fewer poles that are 0' - 10' taller.
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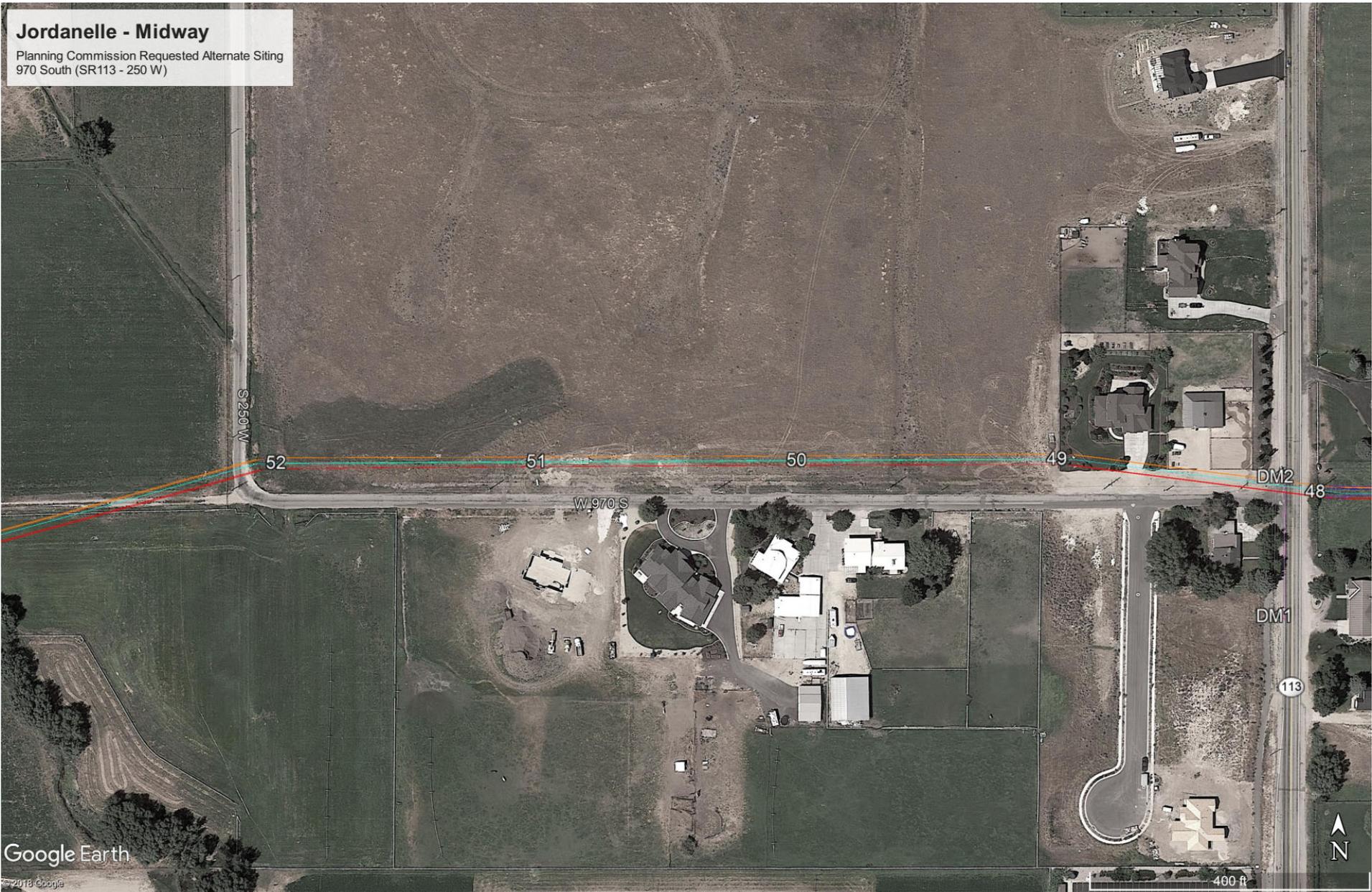
970 South Road Span Summary:	Long span results in two (2) fewer poles that are 0' - 5' taller and one (1) more steel pole.	Both designs are identical.	Long span results in one (1) fewer pole that is 0' - 10' taller.	Long span results in two (2) fewer poles that are 0' - 10' taller.
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OPTION B - ALTERNATE



Jordanelle - Midway

Planning Commission Requested Alternate Siting
970 South (SR113 - 250 W)



Google Earth

© 2018 Google

Jordanelle - Midway

Planning Commission Requested Alternate Siting
970 South (250 W - Stringtown)



Google Earth

© 2018 Google

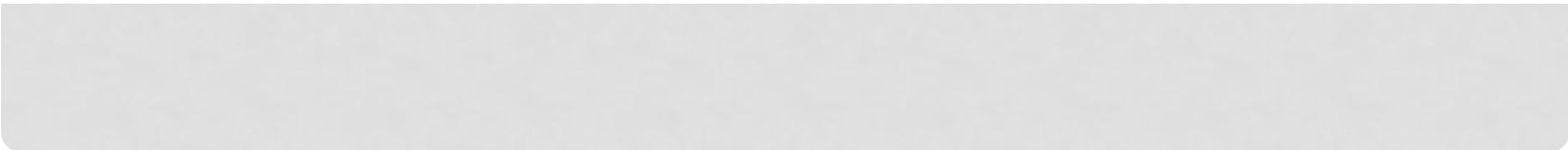
400 ft



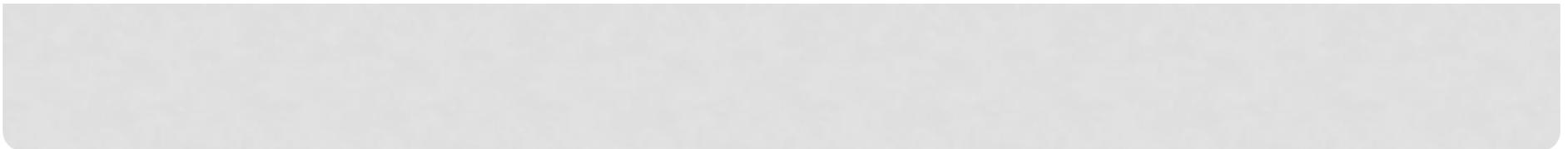
Metal Finishes: Self-Weathering Steel



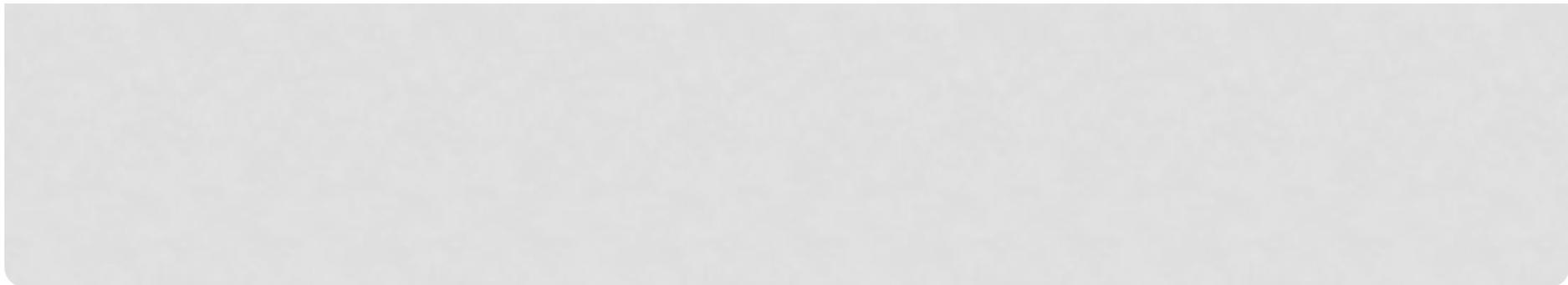
Metal Finishes: Galvanized Steel



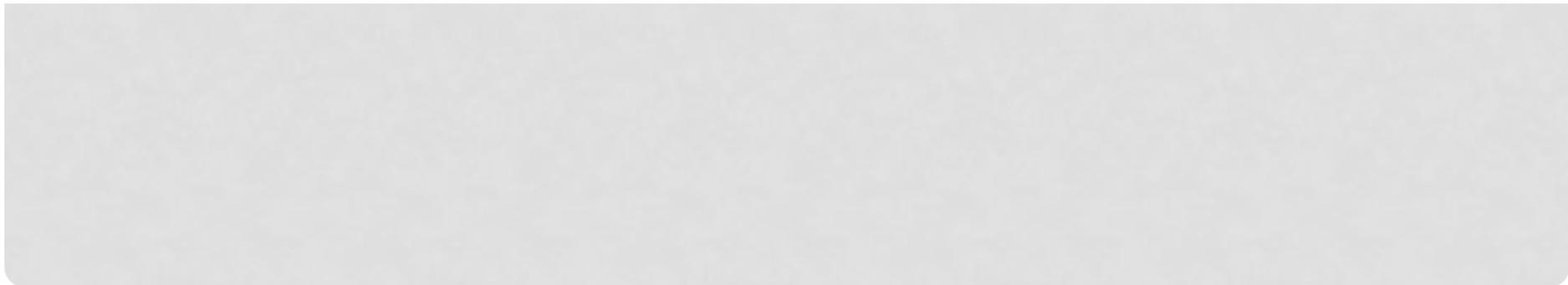
Metal Finishes: Dulled Galvanized Steel



46kV – 138kV Rights-of-Way with Vegetation



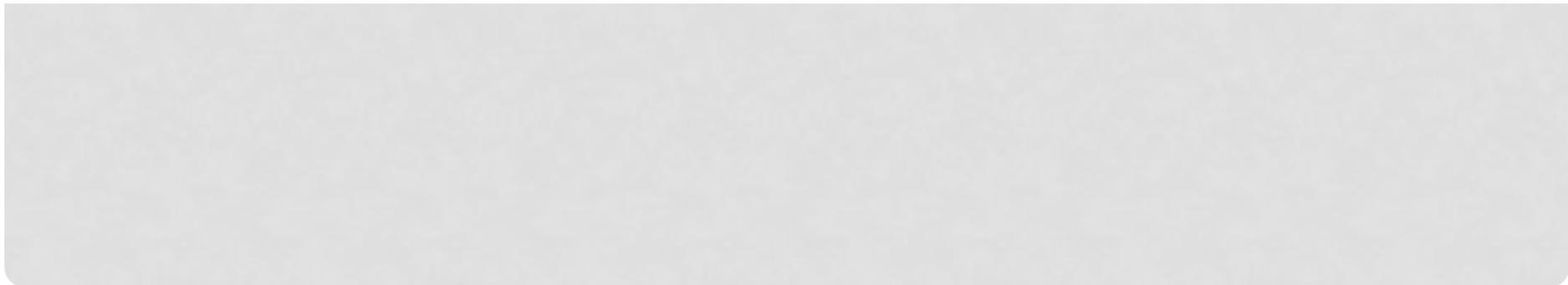
46kV – 138kV Rights-of-Way with Vegetation



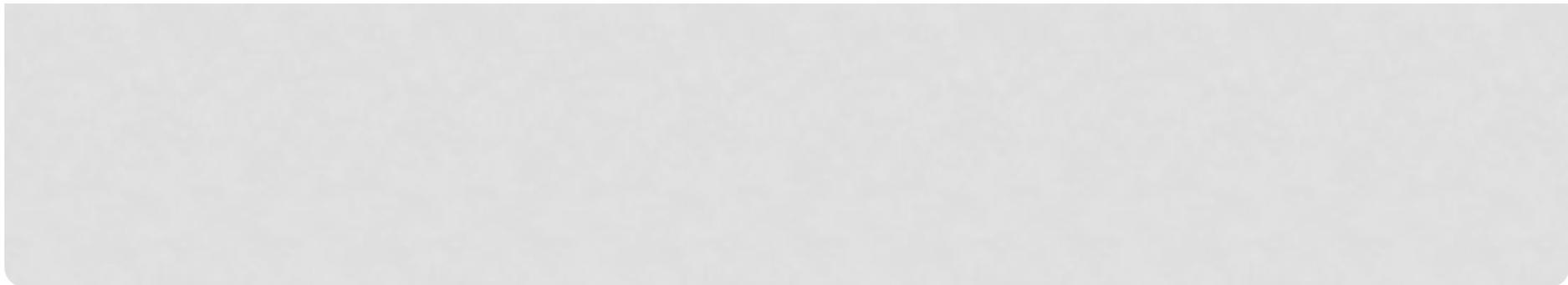
46kV – 138kV Rights-of-Way with Vegetation



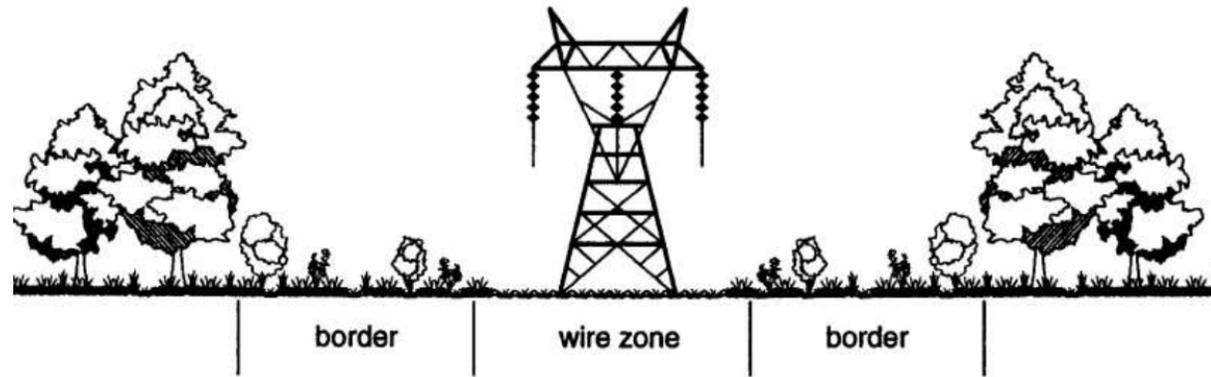
46kV – 138kV Rights-of-Way with Vegetation



345kV Rights-of-Way with Vegetation



Bramble & Byrnes Right-of-Way Method



POSSIBLE FINDINGS

- The proposal is an administrative review and approval
- The proposed use is a conditional use and the city may impose reasonable conditions to mitigate identified issues
- The proposal includes taller poles that will be visible to the residents of Midway, visitors of Midway, and the surrounding residents of Wasatch County
- The distribution and possibly communication lines will be buried to help declutter the current transmission line situation, and reduce the weight being carried by the poles, thus reducing poles in the area
- The proposal will create a second point of power access that will benefit the residents of the valley
- The proposal will allow more power to enter the valley that will benefit the entire community by meeting community needs

PROPOSED CONDITIONS

As the review process continues, conditions will be created based on public comment, Planning Commission discussion, and City Council discussion.



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RENO
SALT LAKE CITY
TUCSON

Mark O. Morris
(801) 257-1904
mmorris@swlaw.com

August 13, 2019

VIA FACSIMILE 435.654.4120, 888.822.8796

VIA E-MAIL

Midway City Planning Commission
c/o Corbin Gordon, City Attorney
Midway, Utah 84049

Re: VOLT Request for Continuance on Heber Light & Power's Application for
Conditional Use Permit

Dear Corbin:

I write on behalf of my client, the Valley-wide Opposition to Large Transmission Lines ("VOLT") to request that the Midway City Planning Commission ("Planning Commission") continue its review of the application for a condition use permit ("CUP") submitted by Rocky Mountain Power ("RMP") and Heber Light and Power ("HLP") to permit additional factual input and public comment. VOLT requests that Planning Commission withhold any recommendation to the Midway City Council until the Planning Commission holds a public meeting for the purpose of obtaining information requested by the Commission on May 14, 2019, and to identify proposed conditions to be included in the CUP.

Midway City Ordinance Section 16.13.47(D)3 requires that a CUP applicant provide costs of proposed line construction. To that end, on May 14, 2019, this Commission moved to continue RMP's CUP application and requested that RMP "provide cost and size easements..."¹ It appears to us that RMP has failed to provide such information. Costs cited by Planning Commission Staff only include a dollar amount for obtaining additional square footage to expand the width of existing easements. The Planning Commission Staff report indicates these costs will be between \$22,594 and \$25,743.80. But you and the City must be aware that these estimates do not include all easement costs.

VOLT disputes easement cost estimates provided by RMP included in the Planning Commission Staff Report. Utah law requires that RMP and HLP provide "just compensation" to landowners subject to the expanded easement. Utah Code Ann. §78B-6-511(1)(b) requires that just compensation includes severance damages. Meaning, "If the property sought to be condemned constitutes only a part of a larger parcel, the damages which will accrue to the portion not sought

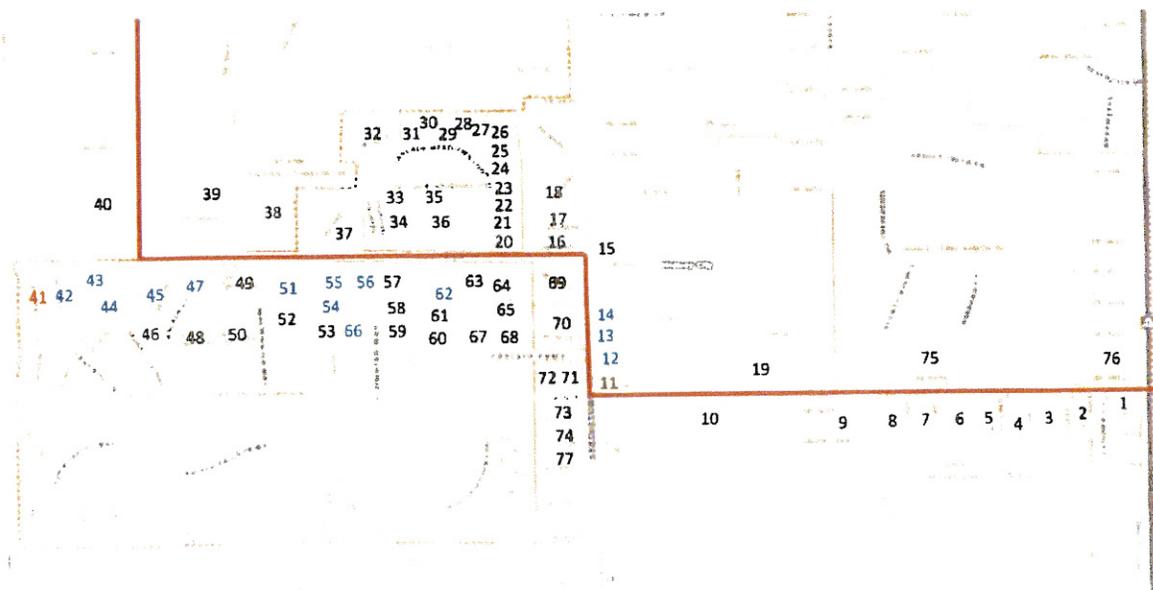
¹ Midway City Planning Commission Staff Report, August 13, 2019, at page 3.

Midway City Planning Commission
August 13, 2019
Page 2

to be condemned by reason of its severance from the portion sought to be condemned and the construction of the improvement in the manner proposed by the plaintiff.”

Generally, the court will assess severance damages, by measuring the market value of the property before the taking, and the market value of the property after the taking.² Market value is based on the property’s actual value as of the date of the service of summons.³ “Market value” may “consider everything a willing buyer and a willing seller would consider in determining the market value of the property after the taking.”⁴ Courts have construed “market value” to be equal to the amount “a purchaser willing to buy but not required to do so, pay and what would a seller willing to sell but not required to do so, ask.”⁵ Where partial taking results in severance damages by affecting the remainder of the property, “the cardinal and well-recognized rule as to the measure of damages to property not actually taken but affected by condemnation is the difference in market value of the property before and after the taking.”⁶

VOLT engaged an appraiser to objectively determine the amount of severance damages that would be due to owners of property bordering the transmission line’s proposed route. This is a significant undertaking, as there are over 70 properties that have to be taken into account.



² *State v. Noble*, 305 P.2d 495, 497 (1957).

³ Utah Code Ann. §78B-6-512(1).

⁴ Utah Code Ann. §78B-6-511(2)(a).

⁵ *Noble*, 305 P.2d at 497.

⁶ *Salt Lake County Cottonwood Sanitary District v. Toone*, 357 P.2d 486, 488 (Utah 1960).

Midway City Planning Commission
August 13, 2019
Page 3

Preliminary estimates indicate that beyond the cost of obtaining additional property to expand existing easement, RMP and HLP would be required to pay property owners multiple millions of dollars for lost property value outside the easement area. Estimates for lost property values VOLT obtained, based on realtor estimates, indicate severance damages in the range of mid-seven figures. Those appraisals continue, and we are concerned that RMP and HLP have not done the sort of due diligence to estimate these costs that the City Council expected of them.

There is no doubt that the CUP poses significant impacts to property values throughout the valley. The "Planning Commission Meeting Staff Report," attached as "Exhibit 1," states that "the proposal will have an impact on the properties along the route and on the entire community."⁷ Further, Planning Commission Staff determined that "the proposed lines will not be in harmony," with General Plan's agricultural land use description for this area."⁸ VOLT requests that the Planning Commission continue its review of RMP's application and consider additional data that VOLT will provide demonstrating significant impacts to property values throughout Midway. VOLT is prepared to provide part of that data now, but additional appraisals are still in the works.

Midway City Land Use Ordinance Section 16.26.12(C)(3) provides, "[t]he Planning Commission may recommend, and the City Council may impose, conditions on the requested use which are additional to any conditions which are specifically listed in conjunction all conditional uses or special exception prescribed within this Ordinance." VOLT also requests that the Commission seek public input and additional information in determining what conditions should be included in the CUP to mitigate impacts to property values and land use decisions.

Very truly yours,

Snell & Wilmer



Mark O. Morris

Cc: Adam Long, Esq. via email
VOLT, via email
MOM:mkm

Enclosure

⁷ Planning Commission Staff Report Analysis No. 1 (page 5-6)

⁸ *Id.*

Dear Midway City Council Members:

Members of the Midway public have expressed the following concerns that we would like to have addressed as part of the Heber Light and Power (HLP) and Rocky Mountain Power (RMP) conditional use permit (CUP) process prior to any approval of such CUP by our city. I am writing on behalf of these many concerned citizens. We implore you to consider how you would feel if such a project was coming through or right near to your property.

Thank you very much for your attention to this time sensitive matter.

Best regards,

Heather Whitney Hwhitney_90403@yahoo.com

Provide Proper Public Notice

1. There are at least several property owners who are within the footage range requiring notice that have not been provided notice of the hearing tonight. Examples can be provided.
2. The lack of notice was verified by Michael Henke of Midway Planning.
3. Proper notice needs to be given by and is the responsibility of the applicants.
4. Another public hearing with proper notice will need to be held.

Present Comprehensive, Accurate Facts to the Public

1. All salient issues should be brought up, not just that there are fewer poles. The new poles are significantly larger in height, diameter, and voltage, as detailed in the following points.
2. The voltage carried on the poles increases from 46 kv (HLP) to 276 kv (138 kv HLP and new 138 kv RMP lines), an increase of 6 times the current voltage even on a linear basis.
3. Regarding height, there is a very significant increase. The current poles range from 55 feet to 65 feet, with about 8 feet of that height located underground. This leaves the height above ground ranging from about 47 – 57 feet tall, as I understand it. Given that the under the Typical Span proposal that most of the poles are 75 – 80 feet tall above the ground, this is an increase ranging from approximately 32 – 70% in height.
4. Regarding the diameter, my understanding is that maximum diameter of the existing poles does not exceed 24 inches. While the new wood poles would be similar, the 6 “dead end poles” will be 5 – 6 feet (about 60 – 72 inches) in diameter, quite similar to the new larger poles along Highway 40. This is an increase of approximately of 2 ½ – 3 times the current diameter.
5. Regarding voltage, the current historic lines carry 46 kv with prescriptive easements owned by our locally owned HLP. Under the HLP – RMP proposal, the power poles will now carry 276 kv with the upgraded 138 kv lines for HLP (needed for our valley) and

another 138 kv for RMP to largely support Utah and Summit counties and beyond. The power line easements become the property of RMP. This increase in voltage is exponential, but even linearly, it is an increase of at least 6 times the amount of voltage due to the addition of RMP power lines onto these poles.

Educating the Public: Loss of HLP Power Line Easements and Non-historic Addition of RMP Lines

1. Most people do not understand the full picture, dynamics, and what is at stake here. If they did, and if we educate them, with help from volunteers on a committee spearheaded by the Mayor and other leadership, we could get more honest feedback from residents. Without a proper survey being conducted on this important issue, the community may be taken very much by surprise when the new poles just start coming into Midway.
2. Given the very real possible alternative that if RMP was not allowed to go on the HLP southern line poles that RMP would come separately through a more northern part of Midway, such as River Road, for its transmission lines; the southern line and properties in that section are carrying a large burden on behalf of Midway in general in order to consolidate the lines. By doing this, the southern line is protecting a major view corridor for Midway.
3. Midway generates significant revenues from the resort aspect of its community, and therefore this is a significant benefit to a city such as Midway (arguably as opposed to other cities that are more suburban or commercial in nature).
4. This alternative was threatened by RMP once RMP was invited into this valley by HLP several years ago in a deal that HLP entered into several years ago. The Midway public should be educated on this so that they understand how the city could have been impacted if the south line did not adsorb the burden of the brand new RMP lines.
5. The RMP lines that are being requested by HLP and RMP to be added to the southern line largely service Utah and Summit counties, including Park City, and beyond). The historic easements along the southern line are for HLP lines and not for RMP lines.
6. HLP is owned by the cities of Heber, Midway, and Charleston. It is an inter-local public utility. This provides many privileges and local control to our community given its structure. RMP is owned by Berkshire Hathaway, a huge and extremely profitable company, which is not answerable to our community.
7. Unfortunately, another hugely important downside to the deal with RMP is that HLP hands over ownership of its power line property easements to RMP along the upgraded lines, which arguably decreases or eliminates our community's control over the lines and what happens with the power lines.
8. The City Council and other leadership can help determine the information to communicate to the city, as well as the survey content. A full picture should be provided to residents.

Consult with a Specialized Utility Industry Attorney

1. It is critically urgent to consult with a well-regarded attorney that specializes in the utility industry, as opposed to primarily only consulting with a more general attorney. This is a very specialized area of law. One idea is for the city of Midway to consult with the same attorneys that are working with Park City on the RMP power lines there.
2. Park City did not want the RMP lines coming through their community and were effectively able to stop this from happening. Can we not piggy-back off of their work, or at least consider their approach for our own city?
3. In addition, a utility attorney could give Midway guidance regarding how the HLP Board and Audit Committee should be operating, what their duties are, and what information HLP management should be providing to the Board and Audit Committee and how frequently. These attorneys could help set up good working procedures for the Board and Management, etc.
4. We also need to determine that the attorney that has been providing legal advice to Midway City does not have a conflict of interest in advising on this CUP.
5. We should give substantial consideration to using the full extent of the authority that we have explicitly provided for in this code language in Section 16.13.47 of our Land Use Code with such an important decision to be made that impacts so many people in Midway.

Create a Midway Power Committee and Conduct Survey

1. We would like to request the creation of an ad-hoc (or permanent) Power Committee for Midway (like the City has the Trails and Traffic committees). This committee could help prepare and execute a power line survey.
2. With the alternative being that RMP could possibly come right down River Road or the like and impede the beauty of other major view corridors and the city's resort nature and revenue sources, it is arguably of great concern to hundreds, if not thousands, of people who live in this town.
3. Many members of the public have been in contact with me and are inquiring about the status of performing a survey to better assess how the Midway community feels about financing putting the power lines underground in Midway if such lines have to come through our city. It is their understanding, and I have heard mention of this before at the Midway city level as well, that Midway had planned to conduct such a survey.
4. A project of this magnitude and potential impact on the entire city really needs the leadership of the Mayor, City Council, and Planning Commission. The group starting and running the survey should not have the perception of being run by a special interest group. Can you please commission the organization of a committee to pursue creation and execution of a survey? Can we do the type of surveying that is being done for the Midway trail system?
5. There are members of the Midway public who would be happy to help facilitate the survey and volunteer to make it happen. It would seem of extreme importance to assess the will of the city's constituents and to give them the information to make informed responses.

Provide Potential Financing Scenarios for the Public to Consider

1. If the Midway public was to better understand this situation -- that the alternative was possibly to have 2 transmission lines cutting through the city, it seems likely that many residents would want to help fund putting the lines underground given this significant extra burden being put on the southern line, in order to protect the entire community and its resort nature and beauty and its most significant revenue source.
2. By the southern line taking on the significant load of the RMP lines in addition to the historic HLP power lines in that area, view corridors and natural beauty are protected throughout the city, not just in the southern portion.
3. The Midway public needs to be educated about this and it would be an important series of points to lay out as part of a survey.
4. Not everyone will be in favor of paying to put the power lines underground, just as they weren't all in favor of bonding for open space. However, enough may care that we can share the burden of preserving Midway's beauty, protect the wellbeing of its residents and visitors, and minimize the various impacts of the upgraded power lines.

Assess HLP Board and Audit Committee Fiduciary Duties and Proper Execution of Such Duties

1. The way that we ended up in this situation starting several years ago needs to be examined. Furthermore, the same issues continue with the HLP Board and management today, due to a majority of the HLP Board not providing the oversight, review, and direction that a board in its fiduciary duty should be providing, along with the HLP Audit Committee.
2. Budgets are not properly provided with sufficient or relevant information, financial controls are inadequate, and capital expenditures and discretionary spending are not reviewed or justified properly. Accordingly, strategic decisions cannot be properly assessed and evaluated by the Board and its committees. As a result, HLP management will continue to push for further rate increases and key decisions cannot be properly examined.
3. There is no way that the HLP Board or Audit Committee can perform its duties fully given the information they are receiving from HLP Management. The Board is also not requiring this information before making significant monetary decisions which greatly affect the public and rates. The full costs of this deal were not considered. Rates are just one aspect of the impacts of this deal.

