

**BEFORE THE OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF OREGON**

for the

OREGON DEPARTMENT OF ENERGY

IN THE MATTER OF:	)	CLOSING BRIEF OF Matthew J. Cooper
	)	ON ISSUE PS-4 Fire Protection
BOARDMAN TO HEMINGWAY	)	
TRANSMISSION LINE	)	OAH Case No. 2019-ABC-02833

Issue PS-4: Fire Protection: Whether Applicant adequately analyzed the risk of wildfire arising out of operation of the proposed facility and the ability of local firefighting service providers to respond to fires.

This project is in violation of Oregon Administrative Rule 345-022-0110, which requires that the construction and operation of the facilities “are not likely to result in significant adverse impact to the ability of public and private providers within the analysis area described in the project order to provide: sewers and sewage treatment, water, storm water drainage, solid waste management, housing, traffic safety, police and fire protection, health care and schools.”

I. INTRODUCTION:

In my Direct Testimony and Evidence I asked: “Why would the B2H transmission line exacerbate the risk of wildfire in rural areas such as Union County?”

The B2H line travels through a very dry, windy, fire-prone area of Oregon, an area which is also remote and rugged. In fact, all of the five counties through which the line would

travel (Union, Umatilla, Morrow, Baker, and Malheur) are rated a Fire Weather Hazard Factor of “3” (3 being the highest) . . . In particular, both the Idaho Power Original Route and the Morgan Lake Route would travel a short distance south of La Grande, very near Morgan Lake Park. This region was designated the #1 Wildland-Urban Interface in Union County in 2005 . . . with a score of 134.5 out of 150. It has a documented history of wildfire dating back to 1868; as I will show in my research below, news accounts from both the 1868 Banner Gulch fire and the 1973 Rooster Peak fire document the fact that these fires did not merely burn on the outskirts of town, but they actually threatened to burn down the city of La Grande.¹

Idaho Power’s rebuttals and sur-sur-rebuttals in terms of wildfire risk basically boil down to endless variations of the mantra: “don’t worry, it can’t happen here.” In my closing brief, I will show why this line still *does* pose a significant risk of wildfire in terms of wind and weather, steep topography, and vegetation, and why firefighters may indeed have a hard time responding in a timely enough manner to avoid destruction of property and possible loss of life. I will show that 500 kilovolt transmission towers can indeed start fires, and that the only safe way to avoid these risks—if the Mill Creek or Morgan Lake alternative routes are chosen, at least—is to bury it underground in areas which are Wildland-Urban Interfaces or WUI Zones.

Christopher Lautenberger’s Rebuttal² attempts to refute my description of Eastern Oregon as “dry, windy, [and] fire-prone” by broad, generalized data including tables of vegetation types,

¹ Direct Testimony of Matt Cooper on PS-4, Sept 17 2021, at p. 1

² Rebuttal Testimony of Christopher Lautenberger, Nov. 12, 2021.

slope angles, and wind speed/direction. It should be noted that Dr. Lautenberger, a resident of the Bay Area, has *never visited the vicinity of the route* in La Grande or the Grande Ronde Valley.³

Neither Dr. Lautenberger nor Douglas Dockter dispute the facts that all five counties crossed by B2H rate a “3 out of 3” Fire Weather Hazard Factor, nor that the Morgan Lake area was designated as the #1 Wildland-Urban Interface (WUI) in Union County in 2005. Dr. Lautenberger compiled data going back at most 30 years to 1992, and as he admitted during sur-sur-rebuttal this *did not include the Rooster Peak Fire* from 1973,⁴ a fire that was described in a 2005 county planning document as “the largest and most destructive in recent history.”⁵

The Rooster Peak Fire, as I testified based on extensive contemporaneous coverage in the *La Grande Observer*, “burned more than 6,000 acres and destroyed six residences plus several outbuildings. It burned within a quarter mile of the hospital” in addition to burning within a few feet of some residences. News coverage compared it to “a scene from the Vietnam War” and quoted witnesses who described flames “shooting 100-feet in the air.” In addition to calling on trained firefighters, it mobilized 1,500 volunteer city residents, and involved the use of helicopters and two and four-engine bombers dropping fire retardant. The fire chief at the time stated that “without the assistance from the volunteer workers a large section of the city would have been destroyed by fire.”⁶

³ Lautenberger testimony, Cross-Examination Hearing Day 3, Jan. 13 2022 (Tr. Day 3) at p. 47, line 7.

⁴ Ibid., at p. 40, lines 13-15.

⁵ Direct Testimony of Matt Cooper on PS-4 Exhibit 4, Community Wildfire Protection Plan 2005, p. 18.

⁶ Direct Testimony of Matt Cooper on PS-4, at p.3; Cooper Direct Testimony and Evidence Exhibit 2.

The fact remains that dangerous fire conditions do exist in this region. The National Weather Service issues Red Flag Warnings (RFWs) when conditions include “high to extreme fire danger and dry fuels” combined with factors such as thunderstorms, high winds, and low humidity.⁷ As Dr. Lautenberger’s own rebuttal testimony admits, the National Weather Service’s Pendleton office issued 31 “Red Flag Warnings” for Oregon Fire Weather Zone 644, an area comprising Union, Grant, Wheeler, and Umatilla counties—*an average of over five per year*--between 2015 and 2021.⁸

II. Influence of Wind Direction and Speed:

The data presented in Dr. Lautenberger’s rebuttal actually supports my testimony that this region is, in fact, windy. The *Observer* headline from August 17, 1973 reads: “Wind-whipped blaze threatens city.”⁹ And according to Lois Barry, whose home was destroyed in the Rooster Peak fire: “if the high winds had not shifted just then, creating a backfire, despite all the locals endeavoring to help, the fire would have swept across the south west hills of the valley and devastated the town.”¹⁰ Winds are important in considering wildfire risk; as a “Power Line Prevention Field Guide” published in 2001 says: “The very same weather conditions that contribute to power line faults also lead and contribute to the rapid spread of wildfire. The most critical of these is high wind, which is commonly accompanied by high temperatures and low humidity.”¹¹

⁷ Rebuttal Testimony of Christopher Lautenberger, Nov. 12 2021, Fig. 12, at p. 40.

⁸ Lautenberger testimony, Cross Examination Hearing Day 3, Jan. 13 2022 (Tr. Day 3) at p. 50 lines 5-7; Rebuttal Testimony of Christopher Lautenberger, Nov. 12 2021, Table 10 at p. 41.

⁹ Direct Testimony of Matt Cooper on PS-4 at p. 3; Cooper Direct Testimony Exhibit 2.

¹⁰ Lois Barry testimony, Cooper Direct Evidence and Testimony Witness #1 at p. 1.

¹¹ Rebuttal Testimony of Christopher Lautenberger on Issues PS-2, PS-3, PS-4, PS-10, and LU-9, Exhibit F, Power Lines and Catastrophic Wildland Fire in Southern California, at p. 1.

In his rebuttal testimony, Dr. Lautenberger uses a “wind rose” diagram¹² which shows that, during what is typically known as “fire season” in the Northwest (May through October), winds blow primarily out of the northwest¹³ and that they blow as much as “in the high forty mile per hour range.”¹⁴ Dr. Lautenberger asserts optimistically that, since “the predominant wind direction is from West-Northwest to North. . . Winds from these directions would not push the fire into La Grande.”¹⁵ He also claims that “the 17 mph wind speed out of the south that Mr. Cooper uses to ‘demonstrate’ that a fire would reach La Grande before LGRFPD was on scene occurred [only] 8.5% of the time. . .”¹⁶ Calculating this based on the 183 days per year between May 1 and October 31, “8.5% of the time” would equal 15.55 days per year, or *over two weeks a year* when wind in fact *does* blow out of this direction. To wit: it *can* happen here.

In addition, his Table 4¹⁷ tabulates wind gusts, shows that gusts of 46-56 miles per hour are not unheard of; in fact, 46 mph gusts would typically be recorded four times per year.¹⁸ Joseph Mitchell’s research shows that--though admittedly measured in California during the period of Santa Ana winds--wind gusts above 30 mph reach a threshold “above which almost all fires exceeding the effective suppression limit [100 acres] occur. Above the gust speed threshold, there were 16 events larger than the suppression limit out of 83 total events . . .”¹⁹

¹² Rebuttal Testimony of Christopher Lautenberger, Nov. 12 2021, Fig. 15, p. 65.

¹³ Lautenberger testimony, Cross Examination Hearing Day 3, Jan. 13 2021 (Tr. Day 3), at p. 47, line 24—p. 48, line 2.

¹⁴ Ibid. at p. 48, lines 8-9.

¹⁵ Rebuttal Testimony of Christopher Lautenberger, Nov. 12 2021, at p. 64, lines 9—11.

¹⁶ Ibid., at lines 11-13.

¹⁷ Ibid. at p. 62.

¹⁸ Lautenberger testimony, Cross Examination Hearing Day 3, Jan. 13 2021 (Tr. Day 3), at p. 56, lines 9-10.

¹⁹ Rebuttal Testimony of Christopher Lautenberger on Issues PS-2, PS-3, PS-4, PS-10 and LU-9, Exhibit F, Power Lines and Catastrophic Wildland Fire in Southern California, at p. 6.

In fact, the prevailing wind direction has only limited influence on the wind speed and direction in a specific location. Dr. Lautenberger admits that “it’s common and expected for winds to change direction during a given day, particularly from the morning and afternoon hours to the overnight/early morning hours”²⁰; and when asked whether such a wind direction change could influence the spread of a wildfire, he answers in the affirmative.²¹ (Note the testimony above, in which winds shifted—fortuitously, in this case—and changed the course of the Rooster Peak fire.)

Dr. Lautenberger, when asked whether “local topography--peaks, canyons, draws or hollows—that collect cold air could creat [sic] localized variations in wind speed and direction,” he also replied in the affirmative.²² Such features are characteristic of the hills south and west of La Grande, such as Mill Creek Canyon (Morgan Lake Road), Deal Creek Canyon, and Ladd Canyon, and can be easily seen on the southwest corner of the La Grande topographic map.²³ As Joseph W. Mitchell says, “wind velocities tend to vary strongly with elevation, topology, aspect, and geographical location.”²⁴

Dr. Lautenberger also admits the existence of “downslope or upslope winds”²⁵ in which winds “move generally upslope in the morning and early afternoon and then the pattern

²⁰ Lautenberger testimony, Cross Examination Hearing Day 3, Jan. 13 2021 (Tr. Day 3) at p. 49, lines 2—5.

²¹ Ibid., at p. 49, line 9.

²² Lautenberger testimony, Cross Examination Hearing Day 3, Jan. 13 2021 (Tr. Day 3) at p. 50, lines 9-13.

²³ Cooper Sur-Rebuttal Exhibit A, La Grande Quadrangle Map, Dec. 3 2021.

²⁴ Rebuttal Testimony of Christopher Lautenberger Exhibit F, Power Lines and Catastrophic Wildland Fire in Southern California, at p. 5.

²⁵ Lautenberger testimony, Cross Examination Hearing Day 3, Jan. 13 2021 (Tr. Day 3) at p. 50, lines 17-18.

reverse[s] in the late evening and into the overnight hours.”²⁶ When asked whether microclimates, which he defines as “variation[s] in weather patterns over short distances”²⁷ could influence wind direction, he gives a more qualified answer in that they “could affect wind patterns locally,” though the winds affecting wildfire are more commonly driven by “high winds that are driven by pressure gradients.”²⁸

In his sur-sur-rebuttal testimony, Dr. Lautenberger is asked by Ms. Pease, attorney for Idaho Power, whether “localized weather patterns may vary throughout the Grande Ronde Valley,” to which he replies: “Certainly, wind patterns may vary due to accelerations caused by topography. But the Grande Ronde Valley is largely flat.”²⁹ Dr. Lautenberger’s answer is correct, but he was responding to a *misleading question from Ms. Pease*. Of course, the Grande Ronde Valley is largely flat; it is a valley, after all. What my sur-rebuttal actually *said* was: “Thus, this wind data, while useful, cannot be presumed to represent weather patterns *at the mouths of the narrow canyons which drop into the Grande Ronde Valley*.”³⁰ In other words, the localized weather patterns I am referring to occur around the *periphery* of the valley, where the topography rises abruptly in steep hills, cut by ravines and drainages. To use Dr. Lautenberger’s description, it is the very “accelerations [of wind] caused by topography” that is a concern when we assess the risk of wildfire in the hills of southwest of La Grande.

²⁶ Lautenberger testimony, Cross Examination Hearing Day 3, Jan. 13 2021 (Tr. Day 3) at p. 51, lines 1-3.

²⁷ Ibid., lines 6-7.

²⁸ Lautenberger testimony, Cross Examination Hearing Day 3, Jan. 13 2021 (Tr. Day 3) at p. 52, lines 4-10.

²⁹ Lautenberger testimony, Cross Examination Hearing Day 3, Jan. 13 2021 (Tr. Day 3) at p. 39, lines 11-16.

³⁰ Sur-rebuttal Testimony of Matt Cooper, Dec. 3 2021, at p. 5 under item “d”; italics added.

Joseph Mitchell notes that “wind predictions for a given point will be most accurate if they are based on measurements at a station in a proximate location and in a region of similar elevation, slope, and aspect.”³¹ As established in cross examination,³² Idaho Power has never attempted to make wind measurements in the regions of Mill Creek Canyon, which differs in all three of these variables from the monitoring stations at the La Grande Airport.

In relation to wind speed and its effects on the rate of fire spread, Idaho Power attempts to obfuscate when it comes to the application of the 10% wind speed “rule of thumb” which is discussed in Exhibit 16 of my testimony.³³ In Dr. Lautenberger’s rebuttal, Idaho Power asks: “Does this ‘rule of thumb’ suggest an increased fire risk resulting from the Project?” To which Dr. Lautenberger answers: “No. . . the 10% rule of thumb is a first approximation that works best under certain conditions. It is not a guarantee that a fire will spread at 10% of the open wind speed. . . The existence of the ‘rule of thumb’ does not change or increase fire risk from the Project.”³⁴

The question and its answer are both misleading: I never suggested that the presence of a rule of thumb suggested an “increased risk,” but rather *I used it as any “rule of thumb” might be used: to make a rough calculation of the possible rate of spread of wildfire*. This is the point I made in my Direct Testimony. It would be absurd to suggest that it “guaranteed” a fire would spread at a certain rate, nor did I ever do so (in fact, the word “guarantee” does not appear anywhere in my testimony). I merely stated, based on the evidence in Exhibit 16, that such an

³¹ Lautenberger Rebuttal Exhibit F, Power Lines and Catastrophic Wildland Fire, at p. 5.

³² Lautenberger Cross Examination, Tr. Day 3, at p. 49, lines 10—17.

³³ Cooper Direct Testimony Exhibit 16, Article on Estimating Rate of Spread for Wildfire.

³⁴ Lautenberger Rebuttal at p. 63, lines 6—10.

estimate is a *reliable first approximation*--supported by data from five recent wildfires.³⁵ I did not state that a rule of thumb by itself would “change or increase risk;” instead, I used it to demonstrate that *under certain conditions, wildfire could quickly spread* from the site of the Project to the edge of La Grande.

To summarize, Idaho Power’s own data show that this region is indeed windy, with winds reaching the high 40 mile per hour range several times yearly and gusts in the 50 mile per hour range. Idaho Power asserts that if a fire started in the Morgan Lake area, we would not have to worry, because “the *predominant wind direction* is from West-Northwest to North. . . Winds *from these directions* would not push the fire into La Grande.”³⁶ While winds blow *most often* from the northwest during May through October, winds do not *always* blow from that direction, and they can--and do--change direction. Topography (draws, ravines, canyons), downslope and upslope winds, and possibly even microclimates all affect wind behavior. Since winds drive the spread of fire, these are significant factors when assessing fire risk in areas surrounding the Grande Ronde Valley—areas such as the Mill Creek canyon (the 1800s’ “Banner Gulch”).

III. History of Fire in the Region and “Fire Season” in the West:

As I pointed out in my Direct Testimony and Evidence, a fire in the Mill Creek Canyon (then known only as “the gulch above the Banner Mill”) occurred in 1868. According to the *Blue Mountain Times* on Aug. 22, 1868, this fire was eerily similar to the Rooster Peak fire in that it began in August, “nearly reached the town, via the gulch above the Banner Mill, and had to be

³⁵ Cooper Direct Testimony at p. 12.

³⁶ Rebuttal Testimony of Christopher Lautenberger, Nov. 12 2021, at p. 64, lines 9—11; italics added.

fought for several hours by some of our citizens to keep it out of town.”³⁷ While there is admittedly only anecdotal evidence of fires burning between 1868 and 1973 in this region,³⁸ the presence of major fires at approximately 100-year intervals suggests that a) Dr. Lautenberger’s compilation of data from the past 30 years is inherently inadequate, and b) even leaving aside questions of exacerbation by drought or climate change, dangerous fires can be expected to recur periodically in this region. As shown by news accounts from both fires, they can spread at least to the edge of the city of La Grande.

Dr. Lautenberger uses a definition of fire season in this region as May 1 through October 31: “. . . in this part of the world, fire season, at least as I have defined it here, is roughly May through October . . .”³⁹ As he explains, he chose this definition because “the majority of large fires occur during those late spring/early summer and early fall months”⁴⁰ but he allows that “[t]here are fires in all months of the year.”⁴¹ It should be judicially noted that, as evidenced by the Colorado wildfire incident of Dec. 30, 2021 (which destroyed 1,000 structures and forced over 35,000 people to evacuate), significant wildland fires are occurring outside of the traditional “fire season.” In such a scenario, exposure of local residents to wildfire only increases; perhaps

³⁷ Direct Testimony of Matt Cooper on Issue PS-4, Sept. 17 2021, at p. 2; Cooper Testimony Exhibit 25 at p. 2.

³⁸ “When we moved to our place on the hills west of La Grande, it was surrounded by a dense forest of mature trees, many over 100” [sic] tall. Of course we were concerned about forest fires, but long-time local residents told us not to worry: ‘There hasn’t been a fire around here for 50 years.’” (Cooper Direct Testimony and Evidence, Witness Testimony #1 Lois Barry, p.1/2) Ms. Barry’s account implies that she heard this anecdote between 1965 and 1972.

³⁹ Lautenberger testimony, Cross Examination Hearing Day 3, Jan. 13 2022 (Tr. Day 3) at p. 57, lines 20-22.

⁴⁰ Ibid., at p. 58, lines 1-2.

⁴¹ Ibid., at p. 57, line 24.

wind speed and direction during November through April should be taken into account as well. Mr. Lautenberger's wind rose diagram provides no data on these other months.

IV. Influence of Topography on Fire Spread:

In Dr. Lautenberger's rebuttal he explains: "Slope is a significant topographical factor affecting fire spread and control. Steep slopes increase the spread rate if a fire is moving uphill. Additionally, steep slopes increase the resistance to control as it is more difficult for hand crews to access a fire."⁴² This statement is indisputably correct; however, as I pointed out in my sur-rebuttal, the rebuttal then goes on to gloss over the steepness of the terrain crossed by the route in critical areas such as the Morgan Lake or Glass Hill regions by presenting "average slope angles"⁴³ In fairness, Dr. Lautenberger's pointed out in his sur-sur-rebuttal that his intent was only to "provide some general background information" in a tabular format.⁴⁴ However, average slope angles as presented in Table 2 are irrelevant; in terms of PS-4 and Fire Protection, *the only relevant slope angles are the ones in the area where a fire may be ignited and fought.*

When asked if "there's steeper slopes present near La Grande compared to other locations in the greater project area," Dr. Lautenberger answers in the affirmative⁴⁵ and then goes on to calculate a slope angle of 15 to 20 percent between the outskirts of La Grande and Morgan Lake.⁴⁶ This is consistent with my Exhibit 1, where one of the plethora of road signs at the entrance to Morgan Lake Road states "Steep Hill 17%."⁴⁷

⁴² Rebuttal Testimony of Christopher Lautenberger, Nov. 12 2021, at p. 10, lines 11-13.

⁴³ Ibid., at p. 12, Table 2, lines 9-10.

⁴⁴ Lautenberger testimony, Cross Examination Hearing Day 3, Jan. 13 2021 (Tr. Day 3), at p. 31, lines 16-20.

⁴⁵ Lautenberger testimony, Cross Examination Hearing Day 3, Jan. 13 2021 (Tr. Day 3) at p. 32, lines 2-7.

⁴⁶ Ibid., at p. 32, line 16.

⁴⁷ Cooper Testimony Exhibit 1.

When asked whether the hills west of the Grande Ronde Valley might be considered as part of the 10% of the analysis area that would have “moderate[ly] high resistance to control and high—very high—influence of spread rate,” he reiterates the 15-20% figure but then admits “there may be some areas that have locally higher slope that could fall into those categories, yes.”⁴⁸

Elsewhere, tiny maps covering huge areas and omitting any familiar reference points give the reader who has never visited this area a false sense of scale; Fig. 3, judging by the map’s scale of miles, appears to cover about 50,000 square miles.⁴⁹ In Fig. 3, the Wallowa Mountain range, home of Oregon’s largest wilderness area (the Eagle Cap Wilderness) and of many of its highest peaks, is visible as a blotch in the upper right; the higher peaks of the Elkhorns are similarly visible, but the lower-elevation and forested Blue Mountains--where the line travels—are all but invisible. In the guise of providing information through such maps--and tables of “average slope angle” over the entire length of the line--Idaho Power over-generalizes, obfuscates and attempts to distract the reader from the on-the-ground reality in specific locations where wildland fire is a legitimate concern. When questioned about Fig. 5⁵⁰ Dr. Lautenberger admits that there are no cities, marked rivers or mountains, or highways, and agrees that “additional landmarks or place marks that would provide some better context to a reader that’s not familiar with the B2H route or Eastern Oregon, yes.”⁵¹

⁴⁸ Lautenberger testimony, Cross Examination Hearing Day 3, Jan. 13 2021 (Tr. Day 3) at p. 62 line 22—p. 63 line 6.

⁴⁹ Rebuttal Testimony of Christopher Lautenberger, Nov. 12, 2021, Figs. 3 and 4, pp. 10—11.

⁵⁰ Rebuttal Testimony of Christopher Lautenberger, Nov. 12, 2021, at p. 15.

⁵¹ Lautenberger Testimony, Cross Examination Hearing Day 3, Jan. 13 2021 (Tr. Day 3), at p. 61 lines 4—18.

A more useful illustration of the local topography, at least in the areas in question in Issue PS-4, can be seen by simply looking at a USGS (U.S. Geographical Survey) topographical map.⁵² One can easily note the closeness of the contour lines in the hills to the south and west of the valley. Using a device called a Life-Link Topo-Graf, I also demonstrated the presence of grades of 20-25 percent in the region near the power line⁵³; in sur-sur-rebuttal, Dr. Lautenberger, while unable to confirm it, did not dispute those readings.⁵⁴ Focusing on this specific example⁵⁵ (Cooper Sur-Rebuttal Exhibit B), he says:

. . . this is along the B2H—the proposed or Millcreek Route between Glass Hill Road and Bushnell Lane and it’s in a creek drainage. So, of course, the slope there is locally higher than the average grade value that I provided earlier.

But it is important to remember that for every area where the slope is locally higher than the average value, there is a corresponding area where the slope is locally lower than the average value.⁵⁶

To turn this formula on its head, Idaho Power provides only “average” slope values in its tables, which have the effect of flattening out the numbers and the terrain. Locally, steeper slopes (as well as flatter ones) exist, and it is this steeper terrain—the “locally higher than the average grade value”—which contributes to risk of fire spread, and makes fire protection more difficult.

⁵² Cooper Sur-rebuttal Exhibit A, La Grande Quadrangle Map, Dec. 3 2021.

⁵³ Sur-rebuttal Testimony of Matt Cooper, Dec. 3 2021, at pp. 2—3, under item #2.

⁵⁴ Lautenberger Testimony, Cross Examination Hearing Day 3, Jan. 13 2021 (Tr. Day 3), at p. 34, lines 2—4.

⁵⁵ Cooper Sur-rebuttal Exhibit B, Topo-Graf and Contour Lines, Dec. 3 2021.

⁵⁶ Lautenberger Testimony, Cross Examination Hearing Day 3, Jan. 13 2021 (Tr. Day 3) at p. 34, lines 8—17.

To summarize, local topography is steep enough to be at least “moderately” risky. “Average” topography has no real relevance to the specific topography in the regions near La Grande and Morgan Lake including Mill Creek Canyon/Morgan Lake road and west hills of La Grande.

V. Influence of Vegetation on Fire Spread:

When asked on sur-sur-rebuttal whether he agreed with my statements in my Direct Testimony, Dr. Lautenberger said:

Mr. Cooper is correct in that around 44 percent of the surface fuels near the project site, according to my analysis, are characterized by moderate spread rates.

And I would also acknowledge that most of the fuels between Morgan Lake and La Grande would also be consistent with moderate spread rates.⁵⁷

These are part of the “forested areas of the Blue Mountains.”⁵⁸ However, Dr. Lautenberger’s rebuttal bends over backwards to make a case that conditions are different between this region and the area of Paradise, California—understandably, since the Paradise and Camp fires were catastrophic. He makes a strenuous attempt to differentiate between the vegetation types near Paradise, California and La Grande, Oregon: yet another variation on Idaho Power’s theme of “it can’t happen here.” Yet, as Joseph Mitchell says: “While California has a significant exposure to catastrophic power line fires, *it is not unique in this regard*. Lessons

⁵⁷ Lautenberger Testimony, Cross Examination Hearing Day 3, Jan. 13 2021 (Tr. Day 3) at p. 30, lines 7—13.

⁵⁸ Rebuttal Testimony of Christopher Lautenberger, Nov. 12, 2021, at p. 6, line 7.

learned here will have global applicability in all environments where wind-driven wildland fires are a concern.”⁵⁹ In other words: it *can* happen here.

Elsewhere he says “Mr. Cooper is certainly correct that the B2H line will cross through forested areas in Union County near La Grande. There’s no disputing that.”⁶⁰ But then, apparently, we are to take comfort from the following: “In the area of La Grande, canopy fuels are confined largely to the outskirts of the city and they are not interspersed with structures within the city itself and *this would affect or improve survivability* during a wildland fire; whereas, without this defensible space, *survivability would decrease*.”⁶¹ In other words, our *odds of survival* are better due to the vegetation types in town versus out of town. This is indeed cold comfort for those of us living near the edge of town--and no comfort for those “in the outskirts” of the city, such as the approximately 40 households on Morgan Lake Road, Skyline, Marvin Rd., Glass Hill Road and other such locations. These unlucky souls, apparently, would not benefit from this “improve[d] survivability.”

It’s as if Idaho Power would like us to think that a wildfire would magically stop at the city limits, due to the presence of fewer canopy fuels; however, accounts from the 1973 Rooster Peak fire show how close fires can come to residential areas, and how only a narrow margin separates safety from disaster.

VI. Response Times of Local Fire Agencies:

⁵⁹ Lautenberger Rebuttal Exhibit F, Power Lines and Catastrophic Wildland Fire, at p. 12; italics added.

⁶⁰ Lautenberger Testimony, Cross Examination Hearing Day 3, Jan. 13 2021 (Tr. Day 3) at p. 29, lines 8—10.

⁶¹ *Ibid.*, lines 13—18; italics added.

Response times, as admitted by Dockter’s sur-sur-rebuttal, are significantly longer than the 4-8 minutes⁶² IPC originally stated, and long enough to increase the difficulty of fighting fire. Douglas Dockter, in his sur-sur-rebuttal, was asked whether he agreed with my testimony and evidence, based on the deposition of La Grande Rural Fire Chief Craig Kretschmer, that “the response time for the La Grande Rural Fire Protection District, at the top of Morgan Lake Road, could be a *minimum of 17 minutes or as long as 23 minutes.*” His answer was “I do agree with Mr. Cooper’s summary of the response time.”⁶³

This 17-23 minute response time estimate includes 5 to 7 minutes for LGRFPD, which has only one paid employee, to muster a crew. Although Mr. Dockter “agree[s] that there are situations in which it could take 5 to 7 minutes to muster a crew,” he goes on to say that this may not be the case “because they hire seasonal employees to help out with fire response.” Therefore, “if the call comes in to respond to a fire during the time that Chief Kretschmer and the seasonal employee are at the facilities, then they could get into a brush truck immediately. . .”⁶⁴ Based on this, his assessment is that “5 to 7 minutes could be dropped off the . . . response time.”⁶⁵ Thus:

So to more accurately described [sic] the La Grande Rural Fire Protection District’s response time to the top of Morgan Lake Road, it could be stated that it could be anywhere from 12 to 23 minutes. ⁶⁶

⁶² Table PS-9 (Exhibit 14, ODOE - B2HAPPDoc3 DPO Draft Proposed Order_Combined w Attachments 2019-05-22. Page 515 of 2689) as well as Attachment U, Table U-10 (ODOE - B2HAPPDoc3-38 ASC 21_Exhibit U_PublicServices_ASC 2018-09-28. Page 21 of 143)

⁶³ Douglas Dockter testimony, Cross Examination Hearing Day 3, Jan. 13 2022 (Tr. Day 3) at p. 14, lines 5—12; italics added.

⁶⁴ Ibid., p. 15, lines 1—6.

⁶⁵ Ibid., lines 11-12.

⁶⁶ Ibid., lines 11-17.

While Mr. Dockter’s reasoning is basically sound, Chief Kretschmer actually said in his deposition: “Well, we put summer help on in the summer, so *there's a chance* that myself and our summer help can jump on a brush truck and go out the door right away. It's kind of going to depend on the type of call that's coming in and what we're, you know, receiving from dispatch.”⁶⁷

Chief Kretschmer also says that the 5 to 7 minute estimate to muster a larger crew would be “kind of in the summer in the day.”⁶⁸ (Note: “Summer in the day” seems like exactly the time where one might expect a wildfire.) Elsewhere he says that the time needed to mobilize a crew “totally depends on multiple, multiple factors”.⁶⁹ “It’s just one of those—just depends on who’s working and who’s not. Weekends, we could get, you know, probably quite a few more people there quicker ‘cause, you know, leaving from jobs and stuff like that.”⁷⁰

Based on the uncertainty surrounding the extra staffing during the summer and the presence of “multiple, multiple factors,” it is uncertain that the 5 to 7 minutes should be dropped off the total response time. While a time as low as 12 minutes is certainly possible, given that it depends on “who’s working and who’s not” *a safer estimate would be 17 to 23 minutes*. Since safety—of property, livestock and human life—is at stake, this conservative estimate would be more prudent.

Mr. Dockter correctly notes the mutual aid agreements between LGRFPD, La Grande City Fire Department, and Oregon Department of Forestry and notes that, even if La Grande Rural takes some time to get to the scene, La Grande’s fire department will “likely will be able to respond more rapidly” than LGRFPD. This is presumably based on Chief Kretschmer’s

⁶⁷ Testimony of Craig Kretschmer in Cooper Direct Testimony Exhibit 6, May 13 2021, p. 16, lines 7—12; italics added.

⁶⁸ Ibid., p. 15, line 13.

⁶⁹ Ibid., p. 15 line 25—p. 16 line 1.

⁷⁰ Ibid., p. 17, lines 2—6.

statement regarding the city fire department in which he says there's "*a really good chance* they're going to have an engineer there before us."⁷¹

An additional concern is that Morgan Lake Road is effectively the only way into or out of Morgan Lake Park; in the event of a wildfire could complicate both firefighting and evacuation. As stated in my testimony: "It should be noted that Morgan Lake Road is the only road suitable for passenger vehicles in or out of this area . . . In the event of a fire, emergency vehicles would be traveling up the steep road while neighbors and city park users would be attempting to flee downhill. The road is precipitous, winding, narrow, and frequently washboarded. (See Exhibit 1/1 for a photograph of the entrance to the Morgan Lake road, with its numerous warning signs.)"⁷²

Jim Kreider, a 40-year resident of this neighborhood, testified as to the current state of Morgan Lake Road in terms of emergency egress:

Morgan Lake road used to be passable to Highway 244 to the west but several bridges are out and egress impossible. Marvin and Wood Roads years ago were able to use an old Clark dairy 4 WD roads to access Deal Canyon Road or other 4 WD roads to the east down the slopes into town. They have all grown over are impassable and egress not possible. *There is only one vehicle egress from this area.*⁷³

Or as Chief Kretschmer put it: "It is a dead-end road depending on where the fire is, but there is other ways out if there's fire lower down, you know, out through Glass Hill, some of that

⁷¹ Ibid., at p. 16 lines 20-22; italics added.

⁷² Cooper Direct Testimony and Evidence, Sept. 17 2021, at p. 14; Cooper Direct Testimony, Exhibit 1.

⁷³ Testimony of Jim Kreider, Direct Testimony of Matt Cooper on PS-4, Sept. 17, 2021, Witness Testimony #6 at p. 1; italics added.

kind of thing. Now, *not everybody's vehicle can go that way.*"⁷⁴ In other words, these other routes are "high-clearance" and thus not suitable for passenger vehicles:

But that wouldn't get you any more different routes out. I was more specifically talking about Glass Hill Road. There is a way out going that way and coming out around Ladd Canyon. Now, that is not -- although, if you're local, you probably know that route. *It is not a passenger car route*, per se, but it is a route in and out of there if there is a fire lower down towards, say, the City of La Grande on that.⁷⁵

VII. Similar problems in other counties: Umatilla, Baker, Morrow

Though my focus has been on the area I am most familiar with (South/Southwest La Grande, Morgan Lake and Glass Hill area, etc.) local governments and fire agencies both east and west of La Grande have expressed similar concerns. From Morrow County:

Much of the proposed transmission line route in Morrow County, while not in forested areas, is still remote with a high risk for fire impacts. The distance from main fire stations within Heppner or Boardman could still require a significant period of time for either fire or emergency response to arrive on scene of an incident. . . Morrow County would request that Conditions requiring the staging of fire response be applied to also address remote areas more generally.⁷⁶

From Baker County Planning Director Holly Kerns:

⁷⁴ Testimony of Craig Kretschmer in Cooper Direct Testimony Exhibit 6, May 13 2021, at p. 21, lines 15-19; italics added.

⁷⁵ Ibid., p. 48, lines 4-12; italics added.

⁷⁶ ODOE – B2HAPPDoc5-1 All DPO Comments Combined-Rec'd 2019-05-22 to 08-22. Page 105 of 6396.

Lines 2-8 on page 508 [of the Draft Proposed Order] state that lands within the fire district will be covered by mutual aid. While that may be true under ideal circumstances, in areas outside of a fire district or association, there is no guarantee of fire response. The assumptions made in the ASC are therefore not accurate, and cannot be utilized to demonstrate compliance with the public services standard because they do not accurately account for the project's impact or the reality of fire response in the project area. Baker County disagrees with the statement that the project will not have significant impacts on fire protection services. . . . As we know from the past few summers, fire risk is already elevated in eastern Oregon even without introducing fire hazards into remote areas. Given the high fire risk and the minimal available public services, IPC needs a more robust Fire Prevention and Suppression Plan.⁷⁷

From Assistant Chief of Baker Rural Fire District, Dan Weitz:

The proposed line represents a clear threat to the ignition of wild land fires along the route whether through mechanical failure or lightning strikes. . .

The Oregon Trail Interpretive Center and surrounding lands are protected by Baker Rural Fire District, a small volunteer fire department that operates 3 stations and 12 fire apparatus on less money than 1 paid firefighter receives as a salary from Baker City. The closest station to the Oregon Trail Interpretive Center has 2 bays which house 2 fire engines, 1 a 1968 Dodge pumper that has no off road capabilities and no enough power to

⁷⁷ ODOE – B2HAPPDoc5-1 All DPO Comments Combined-Rec'd 2019-05-22 to 08-22. Page 94 of 6396

carry its load of water up the hill to the Interpretive Center, the other can make it up the hill but only carries 500 gallons of water and has no off road capabilities. . . . The Interpretive Center . . . hydrants designed to supply water to fight fires were placed underneath the center rendering them useless. The design of the center itself gave no preference to fire prevention or fire suppression . . . If the proposed transmission line is built and we have an event along the path of the B2H line of the magnitude of the Oregon Trail fire we have no hope of suppressing it with old fire apparatus and unmanned station before it consumes the Interpretive Center.⁷⁸

From Scott Stanton, Fire Chief at Umatilla County Fire District #1 in Hermiston:

Looking at the map of the proposed line our average response to the transmission line either on HWY 207 or Buttercreek road would be approx. **25** minutes in good weather and roads. So, their 5-6 minutes is obviously way off.

. . . **We have no specialized training in fighting transmission fires.**

. . . No equipment for transmission line fires.

Our dozer could navigate most lands except for severely steep topography. The small type 5/6 brush engines are ok for some off road to an extent but are limited. The problems these engines face are steep terrain, sandy ground, deep ditches and getting flat tires on severe rocky grounds. . . While I have generally the equipment to get to most areas of the proposed line in Umatilla County its [sic] personnel which is the problem. Not enough paid or volunteers to fight large fires.⁷⁹

⁷⁸ 2020-08-28-B2HAPP-Contested-Case-Petitions, page 192-196.

⁷⁹ Stacia Webster, Amended Response to Discovery Request on Issue PS-10, Aug. 31, 2021, Exhibit 13.

VIII. 500 kV Power Lines and Fire Ignition:

Dr. Lautenberger's testimony and rebuttal insists that 500 kV lines are unlikely to ignite a fire, due to "stricter engineering requirements, higher tower heights, and wider rights-of-way."⁸⁰ As proof, he offers the fact that "500 kV transmission lines were implicated in only one *large* fire (Ramsay Canyon) . . ."⁸¹ "The Ramsey Canyon fire burned in southern Oregon—near the town of Eagle Point—in August 2018. The fire eventually reached approximately 1,888 acres, prompted evacuation warnings, and destroyed one outbuilding." "The fire ignited near the base of a tower that was part of PacifiCorp's Dixonville-to-Meridian 500 kV transmission line. PacifiCorp did not concede that the transmission line caused the fire but agreed to pay \$3.4 million to settle the allegations from the investigation."⁸²

Elsewhere, he reports that *three* smaller fires were started by 500 kV lines in California in about a six-month period of 2020. Pacific Gas & Electric (PG&E) reported three 500 kV ignitions in a period of roughly six months between June 4 and November 11, 2020.⁸³ Two of the fires were reportedly caused by equipment failure and one by "Contact by Object;" that object later turned out to be a balloon, presumably "a metallic Mylar balloon, which is a known way arcing can occur on power lines."⁸⁴

In the rebuttal, he was asked "Why was this information not included in your direct testimony?" and answered: "At the time my direct testimony was filed, *fire incident data were*

⁸⁰ Rebuttal Testimony of Christopher Lautenberger, Nov. 12, 2021 at p. 75, lines 14-15.

⁸¹ Ibid., at p. 63, line 19; italics added.

⁸² Lautenberger Rebuttal, at p. 31, lines 11-18.

⁸³ Ibid., at p. 32, line 8—p. 33, line 1.

⁸⁴ Lautenberger testimony, Tr. Day 3, at p. 42 lines 5—7.

only available from 2014-2019. The 2020 data were released after my direct testimony was filed.”⁸⁵

The obvious question arises: if fire incident data was also available from California Public Utilities Report for 2014-19--which like the report from 2020 would have included data on fires ignited by any sort of power lines including 500 kV--*why was it not included?* If it was not included anywhere in the B2H Case Record, *why* not? What other fires may have been ignited by 500kV lines in California prior to 2020, and why is this data being withheld by Idaho Power in its Application?

Searching further, we find yet another fire ignited by a 500 kV lines in Dr. Lautenberger’s testimony on issues PS-8 and PS-9: “The 2015 Snow Creek Fire, which was ignited when a skyline from a Southern California Edison (“SCE”) 500 kV line broke and fell to the ground south of Highway 111 near Palm Springs. Aerial and ground resources were dispatched and the fire was contained at approximately 25 acres.”⁸⁶

What, then, do we know of the potential of 500 kV transmission lines to ignite fires? We can say for certain that we have three fires started by PG&E lines in California from 2020; one California fire started by SCE lines in 2015; and one fire implicated in Oregon by PacifiCorps in 2018. We apparently do not have the California Public Utilities Report from prior to 2020 (which could tell us of other fires besides the 2015 fire). The applicant has provided some data from Oregon and California (none from other states). But this data alone show that high voltage transmission lines have ignited at least 4-5 fires in the last seven years. Nonetheless, Idaho Power reassures us that such fires are “unlikely.”

⁸⁵ Lautenberger Rebuttal at p. 34, lines 2—4; italics added.

⁸⁶ Direct Testimony of Christopher Lautenberger on Issues PS-8 and PS-9, Sept. 17, 2021, at p. 51, lines 15—18.

IX. Response to ODOE’s Rebuttal and Response to Proposed Site Certificate

Conditions:

I AGREE with the Oregon Department of Energy position wherein the applicants should be “required to conduct a preconstruction evaluation of the information presented in ASC Exhibit U Table U-10 for the La Grande Rural Fire Protection District (“LGRFPC”) and obtain updated information from LGRFPD to inform the type and amount of necessary onsite fire-fighting equipment during construction and operation; whether mutual service agreement or [sic] needed; and whether additional restrictions are needed given resource or response time limitations, during high risk seasonal conditions (*e.g.* high temperatures, drought and high winds) in Union County.”⁸⁷

I DISAGREE with ODOE’s statement which reads: “Mr. Cooper does not explain how an interface score from a community plan, developed in 2005 - over 15 years ago - to support the evaluation of wildfire risk and rural and urban development in Union County, is relevant to the present evaluation of potential wildfire risk associated with the proposed facility.”⁸⁸ In the cycle of forest ecology and wildland fire, 15 years is a very short time. While some things may have improved (“several pieces of equipment” have been obtained through a MOU with the Forest Service, and programs such as FIREWISE may have contributed to an “increase [in] public awareness and responsibility”), other gains seem more modest--a “loss of funding may jeopardize the [county’s co-op prevention] program”—or non-committal: “efforts are being made to build upon rural fire department training needs. . .”⁸⁹ Meanwhile, the basic underlying

⁸⁷ ODOE Rebuttal to Direct Testimony, Evidence and Response to Proposed Site Certificate Conditions, Nov. 12, 2021, at p. 78.

⁸⁸ ODOE Rebuttal at p. 79.

⁸⁹ ODOE Rebuttal at pp.79-80.

conditions remain—and with drought and climate change, may have actually become more risky --in the past 15 years. There are the same access barriers, the same vegetation types, similar slow response issues, and the same danger to homes, people and livestock—only now there are more homes and more people. Thus, it still seems significant to me that this region was declared the #1 WUI in Union County in 2005.

Examining other portions of the Case Record, it seems contradictory that ODOE would object to my use of a 2005 planning document above or in addition to a 2016 one. In the Idaho Power’s rebuttal on Issue R-4, we find the following:

In her testimony, Ms. [Lois] Barry asserts that Idaho Power’s methodology for assessing visual impacts was flawed *because the Company applied the 1974 Visual Management System instead of the more recent USFS methodology, the 1995 VMS. Q. Is Idaho Power required to apply the 1995 SMS? A. No.* EFSC does not require any specific methodology for assessing visual impacts. In fact, the Hearing Officer has already issued a ruling concluding that Idaho Power’s decision not to apply all aspects of the USFS SMS does not invalidate the Company’s visual impacts assessments.⁹⁰

I disagree with ODOE’s statement that “Mr. Cooper did not submit Exhibit 16 and therefore it is not possible to evaluate the merits of the purported fact re: rate of wildfire spread.”⁹¹ Although I experienced some technical problems with sending Exhibits on Sept. 17, 2021, I did find the email in which I at least attempted to send Exhibit 16. I also submitted a response to IPC’s objections on Oct. 6, 2021 along with what I believed to be any missing

⁹⁰ Rebuttal Testimony of Louise Kling on Issues SR-2, SR-3, SR-7, R-1, R-2, R-3, and R-4, Nov. 12, 2021, at page 128; italics added.

⁹¹ ODOE Rebuttal at p. 84.

exhibits. If I am in error, I apologize. I do not remember any party filing objections based on missing evidence in regard to Exhibit 16, and in fact this Exhibit—a journal article addressing the “rule of thumb” of the rate of fire spread being roughly 10% of wind speed—is acknowledged and discussed at length in Dr. Lautenberger’s rebuttal (see Part II above).⁹²

I AGREE with ODOE’s Recommendation to Amend Public Services Condition 6 as follows:

Identify specific seasonal work restrictions, onsite fire-fighting equipment and necessary fire protection resources based on: 1) documented evaluation of reasonably available sources related to wildfire risk and sensitive seasonal conditions such as high temperatures, drought and high winds; and, 2) updated information obtained from the LGRFPD on the number of full-time and volunteer employees, number and type of equipment/vehicles, and response times to the facility. Response time must consider LGRFPD crew mobilization time and access limitations (e.g., road condition, level of service and impact of multi-users from Morgan Lake Park, residents and emergency services).⁹³

X. Site Certificate Conditions:

I originally proposed the following conditions:

If the B2H line is ever built, it would be foolish to build it using the Morgan Lake route or the Mill Creek Alternative. However, if this were to be the case, I request that a Site Condition be added of locating the line underground. The line should be undergrounded

⁹² Lautenberger Rebuttal to Issues PS-2, PS-3, PS-4, PS-10 and LU-9, at p. 62 line 16—p. 64 line 17.

⁹³ ODOE Rebuttal, p. 84.

through all five counties in Oregon, since they are categorized as Fire Weather Hazard 3. Any part of the line that travels through a WUI or a WUIZ (WUI Zone) in Union County, or any of the other four counties, should definitely be buried underground; in fact, undergrounding of existing powerlines has already been recommended in the 2014 Northeast Oregon Natural Hazard Mitigation Plan, but not implemented (Exhibit 17 at p. B-10). Or as expert witness Joann Harris Rode says: “Powerline fires are challenge and the only way to avoid them is to bury the transmission lines in the ground.” (Joann Harris Rode, Expert Witness #3 Testimony, pp. 2 of 3)⁹⁴

ODOE rebutted as follows:

Mr. Cooper’s proposed condition is unnecessary and unsupported by his testimony, facts and evidence. While his testimony and facts are supportive of wildfire risk within Union County and from transmission line operations, none of his testimony, facts or evidence are specific to undergrounding. The design, construction, operation and decommissioning of an underground route options has not been proposed or evaluated by the applicant in the ASC, or by the Department and therefore is not available as a potential mitigation option.⁹⁵

XI. Closing Statement on Site Conditions:

In addition to agreeing with ODOE in their imposing conditions in Part VIII above, I also still strongly believe that the B2H line, if it is built, should follow the BLM Preferred Route. The Morgan Lake and Mill Creek alternatives should NOT be approved. However, if either of these

⁹⁴ Direct Testimony of Matt Cooper at p. 16.

⁹⁵ ODOE Rebuttal, p. 85.

routes ARE approved, I stand by my convictions that undergrounding should be used in any fire-prone areas.

Regarding undergrounding, Dennis Johnson's rebuttal says: "... Mr. Cooper proposes undergrounding the Project throughout all five Oregon counties that the Project would cross. Extrapolating the \$55-\$112 million per mile costs from the Class 4 estimate, undergrounding the entire 296.6-mile length of the Project would cost approximately \$16.3-33.2 billion."⁹⁶ I agree with the Applicant that this figure is astronomical, but that actually supports my argument to either 1) cancel the project completely and find other alternatives, such as fire-hardening and re-conductoring power lines running through existing rights-of-way; or 2) build the B2H line on the BLM Preferred Route.

As an additional site condition, I would also request the following, based on a proposal originally made in 2010 by the Baker County Fire Defense Board: that if the line is built, the Applicant fully fund a Multi-Agency Fire and Emergency Response Station to be located at the Baker City Municipal Airport. "This station was proposed in the comments and the NEPA Study to provide space for apparatus, training, temporary housing for fire crews, and coordinating space for the fire districts, US Forest Service, Bureau of Land Management, and those contractors providing helicopter and single engine air tanker (SEAT) services to the region."⁹⁷

XII. CONCLUSION:

Given the fact that this route travels through steep, rugged, and often difficult-to-access terrain, and that this region experiences winds which can be unpredictable and drive a fire at high

⁹⁶ Rebuttal Testimony of Dennis Johnson, Nov. 12, 2021, at p. 38, lines 2—5.

⁹⁷ 2020-08-28-B2HAPP-Contested-Case-Petitions, page 192-196.

speed; given that there is already a history of fire in this immediate area as evidenced by fires in 1868 and 1973, both of which burned very near to La Grande; given that local firefighting agencies may not be able to reach the site for as much as 20 minutes; given that even 500 kV steel towers do come with some degree of fire risk (several documented ignitions in the last two decades in Oregon and California, including one by a Mylar balloon), I conclude that the Applicant has not adequately analyzed the wildfire risk or the capacity of firefighting protection associated with this Project. Thus, the Project poses a significant adverse impact to the providers of fire protection, and it would be in violation of OAR 345-022-0110.

CERTIFICATE OF MAILING

On Feb. 28, 2022, I certify that I filed the foregoing **Closing Brief** with the Hearings Coordinator via electronic mail, and with each party entitled to service, as noted below.

_____/s/____

Matthew J. Cooper, Pro Se Petitioner

By: U.S. postal service

John C. Williams
PO Box 1384
La Grande, OR 97850

By: Electronic Mail:

David Stanish
Attorney at Law
Idaho Power Company

dstanish@idahopower.com

Lisa Rackner
Attorney at Law
Idaho Power Company
lisa@mrg-law.com

Jocelyn Pease
Idaho Power Company
Attorney at Law
jocelyn@mrg-law.com

Alisha Till
alisha@mrg-law.com

Joseph Stippel
Agency Representative
Idaho Power Company
jstippel@idahopower.com

Kellen Tardaewether
Agency Representative
Kellen.tardaewether@oregon.gov

Sarah Esterson
Oregon Department of Energy
Sarah.Esterson@oregon.gov

Patrick Rowe
Assistant Attorney General
Patrick.g.rowe@doj.state.or.us

Jesse Ratcliffe
Assistant Attorney General
jesse.d.ratcliffe@doj.state.or.us

Jeffery R. Seeley
jeff.seeley@doj.state.or.us

Mike Sargetakis
Attorney at Law
Oxbow Law Group, LLC
mike@oxbowlaw.com

Karl G. Anuta
Attorney at Law
Law Office of Karl G. Anuta
kg@integra.net

Stop B2H Coalition
fuji@stopb2h.org

Stop B2H Coalition
Jim Kreider
jkreider@campblackdog.org

Colin Andrew
candrew@eou.edu

Kathryn Andrew
lkathrynandrew@gmail.com

Susan Badger-Jones
sbadgerjones@eoni.com

Lois Barry
loisbarry31@gmail.com

Peter Barry
petebarry99@yahoo.com

Gail Carbiener
mgccarb@bendbroadband.com

Matt Cooper
mcooperpiano@gmail.com

Whit Deschner
deschnerwhit@yahoo.com

Jim and Kaye Foss
onthehoof1@gmail.com

Suzanne Fouty
suzannefouty2004@gmail.com

Susan Geer

susanmgeer@gmail.com

Irene Gilbert
ott.irene@frontier.com

Charles H. Gillis
charlie@gillis-law.com

Dianne B. Gray
diannebgray@gmail.com

Joe Horst and Ann Cavinato
joehorst@eoni.com

Virginia and Dale Mammen
dmammen@eoni.com

Anne March
amarch@eoni.com

Kevin March
amarch@eoni.com

JoAnn Marlette
garymarlette@yahoo.com

Michael McAllister
wildlandmm@netscape.net

Sam Myers
sam.myers84@gmail.com

Stacia Jo Webster
staciajwebster@gmail.com

Jonathan White
jondwhite418@gmail.com

John Winters
wintersnd@gmail.com

Charles A Lyons
marvinroadman@gmail.com

Svetlana Gulevkin
Svetlana.m.gulevkin@doj.state.or.us

_____/s/____

Matthew J. Cooper, Pro Se Petitioner