



## **Alberta Electric System Operator**

**Strathcona Substation Connection Enhancement  
Needs Identification Document Application**

## **EPCOR Distribution & Transmission Inc.**

**Strathcona Capacity Increase and  
New Transmission Line 72DS26  
Facility Applications**

**March 8, 2019**

**Alberta Utilities Commission**

Decision 23641-D01-2019

Alberta Electric System Operator  
Strathcona Substation Connection Enhancement  
Needs Identification Document Application  
Application 23641-A001

EPCOR Distribution & Transmission Inc.  
Strathcona Capacity Increase and New Transmission Line 72DS26  
Facility Applications  
Applications 23641-A002 to 23641-A004

Proceeding 23641

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## **1 Decision summary**

1. In this decision, the Alberta Utilities Commission considers whether to approve a needs identification document application from the Alberta Electric System Operator and facility applications from EPCOR Distribution & Transmission Inc. for transmission development, consisting of a new 72-kilovolt transmission line and alterations to existing facilities, in the Edmonton area.

2. After consideration of the record of the proceeding, and for the reasons outlined in this decision, the Commission considers the Alberta Electric System Operator's assessment of the need to be correct and finds that approval of the proposed facility applications is in the public interest having regard to the social, economic, and other effects of the proposed facilities, including their effects on the environment.

## **2 Introduction and background**

3. The Alberta Electric System Operator (AESO) filed a needs identification document (NID) application with the Commission, pursuant to Section 34 of the *Electric Utilities Act*, seeking approval of the need to construct a new 72-kilovolt (kV) transmission line and to upgrade the existing Dome 665S Substation in order to reliably serve load growth in Edmonton (NID application). The application was registered on June 11, 2018, as Application 23641-A001.

4. EPCOR Distribution & Transmission Inc. filed facility applications with the Commission seeking approval of the facilities intended to meet the need identified by the AESO in the NID application. The applications were registered on June 14, 2018, as applications 23641-A002 to 23641-A004.

5. The proposed development (the project) includes:

- Constructing a new four to five kilometre long 72-kV transmission line, designated as Transmission Line 72DS26, that would connect the existing Dome 665S Substation to the existing Strathcona Substation and consist of overhead and underground segments. EPCOR identified a preferred route, a variant to the preferred route and an alternate route for the new transmission line.
- Ceasing the use of existing 72-kV Transmission Line 72RS5.
- Altering the existing Dome 665S Substation, including a fenceline expansion.

## 2.1 Legislative scheme

### 2.1.1 Needs identification documents

6. Except in the case of critical transmission infrastructure, two approvals from the Commission are required to build new transmission capacity in Alberta. First, an approval of the need for expansion or enhancement to the Alberta Interconnected Electric System, pursuant to Section 34 of the *Electric Utilities Act*, is required. Second, a permit to construct and a licence to operate a transmission facility, pursuant to sections 14 and 15 of the *Hydro and Electric Energy Act*, must be obtained.

7. The AESO, in its capacity as the independent system operator established under the *Electric Utilities Act*, is responsible for preparing a NID and filing it with the Commission for approval pursuant to Section 34 of the *Electric Utilities Act*.

8. There are three circumstances in which the AESO must file a NID application if it determines that an expansion or enhancement of the transmission system is required to meet Alberta's needs and is in the public interest: a system constraint or condition affecting performance, a need to improve efficiency, or a request for system access service (SASR) from a market participant. In this proceeding, the NID application was based on a SASR request.

9. In Decision 2004-087, the Commission's predecessor, the Alberta Energy and Utilities Board (the Board), described the NID process as follows:

It is the Board's view that section 34 contemplates a two-stage consideration of an NID. In the first stage, the Board must determine whether an expansion or enhancement of the capability of the transmission system is necessary to alleviate constraint, improve efficiency, or respond to a request for system access...

If it is determined that expansion or enhancement of the system is required to address constraint, inefficiency, system access requests, or any combination thereof, the Board must then assess, in the second stage, whether enhancement or expansion measures proposed by AESO are reasonable and in the public interest.<sup>1</sup>

10. Under Section 29 of the *Electric Utilities Act*, the AESO must provide system access service "in a manner that gives all market participants wishing to exchange electric energy and ancillary services a reasonable opportunity to do so."

11. Section 34(3) of the *Electric Utilities Act* provides that the Commission's discretion when considering a NID application is subject to the regulations. Subsection 38(e) of the *Transmission Regulation* states that the Commission must consider the AESO's assessment of the need to be correct unless an interested person satisfies the Commission that the AESO's assessment of the need is technically deficient, or to approve the NID would not be in the public interest.

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<sup>1</sup> Alberta Energy and Utilities Board Decision 2004-087: Alberta Electric System Operator Needs Identification Document – Southwest Alberta 240-kV Transmission System Development Pincher Creek – Lethbridge Area, Addendum to Decision 2004-075, Application 1340849, October 14, 2004, page 12.

## 2.1.2 Facility applications by a transmission facility owner

12. Facility applications are prepared and filed by the transmission facility owner assigned by the AESO. EPCOR is the transmission facility owner in the City of Edmonton. The Commission may approve or deny the applications, or approve the applications subject to terms or conditions.

13. When considering an application for transmission facilities, the Commission must decide if the proposed transmission facilities are in the public interest having regard to the social, economic and environmental effects of the transmission facilities, in accordance with Section 17 of the *Alberta Utilities Commission Act*.

14. In interpreting the term “public interest,” the Commission is guided by Decision 2009-028,<sup>2</sup> which states:

The Commission recognizes that there is no universal definition of what comprises the "public interest" and that its meaning cannot be derived from strictly objective measures. The Commission acknowledges that the ultimate determination of whether a particular project is in the "public interest" will largely be dictated by the circumstances of each transmission facility application.

In the Commission’s view, assessment of the public interest requires it to balance the benefits associated with upgrades to the transmission system with the associated impacts, having regard to the legislative framework for transmission development in Alberta. This exercise necessarily requires the Commission to weigh impacts that will be experienced on a provincial basis, such as improved system performance, reliability, and access with specific routing impacts upon those individuals or families that reside or own land along a proposed transmission route as well as other users of the land that may be affected. This approach is consistent with the EUB’s historical position that the public interest standard will generally be met by an activity that benefits the segment of the public to which the legislation is aimed, while at the same time minimizing, or mitigating to an acceptable degree, the potential adverse impacts on more discrete parts of the community.

...

When assessing whether AltaLink’s proposed route is in the public interest, the Commission must weigh the benefits described above with the site specific impacts that will be experienced by landowners and residents along the proposed route as well as others that may be impacted. The Commission understands that these impacts are real and may be significant. Transmission towers are large structures that may obscure scenery, impact agricultural operations, and may have an influence on land use and development plans. The Commission expects transmission facility owners to take all reasonable steps to avoid such impacts but acknowledges that despite the use of sound routing and planning practices such impacts are sometimes truly unavoidable given the nature of transmission lines. Where such impacts are truly unavoidable, the Commission expects that the Applicant would explore all reasonable steps to mitigate those impacts.<sup>3</sup>

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<sup>2</sup> Decision 2009-028: AltaLink Management Ltd. - Transmission Line from Pincher Creek to Lethbridge, Proceeding 19, Application 1521942, March 10, 2009.

<sup>3</sup> Decision 2009-028, paragraphs 32, 33 and 35. The reference in this quote to the EUB is to the Alberta Energy and Utilities Board (predecessor to the AUC).

## 2.2 Process

15. On July 17, 2018, the Commission issued a notice of applications for Proceeding 23641. The Commission held a public information session in Edmonton on August 14, 2018, to provide interested parties with information about how to become involved in the proceeding.

16. Three statements of intent to participate were filed in response to the notice, by Robert Michaels, by Jim Pattison Broadcast Group, and by 408652 Alberta Ltd. The concerns raised included the siting of the proposed transmission line, property value impacts and potential interference with studio-to-transmitter links for a radio station.

17. On September 10, 2018, the Commission granted standing to all three parties because they had each demonstrated that they had legal rights that may be directly and adversely affected by the Commission's decision on the applications. Pursuant to Subsection 9(2) of the *Alberta Utilities Commission Act*, the Commission decided to hold a hearing to consider the concerns of the parties with standing.

18. On October 15, 2018, Keely Krokis submitted a statement of intent to participate. Ms. Krokis stated that for reasons related to pedestrian and traffic safety, she strongly objected to the transmission line being proposed for 99th Street. She stated that 97th Street is a more favourable route because the street is less densely populated, traffic is not as busy, and there is a larger boulevard to accommodate a transmission line. Ms. Krokis also stated that she would not personally participate if the Commission held a hearing on the applications. The Commission stated in a letter to Ms. Krokis that it would have regard for the concerns she identified in her statement of intent to participate.

19. On October 31, 2018, the AESO submitted a request to be excused from participating further in the proceeding and asked that the NID application be approved by the Commission in due course. The AESO stated that its request was based on its review of the evidence filed by the interveners, which addressed concerns about facility routing. Further, the AESO indicated that none of the interveners had provided any information to challenge the AESO's NID application.

20. The Commission issued a letter on November 2, 2018, giving participants an opportunity to comment on the AESO's request to be excused from the proceeding. No participant stated that it had concerns about the NID application or requested that the AESO continue to participate in the proceeding. On November 9, 2018, the Commission issued a ruling granting the AESO's request to not attend or present witnesses at the oral hearing; however, the Commission was not prepared to approve the NID application at that stage of the proceeding. The ruling stated that the Commission would consider all of the evidence filed in the proceeding and make its decisions on the applications in the normal course following the close of the hearing.

21. The Commission issued a notice of hearing for Proceeding 23641 on September 14, 2018, in accordance with the requirements of Section 7 of Rule 001: *Rules of Practice*.

22. A public hearing was held in Edmonton on December 10, 2018, before a Commission panel comprised of Panel Chair Neil Jamieson and Commission members Joanne Phillips and Kristi Sebalj.



## 2.2.1 Participants in the proceeding

23. A list of all registered parties in this proceeding, including those who did not appear in person at the hearing, is provided in Appendix A to this decision. A complete list of hearing participants is attached to this decision in Appendix B.

24. Tyler Godsman filed two statements of intent to participate on behalf of the Jim Pattison Broadcast Group (JPBG), and another statement of intent to participate was filed by JPBG's counsel. The JPBG operates two FM radio stations from its studio located at 102, 9894 42nd Avenue N.W., Edmonton, which is approximately 130 metres from the preferred transmission line route along 99th Street. The JPBG was concerned that the proposed transmission line would interfere with the broadcast functionality of these radio stations. More specifically, the JPBG was concerned that a proposed transmission line tower near its studio and the transmission line itself may interfere with the radio communication pathway between its studio and its transmitter located west of Edmonton, in the Acheson area.

25. The JPBG submitted information requests to EPCOR, filed evidence in the proceeding and responded to information requests on that evidence. On December 5, 2018, the JPBG filed a letter stating that it had reached an agreement with EPCOR on a way forward and was withdrawing its objection to the facility applications. The JPBG did not participate in the hearing. The Commission considers that the JPBG's position on the applications is as stated in its letter withdrawing its objection to the applications, including its request that its agreed-upon solution with EPCOR be imposed as a condition of any decision approving transmission infrastructure along the 99th Street route.

26. Ms. Krokis objected to the 99th Street route but indicated in her statement of intent to participate that she did not intend to participate in the hearing. When the Commission panel chair registered parties at the commencement of the hearing, Ms. Krokis did not appear and nobody registered an appearance for her.

27. Mr. Michaels filed a statement of intent to participate that indicated "our company owns a significant rental property on the proposed 99 [Street] corridor that will be adversely effected by this proposed line." Mr. Michaels's statement of intent to participate did not name the company that owned the property or provide any other information about the property or the kinds of activities that occurred on the property. Mr. Michaels did not participate in the hearing. During argument in the oral hearing, counsel for 408652 Alberta Ltd. stated that Mr. Michaels was instructed by a director of 408652 Alberta Ltd. to file a statement of intent to participate on behalf of 408652 Alberta Ltd., and therefore Mr. Michaels and 408652 Alberta Ltd. should be considered to be the same participant.

28. 408652 Alberta Ltd. owns property at 9803 31st Avenue N.W., Edmonton, the west side of which borders the east side of Parsons Road (which is the name for the roadway that extends from 99th Street south of 34th Avenue) south of 31st Avenue, and north of the transportation and utility corridor in which existing overhead 240-kV transmission lines are located. In summary, 408652 Alberta Ltd. did not want a new transmission line to be installed on the east side of Parsons Road adjacent to its property, unless that line was an underground line.

29. 408652 Alberta Ltd. was the only intervener who registered and participated in the hearing. 408652 Alberta Ltd. did not provide a witness to give oral evidence in the hearing; its participation was limited to its counsel cross-examining EPCOR's witnesses and giving oral argument.

### 3 NID application

30. The NID application seeks approval of the need for transmission development arising from a request for system access service. EPCOR, as the legal owner of electric distribution facilities in the service area, requested system access service to improve reliability of electricity services in the south Edmonton area (AESO Planning Area 60, Edmonton). EPCOR's request includes a Rate DTS (demand transmission service) contract capacity increase of 13.9 megawatts (MW), from 50.3 MW to 64.2 MW, for system access service provided at the existing Strathcona Substation.

31. The AESO stated that EPCOR's request could be met by adding a 72-kV circuit to connect the existing Dome 665S and Strathcona substations and by upgrading the Dome 665S Substation. The Dome 665S Substation upgrade would include adding one transformer and two circuit breakers. The AESO considered three other alternatives to respond to EPCOR's request for system access service but ruled them out due to increased transmission development and increased cost compared to the proposed development.

32. The AESO conducted a connection assessment to assess the impact of the proposed development and the associated load on the transmission system. The AESO's pre-connection assessment identified system performance issues under certain Category B conditions that included thermal violations.<sup>4</sup> The AESO indicated that real-time operational practices could be used to mitigate the pre-connection system performance issues.

33. The AESO's post-connection assessment identified most of the same system performance issues that were identified in the pre-connection assessment. Some of the thermal criteria violations that were observed in the pre-connection assessment were marginally reduced in the post-connection assessment, while others were marginally increased. The AESO stated that real-time operational practices could be used to mitigate the identified post-connection system performance issues.

#### 3.1 Commission findings on NID application

34. The Commission finds that the NID application filed by the AESO contains all of the information required by the *Electric Utilities Act*, the *Transmission Regulation* and Rule 007: *Applications for Power Plants, Substations, Transmission Lines, Industrial System Designations and Hydro Developments*.

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<sup>4</sup> Category B events, often referred to as an N-1 or N-G-1 with the most critical generator out of service, result in the loss of any single specified system element under specified fault conditions with normal clearing. These elements include a generator, a transmission circuit, a transformer or a single pole of a DC transmission line.

35. No party raised a concern with the AESO's NID application, and accordingly no interested person demonstrated that the AESO's assessment of the need to construct a new 72-kV transmission line and to upgrade the existing Dome 665S Substation is technically deficient or that approval of the NID application is not in the public interest. Therefore, the Commission considers the AESO's assessment of the need to be correct, in accordance with Subsection 38(e) of the *Transmission Regulation*, and approves the AESO's NID application.

#### **4 Facility applications**

36. EPCOR's facility applications seek approval of facilities to meet the need identified in the NID application. The proposed development would be located in the southeastern area of Edmonton, which is an established and highly developed urban area with a wide variety of land uses and associated developments.

37. EPCOR stated that the project would include upgrading the existing Dome 665S Substation, including the installation of the following major equipment:

- one new 240/72-kV, 75/100-megavolt ampere (MVA) transformer
- one new 240-kV circuit breaker
- one new 72-kV circuit breaker

38. To accommodate the new equipment at the Dome 665S Substation, EPCOR proposed to expand the fenced area of the substation by approximately six metres to the southeast, and seven metres to the northeast, within the existing EPCOR-owned substation property.

39. EPCOR also proposed to construct approximately four to five kilometres of new overhead single-circuit 72-kV transmission line, designated as 72DS26, between the existing EPCOR-owned and operated Dome 665S and Strathcona substations. An approximately 70-metre segment of the new transmission line would be placed underground because it would pass under three existing 240-kV overhead transmission lines in an AltaLink Management Ltd. right-of-way. The minimum capacity of the new transmission line would be 82 MVA.

40. EPCOR identified a preferred route, a variant to the preferred route and an alternate route for the new transmission line. The proposed routes are located entirely within City of Edmonton road allowances and no new rights-of-way are expected to be required.

41. EPCOR also applied to construct a new fibre optic connection between the Strathcona and Dome 665S substations, designated as fibre optic line FO-158, that would be strung on the same structures as new Transmission Line 72DS26.

42. EPCOR stated that limited modifications to the Strathcona Substation would be required to connect new Transmission Line 72DS26, and EPCOR would use existing bus work that is currently used to connect the existing 72-kV transmission line 72RS5.

43. EPCOR also stated that it would discontinue using the existing underground 72-kV transmission line 72RS5, between the Strathcona and Rosedale substations, for transmission purposes. No modifications to the Rosedale Substation would be required other than breaking the

electrical connection to existing Transmission Line 72RS5. EPCOR submitted that it would remove Transmission Line 72RS5 from service as part of the project because the line is 61 years old and has reached the end of its useful life. EPCOR intends to address the full decommissioning and salvage of this line in a future application to the Commission.

44. EPCOR proposed two preferred routes and one alternate route for new Transmission Line 72DS26, as follows:

- The preferred route would run north-south on the east side of 99th Street, except for a segment between 39th Avenue and 34th Avenue where the route crosses to run on the west side of 99th Street.
- The preferred route variant would run north-south, entirely on the east side of 99th Street.
- The alternate route would run south along 99th Street, then east along 47th Avenue, then south along 97th Street to 32nd Avenue, then west along 32nd Avenue to 99th Street, and then south along the east side of Parsons Road.

45. EPCOR stated that the preferred and preferred variant routes are identical other than the segment between 39th Avenue and 34th Avenue where the preferred route crosses to the west side of 99th Street and then back to the east side. EPCOR stated the impacts of these two routes are largely the same.

46. EPCOR explained that the new transmission line would be built using wood, steel or composite poles, ranging in height from approximately 18 to 26 metres, and that portions of the route would be primarily single-circuit. EPCOR also stated that portions of the routes under consideration would follow existing distribution lines. For these sections, EPCOR proposed to remove some of the existing poles and install new poles with the single-circuit transmission line on the top and the distribution line underneath (which EPCOR referred to as “overbuild”).

47. The proposed in-service date for the project was October 1, 2019. EPCOR stated this was based on receiving approval by October 12, 2018, and starting construction on October 22, 2018.

#### **4.1 Transmission line route selection**

##### **4.1.1 Views of EPCOR**

###### **4.1.1.1 Routing methodology**

48. EPCOR stated that the project is located in the southeastern area of Edmonton, which is an established and highly developed urban area comprising a wide variety of land uses and associated developments, including primarily commercial and industrial areas, transportation corridors, and parks and recreation areas. Specific features of note include existing transmission line facilities and their associated rights-of-way.

49. EPCOR submitted that by applying a siting methodology for overhead transmission facilities, an extensive evaluation was undertaken to determine potential routing for the project. Maskwa Environmental Consulting Ltd. (Maskwa) was contracted by EPCOR to provide

professional support in relation to EPCOR's overall route development approach for the project.<sup>5</sup> Maskwa partner and founder, Mr. Foley, gave evidence at the proceeding as part of the EPCOR panel of witnesses.

50. Using the collective consideration and incorporation of available information for the project study area, internal and external stakeholder feedback, regulatory requirements and direction, and the application of professional judgment and experience, EPCOR identified three final routes for the project. These routes include a preferred route that EPCOR asserted poses lower overall levels of potential impact when compared to all other routes that were evaluated, and is the route recommended for Commission review and approval. A preferred route variant was developed that includes a small modification to the preferred route, and an alternate route was also identified as the next best route option from an overall potential impact perspective.

51. EPCOR explained that the process that it uses to determine the location for proposed developments is based on the consideration of multiple factors, with the objective being to identify locations that pose lower overall levels of potential impact. EPCOR's siting methodology uses a "funnel" approach to identify routes that pose lower levels of overall impact. The process is designed to recognize and incorporate land use planning principles, technical project requirements and information and feedback provided by regulatory agencies and other stakeholders. EPCOR submitted that the process is intuitive and adaptable, and allows for ongoing route refinements and improvements as new information is encountered. EPCOR stated there are three primary aspects that contribute to the overall strength and defensibility of its siting or planning methodology: good information, stakeholder input, and its technical expertise in planning, constructing and operating transmission facilities in Edmonton.

52. EPCOR submitted that its general siting principles are developed to align with the collective needs identified through initial engagement activities, while recognizing the potential impacts the project may pose. EPCOR stated that its use of over-arching siting principles typically involves three approaches: avoid an impact when possible, mitigate the degree of potential impacts when a specific impact cannot be avoided, and compensate for unavoidable impacts or losses caused by a project. EPCOR said that its general intent is to avoid impacts that are difficult or complex to mitigate or compensate.

53. EPCOR stated that the conceptual route development stage refers to the siting efforts required to support the evaluation and selection of technical solutions that meet the identified need for transmission system development. This primarily involves using existing information sources to identify and evaluate potential land use impacts associated with the various technical solutions being investigated. EPCOR explained that this stage involves the following components: establishing a study area or areas, identifying and evaluating potential land impacts in relation to the various technical solutions being considered (e.g., agricultural, residential, environmental, cost, visual, technical considerations, special constraints), and making findings and recommendations in relation to potential land impacts posed by each of the technical solutions being considered. EPCOR stated that its assessment of potential impacts includes both qualitative assessments that provide a high-level description of the various potential impacts that

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<sup>5</sup> Exhibit 23641-X0020.01, Appendix G-2 Siting Technical Report and Appendix G-3 Route Revision Log, PDF pages 33 to 177.

may be involved for each of the technical solutions, and quantitative assessments that provide numerical descriptions of the various potential impacts, based on measurable metrics, in order to compare potential impact types and levels between technical solutions.

54. The next stage in EPCOR's siting approach is preliminary routing, which is where initial routes within the study area are developed using the best available information for the selected technical solution. EPCOR's objective at this stage is to identify routing that is considered viable and that has undergone some degree of evaluation and vetting before they are used for broader stakeholder engagement purposes during the detailed route and site development stage that follows preliminary routing. During preliminary routing, corridors for which a transmission line would be viewed as generally more compatible are identified, and a compatibility matrix is used to establish a working order of general compatibility that guides the development of initial corridors. EPCOR stated that land use zoning designations are added to the assessment in order of established compatibility, until connectivity is achieved between the project termination points. The initial routing corridor undergoes further refinement by considering additional constructability factors; for example, corridors located within residential communities would be considered less constructible compared to major transportation corridors located outside residential communities. The next step in preliminary routing is to assess the routing corridor for potential construction impediments at the surface or subsurface that may contribute to the overall cost or timing of a project. Following this stage, EPCOR establishes a final routing corridor.

55. EPCOR stated that detailed route development typically commences when the project begins collecting stakeholder feedback. During this stage, routing options may be refined by shifting preliminary routing segments, modifying placement or alignment of structures and incorporating new potential route segments. Refinements can be proposed by stakeholders or driven by the review of new information such as direction from internal and external stakeholders, additional engineering reviews, additional field verification and survey information. EPCOR stated that the detailed route development stage generally continues until preferred and potential alternate routes are identified for the purpose of filing facility applications with the Commission.

56. EPCOR explained that in the final route development stage, changes resulting from the previous stage are finalized to establish a final grid or combination of route segments that are then used to conduct a comparative impact analysis to identify a preferred route. The comparative impact analysis is used to either reduce the routing grid to those posing a lower overall level of potential impacts or to compare the potential impacts of the preferred route to previously considered alternatives. EPCOR stated that when the comparative impact analysis is completed, a preferred and in some cases alternate routes are identified and used as the basis for the facility applications filed with the Commission.

#### **4.1.1.2 Proposed routes**

57. EPCOR stated that the route refinement process described above resulted in three final routes being identified for proposed Transmission Line 72DS26: a preferred route, a variant to the preferred route, and an alternate route.<sup>6</sup> The route associated with each of these options is shown in Figure 1.

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<sup>6</sup> Exhibit 23641-X0020.01, Appendix G – Detailed Routing Information, Figure 30, PDF page 105.

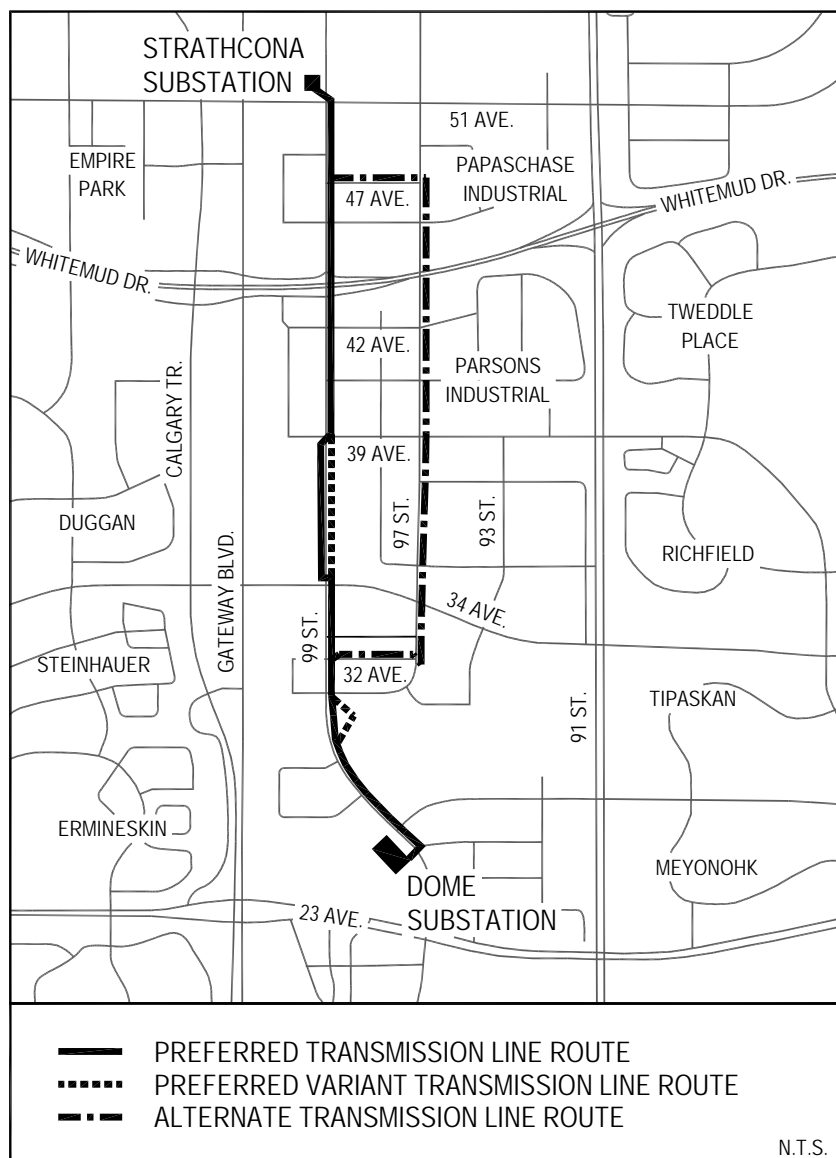


Figure 1 - Proposed Routes for Transmission Line 72DS26

58. Each route has common portions that use 99th Street north of 47th Avenue, and Parsons Road south of 32nd Avenue. EPCOR stated that these common portions of the routes are located within highly congested areas with limited routing options: the northern common segment utilizes an alignment along 99th Street that overbuilds existing streetlights, and the southern common segment along Parsons Road involves overbuilding a combination of street lights and existing distribution lines. Each route includes a short underground portion along Parsons Road that is needed to avoid the existing overhead AltaLink Management Ltd. 240-kV transmission line running east-west in the utility corridor south of 31st Avenue.

59. EPCOR stated that, based on the general location of the project as well as the location of the routes within a highly developed urban area, overall there was no consideration of agricultural impacts, and no required consideration of provincial Land Use Framework regional plans because such plans did not exist or apply to the area. EPCOR submitted that the routes are within compatible transportation corridors (public lands), and are located in industrial and

commercial areas. EPCOR said the types of potential impacts associated with these routes are typical of an urban area and are comparable to other power line projects within urban areas where designated utility corridors are not widely available.

60. EPCOR also stated that it would obtain and abide by the terms of an On-Street Construction and Maintenance Permit issued by the City of Edmonton, to ensure that construction activities are safely undertaken for pedestrians, drivers and EPCOR's construction personnel.

61. EPCOR estimated the project costs for the preferred route to be \$450,000 for capital cost and \$22.15 million for capital maintenance. It estimated project costs for the preferred route variant to be \$450,000 for capital cost and \$22 million for capital maintenance. EPCOR estimated project costs for the alternate route to be \$490,000 for capital cost and \$24.87 million for capital maintenance.

#### **4.1.1.2.1 Preferred route**

62. EPCOR stated that its preferred route is generally aligned along the east side of 99th Street, deviating to the west side between 39th Avenue and 34th Avenue in order to mitigate or minimize potential impacts to a cluster of adjacent commercial businesses. During the hearing, Maskwa's witness Mr. Foley stated that by crossing to the west side of 99th Street the route would avoid disrupting a strip mall on the east side that had approximately 30 businesses.

63. EPCOR submitted that the following considerations led it to determine that this route was the preferred route:

- It avoids the majority of concerns and considerations identified by the stakeholders, with the predominant concern being the number and duration of power outages caused by the project.
- It avoids construction risks and costs associated with overbuilding distribution lines in congested urban areas.
- It requires an alignment with comparably fewer turns and jogs.
- It has lower workspace requirements resulting in few road closures.
- It has few facility crossings and interfaces.
- It poses mitigatable potential surface impediments.
- It requires no private land rights-of-way.
- It minimizes land fragmentation.
- It has the lowest expected potential for tree removal.



#### 4.1.1.2.2 Preferred route variant

64. EPCOR's preferred route variant is similar to the preferred route but is aligned on the east side of 99th Street for its entire length. EPCOR stated this route would require overbuilding a portion of an existing distribution line. Although slightly shorter and requiring fewer road crossings, EPCOR anticipated the preferred route variant would involve a higher level of power service disruption to adjacent commercial businesses during construction, which was the primary concern raised by stakeholders.

65. EPCOR submitted that the following considerations led it to determine that this route was the preferred route variant:

- It avoids most of the concerns and considerations identified by stakeholders, with the number and duration of power outages being the predominant concern.
- It avoids the temporary traffic disruption caused by two road crossings of 99th Avenue.
- It has the shortest overall length.
- It requires an alignment with the least turns and jogs.
- It has the lowest workspace requirements and results in few road closures.
- It has few facility crossings and interfaces.
- It poses mitigatable potential surface impediments.
- It requires no private land rights-of-way.
- It minimizes land fragmentation.
- It has lower overall expected tree removal.

66. EPCOR stated that the preferred route and the preferred route variant had similarly low potential for environmental impact when compared to each other, and that each would provide a balance of shorter and longer-term impacts and potential mitigation strategies while considering relative construction costs.

67. EPCOR emphasized that the primary concerns expressed by stakeholders in the area were construction impacts and power outages for businesses during construction. EPCOR stated that it was committed to taking all reasonable measures to minimize construction impacts, but that power outages during construction were unavoidable. EPCOR submitted that there would be considerably fewer distribution customers, in this case businesses, impacted by power outages along the preferred route compared to the preferred route variant. It expected there would be eight such outages for the preferred route affecting 14 customers, and 21 outages for the preferred route variant affecting 98 customers.

68. EPCOR stated that the selection of the preferred route over the preferred route variant was due to the preferred route's overall reduction of impacts, in the form of power outages and construction impacts, to stakeholders located on the east side of 99th Street between 34th and 39th avenues.

#### 4.1.1.2.3 Alternate route

69. EPCOR stated the alternate route mitigates or minimizes impacts by staying within transportation corridors, co-ordinating with other facilities and paralleling a portion of an existing 240-kV transmission line. It submitted that the following considerations led it to determine that this was the alternate route:

- It utilizes the greatest amount of overbuild of existing distribution facilities opportunities.
- It utilizes the greatest amount of parallel of existing transmission line opportunities.
- It avoids construction risks associated with congested land uses, where possible.
- It requires an alignment with few turns and jogs.
- It has lower workspace requirements resulting in few road closures.
- It has few facility crossings and interfaces.
- It mitigates potential surface impediments.
- It requires minimal or no private land rights-of-way.
- It minimizes land fragmentation.
- It has lower overall tree removal.

70. EPCOR submitted that there would be considerably more distribution customers impacted by power outages during construction along the alternate route, stating that it expected there would be 40 such outages affecting 239 customers. EPCOR stated the alternate route was approximately one kilometre longer than the other two routes, and would cost approximately \$2 million more than the other routes.

71. As previously stated, EPCOR was the only party whose witnesses gave oral evidence during the hearing. Much of the evidentiary portion of the hearing consisted of EPCOR's witnesses responding to questions from counsel for 408652 Alberta Ltd.

72. During questioning by 408652 Alberta Ltd.'s counsel, EPCOR's witness, Mr. Foley, confirmed that all three proposed routes would entail a transmission line being installed on the east side of Parsons Road, within the transportation corridor adjacent to the west boundary of 408652 Alberta Ltd.'s property. When asked about the possibility of placing that portion of the transmission line on the west side of Parsons Road, across the roadway from 408652 Alberta Ltd.'s property, Mr. Foley stated that would not be a prudent decision from a planning perspective or from a cost perspective. He indicated that because of the existing double-circuit distribution line on the west side of Parsons Road, overbuilding would require a triple-circuit structure that would be significantly higher, larger and more congested. Mr. Foley added that it would be a fairly impactful operation to construct in that location, given the amount of traffic on the adjacent roadway and the limited workspace in comparison to the east side of Parsons Road. He stated that Maskwa viewed the east side as the preferred corridor that entailed lower impacts. EPCOR's witness, Ms. Wagner, stated that the cost to overbuild a distribution facility is generally an additional \$500,000 per kilometre, compared to the line proposed in the applications for the east side of Parsons Road.

73. EPCOR stated in its rebuttal evidence that because of the significantly higher costs associated with underground transmission lines, it generally proposes underground routes only when an overhead option is not feasible or where the additional cost is reasonable. It also stated that underground installation of the transmission line is technically feasible in the corridor beside the west boundary of 408652 Alberta Ltd.'s property, but that it would impose approximately \$680,000 of additional costs onto the project. During questioning by counsel for 408652 Alberta Ltd., Mr. Foley stated that underground transmission lines at that location would not only be more expensive but would also impose a greater impact on the businesses, traffic and frontage in the area due to trenching and digging required to install the line. Ms. Wagner stated that installing the transmission line underground in that location would potentially require a complicated dead-end structure to be located to the north of the northeast corner of the intersection of Parsons Road and 31st Avenue. She stated that underground installation may require EPCOR to jack and bore under the road in order to keep the road open, which is a much higher construction cost than an open-trench installation. In the case of an open trench installation, EPCOR would need to close the road or stage construction in order to keep a lane open in each direction.

#### **4.1.2 Views of the parties**

##### **4.1.2.1 408652 Alberta Ltd. and Robert Michaels**

74. As noted earlier, counsel for 408652 Alberta Ltd. confirmed that for the purposes of the proceeding Mr. Michaels and 408652 Alberta Ltd. should be considered one and the same party. 408652 Alberta Ltd. filed statements of intent to participate, video clips and photographs, and responded to an information request from the Commission, but it did not give evidence during the hearing.

75. 408652 Alberta Ltd. stated that it owns the commercial property with the municipal address 9803 31st Avenue, Edmonton, legally described as Plan 7520875, Block 3, Lot 1. It stated the property is zoned "IB – Business Industrial," and that zoning is designed to accommodate higher end land uses and users.

76. 408652 Alberta Ltd.'s concern, as stated by Mr. Michaels in his statement of intent to participate, was that the proposed transmission line should not be placed in the busy 99th Street corridor beside 408652 Alberta Ltd.'s property, but instead should be located in the existing corridor along 97th Street. This concern was restated in the statement of intent to participate subsequently filed by 408652 Alberta Ltd. During the hearing, however, 408652 Alberta Ltd. stated that it had abandoned its request to locate the transmission line entirely in the 97th Street corridor, and instead was requesting that the portion of the line adjacent to its property either be installed underground or located on the west side of Parsons Road. 408652 Alberta Ltd. characterized the east side of Parsons Road as "an entirely new corridor," and argued that there are existing corridors within which the transmission line could be accommodated.

77. In addition to its statement of intent to participate, 408652 Alberta Ltd. filed an aerial photograph showing its property and the surrounding area, and five video clips of the project area taken from different vantage points.<sup>7</sup>

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<sup>7</sup> Exhibit 23641-X0080, Information Response.

#### 4.1.2.2 Jim Pattison Broadcasting Group

78. The Jim Pattison Broadcasting Group (JPBG) filed three statements of intent to participate (one was filed by its counsel), filed evidence in this proceeding and responded to information requests. It stated that it operates two radio stations, CIUP-FM (up! 99.3 MHz) and CKNO-FM (102.3 Now!), from studios located at 9894 42nd Avenue N.W., Edmonton. It explained that it sends audio programming for these stations via two very low power microwave systems, from a directional antenna mounted on a freestanding monopole at the studios to a transmitter site owned by Rogers Communications and located 21 kilometres west of the studios in Acheson. The JPBG stated that optimal operation of the studio-to-transmitter links requires free and unobstructed line of sight to the tower in Acheson at all times. It added that both station licences have been active at the same location since June 19, 2009, and since 2009 the links have had no issue linking the studio and transmitter locations.

79. The JPBG submitted that any newly installed transmission line or structures along 99th Street would obstruct the signal path for its two studio-to-transmitter links. It stated that any degradation of the main links would take the stations off the air and result in a major loss of revenue. The JPBG requested that the Commission only approve the alternate route along 97th Street because that route would not directly impact the studio-to-transmitter links. If, however, the Commission approved a route on 99th Street, the JPBG requested that conditions be put in place to protect its transmissions from the studios to the transmitter site.

80. On December 5, 2018, the JPBG filed a letter stating that it had engaged in discussions with EPCOR with a view to finding solutions to the JPBG's concerns about the potential for the transmission development proposed for 99th Street to interfere with its radio operations. The letter referred to a proposed solution/path forward that was described in EPCOR's rebuttal evidence. On December 5, 2018, the JPBG stated it was withdrawing its objection to EPCOR's applications and asked the Commission to include the following as a condition of any approval the Commission may issue for the 99th Street route:

In terms of mitigation measures... the condition contemplates that the appropriate mitigation solution, if one is determined to be required, will be chosen based on the level of degradation estimated by the parties based on the testing results. In other words, the mitigation solution will be selected having regard for the lowest cost alternative available that will provide, at a minimum, the level of improvement in feed margin required.<sup>8</sup>

81. The Commission replied in a letter explaining that it was prepared to consider the agreement put in evidence by EPCOR and the JPBG, but that the parties should not expect that the terms of that agreement would necessarily be incorporated as a condition of any approval the Commission may issue. EPCOR subsequently confirmed that it was committed to proceeding in accordance with the terms of the condition that it and the JPBG had agreed upon, regardless of whether or not the Commission included it as a condition of any approval issued for the project. As stated previously, the JPBG did not participate in the oral hearing.

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<sup>8</sup> Exhibit 23641-X0103, JPBG Withdrawal of Objection 20181205.

#### 4.1.2.3 Keely Krokis

82. Keely Krokis filed a statement of intent to participate that stated “[w]e are a business located on 99th Street. We object to the 99th Street route because of the dangers it will bring to traffic and pedestrians.” She also stated that the business strongly objected to the preferred route, submitting that 99th Street is currently overly congested and there is no room on the boulevard for another utility tower. Ms. Krokis said she believed the line would pose a safety risk to people who commute through and work in the area. She stated the alternate route along 97th Street is far more favourable because it is less densely populated, traffic is not as busy and there is a larger boulevard to accommodate the transmission line. Ms. Krokis also filed two photographs, each of which the Commission understands shows a view looking up or down 99th Street. She did not file any other evidence or information requests, and she did not participate in the oral hearing.

83. EPCOR addressed Ms. Krokis’s concerns in its rebuttal evidence, noting in particular that her business is at 4917 99th Street, which is a location that is on all three routes identified in the facility applications. EPCOR filed a visual rendering of the infrastructure it expected to install near Ms. Krokis’s business if the project is approved. EPCOR stated that the rendering showed there would be only one pole near her business and neither the pole nor the overhead line would have any impact on her business. EPCOR also stated that the pole would be located within the boulevard, which is City of Edmonton property, well back of the sidewalk and well back of the roadway itself. EPCOR disagreed with Ms. Krokis’s assertion that the preferred route would present a safety risk.

84. The rebuttal evidence prepared by Maskwa on behalf of EPCOR stated there is sufficient space to accommodate the proposed transmission line along either the 99th Street or the 97th Street corridor. Maskwa stated that structures would be placed in accordance with City of Edmonton bylaws and will meet or exceed engineering design and regulatory requirements. Maskwa also stated that any potential impacts or disruptions on any of the routes would be temporary in nature during construction, would comply with city traffic management requirements and would be supplemented by additional discussions with willing stakeholders to further co-ordinate planned activities and reduce potential impacts where possible.

#### 4.1.3 Commission findings on routes identified by EPCOR

85. Based on the record, and noting the absence of evidence or argument to the contrary, the Commission is satisfied that EPCOR’s facility applications for approval to construct and operate the project, including each of the transmission line routes identified by EPCOR, are consistent with the need identified by the AESO that has been approved by the Commission in this decision.

86. The Commission accepts EPCOR’s evidence that the potential impacts associated with all three routes are similar, typical of the highly developed urban area within which the project is proposed, and are comparable to other power line projects within urban areas where designated utility corridors are not widely available. The Commission also accepts that each route identified by EPCOR is a viable transmission solution that is located on public land within a compatible transportation corridor, and in the same or a similar industrial and commercial area.

87. The Commission accepts the methodology used by EPCOR to identify the preferred route, preferred route variant and alternate route, and to assess the specific and overall impacts

associated with each of them. Accordingly, the decision facing the Commission is which of the three routes best avoids or minimizes overall impacts on stakeholders or an unacceptable impact on a particular stakeholder. This includes determining the specific location and installation of the transmission line on the portion of Parsons Road that is adjacent to 408652 Alberta Ltd.'s property, i.e., whether to locate the line on the west side of the roadway or to install it underground.

88. EPCOR stated its participant involvement program identified that stakeholders were most concerned about disruptions associated with project construction, in particular access during construction, lane closures, traffic management and especially power outages. Its analysis indicated that constructing the preferred route would entail the fewest number of distribution line outages to business customers, and the fewest number of customers being affected. The difference between the preferred route and alternate route was significant; the preferred route is expected to have eight distribution line outages affecting 14 customers, while the alternate route is expected to have 40 distribution line outages affecting 239 customers. EPCOR expected that constructing the preferred route variant would entail 21 distribution line outages affecting 98 customers. EPCOR explained that the reason for having the preferred route cross from the east to west side of 99th Street and then back again, which is the only difference between that route and the preferred route variant, is to avoid disruptions to approximately 30 businesses located in a strip mall on the east side of 99th Street.

89. The Commission is satisfied that, from the perspective of project cost, the preferred and preferred variant routes are superior to the alternate route. The Commission observes, in this respect, EPCOR's evidence that the cost estimates for the preferred route and preferred route variant are comparable at \$22.59 million and \$22.45 million, respectively, whereas the estimate for the alternate route is \$25.36 million. The Commission also observes that EPCOR stated that the lengths of the preferred route and preferred route variant are 3.79 kilometres and 3.76 kilometres, respectively, while the length of the alternate route is 4.62 kilometres. Although the difference in length of approximately 0.8 kilometres is not a substantial distance, given that the longest route is only 4.62 kilometres makes it a more significant difference. The Commission finds that the construction of the preferred and preferred variant routes are likely to be less disruptive than the construction of the alternate route given the shorter length.

90. Ms. Krokis stated that she was concerned that constructing the transmission line along 99th Street would pose a safety hazard to pedestrians and roadway users. She submitted that there was not enough room on the boulevard for another utility tower, and no clearance between the sidewalk and 99th Street. EPCOR asserted that there is sufficient space to accommodate the proposed transmission line along either the 99th Street or the 97th Street corridor, and that structures will be placed in accordance with City of Edmonton bylaws and will meet or exceed engineering design and regulatory requirements. The Commission is persuaded by EPCOR's rebuttal evidence<sup>9</sup> that the transmission line would not pose a safety risk to the public and would not interfere with parking or access to Ms. Krokis's business.

91. The JPBG initially had concerns about the potential for the proposed transmission line to interfere with the station-to-transmitter link between its studio and the transmitter located in Acheson; however, it withdrew its objection after arriving at a solution and a path forward with

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<sup>9</sup> Exhibits 23641-X0099 and 23641-X0100.

EPCOR. The Commission considers that the JPBG no longer objects to the proposed transmission line, but instead is requesting that the Commission impose the terms of its arrangement with EPCOR as a condition of any permit and licence issued by the Commission.

92. The JPBG's letter withdrawing its objection to the applications summarizes its solution and path forward with EPCOR; however, the full description of that mutual understanding is set out in one-and-one-half pages of EPCOR's rebuttal evidence.<sup>10</sup> The arrangement itself appears to the Commission to be partly in the nature of an agreement to co-operate, and it entails a number of sequential commitments that the Commission summarizes here as:

- EPCOR will investigate the feasibility and cost of relocating transmission infrastructure further away from the station-to-transmitter pathway.
- If relocating is not possible, EPCOR will work with the JPBG to determine whether transmission infrastructure will affect the station-to-transmitter links, by undertaking certain measurements or data reviews.
- If that testing demonstrates that transmission infrastructure will affect the links, then EPCOR will take certain steps to avoid that impact.
- If testing indicates that transmission infrastructure will not affect the links, then EPCOR will work with the JPBG to conduct post-construction testing for a period of 12 months.
- If post-construction testing demonstrates that transmission infrastructure is affecting the links, then EPCOR will take the corrective measures described by the parties.

93. The Commission has determined that it will not grant the request by the JPBG that the Commission impose the terms of its arrangement with EPCOR as a condition of any permit and licence issued to EPCOR in this proceeding. The Commission is of the view that terms of the solution and path forward agreed to by the JPBG and EPCOR are not amenable to being incorporated as conditions of a permit and licence issued under the *Hydro and Electric Energy Act*. A condition of approval must be sufficiently certain, and the obligations it imposes clearly defined, so that compliance or non-compliance with a condition is something that is readily apparent and is not subject to interpretation. In addition, conditions imposed by the Commission must be fully within its statutory authority and ability to enforce by the Commission itself. The Commission is of the view that the arrangement between the JPBG and EPCOR does not have those qualities, at least not to the extent needed to impose them as conditions of approval. The Commission notes, however, that EPCOR has unconditionally committed to meeting its obligations under the agreed upon solution and path forward.

94. Having regard to all of the foregoing, the Commission agrees with EPCOR that the preferred route addresses stakeholder concerns to the greatest degree reasonably possible, entails the least overall impact on stakeholders, and can be constructed and operated in a manner that does not pose a safety hazard for roadway users and pedestrians. The remaining consideration for the Commission is whether or not to grant 408652 Alberta Ltd.'s request to have the portion of the transmission line adjacent to the west boundary of its property installed underground or located on the west side of Parsons Road.

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<sup>10</sup> Exhibit 23641-X0099, EDTI Rebuttal Evidence, PDF pages 10-13.

95. 408652 Alberta Ltd. referred to photographs in evidence that show three sides of its property have power lines running along or near the boundary, and the west side of its property – adjacent to the east side of Parsons Road – is the only side that “remains open.”

408652 Alberta Ltd. argued that a shared burden exists between electric system users and the business and property owners whose sites will be impacted by linear disturbances required to carry power. It stated that the Commission must balance the benefits for the electric system users against the specific impacts on property owners, and that such impacts should be ameliorated to the extent that can reasonably be accommodated.

96. 408652 Alberta Ltd. argued that there are already power lines running the length of Parsons Road on the west side of 99th Street, and it was not necessary or desirable to create a new linear disturbance by routing the proposed transmission line down the east side of Parsons Road. Alternatively, 408652 Alberta Ltd. argued that if the proposed transmission line is to be located on the east side of Parsons Road, it should be placed underground as a continuation northward of the underground section that will cross the 240-kV transmission line south of its property.

97. During the hearing, EPCOR’s witnesses explained that locating the proposed transmission line on the west side of Parsons Road, as 408652 Alberta Ltd. requested, would entail overbuilding the existing double-circuit distribution line and require a triple-circuit structure that would be significantly higher, larger, and more congested. EPCOR stated it would be a “fairly impactful operation” to construct in that location, given the amount of traffic on the adjacent roadway and the limited workspace in comparison to the east side of Parsons Road.<sup>11</sup> EPCOR said the cost to overbuild a distribution facility is generally \$500,000 per kilometre more than the cost to construct the type of overhead line that is proposed in the facility applications.

98. EPCOR stated that installing the proposed transmission line underground along the east side of Parsons Road adjacent to 408652 Alberta Ltd.’s property would cost an additional \$680,000, and the construction process would be more complicated, necessitating road closures to accommodate trenching or the use of a more expensive jack and bore process. EPCOR also stated that a complicated dead-end structure would have to be located north of the northeast corner of the intersection of Parsons Road and 31st Avenue.

99. The Commission accepts 408652 Alberta Ltd.’s submission that the public interest requires the Commission to balance the benefits of the proposed development for electric system users against the specific impacts of that development on property owners, and to mitigate such impacts when that can reasonably be accommodated. For this project, the Commission accepts that constructing the proposed transmission line on the west side of Parsons Road, or placing it underground on the east side of Parsons Road, is feasible and can be done, but at significant additional costs in both monetary terms, and with construction and operational challenges. The difficulty the Commission has in this case, when asked by 408652 Alberta Ltd. to impose these additional costs, is that the Commission has no evidence of the specific impacts that 408652 Alberta Ltd. wants to avoid.

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<sup>11</sup> Transcript, Volume 1, pages 85 and 86.



100. The Commission notes that the transportation corridor on the east side of Parsons Road, adjacent to 408652 Alberta Ltd.'s property, currently has no overhead lines. The proposed transmission line and its infrastructure would be installed on public land that is owned and controlled by the City of Edmonton, and not on 408652 Alberta Ltd.'s property. The area is currently a busy commercial/industrial urban area with overhead transmission and distribution line infrastructure in place. Nothing in that would seem to impose a specific impact on 408652 Alberta Ltd. or its property.

101. During oral argument, counsel for 408652 Alberta Ltd. stated that his client was not able to find reliable appraisal information that would quantify the impacts of the proposed transmission development on 408652 Alberta Ltd.'s property. The Commission understands that, however, 408652 Alberta Ltd. did not provide even basic information that might assist the Commission to better understand how 408652 Alberta Ltd.'s interests are affected, including for example: the types of businesses located on the property, how the property is used or intended to be used, and vehicle and pedestrian access to the property. What is apparent to the Commission, from the overhead photograph 408652 Alberta Ltd. filed in evidence,<sup>12</sup> is that the property itself appears to be typical of most other commercial development in the area. The portion of the property that is immediately adjacent to Parsons Road is paved and marked for vehicle parking, and the two entranceways that provide vehicle access from the property to Parsons Road appear to be blocked so that direct access to and from Parsons Road is not possible. In summary, 408652 Alberta Ltd. has not identified a specific impact on it or its interests that would justify the Commission ordering that the proposed transmission line to be installed underground or on the west side of Parsons Road, and the Commission has therefore decided not to grant 408652 Alberta Ltd.'s requests.

#### **4.2 Other issues**

102. EPCOR commenced its participant involvement program for the project in September 2017, which included an initial round of public notification and consultation, a second round of public notification with updated project details and ongoing consultation to resolve outstanding issues. More specifically, EPCOR sent project-specific information packages to approximately 1,940 addresses that represented landowners, occupants, residents, local businesses, elected officials, government agencies, special interest groups and other potentially interested parties within 200 metres of the existing Dome 665S and Strathcona substation locations and the preliminary transmission line routing area. The packages included information on the need for the project, which EPCOR provided on behalf of the AESO. EPCOR held an open house in Edmonton on October 3, 2017, and it also provided a project update package to stakeholders on March 1, 2018.

103. EPCOR stated that 731 parties directly adjacent to the project were identified for consultation. EPCOR consulted face-to-face, by email or by telephone with 640 of those identified parties. EPCOR noted that the main stakeholder concerns were construction impacts (e.g., road closures), power outages and safety. EPCOR stated that it heard and assessed the concerns expressed by participants, and where possible it incorporated their feedback into project planning.

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<sup>12</sup> Exhibit 23641-X0068, Pictometry.

104. EPCOR asserted that it had met the Commission's guidelines for a participant involvement program for a new overhead transmission line and substation upgrades in an urban setting.

105. The noise impact assessment for the Dome 665S Substation assumed that baseline sound levels comply with permissible sound levels at the closest dwellings to the project. Based on this assumption, the noise impact assessment predicted that the increase in cumulative sound levels resulting from the project would be 0.1 dB at the closest dwellings, which is less than the no net increase threshold specified in Rule 012: *Noise Control*. As such, the noise impact assessment concluded that the substation would remain compliant with Rule 012 following the proposed expansion. EPCOR also stated that new Transmission Line 72DS26 would not noticeably emit or reflect noise.

106. EPCOR stated that the project has incorporated the guidelines contained within Alberta Environment and Parks' *Environmental Protection Guidelines for Transmission Lines*, and that EPCOR will comply with the guidelines and the *Environmental Protection and Enhancement (Miscellaneous) Regulation*. EPCOR also stated that a federal environmental assessment is not required for the project because it is not listed in the *Regulations Designating Physical Activities*, and that a provincial environmental impact assessment is not required because the construction, operation, or reclamation of a transmission line is listed as an exempt activity under Schedule 2 of the *Environmental Assessment (Mandatory and Exempted Activities) Regulation*.

107. EPCOR stated that it will restore the landscaping around newly installed poles to pre-construction conditions or other condition as specified by the City of Edmonton, and it will restore the landscaping in the area around the expanded Dome 665S Substation fenced area to pre-construction conditions. EPCOR also stated that it will complete the other items required in the environmental evaluation conducted by Maskwa, and will ensure the project is undertaken in an environmentally responsible manner.

### **4.3 Commission findings on facility applications**

108. The Commission finds that the facility applications for approval to construct and operate Transmission Line 72DS26, to alter the existing Dome 665S Substation, and to cease using existing Transmission Line 72RS5, filed by EPCOR pursuant to sections 14, 15, 18, 19 and 21 of the *Hydro and Electric Energy Act*, comply with the information requirements prescribed in Rule 007. The facility applications are also consistent with the need identified in the NID application.

109. The Commission finds that the preferred route addresses stakeholder concerns to the greatest extent reasonably possible, entails the least overall impact on stakeholders, and can be constructed and operated in a manner that does not pose a safety hazard for roadway users and pedestrians.

110. The Commission accepts EPCOR's evidence that it notified and consulted with stakeholders in and around the project area in relation to both the AESO's NID application and EPCOR's facility applications, that it held a public open house, and that it provided a project update to stakeholders. EPCOR also stated that if the project is approved, it will mail project information packages notifying parties located directly adjacent to the existing substation

locations and proposed facilities of upcoming construction timelines. The Commission notes that none of the participants in this proceeding raised concerns about EPCOR's participant involvement program or the information shared by EPCOR.

111. The Commission also notes that EPCOR stated that it will continue stakeholder consultations to try to resolve outstanding issues until the project is commissioned. The Commission commends the JPBG and EPCOR for their efforts to address the JPBG's concerns about the potential for the project to affect its station-to-transmitter links, and for coming to an agreement on a way forward to address any actual effects identified after the project is completed.

112. Having regard to the foregoing, the Commission finds that potentially affected parties were provided with sufficient information from the AESO and EPCOR to understand the proposed project and were given opportunities to express their concerns during the course of the participant involvement program. The Commission finds that the participant involvement program meets the requirements of Rule 007.

113. The Commission notes that no participant raised a concern with the proposed alterations to the Dome 665S Substation. The Commission finds that sound levels following the alterations to the Dome 665S Substation are expected to meet Rule 012, and that Transmission Line 72DS26 is not expected to noticeably emit or reflect noise.

114. The Commission is satisfied that EPCOR has reasonably assessed the potential environmental impacts of the project. The Commission accepts that EPCOR can and will undertake the project in an environmentally responsible manner that is not likely to result in significant adverse environmental effects.

115. The Commission acknowledges that EPCOR was granted a *Historical Resources Act* approval for the project on October 5, 2017.

116. Given the considerations discussed above, the Commission finds the project to be in the public interest pursuant to Section 17 of the *Alberta Utilities Commission Act*.

117. The Commission finds that the completion date for the project should be extended beyond the expected October 1, 2019, in-service date since the application review process took longer than EPCOR anticipated. The Commission finds that a completion date of June 1, 2020, is reasonable in the circumstances.

## **5 Decision**

118. Pursuant to Section 34 of the *Electric Utilities Act*, the Commission approves the need outlined in Needs Identification Document Application 23641-A001 and grants the Alberta Electric System Operator the approval set out in Appendix 1 – Needs Identification Document Approval 23641-D02-2019 – March 8, 2019.

119. Pursuant to sections 14, 15 and 19 of the *Hydro and Electric Energy Act*, the Commission approves Application 23641-A002 and grants EPCOR Distribution & Transmission Inc. the approval set out in Appendix 2 – Transmission Line Permit and Licence 23641-D03-2019 – March 8, 2019, to construct and operate 72-kV Transmission Line 72DS26, which includes the construction and operation of fibre optic line FO-158.

120. Pursuant to sections 14, 15 and 19 of the *Hydro and Electric Energy Act*, the Commission approves Application 23641-A003 and grants EPCOR Distribution & Transmission Inc. the approval set out in Appendix 3 – Substation Permit and Licence 23641-D04-2019 – March 8, 2019, to alter the Dome 665S Substation.

121. Pursuant to Section 21 of the *Hydro and Electric Energy Act*, the Commission approves Application 23641-A004 and grants EPCOR Distribution & Transmission Inc. the approval set out in Appendix 4 – Decommission Approval 23641-D05-2019 – March 8, 2019, to discontinue Transmission Line 72RS5 from use.

122. The appendixes will be distributed separately.

Dated on March 8, 2019.

**Alberta Utilities Commission**

*(original signed by)*

Neil Jamieson  
Panel Chair

*(original signed by)*

Joanne Phillips  
Commission Member

*(original signed by)*

Kristi Sebalj  
Commission Member

## Appendix A – Proceeding participants

Name of party or organization (abbreviation) Name of counsel or representative
EPCOR Distribution & Transmission Inc. (EPCOR) J. Liteplo T. Crotty-Wong
Jim Pattison Broadcasting Group (JPBG) T. Godsman
408562 Alberta Ltd. J. Murphy
K. Krokis
R. Michaels

Alberta Utilities Commission
Commission panel N. Jamieson, Panel Chair J. Phillips, Commission Member K. Sebalj, Commission Member
Commission staff G. Perkins (Commission counsel) K. Elkassem

## Appendix B – Oral hearing – registered appearances

Name of organization (abbreviation) Name of counsel or representative	Witnesses
EPCOR Distribution & Transmission Inc. (EPCOR) J. Liteplo T. Crotty-Wong	C. Wagner G. Newton H. Foley
408562 Alberta Ltd. J. Murphy, Q.C. B. Proznik E. O'Neill	Not applicable