



General Information and Common Questions

Idaho Power's Application for Certificate of Public Convenience and Necessity Boardman to Hemingway (B2H) Transmission Line

Background

Idaho Power is in the process of permitting and constructing a 300-mile transmission line that would connect its Hemingway substation in Idaho with a substation near Boardman, Oregon better known as the Boardman to Hemingway or B2H project. The line is intended to allow Idaho Power increased access to the Mid-Columbia markets for electricity, while providing other benefits to the system. The line would be jointly owned by Idaho Power and PacifiCorp, and also used by the Bonneville Power Administration. Idaho Power anticipates the need to condemn property to construct the line.

Idaho Power has asked the Oregon Public Utility Commission (PUC) to issue a certificate of public convenience and necessity (CPCN) for this project. If granted, Idaho Power would use this certificate in court proceedings where it seeks to condemn an interest in land along the transmission line's path. The certificate would demonstrate to the court that the transmission line is a public use and necessary for public convenience.

Idaho Power's application for the certificate, all other filings related to the application, and the schedule are available in [Docket No. PCN 5](#) on the PUC's website.

The PUC is reviewing Idaho Power's application and is seeking public comment as part of this review.

Common Questions

What is the Oregon Public Utility Commission (PUC)?

The PUC is a state agency charged with ensuring Oregonians have access to safe, reliable and fairly priced utility services that advance state policy and promote the public interest. The PUC is responsible for rate regulation of Oregon's investor-owned electric utilities (PGE, Pacific Power, and Idaho Power), natural gas utilities (Avista, Cascade Natural, and NW Natural), telephone service providers (landline only), as well as select water companies. The PUC also enforces electric and natural gas safety standards and handles utility-related dispute resolution on behalf of Oregon customers.

Why is the PUC considering Idaho Power's request for a certificate?

When any electric utility in Oregon seeks to build a transmission line and property rights may need to be condemned, by law the utility must apply to the PUC for a certificate of public convenience and necessity. The utility must provide evidence of its need and justification to construct a transmission line. The PUC investigates these applications to determine whether projects meet the legal requirements set out in [ORS 758.015](#).

What process will the PUC use in reviewing Idaho Power's request for a certificate?

The PUC will review the information provided by Idaho Power in its application, as well as evidence from the PUC Staff and other parties through a quasi-judicial (contested case) process. This process allows individuals and groups to "intervene" as formal parties to the case, provide written testimony and legal briefs, and cross-examine witnesses in the case. The PUC also takes comments from customers and members of the public as part of this process.

What criteria will the PUC use to decide whether to issue the requested certificate?

The PUC will determine the “necessity, safety, practicability and justification in the public interest for the proposed transmission line,” as required by ORS 758.015(2) and further described in the agency’s administrative rules. View [OAR 860-025-0030 through 0040](#). As part of its review, the PUC will consider whether the transmission line will meet a need for additional transmission capacity and reliability in the electricity grid; whether it will be operated in a way that protects the public from danger; whether the proposed route is practicable and feasible; whether the public benefits and costs justify the project; and other factors the PUC deems relevant under the law.

Is the PUC reviewing land use decisions related to the B2H project?

No. The B2H project is also subject to the jurisdiction of the Energy Facility Siting Council (EFSC), which has reviewed the project for land use purposes and issued a [site certificate](#). The PUC relies on the EFSC’s findings and will not revisit them as part of considering the requested certificate of public need and necessity.

If the PUC issues the certificate to Idaho Power, does that mean the land is condemned?

The certificate itself would not condemn any land. Idaho Power would use the certificate as part of a separate proceeding before a court. The court would consider the PUC’s certificate as establishing that the transmission line is a public use and necessary for public convenience.

Does the PUC determine the value of any land that needs to be condemned, and how landowners are compensated?

No. The PUC does not determine the value of any property interests Idaho Power seeks to condemn through a court proceeding. That determination would be made by the court or through other processes of negotiation or resolution associated with the court proceeding.

Ways to Comment

Attend a public comment hearing (in person) in La Grande, Oregon

When: Wednesday, November 16, 2022 from 6 – 8 p.m. PST (7-9 p.m. MST)

Where: Gilbert Event Center, Eastern Oregon University, 1 University Blvd., La Grande, OR 97850

Participate in a virtual public comment hearing via Zoom or phone

When: Monday, December 5, 2022 from 6 – 7 p.m. PST (7-8 p.m. MST)
Please log in no later than 7 p.m. PST

Access the Zoom link and phone-in details at: <https://bit.ly/3zXBRlz> OR
<https://www.oregon.gov/puc/Pages/Whats-New.aspx>

Submit comments in writing or by phone no later than January 10, 2023

- email PUC.PublicComments@puc.oregon.gov
- Call 503-378-6600 or 800-522-2404 (all relay calls accepted)
- Mail comments to: Oregon Public Utility Commission, Attn: AHD – PCN 5, PO Box 1088, Salem OR 97308-1088

Stay Informed

You can view Idaho Power’s application for the certificate, all other filings related to the application, and the schedule for [Docket No. PCN 5](#) online. You can also request to be added to the distribution list for Docket No.: PCN 5 to receive publicly available documents via email. Submit requests to puc.hearings@puc.oregon.gov or by calling 503-378-6678.