



REPLY ARGUMENT
July 6, 2011

In the Matter of Alberta Utilities Commission
Application No. 1606609
Proceeding ID No. 457

Submitted by:

PROWSE CHOWNE LLP
Donald P. Mallon, Q.C.
Eva Chipiuk

Suite 1300, 10020 101 A Avenue
Edmonton, Alberta T5J 3G2
Phone: 780.439.7171
Fax: 780.439.0475
Email: dmallon@prowsechowne.com
echipuk@prowsechowne.com

Submitted to:

ALBERTA UTILITIES COMMISSION
J.P. Mousseau
Shailaz Dhalla

Fifth Avenue Place, Fourth Floor
425 First Street S.W.
Calgary, Alberta T2P 3L8
Phone: 403.592.8845
Fax: 403.592.4406
Email: filings@auc.ab.ca

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I. Introduction

- 1) In accordance with the Commission's argument schedule, parties were asked to submit written Final Arguments by June 20, 2011. RETA relies on the abbreviations and acronyms set out in the RETA Final Argument dated June 20, 2011, in this reply argument.
- 2) The following are RETA's responses to the submissions of the Applicants and others adverse in interest to RETA's position. Although RETA has not responded to every point in the final arguments submitted by other parties does not indicate that RETA agrees with their position, but rather relies on the RETA Final Argument dated June 20, 2011, and the other evidence filed by RETA throughout the AUC process.
- 3) We will deal with the following issues in this Reply:
 - a) The Commission's Role: The Public Interest test is alive and well;
 - b) The Real Cost of Undergrounding;
 - c) Consultation: Two-way or One-way street?;
 - d) RETA's contribution to the Regulatory process; and
 - e) The Real Cost of Failure to go Underground.

II. The Commission's Role: The Public Interest Test is Alive and Well

- 4) According to the Applicants, the Commission is limited to:
 - a) determining if the Application is "one double-circuit 500 kV alternating current facility connecting to the 500 kV transmission system on the south side of Edmonton..."; and
 - b) assessing whether the project "minimizes or mitigates to an acceptable degree the potential adverse impacts on more discrete parts of the community".¹
- 5) In other words, regardless of whether the Applicants have properly consulted with those directly and adversely impacted, regardless of whether the best route options were proposed, regardless of whether the proposed project is the best alternative, or its impacts affect the most people, cause unnecessary disruption to wildlife and environment, create significant property losses to private citizens, and have the potential to create significant safety hazards and potential health risks, the Applicants believe the Commission must

¹ Exhibit number 1240.01, paragraphs 11-14.

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approve their Application if they only slightly tip the scales in their favor. This is akin to saying: “whatever we did is enough”.

- 6) With all due respect, the Applicants are wholly incorrect in this assessment, in law and in principle.
- 7) The Applicants Final Argument commences with a reminder that approval of the Application is sought under sections 14, 15 and 18 of the *Hydro and Electric Energy Act*. Section 18(a) of that *Act* states:

...if on the application of the owner or operator, approve the plans of the owner subject to any modification or alteration the Commission considers desirable, or **deny the application.** [emphasis added]
- 8) RETA submits that the Commission has a great deal more authority than stated by the Applicants and can deny the approval if statutory requirements, i.e., AUC Rule 007, are not adhered to.
- 9) The Commission can and must screen the Application to determine if the proposed project is the best alternative having regard for the potential adverse impacts on the community. To settle for less than the best surely cannot be in the public interest.
- 10) RETA has read and supports the interpretation of the amended legislation and of the Commission’s role in this hearing provided by the Shaw’s Written Final Argument² and the definition of public interest as stated by Strathcona County in its Final Argument.³
- 11) Should the Commission determine that it is in the public interest that one of the alternatives proposed by the Applicants be approved and that the Applicants have satisfied its statutory requirements, then the best alternative is to bury the line when it is in proximity to homes, schools, hospitals, daycares and environmentally sensitive areas.

III. The Real Cost of Undergrounding

- 12) The Applicants say the cost to consumers is really not that much and point to the evidence of AESO to show that the project cost is less than \$1.00 per residential customer per month.⁴ Further, AESO declares that the \$1.00 is on the high end of the (estimated) impact.
- 13) Even using the Applicants’ numbers, the cost of the project proceeding through the preferred route utilizing underground technology would still end up at approximately \$1.00 per residential customer per month. In the Applicants’ words this: “will have little,

² Exhibit number 1251.01, pages39-43.

³ Exhibit number 1232.01, paragraph 7.

⁴ Exhibit number 1240.01, paragraph 27.

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if any, negative economic impact on ratepayers in terms of overall electricity costs.”⁵ Yet placing a portion of the line underground where it parallels densely populated areas:

- a) Is consistent with changing world standards;
 - b) Would lower the safety risk;
 - c) Would lower the horizontal range of the magnetic field;
 - d) Would eliminate the electrical field;
 - e) Would eliminate bird mortality from line operations;
 - f) Would completely eliminate the visual impact;
 - g) Would eliminate property devaluation concerns;
 - h) Would alleviate most health concerns; and
 - i) Is justified given the unique and singular nature of this project.
- 14) Furthermore, although the capital cost of a partially buried transmission line may be slightly higher than an above ground line, when the capital, maintenance and transmission loss costs are combined over the 60-year lifespan of a line, underground lines cost less than overhead lines.
- 15) Both the Applicant and AESO state that subject to cold weather testing, which the Applicants are confident will yield positive results, the underground option is technically feasible.⁶ The underground option was certified as meeting AESO’s long term transmission system plan,⁷ and subject only to cost, would be the Applicants’ preferred option.⁸
- 16) RETA supplied evidence of alternative design costs to demonstrate that by targeting and specifically designing an underground line more effectively, it could be done for less money. The Applicants dispute that evidence saying that Mr. Allen was unqualified and misstating RETA’s evidence. The following are answers to the Applicants’ specific criticisms:
- a) The Applicants criticize Mr. Simon Allen for his lack of expertise pointing to Messrs. Watson and Bowden.⁹ The fact is that Watson and Bowden have no more

⁵ Exhibit number 1240.01, paragraph 26.

⁶ Transcript pages 525 and 5188-5189.

⁷ Exhibit number 1235.01, paragraph 15.

⁸ Transcript pages 3183-3184.

⁹ Exhibit number 1240.01, paragraphs 113 and 115.

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expertise than Mr. Allen.¹⁰ They, like Mr. Allen, have relied upon transmission cable engineers to provide technical background for their estimates.¹¹ The one major difference between them is that Mr. Allen has partaken in several previous costing exercises similar to the one before the Commission.¹² This is Messrs Watson and Bowden's first go at undergrounding high-voltage transmission lines.

- b) The Applicants state that Mr. Allen is not impartial.¹³ They then say Mr. Watson and Mr. Bowden meanwhile, as employees of Altalink, who they admit has ties to SNC Lavalin both of which stand to profit more from Lattice tower construction are to be preferred? This cannot be the case. Mr. Allen is an independent consultant who has, in the past, consulted for Europacable, an organization whose members produce both above and below ground cabling. He has no financial stake in this Application. He is a costing expert as shown on his *curriculum vitae*. If using European examples to draw from can be criticized, then it is the Applicants who refused to provide sufficient details of their own costing who are to blame.
- c) The Applicants criticize Mr. Allen for his lack of technical knowledge of 500 kV cable joints.¹⁴ Those joints likely will be more expensive than 400 kV joints. Mr. Allen has, in fact, concluded they are more expensive by placing an escalation factor over the 400 kV joint costs. Rather than to review the details of the costing evidence, the Applicants have pointed to something that Mr. Allen has never denied – he is not an engineer. The Applicants would have done better to have been transparent as to their detailed costs and assumptions than to have engaged in adversarial gamesmanship.
- d) The Applicants criticize RETA experts for using Dr. Rittinghaus' cable costs.¹⁵ The Applicants seem to have glossed over the fact that their own cable costs estimates, upon which the original application was based, significantly overstated the cost of cabling. The fact is that Dr. Rittinghaus' costs estimates for the cable were much closer to the actual tenders than the estimates of the Applicants, which points to the Applicants' faults and strengthens RETA's cost estimates.
- e) The Applicants criticized Mr. Allen for not including shoring¹⁶ then admitted they had not themselves done that level of engineering and would leave such matters to the contractor.¹⁷
- f) The Applicants admit to being over cautious in their original scheduling.¹⁸ This proves Mr. Allen's point that they could do better in terms of scheduling.

¹⁰ Exhibit numbers 861.02 and 861.06.

¹¹ Exhibit number 647.03, paragraphs 3.10 and 3.13.

¹² Exhibit number 646.01.

¹³ Exhibit number 1240.01, paragraph 117.

¹⁴ Exhibit number 1240.01, paragraph 118.

¹⁵ Exhibit number 1240.01, paragraphs 120 and 121.

¹⁶ Exhibit number 1240.01, paragraph 124.

¹⁷ Transcript page 602.

¹⁸ Exhibit number 1240.01, paragraph 132.

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- g) In paragraphs 138 to 140 of the Final Argument,¹⁹ the Applicants critique the 4 cable design. RETA acknowledges the Commission is unlikely to overrule a pronouncement by AESO that such design does not meet the functional specifications for the Heartland project even though we disagree with that conclusion. However, as stated earlier, section 18(1) of the *Hydro and Electric Act* does give the Commission the authority to “approve the plans of the owner subject to any modification or alteration the Commission considers desirable”, and submit that doing so is wholly within the Commission powers. We suggest it and the various routing suggestions are examples of the type of “out of the box” thinking that is unfortunately lacking in the Applicants’ alternate technology portion of their Application. They would prefer not to build underground high-voltage transmission lines so they have not made much effort to economize with this option.
- h) The Applicants have stated that none of the alternative construction techniques proposed by RETA experts have merit.²⁰ They state direct burial is not feasible even though the vast majority of such lines have been direct buried.²¹ They have done little or no work to optimize the cabling route, rather they have simply followed the overhead route. They have done no engineering to determine the amount, if any, of “shuttering” that will be required but admit some construction methods can do away with it.²²
- i) With respect to contingency, the Applicants misstate MNP’s evidence.²³ MNP used a 15% contingency in regards to the underground portion of the underground route but reverted to a 10% contingency north of the underground portion. The Applicants inflated the costs of the underground option by using a 15% contingency for both above and below ground portions while utilizing a 10% contingency for their lattice tower option.²⁴ MNP’s consistent treatment of contingency ought to be that which is relied upon by the Commission, rather than the Applicants’ inflated underground contingency calculation.
- j) Contrary to the Applicants’ Final Argument,²⁵ RETA submits MNP’s calculations of contingency, escalation and AFUDC are realistic and accurate and ought to be preferred.
- 17) While there are differences between the Applicants’ cost estimations and RETA’s, regardless of which numbers are used, the cost to residential consumers still comes in at \$1.00 or less per household. Since this is, according to the Applicants, an acceptable threshold, the inescapable conclusion is that it is in the public interest to bury the line as RETA has suggested.

¹⁹ Exhibit number 1240.01.

²⁰ Exhibit number 1240.01, paragraphs 141 and 142.

²¹ Exhibit number 824.08, page 129.

²² Transcript page 602.

²³ Exhibit number 1240.01, paragraph 149.

²⁴ Transcript page 129.

²⁵ Exhibit number 1240.01, paragraphs 149-161.

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IV. Consultation: Two Way or One Way Street?

- 18) In pages 16 through 31 of their Final Argument, the Applicants describe their consultation efforts and declare that they complied with AUC Rule 007, properly notified stakeholders and provided ample opportunity for stakeholders to make enquiries and participate in the process.²⁶ Aside of some mail-out difficulties and one rogue land agent, they state they deny confusion exists on detailed aspects of the project or that they are not the authors of such confusion.
- 19) RETA simply asks the Commission to review the evidence before it from the many landowners who took the time to write submissions, appear before it, or both. While we do not deny the Applicants expended significant time and money, those efforts did not provide stakeholders with the level of information, detail and participation that is required under the Participant Involvement Program requirements as described in AUC Rule 007. The Applicants failed according to AUC Rule 007.

V. RETA's Contribution to the Regulatory Process

- 20) In terms of RETA's contribution to the regulatory process, we ask the Commission to carefully review the evidence of landowners, experts and the Applicants' own evidence on this point.
- 21) The landowner evidence on the important contributions made by RETA is clear:

At no time before naming the RDA as the preferred route did either the Alberta government or AltaLink, the Heartland project team, contact me or my neighbours regarding these towers. **In fact, I wouldn't have known about the route changes or the planning of this project at all if it had not been for RETA.** And I thank -- I'm very thankful that RETA has been able to inform us of everything that has been going on.²⁷

What information that I have received and have sought out I got from RETA by being part of the association, by doing some of my own research, and I don't consider myself to be an easily influenced person, and I've gone after this information myself.²⁸

...in contrast to the misinformation and disinformation from AltaLink, I have felt encouraged by RETA's efforts to provide perspectives from parties that have no financial interest in the routing and construction. **This organization has made available much more balanced information, which has been timely, refreshing, and illuminating. It was through RETA that I found out about open houses, the surveys, and realized the significance of this issue and actually got my first**

²⁶ Exhibit number 1240.01.

²⁷ Transcript pages 3859-3860.

²⁸ Transcript page 3873.

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information about the approximate size of the towers. These perspectives were glaringly absent from every one of AltaLink and EPCOR's communications.²⁹

I've actually taken time to call the Heartland Transmission Project and listened to the different engineers that have contacted me regarding the EMF radiation. I have looked at the information on the website and all the different things, **and having looked at everything that the Heartland Transmission Project has given me, and everything that I did with RETA, there's conflicting evidence, and it's not just a little bit; it's a lot.**

There's a big difference as to what RETA says would cost to put them underground and a very big difference to what Heartland says. And it's not just a few dollars; it's quite a bit. And there's a very big difference as to what some people say it's not dangerous on the Heartland transmission line project and the other side -- RETA has different experts -- and they say, yes, actually it is quite dangerous. And in other countries they don't do this at high populated areas.³⁰

We are proud members of RETA. **And we've got every bit of information that they have done and gone through all of it.** I would have loved to have brought the information from the AUC, but I didn't have a truck available to bring it over because we have been inundated, like everybody else, with information.

I'm always reminded with that, because I've been involved in business over the years, of an expression that a lot of people use, if you can't douse them with straightforward facts, then baffle them with bull, and that's what I think we've being fed a lot of, and I would personally like to have a shovel to dig my way out of a lot of it.³¹

We were surprised when AltaLink says at the hearing that RETA has stirred up the residents by providing information that does not agree with their information on health, safety, property values, environmental, and aesthetic impacts of overhead power lines.

The fact is if RETA had not helped to educate the public about the many studies on the negative impacts of overhead high voltage lines this information would have remained in the dark, which is exactly what the applicants wanted.³²

The applicants are blaming RETA for not letting them get the message across that there are no health risks with high voltage power lines. Not only RETA, but other countries have acknowledged this health risk. Therefore, Jeanenay Fornay (phonetic), a member of the Swiss parliament, introduced just recently a motion

²⁹ Transcript pages 3906-3907.

³⁰ Sherwood Park Meeting page 16.

³¹ Sherwood Park Meeting pages 42-43.

³² Sherwood Park Meeting page 63.

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which passed without opposition saying: High voltage lines belong into the ground.³³ [emphasis added]

- 22) The importance of the role played by RETA was also confirmed by Dr. Dennis in response to questions from Commission counsel in regards to RETA publications:

But my point is that the communication process from the start started with quite an extreme view, and I think RETA has adopted an alternate view to -- **in an attempt to balance the scientific argument.**³⁴

...

Okay. Commenting on EMF and health generally, there are many studies that have been published - abstracts, journal papers, books, chapters – and there's a plethora of health impacts that are implicated, and other studies that say no, no, it's not very clear, and other arguments saying, no, it's not going to happen at all. And it's quite difficult to synthesize that information without really getting into it.

I think that the RETA fact sheets that I glanced at today, and I may have spent -- I think I asked John to see them, and I think I looked at them for about 15 minutes, and my impression was that **they presented information that has been published that is out there that otherwise isn't being presented anywhere. To say, look, these studies do exist, this is an implication, and the study exists. So, beware. It's not all so clear cut as maybe a proponent of EMF, that doesn't have a health impact, might otherwise suggest.**³⁵ [emphasis added]

- 23) The Applicants have misstated the discussion between Commission counsel and RETA members regarding RETA's website and fact sheets. RETA did NOT engage in the "dissemination of misleading information".³⁶ Rather, RETA provided information from public, peer-reviewed journals that provided a counter-balance to the Applicants' one-sided message regarding EMF health effects. RETA also provided references to those studies so that people could review this information along with the Applicants' information and make up their own minds.
- 24) Had RETA's view been so extreme or offensive to the Applicants, the Applicants had ample opportunity to raise those concerns with RETA as they regularly met with some of the executive throughout the process. However, the Applicants interacted with RETA without saying a peep to them about the fact sheets over a period of at least two years:

...We engaged RETA to a very large degree on the underground. Obviously they were a very key participant in that. The only -- well, I'll just leave it at that.

³³ Sherwood Park Meeting page 78.

³⁴ Transcript page 3922.

³⁵ Transcript page 3936.

³⁶ Exhibit 1240.01, paragraph 66.

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Q. So, Mr. Watson, you're familiar with the RETA website and the contents of the website?

A. MR. WATSON: Yes, to a large degree we followed it throughout the process.

...

Q. Right. But you said you followed the website and there was contact information on the website. Did you ever take the time to contact someone on the website and ask them about the information?

A. MR. WATSON: No, I did not.³⁷ [emphasis added]

25) Finally, to suggest that RETA's "behaviour is out of line with the stated expectations of Rule 007 that the public will participate in "public solving". RETA elected to create problems, not solve them "adds insult to injury". RETA's position from the start was that of a solution – bury the line. To now suggest that RETA created problems, simply reinforces what RETA landowner witnesses said: the Applicants have not taken landowner concerns seriously.

26) As Mr. Watson stated, it was not only RETA that raised concerns about the impacts of this project:

But, regardless, we worked with actually some of the members of the RETA organization as well as the AESO to openly explore the technical feasibility. AC underground lines or cable systems in general are a little bit of a different animal than DC in that it requires reactive power compensation.³⁸

Q. Right. So wouldn't you agree with me that those are pretty telling characteristics of what people's concerns are with this monstrous tower you're making, the visual impact to them?

A. MR. WATSON: Yeah, and that's pretty consistent. It wasn't just the RETA members...³⁹

27) Finally to characterize RETA as a publically funded organization is inaccurate. RETA is driven by and large through the efforts and contributions of its members. To suggest, or imply that RETA has misapplied funds, including the advanced costs is incorrect, inappropriate and just plain wrong.

28) Undergrounding a portion of the transmission line as a topic of discussion has been attributed largely to RETA's efforts. RETA has specifically not taken a NIMBY approach and has made every effort to make positive contributions to the regulatory process. We trust the Commission will find this to be a fact.

³⁷ Transcript page 997-999.

³⁸ Transcript page 520.

³⁹ Transcript pages 781-782.

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- 29) RETA availed itself of the advanced intervener funding process in order to effectively participate in the regulatory process. Without such funding RETA would not have been able to participate to the extent that it had in the regulatory process.

VI. The Real Cost of Failure to go Underground

- 30) Numerous parties to this hearing have commented on the uniqueness of the Application. The height of the towers, size of the line and location of the Applicants' preferred route along densely populated areas are all precedent setting. This affords the Commission a unique opportunity to utilize the best available technology to eliminate or ameliorate the impacts of this singular project. Unfortunately, the Applicants have not seized upon this opportunity. Instead they have provided reasons, excuses really, why they have reverted to same old, same old.
- 31) In the following paragraphs RETA reviews some of those excuses and provides responses.

A. EMF and Health Risks - Dr. Bailey vs. Dr. Blank

- 32) The Applicants dedicated pages 57 to 69 of their Final Argument to this topic.⁴⁰ They pitted Dr. Bailey, an agile and professional witness, whose testimony has been sought many times over by utility companies, against RETA's witness, Dr. Blank, a biochemist specializing in the effects of EMF on human cellular processes. There is no doubt that Dr. Blank's views are more controversial to the Applicants than Dr. Bailey's, and both apply the precautionary principle differently.
- 33) The Applicants attempted to impugn Dr. Blank based on a patent he has received for the use of magnetic fields on a therapeutic basis. They neglect to state that the therapeutic treatment was for a one-time dosage in a specific instance where induction of stress protein is a desired outcome. Dr. Bailey's research illustrates that he clearly understands the effect of EMF on cellular biology. An analogy would be the use of x-rays and CT scans. Individuals will subject themselves to one time uses for better diagnosis and treatment, but would not subject themselves to continued exposure as it is known to be dangerous. It is not helpful to the debate to take singular statements in research studies out of context as the Applicants have done.
- 34) The key point is is that the science on this matter is not settled. Dr. Blank is not alone in his warnings and cautions. There are prestigious scientists like Dr. Blank who are sounding the warning bell. Furthermore, other jurisdictions have adopted the precautionary principle and imposed restrictions between residential areas and schools from transmission lines.

⁴⁰ Exhibit number 1240.01.

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- 35) Should Dr. Bailey be ultimately proved correct, taking the conservative approach to the placement of high-voltage transmission lines underground for health reasons alone simply costs us all a few more cents on our electricity bills. If Dr. Blank is correct, this approach will save lives, and this is not something that can be measured monetarily. Or to put it differently, Dr. Bailey's view of the precautionary approach will cost lives.

B. Property Value Impacts - Hoover vs. Gettel

- 36) These discussions are had in pages 69 to 73 of the Applicants' Final Argument.⁴¹ The Applicants fault Mr. Gettel for not providing a study as comprehensive as Mr. Hoover.⁴² If, by comprehensive, the Applicants mean a study that uses broad and arbitrary adjustments over a large number of properties for a number of factors while ignoring other value defining properties, then they are correct. There are two facts we can agree upon:
- a) The Heartland project will negatively impact property values; and
 - b) All these experts can do at this point, given the size of the towers and the unique and precedential nature of the project, is to find somewhat parallel circumstances and forecast the level of devaluation based on those findings.
- 37) With due respect to Mr. Hoover, the Gettel analysis is simply better and more correlative to the specific details of the proposed project, rather than Mr. Hoover's broad brush approach. Mr. Gettel's comments are not inconsistent as stated by the Applicants⁴³ but rather, reflect the impact of the larger towers extended for a further distance.
- 38) The Applicants did not calculate the property value losses in coming to their conclusions as to preferred route or technology.⁴⁴ It is no wonder that they now wish to minimize the perception of such impact. While the Applicants will receive a guaranteed return on their investment over the next five or more decades, affected landowners will suffer disproportionately. Is this fair, just or equitable?

C. Environmental Impacts – Overhead vs. Underground

- 39) The Applicants state that their analysis provides no reason to underground the line due to environmental considerations.⁴⁵ Their evidence through Stantec, upon which this conclusion is based, has one central but fatal flaw: it does not weight impacts of construction verses impacts of operation. To consider the fleeting impacts of construction on lands through which a multitude of linear disturbances have already been made as equal to impacts upon birds over fifty or more years is nonsensical.

⁴¹ Exhibit number 1240.01.

⁴² Exhibit number 1240.01, paragraph 212.

⁴³ Exhibit number 1240.01, paragraph 1217.

⁴⁴ Transcript page 571.

⁴⁵ Exhibit number 1240.01, paragraph 219.

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- 40) As Mr. Kristensen has stated, the development of habitat within or annexed to urban development is unique and significant. The cost of harm to such habitat may be permanent and priceless.

D. Safety Concerns – Bowden vs. Wakelin

- 41) The Applicants state there is no reason to underground the line based on safety concern.⁴⁶ The witness who delivered this message was Mr. Bowden.
- 42) RETA compared the evidence of Mr. Bowden with the independent expert Robert Wakelin at length in the Final Argument dated June 20, 2011. We will not restate that argument here but simply ask the Commission once again to look at the potential consequences of an incident involving an overhead transmission line with one or more neighboring pipelines adjacent to dense populations. The word catastrophic comes to mind. This potential cost is, all by itself, sufficient reason to bury the line.

E. Visual Impacts – Truescape vs. Amell

- 43) The Applicants deny the line should be undergrounded based on visual impacts⁴⁷ and with the denial have preferred the Truescape visualizations to Mr. Amell's. Mr. Amell's evidence, confirmed by Truescape, is that the Applicants did not do a visual impact analysis. Truescape simply does visual simulations.⁴⁸
- 44) RETA suspects the reason for this is tied to the following statement from Mr. Amell:
- The visual impact of this scale of powerline infrastructure is not simply incremental, rather it is a threshold impact that will essentially alter the visual character of the entire Capital City region in ways that will be difficult or impossible to mitigate.⁴⁹
- 45) Contrary to the Applicants' views, the Riparia images in fact more accurately represent small portions of that impact.⁵⁰ The cost to a community of the alteration of its visual character is impossible to calculate but that it is a very significant cost is not hard to imagine.

⁴⁶ Exhibit number 1240.01, paragraph 233.

⁴⁷ Exhibit number 1240.01, page 80.

⁴⁸ Hearing transcript page 790.

⁴⁹ Exhibit number 647.02, page 15.

⁵⁰ Exhibit number 1220.01.

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VII. Conclusion

- 46) RETA has demonstrated through evidence and argument that the Commission has all the necessary powers to render a decision that is fair, just and proper. The Commission is not so narrowly restricted as the Applicants would have it.
- 47) RETA submits that if the Commission determines the proposed project is in the public interest then after doing a proper analysis of the evidence before it and weighing both the cost of undergrounding and the cost of failure to underground a portion of the Heartland high-voltage transmission line, it will reach the inescapable conclusion that the Applicants are wrong and that where the line is adjacent to the densely populated areas of Edmonton and Strathcona County, it should be installed underground.
- 48) Louis D. Brandeis, an American Supreme Court Justice (1856-1941), stated, *“If we would guide by the light of reason we must let our minds be bold”*.
- 49) RETA respectfully submits that the Commission, in this case, should not be swayed simply by reason that the underground solution is newer technology, has not been previously used in this province or adds some additional cost to Alberta consumers. It is the right solution. The evidence before the Commission is that Albertans are ready for it and willing to pay the nominal cost of undergrounding in proximity to homes, schools, daycares, hospitals and environmentally sensitive areas.

ALL OF WHICH IS RESPECTFULLY SUBMITTED

Responsible Electricity Transmission for Albertans

by their legal Counsel,

PROWSE CHOWNE LLP

Donald P. Mallon, Q.C.
Eva Chipiuk