

BEFORE THE CORPORATION COMMISSION OF OKLAHOMA

APPLICATION OF PUBLIC SERVICE)
COMPANY OF OKLAHOMA ("PSO") FOR)
APPROVAL OF THE COST RECOVERY OF THE)
WIND CATCHER ENERGY CONNECTION)
PROJECT; A DETERMINATION THERE IS A)
NEED FOR THE PROJECT; APPROVAL FOR)
FUTURE INCLUSION IN BASE RATES COST)
RECOVERY OF PRUDENT COSTS INCURRED)
BY PSO FOR THE PROJECT; APPROVAL OF A)
TEMPORARY COST RECOVERY RIDER;)
APPROVAL OF CERTAIN ACCOUNTING)
PROCEDURES REGARDING FEDERAL)
PRODUCTION TAX CREDITS; WAIVER OF)
OAC 165:35-38-5(e); AND SUCH OTHER RELIEF)
THE COMMISSION DEEMS PSO IS ENTITLED.)

CAUSE NO. PUD 201700267

FILED
JUN 19 2018

COURT CLERK'S OFFICE - OKC
CORPORATION COMMISSION
OF OKLAHOMA

CITY OF BIXBY'S MOTION TO INTERVENE

Pursuant to OAC 165:5-9-4, the City of Bixby requests leave to intervene in this matter.

The authorized legal representative and service information for City of Bixby is:

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I. City of Bixby's Interest

The City of Bixby was the fastest growing city in the State of Oklahoma in 2017. The City of Bixby is located along the proposed alternative route of the Gen-Tie Line. Beginning in May 2018, residents of the City of Bixby began receiving notices from PSO/AEP that their land was on the proposed alternative route for the enormous Gen-Tie Line.

The City of Bixby anticipates continued growth over the coming years. The land PSO/AEP desires to use for its siting of the Wind Catcher project, including the Gen-Tie Line, would severely

impede and limit the City of Bixby's ability to develop land into residential communities and commercial development.

The City of Bixby is an "interested party" within the definitions in OAC 165:35-1-2.

II. Background

PSO and its affiliate Southwestern Electric Power Company ("SWEPCO") apparently entered into an agreement to purchase the Wind Catcher Facility (subject to regulatory approvals and other conditions), with a nameplate capacity of 2,000 MW of wind generation located in the panhandle of Oklahoma. In addition, PSO and SWEPCO will construct an approximately 400 mile Gen-Tie Line that will deliver the generation to the PSO grid near Tulsa, Oklahoma.

On July 31, 2017, PSO filed its application asking the Commission for, among other things, approval of a 380-mile Gen-Tie Line connecting wind generated electricity to the Tulsa region. Specifically, PSO expected to connect to the North substation, on the far side of Tulsa from Bixby. *See, e.g.*, Pearce Direct Testimony at 13:18-19 (July 31, 2017) ("... delivered to PSO's existing **Tulsa North 345 kV substation . . .**"); Pfeifenberger Direct Testimony at 13:4-7 (July 31, 2017) ("The Project Case, additionally included a new 765 kV Gen-Tie connecting the Companies' contemplated Oklahoma panhandle wind generation to PSO's existing **Tulsa North 345 kV substation.**"); Weber Direct Testimony at 3:15-17 (July 31, 2017) ("Specifically, the Gen-Tie line will interconnect the Wind Facility, via two proposed substations, to PSO's existing **Tulsa North 345 kV Substation** located in Tulsa County, Oklahoma."); *id.* at 5:7-10 ("The Tulsa North 765 kV Generation Substation will be designed to step down the voltage of the incoming 765 kV generation tie-line to 345 kV for interconnection with the **existing PSO Tulsa North facilities.**").

Only in May 2018, did PSO inform City of Bixby that a proposed alternative route would go directly through Oklahoma's fastest growing city to connect to a substation south of Tulsa. In

the short time since becoming aware of PSO's new routing plans, the City of Bixby held multiple city council meetings concerning the Wind Catcher project and unanimously passed a resolution stating:

NOW, THEREFORE, BE IT RESOLVED, that the City of Bixby is opposed to the construction of the proposed Wind Catcher transmission lines and infrastructure in the City of Bixby and within the Bixby fenceline;

Resolution No. 2018-10 (Ex. 1).

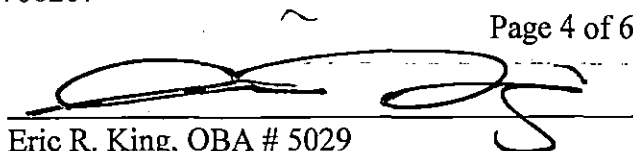
III. Leave to File Out-of-Time Motion

On September 28, 2017, this Commission entered its Order Granting Motion for Procedural Schedule which included a deadline for intervention of the following day, September 29, 2017. City of Bixby did not receive notice of the deadline for intervention until after September 29th. And City of Bixby only learned in the past few weeks that the project would impact their land. City of Bixby has quickly researched the project, identified counsel, and submitted this Motion.

On June 19, 2018, Counsel for the City of Bixby requested a waiver from counsel for PSO to intervene in this Cause PD No. 201700267. This request to counsel for PSO was objected to. Previously, the Commission permitted Golden Spread to intervene after the deadline, despite PSO's objection. *See* Order 670745.

IV. Relief Sought

City of Bixby respectfully requests the Commission to grant this motion so that City of Bixby be permitted to participate fully as a party to this proceeding.



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CERTIFICATE OF SERVICE

This is to certify that on this 19th day of June, 2018, a true and correct copy of the above and foregoing Motion to Intervene was sent via electronic mail to the following interested parties:

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Eric R. King

CITY COUNCIL OF THE CITY OF BIXBY, OKLAHOMA

RESOLUTION NO. 2018-10

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIXBY, OKLAHOMA, OPPOSING THE LOCATION OF THE WIND CATCHER ENERGY CONNECTION PROJECT PROPOSED BY PUBLIC SERVICE COMPANY OF OKLAHOMA IN THE CITY OF BIXBY OR WITHIN ITS FENCELINE

WHEREAS, Public Service Company of Oklahoma (PSO) and its sister company Southwestern Electric Power Company (SWEPCO) are pursuing a project called the "Wind Catcher Energy Connection" (the Project) to connect a wind farm in Western Oklahoma to an electricity sub-station in Tulsa;

WHEREAS, the Project requires the installation of high-capacity (765kv) electricity transmission lines and 140-foot tall towers on approximately 380 miles of 200-foot wide strips of land across Oklahoma;

WHEREAS, both of the likely routes for the Project cross land located in the City of Bixby and within its fenceline;

WHEREAS, the infrastructure required for the Project to be completed along either of the likely routes includes a new electricity substation within the Bixby fenceline;

WHEREAS, in order to obtain federal tax credits, PSO intends to complete the Project by the end of 2020;

WHEREAS, the project must receive the approval of the Oklahoma Corporation Commission, the Southwest Power Pool and the Federal Energy Regulatory Commission;

WHEREAS, PSO has not provided any documentation or study regarding the health risks associated with the proposed 765kv transmission lines;

WHEREAS, the electricity generated by the Project will be transmitted to consumers in Oklahoma and three other states through existing 345kv lines, but only Oklahoma landowners along the route from Western Oklahoma to the Tulsa sub-station will be burdened with the massive towers and high-capacity transmission lines;

WHEREAS, PSO has not demonstrated a demand or need for additional electricity;

WHEREAS, the Project is expected to generate 4000 direct jobs in the State during the construction stage, but is only expected to create 80-90 full-time jobs across the State after construction is completed, resulting in minimal long-term economic benefit to the City of Bixby;

WHEREAS, the City of Bixby is one of the fastest-growing cities in the State and the proposed Project routes cut through the highest growth and development area of the City;

WHEREAS, the existence of the proposed infrastructure and power lines will significantly and substantially impact the value of the real properties surrounding the Project path, currently and throughout the life of the Project;

WHEREAS, it is anticipated that any increased ad valorem tax proceeds related to the Project would be offset by the decreased ad valorem tax proceeds resulting from the decrease in the value of the land surrounding the Project towers and lines;

WHEREAS, the Wind Catcher project was placed on the City Council agenda for the May 29, 2018 meeting for discussion and possible action;

WHEREAS, a number of concerned citizens, including affected landowners, attended the May 29, 2018 City Council meeting in order to protest the construction and installation of the infrastructure and power lines in Bixby and within its fenceline;

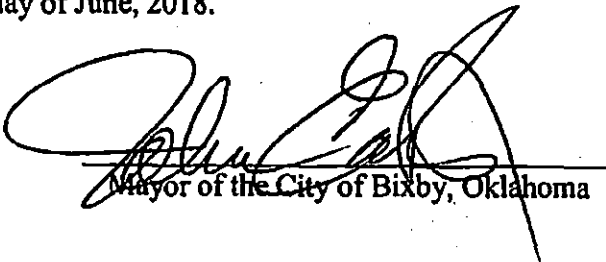
WHEREAS, Members of the City Council have received many additional communications from concerned citizens of Bixby regarding the Project; and

WHEREAS, the City Council acknowledges its responsibility for the health, safety and welfare of Bixby residents, and re-affirms its commitment to productive and enjoyable harmony between Bixby citizens and their environment and to the stability and character of existing developed areas and developing areas.

NOW, THEREFORE, BE IT RESOLVED, that the City of Bixby is opposed to the construction of the proposed Wind Catcher transmission lines and infrastructure in the City of Bixby and within the Bixby fenceline; and

NOW, THEREFORE, BE IT RESOLVED, the City Attorney is directed to send a copy of this Resolution to the Attorney General for the State of Oklahoma and to the Oklahoma Corporation Commissioners.

ADOPTED in an open meeting of the Bixby City Council and PASSED by an affirmative majority vote of the entire membership of the City Council, to-wit: **5-YES**, **0-NO**, **0-ABSTAINING**, **0-ABSENT**, on this 11th day of June, 2018.


Mayor of the City of Bixby, Oklahoma



George Adams

City Clerk

APPROVED:

L. Ewing

City Attorney