

BRITISH COLUMBIA UTILITIES COMMISSION
IN THE MATTER OF THE UTILITIES COMMISSION ACT
S.B.C. 1996, CHAPTER 473

And

In the matter of FortisBC
and
An Application for a Certificate of Public Convenience
and Necessity (CPCN) for the Okanagan Transmission
Reinforcement Project (OTR Project)

Penticton, B.C.
June 24, 2008 pm

COMMUNITY INPUT SESSION

BEFORE:

A. W. K. Anderson,	Chairperson
N. F. Nicholls,	Commissioner
M. Harle,	Commissioner

VOLUME 2A

APPEARANCES

G.A. FULTON, Q.C.	Commission Counsel
G.K. MACINTOSH, Q.C.	FortisBC Inc.
B. SCHWARZ	Regional District of Okanagan Similkameen
S.Y. KAHN	B.C. Old Age Pensioners' Organization et al (BCOAPO)
R. ARMSTRONG	Golden Hills Strata Plan K268
K. CAIRNS	South Okanagan for Alternate Route (SOFAR) Wiltse Holdings Ltd. Chris Danninger
H. KAROW	Coalition to Reduct Electropollution (CORE)
C. HARLINGTON	Self
D. FEHR	Self
A. WAIT	Self
P. KREEFT	Self
L. DENBOER	City of Penticton

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CAARS
PENTICTON, B.C.
June 23, 2008

(PROCEEDINGS RESUMED AT 7:01 P.M.)

THE CHAIRPERSON: Good evening ladies and gentleman, and welcome to our community input session. This is a proceeding of the British Columbia Utilities Commission or a component of the hearing. It's a relatively informal session this evening, and it is of course in connection with Fortis BC application for what's called a CPCN or Certificate of Public Convenience and Necessity for its Okanagan Transmission Re-enforcement project. I presume most of you are reasonably familiar with the issue behind all of that. If you're not, I suggest you might be in the wrong room.

The community input session, as I say, is intended to be a somewhat less formal process, providing an opportunity for member of the public to come forward and make presentations with respect to their views on the project for the Okanagan Transmission re-enforcement project.

Presentations that we hear tonight will be limited to 10 minutes per person. There's typically no provision for cross examination for those who are

1 making a presentation. However, members of the
2 Commission, myself and my panel members, who I should
3 introduce more properly in a moment, may have some
4 question to those of you who are making a
5 presentation.

6 On my left is Commissioner Nadine Nicholls;
7 on my right Commissioner Mike Harle; and if I forgot
8 to mention it, my name is Keith Anderson.

9 There will be a transcript made and it will
10 become part of the record in this proceeding, so we
11 will have a way of referencing that. If you happen to
12 have hard copies available for your presentation, we
13 would appreciate it if you happen to have an extra
14 available to make it available to Mr. Bemister our
15 hearing officer.

16 I don't think there's anything more than to
17 get on with it, other than to mention that if we don't
18 happen to be finished and seem to being strong in
19 about an hour's time, we may take a short break and
20 reconvene following that, although if we're just about
21 finished we might just barge right on through and
22 complete the evening.

23 Mr. Fulton, I believe you introduced
24 yourself earlier, but Mr. Gordon Fulton of Boughton
25 Law Corporation, is legal counsel to the Commission in
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1 this proceeding and he'll be playing a significant
2 role here by getting people lined up in a row.

3 MR. FULTON: Thank you, Mr. Chairman. I do have an order
4 of presenters.

5 I wanted to say at the outset though that
6 the deadline for advising me of participation was last
7 Wednesday. I have had some individuals advise me
8 subsequent to Wednesday and so from a technical
9 standpoint I'm going to ask for leave for them to be
10 included in the list, and those individual are, Bill
11 Schwarz, from the Regional District of the Okanagan
12 Similkameen. Paul Kreeft and Anna Kreeft. There
13 maybe one other individual that I ask leave for, but
14 I'll wait and let that individual advise me once we
15 come to the end of the list.

16 The list for tonight begins with Judy
17 Brock, followed by Daniela Fehr, Bill Schwarz, Paul
18 Kreeft and Anna Kreeft. So I'll begin then -- is Judy
19 Brock here? All right, well we'll skip Judy Brock and
20 move to Daniela Fehr.

21 And if I could ask you to go and take a
22 seat and make your presentation. Thank you.

23 **SUBMISSION BY MS. FEHR:**

24 MS. FEHR: Good evening, ladies and gentleman, Mr.
25 Anderson and BCUC Panel as well as representatives
26

1 from Fortis. My name is Daneila Fehr and I live in
2 the Lakeshore Highlands, Sunnybrook, Heritage Hills
3 Area.

4 I'm a mother to a 5-year old daughter and
5 currently have two sons away at University. I have a
6 Bachelor of Science degree from the University of
7 Toronto and consider myself a rational and fairly well
8 educated individual. I'm also a stay at home mom.

9 I have a right of way on my property and
10 power lines very close to my deck. The power lines
11 run directly over the area of the property where the
12 children play and spend their free time. I'm very
13 concerned about the proposed OTR upgrade in our
14 neighbourhood. It is difficult to see how a project
15 that does not directly benefit the community it
16 compromises be considered acceptable.

17 Let's first review the benefits of the OTR
18 upgrade on the existing ROW. Reduced costs, as we are
19 told; reliable power supply to Kelowna population,
20 although I think that the other route would provide a
21 reliable power supply as well. Reduced environmental
22 impact to Bighorn sheep populations during
23 construction. Reduced impact on trappers and hunters
24 in the area and no required negotiation with First
25 Nations and Natures Trust, both of which currently
26

1 have ROWs on their existing properties.

2 Now let's look at the negative impact on
3 the OTR upgrade on the existing ROW. The noise, the
4 dust, blasting disturbances in populated communities
5 during construction. Power outages during
6 construction. Higher EMF emissions over a larger
7 area. Increased health risk for the young and aging
8 populations. Increased risk of injury or death if
9 power lines or poles come down in winds or lightning
10 storms. For example, last November we had a very
11 violent storm in the area and a power line came down
12 and block access in and out the Heritage Hills and
13 Lakeshore Highland Community for an entire day.
14 People were stranded without power and could not leave
15 their homes. That wind also took down many trees in
16 the area, including the Skaha Beach.

17 Views are made undesirable due to power
18 lines in direct view of the lake, the mountains and
19 the sky. Un-usable and un-sellable prime location
20 properties with excellent views that cannot be
21 developed are left idle, devaluation of homes and
22 properties in prime areas. Aside from the obvious
23 inconvenience during construction, once the new
24 larger, thicker 230 kilovolt lines are in place who
25 will cover the financial loss due to the devaluation
26

1 of the properties? How could Fortis justify
2 decreasing the net asset value of the properties they
3 are effecting with no compensation or forethought or
4 will they adopt the position that there is no
5 definitive proof that property values will be
6 impacted.

7 I have already seen the impact firsthand,
8 where buyers walked away from a done deal upon
9 discovering a power line upgrade, losing their deposit
10 because they didn't want to expose their children to
11 unnecessary health risks posed by the EMF from the
12 power lines.

13 With more and more health issues being
14 associated with EMF's who will compensate the property
15 owners for making their homes un-sellable and thus
16 their life savings worthless? Who will be responsible
17 for any health problems developed as a result of the
18 increased EMFs? Will aging population spend their
19 time in their remaining years battling for financial
20 compensation for the treatment of illness due to long
21 term EMF exposure? Will there be lawsuits filed
22 against Fortis BC any time an effected resident falls
23 ill?

24 What kind of insurance coverage does Fortis
25 need to leave themselves exposed to such risks? Do
26

1 they carry sufficient insurance coverage to be able to
2 risk such an undertaking without paying dearly for it
3 down the road? Is there an insurance company out
4 there that will underwrite their policy? How could
5 Fortis afford such insurance without passing the costs
6 to the ratepayers?

7 Fortis may claim to be within WHO
8 guidelines, but we have yet to see them conduct any
9 measurements on EMF emissions in the areas in
10 question. Is this simply to avoid any possible high
11 EMF zones coming to light or is it so we do not have a
12 before and after value to compare? How can they
13 presume to know that they are within WHO's safety
14 limits? Do we know what those limits are? Does
15 Fortis? Many governments and utility companies report
16 a safe, ambient level of 0.5 milligauss. The EPA has
17 proposed reducing their safety limit to 1 milligauss.
18 Sweden is already implementing a 1 milligauss safety
19 limit due to the overwhelming body of evidence on the
20 damaging effects of the EMF's. It is gratifying to
21 see that some countries are independent thinkers and
22 are proactive to respond to new information. They are
23 not sheep waiting to be lead and are proactive and
24 willing to take the bull by the horns.

25 The Canadian standard within the WHO report
26

1 was issued in 1999. Since then there have been many
2 studies implicating EMF and health problems, but no
3 revisions have been made since even with the growing
4 body of evidence. Would a revision just create
5 worldwide panic causing more harm than good? Would it
6 make it impossible for electrical companies to comply
7 and therefore the limits are being left where they are
8 while an unsuspecting public is placated with promises
9 to adhere to some outdated standards.

10 Fortis is claiming to keep emissions at
11 their current level and possibly decrease the EMF
12 emissions. The graph provided dated February 27, 2008
13 shows a contradictory interpretation with new
14 configuration at 15 meters away. A distance that was
15 previously considered acceptable, which was 5
16 milligauss, is now showing EMFs of 75 milligauss. The
17 only place benefiting this configuration seems to be
18 directly under the power lines where you cannot build
19 a structure anyway.

20 I fail to see how this arrangement is
21 providing a benefit to the surrounding homes. In fact
22 there is much concern here. What will be Fortis's
23 obligation if evidence in the near future confirms the
24 detrimental effects of EMF exposure? Will they be
25 obligated to relocate the lines? Will they be liable
26

1 for compensation of medical expenses, loss of health,
2 loss of life of the populations that they effect?
3 What kind of insurance coverage do they have to
4 protect us from these possible outcomes?

5 We had our home measured recently on a
6 comfortable warm day in April at around 6:00 p.m.
7 There was no need for furnaces or air conditioners,
8 and our house measured over 1.6 milligauss, which is
9 not a lot. Yet we have yet to see what the EMFs will
10 be during the peak times in summer. The house next to
11 ours measured three times that of our EMF readings at
12 all three locations. How could Fortis justify
13 increasing the potential for harm? How much higher
14 are the EMFs likely to rise with this new
15 configuration at this close proximity? Do they fully
16 comprehend the extent of the risk they are exposing
17 the company to under the blindfold of cost
18 effectiveness?

19 It was just in their November 2007 power
20 lines newsletter where the lead story, entitled
21 "FortisBC recognizes most family friendly employer"
22 appeared front and center. It is great to see that
23 they go out of their way to make their employees
24 happy, but where is the care and concern when it comes
25 to their business.
26

1 Where is their care and concern for the
2 families they are putting in harms way? If a drug
3 dealer offers family benefits and flexible hours will
4 they be competing for top spot with Fortis as a family
5 friendly employer? How many Fortis employees would
6 themselves take the risk of exposing their families to
7 the risks and hazards of high voltage power lines?
8 How many of the Fortis employees live under the power
9 lines? As rational, intelligent and concerned human
10 beings one would think they would have the same
11 concerns no matter what the Fortis literature and
12 expert opinion tells them. How could a responsible
13 company not mitigate their risks in the first place
14 where the costs -- where cost -- when a cost effective
15 alternative is readily available? What message are
16 they sending the public, we want your business but we
17 don't care how we get it? What penalties can Fortis
18 incur by endangering lives?

19 These are not just numbers we are talking
20 about here these are human beings, some more sensitive
21 to EMFs than others that are being over looked. It is
22 well know that the human body is an electro-chemical
23 organism. Our bodies, cells, tissues, organs are
24 entirely dependant on ordered chemical and electrical
25 activity. Homeostasis is driven by minute changed in
26

1 chemical and electrical balance. Any outside
2 disturbance to this delicate balance will be felt by
3 the organism. The body will be forced to react and
4 try to adapt to these changes. Sometimes the impact
5 is too strong or too long lasting, leading to disruption
6 to cell function, damage and ultimately clinical
7 illness. It is naïve, illogical and irresponsible to
8 think that a small amount of radiation exposure is
9 without effect. Sadly much of the damage is not
10 reversible and once detected cannot be undone.

11 It is not surprising that over time more
12 and more evidence is suggesting the EMFs have
13 detrimental effects on our health and well being,
14 especially when it comes to the very young and the
15 very old. In fact, much of the reports of illness
16 come from children whose bodies are developing very
17 quickly and mutations have a much greater chance of
18 occurring. Other reports effects on the aging, where
19 the body's ability to heal is impaired, disrupted or
20 mis-directed. Why then is Fortis ignoring this
21 growing body of evidence and hiding behind outdated
22 guidelines?

23 THE CHAIRPERSON: Ms. Fehr, excuse me, your 10 minutes
24 has expired and I just wondered if you would finish up
25 if you would.
26

1 MS. FEHR: I'm sorry. I have one more page.

2 THE CHAIRPERSON: I'm sorry, did you say one more page?

3 MS. FEHR: I have one more page, one more minute would
4 that be all right?

5 THE CHAIRPERSON: No, your ten minutes has expired. Do
6 you want to finish for just a couple of seconds?

7 MS. FEHR: I'm sorry?

8 THE CHAIRPERSON: Do you have just a couple of seconds
9 more?

10 MS. FEHR: There's one paragraph I would like to read if
11 I may.

12 THE CHAIRPERSON: Fair enough, go ahead.

13 MS. FEHR: Thank you.

14 The world is changing quickly. Populations
15 are growing and we are forced to adopt new ways of
16 managing our waters, our waste, our land and our air
17 emissions, the way we live or we won't be leaving much
18 to the next generation. Currently we are making every
19 effort to be environmentally conscious and
20 responsible. We are making the move to green. We are
21 continuously reminded of how to reduce electricity by
22 energy saving appliances, windows, doors, insulation
23 just our live style to minimize peak hour usage. We
24 conserve water, we buy organic foods, recycled paper
25 and packaging, we eliminate phosphates from our
26

1 wastewater, we recycle, reduce, reuse. We are going
2 to great lengths to identify pollutants, harmful
3 chemicals in our air, water, food, clothes, toys,
4 homes and neighbourhoods. We are going to even
5 greater lengths to reduce our expose to these toxins
6 so that we may reduce our risk of disease.

7 THE CHAIRPERSON: Ms. Fehr, excuse me, are you just about
8 done?

9 MS. FEHR: Yes I am.

10 THE CHAIRPERSON: Thank you.

11 MR. FULTON: Ms. Fehr, would you like to have your
12 statement marked as an exhibit?

13 MS. FEHR: Yes.

14 MR. FULTON: So Mr. Chairman that statement would be
15 marked exhibit C5-2.

16 THE HEARING OFFICER: C5-2.

17 **(STATEMENT BY MS. FEHR, MARKED EXHIBIT C5-2)**

18 THE CHAIRPERSON: Thank you.

19 MR. FULTON: The next speaker is Bill Schwarz.

20 **SUBMISSION BY MS. SCHWARZ:**

21 MR. SCHWARZ: Thank you Mr. Chairman, my name is Bill
22 Schwarz, I'm Electoral area director for Okanagan
23 Falls, eastside road in the Apex area.

24 I've held this position for the last five
25 years, going on six years, and as a result of that, as
26

1 you are well aware, my concern is in respect to land
2 use within the area. And I appreciate the opportunity
3 to be able to address this Commission and thank you
4 for members of Fortis for being here.

5 If you bear with me, I've prepared a brief
6 PowerPoint and I have copies of the documents
7 available as an exhibit, if they could be entered as
8 an exhibit.

9 MR. FULTON: That will be exhibit C9-4 Mr. Chairman.

10 **(SUBMISSION OF MR. SCHWARZ, MARKED EXHIBIT C9-4)**

11 THE CHAIRPERSON: C9-4.

12 MR. SCHWARZ: Thank you for your indulgence.

13 I think when we are looking at the Fortis
14 power line upgrade there are, as in most things,
15 alternatives and I'm suggesting there is a viable
16 alternative to this issue and there are compelling
17 reasons why that alternative should be taken rather
18 than using the existing power line.

19 The Regional District of Okanagan
20 Similkameen recognizes the need for power supply
21 upgrades to facilitate the rapid human growth in the
22 valley. The RDOS supports Fortis in their effort to
23 increase the power supply. There was considerable
24 discussion at the board commissioners with respect to
25 this, and it was unanimously supported that this was a
26

1 very important aspect.

2 Also at the board meeting of June 21st,
3 2007, the board did adopt a motion to support the need
4 for the upgrade, to intervene in the present
5 application of using the existing right-of-way and to
6 support the movement to relocate the line away from
7 human settlements.

8 The actual board motion, I'm putting to the
9 screen for you, and it is quite specific that the
10 Okanagan, the Regional District Okanagan Similkameen
11 acknowledges and supports the need for the upgrade
12 power service for the Okanagan Valley and that the
13 regional district Okanagan Similkameen does not
14 support upgrading of the existing corridor. And urges
15 FortisBC to relocate the line east of the existing
16 site, avoiding developed settlements. And that the
17 Regional District Okanagan Similkameen moved to
18 register as an intervenor in the matter of FortisBC
19 upgrade of the power upgrading in the South Okanagan
20 from Oliver to Penticton.

21 And I'm sure that you are more aware of the
22 history of this than I am, but to put things into
23 perspective Fortis is presently has the power line
24 right-of-way along and just above the shorelines of
25 Shakha Lake on the eastside. And that right-of-way
26

1 was applied for and put in place by West Kootney
2 Power. When Fortis purchased West Kootney Power they
3 of course got that right-of-way.

4 The right-of-way -- at the time that the
5 right-of-way was established it's noted that there
6 were no regional districts and there was no planning
7 within the area at that time.

8 For the community the issues that have come
9 to me as representative of the community is clearly
10 subsequent to the establishment of the power line
11 right-of-way development has occurred along this area.
12 And it's well aware that the people knew when they
13 built in there that there was a power line in place,
14 but they knew the size and they knew the shape of the
15 power line and they were prepared to live with that
16 size and shape.

17 There are certain areas where the municipal
18 governments, Penticton and the regional district, have
19 identified as appropriate and preferred development
20 sites, and the Wiltse property in Penticton is one and
21 all along the Eastside Road there's several
22 development sites along that area running up the hill.
23 The development along Eastside Road and within
24 Heritage Hills and south of Heritage Hills are zoned
25 and building is beginning.

26

1 Where the existing power line crosses
2 between the lake and the residences, there is minimal
3 impact do to the height and the size of the towers.
4 As I've said before, there are towers there, the
5 people can live with them, they can see them, they can
6 see through them. There, of course, is and you heard
7 with the preceding intervenor, questions on the
8 effects of the health cause by increased transmission
9 of power lines and I don't intend to discuss that
10 matter at all. I'll leave that to the experts that
11 follow.

12 There are land use issues that are
13 extremely important with respect to this and with
14 respect to my area and what I'm dealing with. The
15 official community plan under Bylaw 1708-1996
16 identifies properties along the existing power right-
17 of-way as single family or smallholdings. Basically,
18 they're basically either single-family houses or small
19 farms along that area, running about four hectare
20 farms.

21 There are limited opportunities to
22 accommodate the growing population within the existing
23 developing areas. And because we sit in a valley and
24 because we are hemmed in on one side by First Nations
25 where we can't go and we're hemmed in by environmental
26

1 impact on other areas, smart growth says we have to
2 make the best use of the available land that's within
3 the area. Making smart use -- smart growth and making
4 the best use of the land is moving the power line out
5 of that existing area so that growth can occur there,
6 because the bottom land is prime land and the power
7 line is definitely not the best use for that land.

8 Going on to a follow-up of some information
9 that came this morning, to put towers within the area
10 of the existing place, there is a maximum height, and
11 I'm -- through the zoning Bylaws of 10 meters for
12 single family houses, non-farm use and farm structures
13 for 15 meters. That's the maximum height. To go
14 above that is going to require a variance to go above
15 that, contrary to what I heard this morning, that
16 perhaps that wasn't going to be a concern.

17 I might remind that here was considerable
18 concern, that there was considerable debate at the
19 board table over the Vaseux Lake substation just on
20 that very matter on height. It is not an assured
21 thing that the board would agree with it.

22 And the other aspect that I want to bring
23 to the floor is that there is a requirement for a
24 environmentally sensitive area development permit. It
25 is a development permit area. Which means that if any
26

1 dirt is going to any land it's going to be disturbed
2 in the area of the existing right-of-way, the
3 applicant or the person is going to have to apply for
4 a development permit, an environmental development
5 permit in that area.

6 And I just show you briefly, and you can
7 see the marks on the map, the yellow marks and those
8 are making out the zonings in the area along there and
9 you can see where the zoning stops going east of that
10 map. And that basically addresses crown lands above
11 that.

12 The environmentally sensitive habitat, the
13 pink on the screen that you see, is all
14 environmentally sensitive habitat and that area is
15 required to have an environmental development permit
16 within it. And you will also notice to the east of
17 that in the area that we suggest, the upland area is
18 not within that zone, would not require the
19 environmental development permit.

20 I understand to upgrade the lines
21 sufficiently to supply the needed power to the
22 Okanagan Valley is necessary. To eliminate the visual
23 pollution to the residents due to the increase size of
24 towers and number of lines is a prime challenge to
25 deal with by Fortis. And to eliminate or minimize the
26

1 perceived threat to health cause by the power line is
2 also a challenge, and that challenge I say to Fortis,
3 I say to the Commission, it is a challenge to the
4 commission to balance all these issues in the
5 interests of the public.

6 And Fortis obviously want to get the
7 transmission lines, it's important to them to supply
8 power to the valley, which is part of there mandate.
9 They have to address the residents and the
10 environment, and at the same time have to be fiscally
11 responsible tot the shareholders. And they have to
12 endure that power rates are not unduly impacted by
13 increased power due to the -- increased costs due to
14 the upgrades.

15 And new power towers will be greater than
16 the existing ones and these will require re-zoning for
17 those towers. The new construction would require an
18 environmental impact study, and that's a given with
19 respect to the board.

20 The solution that we feel is one, you could
21 bury the power the line along that corridor and that
22 would certainly work and it would resolve those
23 issues. The more economical and reasonable thing is
24 moving it to the upland or I say to the east along
25 crown land. Yes it will require negotiations between
26

1 the provincial government and First Nations bands, but
2 it's not a land claim settlement with First Nations,
3 it's a notification.

4 Our recommendations are we recommend the
5 power line be moved east to a higher level onto crown
6 lands. We recommend a successful agreement be reached
7 with the residents presently affected with this
8 application to financial assist with this option. And
9 I bring this forward because the residents have
10 advised me and I believe they have advised this body
11 that they are prepared to work with Fortis in order to
12 do this. Coming up with some reasonable system where
13 they could move the line further east onto the crown
14 line;. The regional district can put restriction
15 through the official community plan and bylaws to
16 prohibit development within an appropriate distance on
17 either side of that. That will ensure that Fortis
18 can, as demand increases, upgrade the lines without
19 threat to community, conflict with land owners and
20 protection of health and environment and it makes it a
21 win, win for everybody.

22 THE CHAIRPERSON: I want to point out to you as well,
23 that your ten minutes has expired now.

24 MR. SHWARTZ: I just flipped past my last slide, which
25 I'm confident --

26

1 THE CHAIRPERSON: Almost perfect timing.
2 MR. SHWARTZ: -- that you will listen to this. Thank you
3 very much. Thank you for your consideration.
4 THE CHAIRPERSON: Thank you.
5 MR. FULTON: Paul Kreeft.
6 **SUBMISSION BY MR. KREEFT:**
7 MR. KREEFT: Good evening, Mr. Chairman, board members.
8 THE CHAIRPERSON: Good evening.
9 MR. KREEFT: And Fortis members.
10 I'll just run over quickly what I was
11 trying to get at this morning -- or this afternoon I
12 should say. There was some discussion this afternoon
13 regarding windstorms and lighting strikes with high
14 voltage power lines. The majority of power outages
15 that have occurred over the years in most areas is not
16 necessarily due to minimal to high power lines. It's
17 usually high winds that cause the street power -- the
18 street lines to be knocked out of commission or broken
19 and that's where the majority of power outages come
20 from. So it's not so much that the towers are going
21 to be struck, the lines, and that's causing the major
22 problem.
23 As far as visual effects, this proposal
24 would highly impact pretty well all of the people on
25 Heritage Boulevard for sure, and of course higher up
26

1 because now the towers are going to approximately 110
2 feet height. And with the EMF and the way it's
3 proposed, having talked to a number of realtors in
4 this area, Royal LePage from Locations West in
5 Penticton have been here for years, they are advising
6 me that property values are going to drop if this goes
7 through on the existing right-of-way, 20 to 25 percent
8 drop on property values.

9 The other issue is that with the EMF there
10 was a program on CBC Radio and I believe it was on
11 June 11th and they had a scientist on for an hour, from
12 11 to 12 a.m. in the morning, regarding EMF output and
13 the effect on human people. And they're tending to
14 lean more now towards caution rather than saying, well
15 it's never been proven one way or the other as to the
16 power off these lines, how it effects these human
17 beings. And he is saying that they are starting to
18 look at it from the aspect now that it is an issue
19 that could effect people over time, children, adults
20 whatever because of the power output on these lines,
21 if you're close by.

22 Having lived in South Surrey, White Rock
23 there was a nursery that I used to go to and they had
24 the main power lines running right over the nursery.
25 It had a metal fence around it. Every time I went
26

1 there with my wife, if I would touch that fence --
2 first of all you hear the arching. Every time I went
3 to touch that fence, forgetting about it, I would get
4 a jolt.

5 Now this scientist that was on CBC Radio
6 was discussing this issue also and said that they've
7 had two or three deaths in B.C. with workers for power
8 companies working under the lines when the grounds
9 wet. It's somewhere here. I didn't know who -- I
10 didn't catch the very first bit of it, so I didn't
11 know the doctors name, but we did try to find out who
12 it was and CBC didn't get back to us, so I can't give
13 you that information.

14 As for micro storms are becoming more
15 frequent, the high winds are becoming more frequent
16 here, as you know. If you come from the coast the
17 winds over the last 10 - 15 years are increasing
18 continuously. As to with global warming, these things
19 happen, so we have to error on the side of caution in
20 regard to the height of the towers and where they are
21 located. As I was stating this afternoon, on the
22 Southside -- on the north side of my home, 308
23 Heritage Boulevard, the tower is approximately 20
24 meters from their corner and things do happen
25 unexpectedly. So there always is that possibility
26

1 for safety issue that I'd be leery if something did
2 ever happen with one of those towers coming down.
3 Although Fortis assures me that it wouldn't fall
4 towards the house. That I don't know, I'm not an
5 expert on that.

6 And the other thing with the alternative
7 route on the uplands, as was stated by the RDOS and
8 Ms. Fehr, it's a win-win situation for everybody if
9 it's moved out of the area because of the amount of
10 homes, because of the higher EMF emissions from the
11 lines. The advantage for Fortis would also be that
12 future increase in needs for power to the north is
13 always there available, they would have enough land
14 and it wouldn't effect anybody. So I strongly
15 recommend that the panel look at that, because I know
16 there's a cost increase, but then if you look at the
17 cost increase what's the cost increase today, \$20
18 million? What is it going to be 20 - 30 years from
19 now when they have to upgrade again on the existing
20 route, which apparently they can't do anyway?

21 So where does it leave them? It's a short,
22 to me, a short term remedy in a way. It's like, I was
23 in transportation, it's like City of Vancouver,
24 everything that was built, most of the infrastructure
25 and the freeways and the road systems were done in
26

1 1958 under the Social Credit Government, Mr. Gaglardi
2 was the department of highways, minister. And since
3 that time, having lived in Vancouver pretty well my
4 whole life, not a lots been done. Now they have to
5 start twinning bridges and doing this and doing that.
6 Same with the Dees Island Tunnel.

7 And what I'm trying to say to the panel is
8 think about future needs, future consumption of power
9 it's the same as like roadways. And environmentally
10 it would be asset for ever body, it would be a win-win
11 situation, if you looked at that option rather than
12 the present route of where the lines are right now.
13 Because like I said, there's only a certain amount of
14 time, 20 - 30 years, and they are going to have to
15 upgrade again, I'm sure of it, because of the growth.
16 The baby boomers that want to move to the Okanagan
17 Valley. We're going to get an increase in population
18 starting probably in the next two - three years when
19 these people retire. I'm sure a lot of the people
20 that don't live here would like to live here because
21 of our climate. But that's a personal thing.

22 So yeah, so my whole contention is -- Ms.
23 Fehr did a very good job on it and so did Minster --
24 Mr. Schwarz from the RDOS. They have more background
25 on this stuff. But I have to agree with them and I
26

1 hope that the Commission will look at everybody's
2 different way of looking at it. I'm not an expert in
3 it, but I hope that you would look at considering
4 that, because it's better for every body in the long
5 run.

6 And as far as property values go, I mean
7 today when I was told by a number of people here that
8 it's not really going to impact the property values,
9 put yourselves in our shoes we built a retirement home
10 there, we knew what was there. We were told nothing
11 was going to change and now this comes along. What
12 are we suppose to do, just pick up and get out of
13 there? You know, anyway I'd like you to really
14 consider my bit of a presentation, but it's better
15 than nothing I suppose.

16 Thank you for your time.

17 THE CHAIRPERSON: Thank you very much sir.

18 MR. FULTON: Mr. Kreeft do you have a hard copy of your
19 presentation?

20 MR. KREEFT: No, I don't, but I can get one to you. I
21 can give you this if you want. My name is on it.

22 It's got everything is stated, I thought you said --

23 MR. FULTON: They have made a transcript, so if you don't
24 have a hard copy, that's fine.

25 MR. KREEFT: No, I don't, because there was a change in
26

1 program.

2 MR. FULTON: Thank you. Anna Kreeft.

3 **SUBMISSION BY MS. KREEFT:**

4 MS. KREEFT: Good evening to the Utilities Commission and
5 to the ladies and gentleman here this evening.

6 I don't have anything prepared, I'm not an
7 expertise on what kind of electricity and arching and
8 everything else that all the experts from the Fortis
9 company had, but I am here just to say that I feel
10 very strongly about those lines going in. Our
11 grandchildren that come out will be playing, you know,
12 in the backyard close to those lines. I, myself
13 personally have a very big health issue already and it
14 is very worrisome to me that there could be a big
15 problem there with what they call arching and what's
16 been, you know, going to be given off by those lines.

17 I love the area that we moved into. It was
18 our retirement dream place, and as my husband has said
19 that we purchased the property with -- I forget the
20 name of the gentleman that came out from Kootney
21 Power, but it was one of the people that was in charge
22 of whether the lines are going to be upgraded and so
23 on, explained what the easement was to us and that
24 there wouldn't be anything else happening there.

25 But of course, in the mean time Kootney

26

1 Power has sold to a company called Fortis, and it's
2 kind of like changing the rules in the middle of the
3 ball game because now you have a new baseball manager
4 that has come in. And so like I said it's very -- all
5 the people that live in Heritage Hills, it's worrisome
6 for us and we're not for expansion. We understand
7 that people need power, but we don't want to be sort
8 of what I call myself personally the dumping ground
9 for lines that are going to go past where humans are
10 living with maybe, a big maybe that it could be very
11 detrimental to our health and our grandchildren's
12 health and our children's health.

13 And I always think that, you know it's
14 always better to rule on the side of caution when it
15 comes to things like this, and then that way you don't
16 have to have a worry and the people who live there
17 don't have to have a worry. And there is an alternate
18 route, so -- I understand there's cost involved, but
19 that's what it is. I mean, you can weigh the cost
20 involved factor to the health issue for human beings.
21 Cost. Health.

22 To me I don't really find it an even scale
23 and I am very confident that the commission will look
24 at all the arguments very closely and I appreciate
25 your time.
26

1 Thank you.

2 THE CHAIRPERSON: Thank you, Ms. Kreeft.

3 MR. FULTON: Is Judy Brock here yet? No response.

4 If I might just have one moment.

5 THE CHAIRPERSON: Indeed.

6 MR. FULTON: There's one last individual then, Mr.

7 Chairman who has asked to speak again, this is a leave

8 situation. It's Ines Kaminski.

9 THE CHAIRPERSON: I'm sorry?

10 MR. FULTON: Ines Kaminski.

11 THE CHAIRPERSON: Thank you.

12 **SUBMISSION BY MS. KAMINSKI:**

13 Ms. Kaminski: Good evening, and thank you for your time.

14 I haven't prepared a speech in writing.

15 However, I'm a resident on Sunnybrook Drive, which is

16 effected.

17 THE CHAIRPERSON: Excuse me, just before you get

18 underway. Is there any way of getting in touch with

19 Ms. Brock or does anyone know whether she had intended

20 to come or --

21 VOICE: I just tried phoning her cell and her home and I

22 couldn't get an answer at either one.

23 THE CHAIRPERSON: Fair enough.

24 MR. FULTON: Mr. Chairman, I did have a telephone number

25 for her but it doesn't seem that it would be much

26

1 point in me having someone from staff call her, if
2 someone in the audience has already tried to reach
3 her.

4 THE CHAIRPERSON: Fair enough, thank you, thank you. Ms.
5 Kaminski.

6 MS. KAMINSKI: Thank you.

7 My husband and I are residents on
8 Sunnybrook Drive. Our view is not impaired because of
9 the power lines because we have trees in front of
10 them. I'm not concerned about that. However, I'm
11 very concerned about the health issues related to the
12 power line upgrade. There are very recent studies
13 from 2007 that explain that it is considered dangerous
14 to live within 300 meters of power lines of that size
15 and exposure. And it is especially if you live there
16 for a long term, like exposure on a long time period.
17 There is evidence that this has a negative impact on
18 the health, especially of course, on young children,
19 expecting mothers and elderly people.

20 My concern is the health concern. As I
21 said, I am not too concerned about the view, and also
22 the devaluation of the property. If you have the same
23 size of property with a power pole and you have the
24 same property without the power pole, there's no
25 question to it that you wouldn't pay or you wouldn't
26

1 find as many buyer for that piece of land with the
2 power pole on it, there's no question to it.

3 That's pretty much all I wanted to say
4 here. Thank you for your time and thank you for your
5 consideration.

6 THE CHAIRPERSON: Thank you very much.

7 MR. FULTON: That then, Mr. Chairman, concludes the list
8 of speaker for the community input session.

9 THE CHAIRPERSON: I thank you very much, and just by way
10 of closing I would like to thank all of you for
11 attending tonight, particularly those who did take the
12 time and effort to put together a presentation.

13 Our job, as I'm sure you are aware is not
14 an easy one. There are some very significant
15 challenges, some work that needs to done and some
16 factors that need to be considered. We do appreciate
17 your involvement and than you very much for coming.

18 Thank you, we're adjourned.

19 **(PROCEEDINGS ADJOURNED AT 7:45 P.M.)**

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1 [SUBMISSIONS MADE AT ORAL HEARING ON JUNE 24TH, 2008]

2 **SUBMISSION BY MS. BROCK:**

3 MS. BROCK: Well, I really appreciate the opportunity to
4 make this little presentation today. I'm not -- I
5 didn't even -- I went away soon after I heard, like,
6 within a day or two that we would have this
7 opportunity, so I'm not, you know, so very well
8 prepared. I'm not exactly sure if there's guidelines,
9 if I could comment on something I heard today or if I
10 have to stick to things that were in my mind before I
11 sat in here this afternoon, or what sort of guidelines
12 there would be that way.

13 THE CHAIRPERSON: No particular guidelines. We're here
14 to hear your view.

15 MS. BROCK: Oh, okay.

16 THE CHAIRPERSON: And I just reset my watch, so we'll
17 start --

18 MS. BROCK: Okay. Yes. Thank you very much. My name is
19 Judy Brock. I moved up to the Okanagan almost 40
20 years ago from the coast. We were farmers, and still
21 are -- smaller farmers now, because we're getting
22 older -- in the Okanagan.

23 Soon after we moved here, there was the
24 occasion where West Kootenay Power at that time was to
25 put a line across the valley floor close by Macintyre
26

1 Bluff. And ironically, that month, that that came
2 into the public knowledge, it was also the fold-out in
3 the middle of *Beautiful B.C.* magazine, was that view.
4 It's quite an iconic view in the world, I gather now
5 from what I hear from people.

6 West Kootenay Power talked with community,
7 listened very closely to concerns, and changed the
8 materials they used at some expense, I was told, to
9 make sure that that viewscape wouldn't be interfered
10 with. I guess there was -- it was more of a community
11 process, and it didn't get into any kind of a -- I
12 don't know what other term to use, but almost an
13 adversarial feeling that there is to this process that
14 we're involved in now. So that has been my previous
15 experience in being involved in something like this.

16 I heard mention today of Penticton Indian
17 Band, and I know within our community we have often
18 had opportunities to meet together and talk about
19 things, and as a resident of the east side, they've
20 even helped us with some concerns over development
21 along that area. So I also feel sad that we weren't
22 given the opportunity to sit as a community --
23 communities, to communities, I guess, and talk about
24 the concerns within the community along this route.

25 I went to the community meetings. There
26

1 was a bit of confusion there. When I first went, I
2 was told -- shown one set of what the poles would look
3 like, and they didn't look very bad. And then as I
4 was leaving, I mentioned this, you know, I mentioned,
5 "Gee, those aren't ..." and I was told then that I was
6 wrong, that they -- so there was some confusion even
7 at the meetings over how things would look. Anyway.

8 So that, and not having the opportunity to
9 meet as a community. I know you mentioned that other
10 group that put in -- is it the land -- the integrated
11 land management --

12 THE CHAIRPERSON: Oh, Integrated Land Management Board.
13 That's a provincial --

14 MR. BROCK: Yeah. And I'm wondering if that's not the
15 place where some of the environmental studies would
16 have been put forward. I know that when we bought our
17 land back 40 years ago, we right away were approached
18 by Canadian Wildlife Service and a couple of years
19 after that, because they were just new, the Nature
20 Trust of Canada. And it was because the valley bottom
21 represents such a richness of species.

22 So I'm kind of again confused over why a
23 lower route wouldn't be as, you know, important to
24 disturb as a higher route. Because you know, over
25 those times, I've had opportunity to work with
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1 scientists, some of which I know were in that position
2 as being consultants. But it just -- again, it
3 confuses me as a person who doesn't have much depth of
4 knowledge on that, and I know it does confuse the
5 community a bit too. Because there was things that
6 were put forward showing how important the lower
7 elevations are as far as species richness in the area.

8 I'm definitely not an appraiser but I can't
9 help but think that the impact, the viewscape, is
10 going to be amazing. Since those many years ago when
11 that viewscape was considered way back then, this area
12 has become renowned as a wine tourism area. It's hard
13 to pick up anything, I just happened to pick this up
14 last night in the airport, that doesn't show that
15 iconic view. It's everywhere. If you had a minute to
16 go to the LDB hearing, I gather it's throughout the
17 province, that view is a mural about half the size of
18 this wall in our local one, and has been -- the logo
19 across the ones down at the coast I was told was
20 "Welcome to our back yard". Well, it is our back yard
21 for a lot of us here today.

22 The concerns about being, you know,
23 property values, that's -- I think most people's
24 property and assets are tied up in their homes. So
25 probably a lot of what I'm saying is redundant to what
26

1 other people have said. But that is their major
2 asset. So when there is an impact on it it's a major
3 concern and can lead to stresses that we won't know,
4 you know, where they could end or the people that
5 could be affected.

6 I guess the other issue that's very, you
7 know, I'm hearing a lot about it today. In my
8 opportunities I've had here to work with scientists
9 just learning about this area, I understand something
10 I didn't know so well, that science is a very fluid
11 thing. It changes from -- sometimes from day to day
12 on what we know, what we can really -- I guess I
13 always thought, "Oh, the scientist said it so that's
14 it and I want to believe it." But, you know, I've
15 learned that it changes. So I know that statistics
16 are rising in neurological disorders and cancers, in a
17 number of things, so I can certainly, certainly
18 understand people's concerns about health issues in
19 this matter too.

20 I guess the availability of an alternate
21 route which would address all these issues really,
22 really, you know, makes me think that I'd -- I don't
23 have a sense of a compelling reason why we wouldn't
24 choose that alternate route. I've heard from the
25 community that they would do whatever they could, over
26

1 time, to pay for having that route chosen. I've heard
2 all sorts of things I've never heard of before. I've
3 also heard that the Regional District, I missed their
4 presentation but I've heard that that is a rarity in
5 B.C. to have a regional district come out in favour of
6 one route or another. So I hope that the concern is
7 local to this area. This is -- probably this route
8 goes through some of the most narrow areas of this
9 Okanagan Valley. I don't know what effects topography
10 has on even health issues, when you think of things on
11 a high slope what's happening rather than in an open
12 area. I have no knowledge of that. But I just, you
13 know, for all those issues I just hope that it's not
14 -- the concern isn't a precedent being set as far as a
15 community's influence, as much as the fact that this
16 is our community, it's a narrow, narrow part of a
17 valley, and I think we all have, you know, many shared
18 concerned over not going with the alternate route.

19 That's basically all I have to say.

20 THE CHAIRPERSON: Thank you very much.

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22 **SUBMISSION BY MS. KISTNER:**

23 MS. KISTNER: Thank you, Mr. Chairman, for your
24 discretionary powers given to me.

25 I wanted to say, first of all, that I'm a
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1 farmer in the Maclean lowlands area next to
2 Shuttleworth Creek. We purchased the property in
3 2000. And it was after looking for several years --
4 three years to four years, to find a suitable property
5 that was within our means. Both my husband and I were
6 raised on acreages and having worked towards this goal
7 throughout our lives together, over the past -- the
8 previous 15 years, we were finally able to find a
9 property that was within our means, that we could buy,
10 purchase.

11 Certainly a factor in our negotiations, and
12 in looking at the property, was the fact that it did
13 have electrical power lines bisecting the property.
14 But again, I will cite Mr. Advocaat's claim of
15 ignorance of the true level of fears expressed by the
16 public at large about what issues surround EMF. I
17 thought, really, that the arguments that I had heard
18 and were espoused in the news were really childhood
19 leukemia, and I'd heard many public relations gambits
20 by the electrical utilities company disputing the
21 findings that there was any relationship.

22 I wasn't aware of the serotonin and
23 melatonin issues, and I in fact suffer from major
24 depressive disorder that is treatment-resistant. I
25 have been off work for the last four years on
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1 disability. I've been let go from my job because I am
2 unable to maintain employment. I also suffer from
3 sleep disorders. I take sleeping pills, three a
4 night, of pills that my friends, or people that I
5 know, take a half to one pill, and still cannot sleep
6 through the night. It leaves me exhausted most of the
7 time. And I am able to help around the farm on a
8 sporadic basis. And even that is -- it's not
9 something that I can predict or plan for.

10 I'd like to say that we could sell our
11 property and move elsewhere, but being that it has an
12 electrical line through it, as when we looked at the
13 property, we considered that factor. It makes it less
14 sellable. Not that necessarily the price would be any
15 less, perhaps, but it makes it less desirable in the
16 face of other properties being available on the
17 market. It's a strike against it.

18 So, we're committed to being where we are.
19 We have goats. We raise meat goats. And, as I said,
20 the power line bisects our property. And so, when we
21 have kids in the kidding season, which is between two
22 and four months of the year, I'm out there feeding,
23 nursing, nurturing, the babies, directly under those
24 power lines each and every day. I cannot get away
25 from them. There is a limit to how much property and
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1 how far we can move from those lines.

2 The house was pre-existing. So, and I've
3 measured from our property -- our house, from the
4 property -- or the centre of the power line, and it's
5 40 metres. My understanding is, the line is supposed
6 to go to the east of that, while they parallel-
7 construct. That will put it closer to my house, and
8 to my -- the rest of my daily life.

9 I have grave concerns for that. But again,
10 I'm unable to do anything about it, unless this Board
11 can intervene on our behalf.

12 I have children that play amongst those
13 power lines every day. I have a renter whose property
14 -- on the property, enabled us to buy this property by
15 subsidizing our mortgage. Their house falls within
16 that 40-meter -- again, an existing -- pre-existing
17 condition that I couldn't change when I purchased the
18 property. But I had to factor it into the overall
19 picture. I was fortunate that I was able to buy the
20 property, or maybe you can look at it as being
21 unfortunate, in that I am left with the legacy power
22 line.

23 But -- excuse me, I'm losing my train of
24 thought here. The property -- to say that there was
25 no development in the area of the property when it was
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1 -- when the power line was proposed is erroneous.
2 Because my property has a water rights on it. First
3 water rights that date back to 1893. There were
4 people living on that land, and the land, as far as I
5 could ascertain, was expropriated for the development
6 of that power line.

7 No control in their hands either. And
8 really, I'm asking the Board to intervene on our
9 behalf.

10 When I look at what's going in in the
11 existing right-of-way, as a proposal, the wooden poles
12 have a life expectancy -- well, it's been, what, close
13 to 45 years now, and they're nearing their life
14 expectancy. And Fortis has said they're looking at a
15 50-year life -- they're looking at a 50-year
16 projection for their plan, although they're looking at
17 a 20-year load projection.

18 What that means to me is that, 20 years
19 from now, as the development progresses and changes,
20 that infrastructure will be there. And it will be the
21 first line that they look at for upgrading. And I
22 know that's not the scope of this hearing, but it
23 should be, because it will impact further every day of
24 my life for the rest of my life. It will impact my
25 property and my property values and my health. And
26

1 the health of all of the people that live on my
2 property, and in any of the adjoining properties along
3 the line.

4 And I know there's been a lot of discussion
5 about property values rising if the view is improved.
6 Well, you know, that's a two-edged sword. Yes, our
7 property values are rising. But if we don't sell, if
8 we can't sell, we're just left with higher property
9 taxes. And perhaps this Commission may have the scope
10 of power to ask that some of the Regional Districts or
11 cities commit some of those extra property taxes that
12 they will be assessed -- able to assess, to offsetting
13 some of the costs for this project upgrade to the
14 Highlands route. I know it's out of the scope of this
15 Board, and I know that -- but likewise, I know that
16 what we have proposed in terms of subsidizing this
17 effort as citizens being affected by this lowlands
18 route is out -- not within the typical scope of this
19 Board's hearings in the past, either.

20 We've got to all think outside of the box
21 and think of the whole issue. Long-term, not just
22 today, not just next year, not just ten years from
23 now. But where will these next upgrades come from as
24 this valley continues to grow? And I ask the
25 Commission's indulgence in seriously assessing and
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1 considering the uplands route.

2 Thank you.

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