

Thank you, Mr. Chairman for your giving me this opportunity to testify on an issue of such importance to the member-owners of my rural electric cooperative. I am Carl Albrecht, the CEO of Garkane Energy Cooperative, Inc., a rural electric cooperative which serves electricity to the rural areas of South Central Utah and North Central Arizona.

Garkane serves approximately 11,000 customers over 2,000 miles of transmission and distribution line, or about 5½ customers per mile of line. It is a unique electric utility in that we serve Zions, Bryce Canyon, Capitol Reef, and Grand Canyon National Parks

We also serve the Grand Staircase-Escalante National Monument, the Glen Canyon National Recreation Area and three different National Forests -- Kaibab in Arizona and Dixie & Fishlake in Utah. We also serve considerable BLM administered lands and several state parks.

As you can imagine, we have many lines which traverse and serve these governmental entities and the rural communities surrounding them. Over the years, Garkane has experienced difficult and lengthy time periods in securing new rights-of-way for new and upgraded power line facilities.

For example, we are presently working on a new transmission line from our Tropic, Utah, Substation east of Bryce Canyon, to our Hatch Substation west of Bryce Canyon, which involves four federal agencies -- Grand Staircase-Escalante National Monument, Dixie National Forest, Bryce Canyon National Park, and the BLM. We have been asked to study eight different routes for this line. From my perspective, under the Energy Policy Act, the agencies should decide themselves which route they prefer and let us know their preference. We realize we will have to pay for the Environmental Impact Statement (EIS) on the selected route, but we should not have to study eight different routes.

We filed a corridor designation for this line with the Department of Energy in November of 2005 after the Energy Policy Act of 2005 was signed into law by President Bush in August. (Copies of my comments to DOE are attached.) It was not recognized in the preliminary November 7, 2005 Report to Congress on corridors and right-of-way on federal lands. In fact, only one of Garkane's transmission lines was recognized.

We are also working with the Dixie National Forest on a new line to serve the rapidly growing area of Cedar Mountain, which is north of Zion National Park. We are told that a decision on this line will be made by this fall

During the winter of 2004 and 2005, the Northern Arizona Region of our service area received record heavy snowfall. The heavy wet snows took down over 100 trees over our power line which serves the North Rim of the Grand Canyon. We had to hire heavy equipment to clear access to 16 structures which were broken or taken down by falling trees, at a cost of over \$100,000. We have asked the Grand Canyon Park Service and the Kaibab National Forest to provide us a wider right-of-way to clear more trees and eliminate dangerous leaning trees, but have been unsuccessful in obtaining that right-of-way because of the rules and regulations concerning the Goshawk and the Mexican Spotted Owl Habitat. The Forest Service admits there are no Mexican Spotted Owls on the forest and don't know if there ever has been. Apparently things have changed. Previously, the Forest Service dealt only with the owl and habitat related to the owl. Now, habitat has equal standing to a species with an endangered listing. Unfortunately the majority of the line is located in Mexican Spotted Owl habitat. To work on the right-of-way or line from March 1 through August 31 (the time most conducive to work) surveys would need to be completed for two consecutive years prior to any activity. Once the survey is completed, a consultation with the U.S. Fish & Wildlife as necessary. Garkane would have to pay the U.S. Fish & Wildlife Service for the survey and consultation.

We are authorized to complete maintenance from September 1 through February 28 (usually a very short window due to snow) in the Mexican Spotted Owl habitat without the survey and consultation. The Forest Service is very reluctant to let any bulldozer work be done or have any ground disturbance.

In Capitol Reef National Park, our right-of-way requires us to give them seven days written notice before entering for maintenance or repairs, with daily notification before initiating any work. During emergencies, we notify them as soon as possible.

Concerning Garkane's and Utah Power's transmission lines through the Grand Staircase-Escalante National Monument (GSENM), both companies signed a joint O&M Plan for the two parallel lines in November 2001. We were told in a cover letter signed by the Monument Manager, that the "plan is not in full force", until the surveys and maps have been completed. The maps and surveys were supposed to have been completed by December 31, 2001. In July of 2003, we met with Monument officials to discuss the status. They indicated portions had been completed, but we would have to hire an archeologist to complete it, if we wanted it done sooner. We have not heard from them since.

There is an old saying that the world is run by those who show up. Well, we have shown up to all the meetings, we have made comments to the agencies, but we do not get timely responses or action.

The NEPA Process, in my opinion, has become more of a “political process”, than an “environmental process”. Land Use Plans are almost always challenged on procedural grounds, rather than on substance. When it takes these agencies eight years to develop a 10-Year Plan, there is a problem with the process. There is “process paralysis” within these organizations.

I have met with my Congressional Representatives, Representative Matheson and Representative Cannon, and have worked with Senator Hatch’s Office, all of whom have been helpful; however, it seems the word never trickles from the top to the local office on the ground. Representative Matheson’s staff members’ e-mail to me dated April 5, 2006, is also attached, outlining their perspective on how Section 368, Energy Right-of-Way Corridors of the EPACT, will flow through the various agencies. It appears the agencies themselves are lost and vague at best on this issue.

I have been hopeful and have remained optimistic about securing those rights-of-way and solving these problems, but my retirement may come sooner than any decision on these issues.

Again, thank you for inviting me to testify on this important issue to the 11,000 member-owners of Garkane Energy Cooperative. I would be happy to take any questions you might have.