

# Getting Rights of Way Right

Valley Ho, Scottsdale, AZ

January 15-16, 2013

(Draft as of December 6, 2012)

## Sponsored by:

- **Western Governors' Association**
- **Sonoran Institute**
- **Lincoln Institute of Land Policy**
- **Headwaters Economics**

## Tuesday, January 15, 2013

12:00 p.m.      **Registration Table and Meeting Room Open**

12:30 p.m.      **Introductions and Meeting Goals, Kristi Parker Celico, Facilitator, Kearns & West**

Proposed Goals:

- Understand current ROW process, key legal changes, and new compensation models;
- Learn creative new approaches for improving the process from all perspectives; and
- Identify methods for implementing new approaches either by interest group or across groups.

12:45 p.m.      **Opening Comments**  
Western Governors' Association

1:00 p.m.      **Establishing a Common Understanding**

- Dave Ditto, Associated Legal Group, Inc. "The Right of Way Negotiation Process: A Generic Overview"
- Mark Stermitz, Crowley Fleck, PLLP. "Eminent Domain and Impacts on ROW Compensation in the Western States"
- Van Jamison, V. P. Strategic Operations – Gaelectric North America. "Transmission Project Development Finance Models: Implications for ROW Compensation"
- Questions/Discussion

2:30 p.m.      **Break**

2:45p.m.      **Landowners Perspective:** *What's working, what's not, and creative ideas for improvement*

**Introduction:** Brent Orr, Cornerstone Energy (Invited)

**Panel:**

- Northern Plains Resource Council (Invited)
- Bill Midcap, Rocky Mountain Farmers Union
- Errol Rice, Montana Stockgrowers Association
- Lynn Greene – Lucky Corridor (Northern New Mexico) (Invited)

3:45 p.m.      **Developer Perspective:** *What's working, what's not, and creative ideas for improvement*

**Introduction:** Pat Asay, Northwestern Energy

**Panel: What's working, what's not, and creative ideas for improvement:**

- Bonneville Power Administration (Invited)
- Doug Dockter, Manager, Delivery Projects, Idaho Power Company
- Carl Borgquist, Grasslands Renewable Energy
- Kelly Kraushaar, Manager, Major Projects & Substation Acquisition  
Transmission & Distribution - Real Properties, Southern California Edison

4:30 p.m.      **Regulatory Perspective:** *What's working, what's not, and creative ideas for improvement*

**Introduction:** (TBA)

**Panel: What's working, what's not, and creative ideas for improvement:**

- Jim Tarpey, Colorado PSC (Invited)
- Western Area Power Administration (Invited)

5:15 p.m.      **Major ah-ha's and topics of interest to explore tomorrow**

5:30 p.m.      **Adjourn Meeting**

5:30 p.m.      **No host open bar**

## Wednesday, January 16<sup>th</sup>

8:15 a.m.      **Continental Breakfast Available**

8:30 a.m.      **Recent Transmission Projects: ROW and Compensation Strategies**

- Pete McMorris: Principal Right of Way Agent San Diego Gas and Electric  
Sunrise-Powerlink Project (invited)
- Rock Island Clean Line (invited)
- John Lupo: Manager, Siting & Land Rights, Xcel Energy Midwestern Projects
- Montana-Alberta Tie-Line Project (invited)

- 10:30 a.m.      **Break**
- 10:45 a.m.      **Small Group Discussions: Moving Forward Collaboratively**
- Identifying and promoting solutions individual sectors can take to ensure better ROW negotiations
  - Developing and implementing policy solutions to improve ROW negotiations
- 12:00 noon      **Working Lunch**
- 1:15 p.m.      **Small Group Discussions Continue**
- 2:15 p.m.      **Report Backs and Identification of Next Steps**
- 3:00 p.m.      **Adjourn**