Chapter VII

Utilities Element

I. INTRODUCTION

PURPOSE OF THE UTILITIES ELEMENT

This Utilities element has been developed in accordance with Section 36.70A.070 of the Growth Management Act to address utility services in the city of Zillah and the adjacent urban growth area. It represents the community's policy plan for growth over the next 20 years. The Utilities Element describes how the goals in the other plan elements will be implemented through utility policies and regulations, and is an important element in implementing the comprehensive plan.

The Utilities Element has also been developed in accordance with the county-wide planning policies, and has been integrated with all other planning elements to ensure consistency throughout the comprehensive plan. The Utilities Element specifically considers the general location, proposed location, and capacity or all existing and proposed utilities, including, but not limited to, electrical lines, telecommunication lines, and natural gas lines. This element also identifies general utility corridors.

The Utilities Element Includes:

* Introduction
* Inventory and Analysis
* Future Needs and Alternatives
* Goals, Objectives, and Policies

URBAN GROWTH AREA

The Urban Growth Area boundary was selected in order to ensure that urban services will be available to all development. This includes the provision of utility facilities. The city recognizes that planning for utilities is the primary responsibility of the utility providers. However, the city will incorporate plans prepared by the providers into its comprehensive planning efforts in order to identify ways of improving the quality and delivery of services provided in the city and its designated urban growth area boundary. All development requiring urban services will be located in the urban growth area, and will have these services extended to them in a timely and financially feasible manner. The Utility Plan in this element will guide decision making to achieve the community goals as articulated in the Vision Statement.

APPLICABLE COUNTY-WIDE PLANNING POLICIES

The Yakima County-wide Planning Policy recognizes the need to promote orderly development with appropriate urban services provided to such development. The following County-wide Planning Policies apply to discussion on the utilities element:

1. Areas designated for urban growth should be determined by preferred development patterns, residential densities, and the capacity and willingness of the community to provide urban governmental services. (County-wide Planning Policy: A.3.1.)

2. Urban growth should be located first in areas already characterized by urban growth that have existing public facilities and service capacities to serve such development, and second in areas already characterized by urban growth that will be served by a combination of existing public facilities and services and any additional needed public facilities and services that are provided by either public or

private sources. Further, it is appropriate that urban government services by provided by cities, and urban government services should not be provided in rural areas. [RCW 36.70A.110(3)] (B.3.1.)

3. Urban growth management interlocal agreements will identify services to be provided in an urban growth area, the responsible service purveyors and the terms under which the services are to be provided. (B.3.2.)

4. The capital facilities, utilities, and transportation elements of each local government's comprehensive plan will specify the general location and phasing of major infrastructure improvements and anticipated revenue sources. [RCW 36.70A.070(3)(c)(d)]. These plan elements will be developed in consultation with special purpose districts and other utility providers. (B.3.4.)

5. New urban development should utilize available/planned urban services. [RCW 36.70A.110(3)] (B.3.5.)

6. Formation of new utility special purpose districts should be discouraged within designated urban growth areas. (B.3.6.)

7. From local inventory, analysis and collaboration with state agencies and utility providers, a list of county-wide and statewide public capital facilities needed to serve the Yakima County region will be developed. These include, but are not limited to, solid and hazardous waste handling facilities and disposal sites, major utility generation and transmission facilities, regional education institutions, airports, correctional facilities, in-patient facilities including hospitals and those for substance abuse and mental health, group homes, and regional park and recreation facilities. (C.3.2.)

8. Some public facilities may be more appropriately located outside of urban growth areas due to exceptional bulk or potentially dangerous or objectionable characteristics. Public facilities located beyond urban growth areas should be self-contained or be served by urban governmental services in a manner that will not promote sprawl. Utility and service considerations must be incorporated into site planning and development. (C.3.5.)

9. The multiple use of corridors for major utilities, trails and transportation right-of-way is encouraged. (C.3.6.)

10. The County and cities will work with special purpose districts and other agencies to establish a process for mutual consultation on proposed comprehensive land use plan policies for lands within urban growth areas. Actions of special purpose districts and other public service providers shall be consistent with comprehensive plans of the County and the cities. [RCW 56.08.020, RCW 57.16.010] (F.3.1.)

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11. The use of interlocal agreements is encouraged as a means to formalize cooperative efforts to plan for and provide urban governmental services. (F.3.2.)

12. Joint financing ventures should be identified to provide services and facilities that will serve the population within the urban growth area. (F.3.3.)

13. Each interlocal agreement will require that common and consistent development and construction standards be applied throughout that urban growth area. These may include, but are not limited to, standards for streets and roads, utilities and other infrastructure components. (F.3.5.)

14. The County and the cities will work with special purpose districts, adjacent counties, state tribal and federal governments to formalize coordination and involvement in activities of mutual interest. (I.1.)

15. Special districts, adjacent counties, state agencies, the tribal government and federal agencies will be invited to participate in comprehensive planning and development activities that may affect them, including the establishment and revision of urban growth areas; allocation of forecasted population; regional transportation, capital facility, housing and utility plans; and policies that may affect natural resources. (I.3.)

FEDERAL AND STATE LAWS/REGULATIONS

Revised Code of Washington and Washington Utilities and Transportation Commission. Utilities and transportation are regulated in Washington by the Washington Utilities and Transportation Commission (WUTC). The WUTC, composed of three members appointed by the governor, is empowered to regulate businesses include electric, telecommunications, natural gas, and water. The commission also regulates in-state household movers, solid waste carriers, private ferries, and inter-city busses, as well as safety issues affecting charter buses, railroads, limousines, and nonprofit senior/handicapped transportation services.~~utilities (including, but not limited to, electrical, gas, irrigation, telecommunication, and water companies).~~ State law (WAC 480-120) regulates the rates and charges, services, facilities, and practices of utilities. Any change in customer charges or service provision policy requires WUTC approval. Washington State law requires that utility and transportation rates must be reasonable to customers, giving regulated companies a chance to cover legitimate costs and earn a fair profit, so it can stay in business. What is fair to the company, and at the same time fair to the people and businesses it serves, is what the commission must decide many times over. Cases are heard in a formal, legal setting, with the commission hearing evidence from all sides before issuing a decision.

The WUTC requires gas providers to demonstrate that existing ratepayers will not subsidize new customers. Thus, historically gas main extensions have not been planned in advance but have been initiated only when sufficient customer demand is manifest. The WUTC regulations are, therefore, inconsistent with the Growth Management Act's concurrency goals.

Federal Energy Regulatory Commission. ~~The Federal Energy Regulatory Commission (FERC) is an independent five-member commission with the U.S. Department of Energy. FERC establishes rates and charges for the interstate transportation and sale of natural gas, for the transmission and sale of electricity, and the licensing of hydro-electric power projects. In addition, the commission establishes rates or charges for the interstate transportation of oil by pipeline.~~ The Federal Energy Regulatory Commission, or FERC, is an independent agency that regulates the interstate transmission of electricity, natural gas, and oil. FERC also reviews proposals to build liquefied natural gas (LNG) terminals and interstate natural gas pipelines as well as licensing hydropower projects. The Energy Policy Act of 2005 gave FERC additional responsibilities as outlined and updated Strategic Plan. As part of that responsibility, FERC:

- Regulates the transmission and wholesale sales of electricity in interstate commerce;
- Reviews certain mergers and acquisitions and corporate transactions by electricity companies;

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- Regulates the transmission and sale of natural gas for resale in interstate commerce;
- Regulates the transportation of oil by pipeline in interstate commerce;
- Approves the siting and abandonment of interstate natural gas pipelines and storage facilities;
- Reviews the siting application for electric transmission projects under limited circumstances;
- Ensures the safe operation and reliability of proposed and operating LNG terminals;
- Licenses and inspects private, municipal, and state hydroelectric projects;
- Protects the reliability of the high voltage interstate transmission system through mandatory reliability standards;
- Monitors and investigates energy markets;
- Enforces FERC regulatory requirements through imposition of civil penalties and other means;
- Oversees environmental matters related to natural gas and hydroelectricity projects and other matters; and
- Administers accounting and financial reporting regulations and conduct of regulated companies.

Natural Gas Policy Act of 1978. The central theme of the National Gas Policy Act (NGPA) is encouragement of competition among fuels and suppliers across the country. As a result, natural gas essentially has been decontrolled. The NGPA also contained incentives for developing new natural gas resources and a tiered pricing structure aimed at encouraging the development of nation-wide transmission pipelines. The result of the Act has been that many consumers are now paying less for natural gas than they were in 1980.

The Northwest Power and Conservation Council.~~**Northwest Power Planning Council.**~~ The Northwest Power and Conservation Council is a regional organization that develops and maintains a regional power plan and a fish and wildlife program to balance the Northwest's environment and energy needs. Based in Portland, Oregon, the Council was created in 1980 when the U.S. Congress passed the Pacific Northwest Electric Power Planning and Conservation Act. The Council's main task is to develop a 20-year electric power plan that will guarantee adequate and reliable energy at the lowest economic and environmental cost to the Northwest. Member states of the organization are Idaho, Montana, Oregon, and Washington. The Council updates the 20-year electric power plan every 5 years and is in the process of working on the 7th regional update. The process relies on broad public participation to inform the plan and build consensus on its recommendations. The plan generally aggressively targets energy efficiency and predicts that a large percentage of the new demand for electricity over the next 20 years in the Northwestern United States can be met by using energy more efficiently. The 6th plan was unanimously approved by the Council on February 10, 2010.

The Council forecasts regional demand for electricity, wholesale market prices for natural gas, and wholesale market prices for electricity in developing its power plan. The forecasts are also used by utilities, regulatory agencies, state energy policy offices, and other organizations in their planning, and they are now available on a more regular basis, including annual updates.

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~~The Northwest Power Planning Council (NWPPC) focuses on the generation of electricity; however, its policies have implications for gas too. The NWPPC, in its recently released power plan, has directed the region to develop cogeneration as an energy resource and hydro-firming as a power back-up system.~~

~~Cogeneration is the use of heat, as a by-product of power generation, for industrial processes or for space and water heating. Natural gas is often used as a fuel source for cogeneration.~~

~~Hydro-firming is the back-up of the region's intermittent excess spring hydro generation with gas-fired combustion turbines to provide back-up if hydro-electric power is insufficient.~~

~~These two policies could have a major impact on natural gas consumption in the northwest. However, providing natural gas directly to customers for heating purposes is up to 50% more efficient that generating electricity with gas providing that electricity to the customer for the same heating function. The most efficient use of natural gas, direct application for space and water heating, can contribute to a balanced regional energy policy.~~

II. INVENTORY AND ANALYSIS

Many public and private agencies are involved in regulation, coordination, production, delivery, and supply of utility services. This section of the element identifies those providers. The inventory includes:

* Natural Gas
* Electrical
* Telecommunications
* Cable Television
* Solid Waste (Garbage & Yard)

Providers of these utilities for the City of Zillah and its urban growth area are listed in Table VII-1.

Table VII-1. Utility Service Providers, City of Zillah/Urban Growth Area

Type of Service	City of Zillah	Remainder of UGA
Cable Television	TCI Cablevision; also Northwest Cable Network (wireless cable)	TCI Cablevision where available; Northwest Cable Network (wireless cable)
Solid Waste	YAKIMA WASTE SYSTEMS, INC.	YAKIMA WASTE SYSTEMS, INC./ Self haul
Electric Utility	Pacific Power	Pacific Power
Natural Gas	Cascade Natural Gas	Cascade Natural Gas, where available
Telecommunications	~~CenturyLink Communications, LLCUnited Telephone Systems Northwest~~	~~CenturyLink Communications, LLCUnited Telephone Systems Northwest~~

Implement
NATURAL GAS

Zillah is served by Cascade Natural Gas. The city's natural gas supply system meets existing demands of residential, commercial, and public customers. The location of natural gas lines within Zillah is shown in Figure VII-1.

Cascade Natural Gas serves areas along I-82. In general, the provider should be consulted for any proposed development that will require natural gas. The developer should not assume that service is available without checking with the local utility. Cascade Natural Gas will build to any customer in its service area that meets the criteria in its financial feasibility formula. Other customers can also be served if the customer is willing to contribute to the cost of extending the lines. Those contributions may be refundable or nonrefundable; if additional customers connect to the same main, part of the contribution may be reimbursed. To serve development outside its service area, the utility will apply for a "certificate of convenience" from the Public Utilities Commission to include the area within its service area, if the proposed development meets the financial feasibility criteria.

ELECTRICAL UTILITIES

The city of Zillah is served by Pacific Power and Light. The electrical utility has a very well developed backbone transmission system. Existing facilities place no restrictions on normal residential, commercial or industrial growth, and major industries and institutions can be readily accommodated. The utility takes a proactive approach to system capacity, developing its system in anticipation of eventual growth. In general,

Figure VII-1. Natural Gas Lines, City of Zillah

Pacific Power is very supportive of economic growth and diversification, and tries to avoid being an impediment to the area's economic growth and vitality. The utility has an active "Power Quality Program," and works with industries that have high reliability requirements to accommodate their needs.

Fruit packing and juicing plants are major consumers of electrical power. Peak loads for the George Joseph plant occur in September and October, at 7.5 MV. To accommodate this additional load, the utility added 20 MV additional capacity in the Toppenish substation.

While the utility has an abundant supply of energy, its demand-side resource management policy encourages conservation to assure continued availability of power to accommodate new growth and keep the cost low.

Transmission for a 115,000 volt system can be accommodated on a single pole structure that uses the road right-of-way. A substation capable of serving 10,000 residential customers typically requires no more than 2 acres, and is compatible with virtually any adjacent land use.

TELECOMMUNICATIONS

The city of Zillah is served by United Telephone Systems Northwest. There are various facilities located throughout the county and the city. Sometimes, the delivery of telecommunication services does not coincide with the exact location of customers. Many of the telecommunication facilities, including aerial and underground, are co-located with those of the electrical power provider.

The telecommunications industry is currently in the midst of tremendous advances in technology. Both cellular and optical fiber technologies are transforming the way service in delivered. These changes have also fostered a competitive industry which appears to make the future configuration of telecommunications provision difficult.

CABLE TELEVISION

TCI Cablevision of Yakima Valley, Inc. has franchise agreements with both the city of Zillah and Yakima County. TCI serves virtually all of Zillah and considerable area between Zillah and Granger, coming down Durham Road (along the railroad tracks).

TCI has "head-ends" in Toppenish, Sunnyside, and Grandview. A head-end is where a satellite dish sits and where the signal originates. The Toppenish head-end (located on C Street in Toppenish) serves Zillah.

Cable follows the electrical and telephone lines. Only easements are needed, and are not usually a problem. The break-even point for economic feasibility for providing service is 30 potential customers per linear mile of cable. Anyone within 200 feet of the cable can hook up; otherwise, there would be an additional charge to the customer.

In addition, Northwest Cable Network offers "wireless cable," which originates from a transmitting antenna in the Union Gap area, on Rattlesnake Ridge. Service is available to customers within a 50-mile line-of-sight radius, which includes the City of Zillah and its Urban Growth Area. Northwest Cable is

available in rural areas as well as in areas that are hard-line cabled for television. Wireless cable is regulated by the FCC, and does not come under local regulation since it does not use public rights-of-way.

At this time, the only alternative to TCI or Northwest Cable would be a satellite dish. As technology improves, other choices will become available.

III. GOALS AND POLICIES

GOAL 1: ***To ensure that energy, communication and irrigation facilities and services needed, to support current and future development, are available concurrently with the development.***

Policy 1.1: The City does not provide energy, communication, or irrigation services. These facilities and services are currently provided by private companies. To facilitate the coordination of these services, the City should discuss and exchange population forecasts, development plans and technical data with the agencies identified within this plan.

Policy 1.2: For electrical service, coordinate land use and facility planning with Pacific Power to allow for siting and construction of future distribution facilities that provide sufficient amounts of electrical power with minimal periods of service interruption.

Policy 1.3: For telecommunications, including telephone, cellular telephone and cable television, allow the development/maintenance of facilities necessary to provide services as needed to accommodate population growth and advancements in technology.

Policy 1.4: New development shall be allowed only when and where utilities are adequate, and only when and where such development can be adequately served by essential public utilities without significantly degrading level of service elsewhere.

GOAL 2: ***To minimize impacts associated with the siting, development, and operation of utility services and facilities on adjacent properties and the natural environment.***

Policy 2.1: Electric power substations, recycling drop-off boxes, and similar facilities should be sited, designed and buffered, as needed, to fit in with their surroundings. When sited within or adjacent to residential areas, special attention should be given to minimizing noise, and light and glare impacts. Visual and land use impacts resulting from electrical system and other utility upgrades shall also be mitigated, as needed.

Policy 2.2: Establish a process for identifying and siting essential public facilities, such as solid waste or recycling handling facilities. Cooperatively work with other agencies, surrounding municipalities and Yakima County during the siting and development of facilities of regional significance.

GOAL 3: ***Develop an efficient utility system that supports the community vision (both public and private).***

Policy 3.1: Develop adequate rights-of-way and infrastructure improvements for future development through the planning process, including, but not limited to, public and private utilities.

Policy 3.2: Development within the unincorporated portion of the urban growth area should be encouraged to occur only on a limited scale to prevent the inefficient use and distribution of public facilities and services.

Policy 3.3: Utility extensions should be designed to provide service to the maximum area possible with the least length of extension.