

March 30, 2010

To All Parties on the
E-Docket Service List

**Re: *In the Matter of the Application for a Route Permit for the
Hiawatha Transmission Project; OAH No. 15-2500-20599-2
PUC No. E-002/TL-09-38***

Dear Parties:

The public hearing on this matter begins on April 5, 2010. At the present time, there are 14 parties and the Office of Energy Security participating in the proceeding. In order to facilitate a smooth process, please make every effort to comply with the following procedures.

Preparation for the Public Hearings

On **April 2, 2010**, each party must serve and file its list of proposed exhibits and witnesses. Witnesses should be listed in the order that the party anticipates that they will be called. See *also* Second Prehearing Order and Schedule Revisions, paragraph 16. Bring copies of each party's list with you on April 5, 2010.

All parties should appear at Plaza Verde on **April 5, 2010, at 11:00 a.m.** Exhibits should be labeled as set forth in the Second Prehearing Order and Schedule Revisions, paragraph 13. Each party will present their exhibits to be numbered by the court reporter, in the order that evidence will be presented:

Applicant – NSP
Midtown Greenway Coalition
City of Minneapolis,
Crew2
Hennepin County

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Little Earth of United Tribes
Longfellow Community Council
Seward Neighborhood Group
Corcoran Neighborhood Organization
Phillips West Neighborhood Organization
Wells Fargo Bank
Midtown Phillips Neighborhood Association
East Phillips Improvement Coalition
Zimmer Davis
Office of Energy Security

Ask the court reporter to mark only those exhibits that you are certain will be offered at the evidentiary hearing through your witnesses, and attempt to eliminate duplicates to exhibits listed by other parties that will precede you. Exhibits offered at hearing that have not been previously numbered will be numbered when they are offered.

Prior to the start of the public hearing, all premarked exhibits may be offered into evidence by the party's counsel or other representative who should designate the sponsoring witness for each exhibit. If there is an objection to an exhibit, the exhibit will not be received until the objection is addressed at the evidentiary hearing during the testimony of the sponsoring witness. Exhibits without objection will be received. In the event that there is a correction to the exhibit that has not been pre-filed, the correction will be made on the record when the witness is called for cross-examination.

Minn. R. 1405.1900, subp. 2, requires that each party have five copies of its testimony available at the public hearing.

Conduct of the Public Hearings

All witnesses, as well as the party's representative, must be present throughout the public hearings. See Minn. R. 1405.2000. The purpose of the rule is to assure that the public has the opportunity to question the witnesses. The hearings begin at 2 p.m. and 7 p.m. on April 5 and 6. We will take a break from the afternoon hearings at approximately 5 p.m., and the evening hearing will adjourn by approximately 10:00 p.m. If public testimony cannot be concluded within that time, an additional public session will be added.

At the beginning of each public session, I will ask each party's representative to introduce himself or herself and that party's witnesses, and state its position in the proceeding.

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Because there are so many parties to this proceeding, I will direct the members of the public to address their comments and questions to me, and I will call on the parties to respond, as appropriate.

I will ask the members of the public to limit their comments to five to ten minutes. If they can not complete their comments, I will invite them to speak again after all of the others who are present have had an opportunity, to attend another session, or to submit additional comments to me in writing. Persons who completed their comments at one session will not be permitted to offer their comments again at a subsequent session until other persons who are present have had the opportunity to speak. In the event that the speaker has specific questions for the witnesses, I will give them additional time.

Conduct of the Evidentiary Hearing

It is the responsibility of each party to be represented throughout the evidentiary hearing. In the event that a party must be absent for any portion of the evidentiary hearing, a request for leave to be absent should be made in writing as soon as practicable. Although the rules require that every witness also be present throughout the hearing, due to the anticipated length of the hearing, I will not require this, so long as the witness is present at the public hearings and so long as the party is represented at the evidentiary hearing.

If a party is absent without approval when a witness is being cross-examined, the party will waive its opportunity to cross-examine that witness.

Ordinarily, the evidentiary hearing will begin at 9:30 a.m., there will be a break from 12:30 to 1:30 p.m., and the hearing will adjourn for the day at approximately 4:30 p.m.

In addition to the copy of the exhibit marked and received by the court reporter, each party must have a hard copy of each exhibit available for the witness and a hard copy for me if one has not been previously provided. If new exhibits, not previously prefiled, are offered at hearing, there must be sufficient hard copies for each of the parties, the judge, the witness, the court reporter and the Commission staff. See Second Prehearing Order and Schedule Revisions, paragraphs 14 and 15.

I have asked the Commission staff to check whether the parties will have internet access to Edockets from the PUC hearing room. If it is not available, you

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will be notified so that you can download any prefilled testimony or orders that you may need at the hearing.

Availability of Witnesses at the Evidentiary Hearing

I have received a letter from Wells Fargo notifying me that its witness will not be available on three of the days scheduled for the evidentiary hearing. I have not received any other such notice. In the event that the parties have any such limitations, or have agreed with other parties to the date of testimony for any witness, please notify me.

Sincerely,

s/Beverly Jones Heydinger

BEVERLY JONES HEYDINGER
Administrative Law Judge

Telephone: (651) 361-7838

BJH:nh