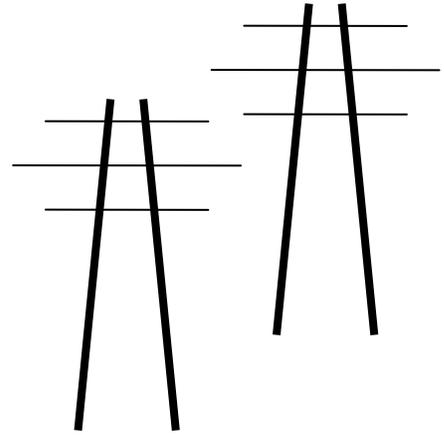


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March 4, 2013

Honorable Eric Lipman
Administrative Law Judge
State of Minnesota, Office of Administrative Hearings
PO Box 64620
St. Paul, MN 55164-0620

eric.lipman@state.mn.us

RE: In the Matter of the Application for a Certificate of Need for the Hollydale 115
kV Transmission Project in the Cities of Plymouth and Medina
OAH Docket 8-2500-23147-2; PUC Docket E002, ET2/CN-12-113

Dear Judge Lipman:

Attached and eFiled today please find Out-of-Time Petition for Limited Intervention of the Barry Family.

I was just retained late on Friday in this matter, and we are committed to participate in the Evidentiary Hearing as scheduled without delay of any sort. We are requesting a limited intervention only, for the narrow purpose of review of Discovery between parties, cross-examination of witnesses, filing of Brief, and filing of Exceptions if necessary. In this limited intervention, there will be no new Discovery, no late-filed Testimony, no subpoenas of agencies, nothing on our part that would delay the process. This intervention would not cause delay or prejudice to any party in this proceeding.

Thank you for your consideration of this Petition for Limited Intervention.

Very truly yours,

Carol A. Overland
Attorney at Law

eFiled and eServed

**STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS
FOR THE PUBLIC UTILITIES COMMISSION**

In the Matter of the Application for a Certificate
Of Need for the Hollydale 115 kV Transmission
Line Project in the Cities of Plymouth and Medina

OAH DOCKET NO. 8-2500-23147-2
PUC DOCKET NO. E-002/CN-12-113

**THE BARRY FAMILY
OUT-OF-TIME PETITION FOR LIMITED INTERVENTION**

The Barry Family hereby makes this out-of-time Petition for Limited Intervention as full parties, with all the rights of a party, for the narrow purpose of review of Discovery between parties, cross-examination of witnesses, filing of Brief, and filing of Exceptions if necessary. In this limited intervention, there will be no new Discovery, no late-filed Testimony, no subpoenas of agencies, and no delay in the proceeding or prejudice to any party – the Barry Family retained counsel on Friday and we are ready to appear fully prepared at the evidentiary hearing as scheduled next week.

The Barry Family is a nuclear family and potentially directly affected landowners who live in the City of Medina adjacent to the GRE 69 kV transmission line on the Applicant's preferred route. They will be directly affected by the outcome of this proceeding if a Certificate of Need were to be granted for a 115 kV transmission line. It is important for the Barry Family to participate in this Certificate of Need proceeding because this is the stage where it is determined whether the transmission option proposed by Applicants would be selected, and if so, the odds are high that the existing 69 kV route would be selected in a Routing proceeding and an expanded easement onto their property would be required. The Barry Family wishes to participate in the Certificate of Need docket because it is their position that the 115 kV transmission project, as proposed, is not necessary, that the need claimed by the Applicants, even if accepted at face value, could be addressed through viable options, such as the 13.8kV and 34.5 kV distribution alternatives, distributed generation at the location of the growing commercial need along the highway corridors, and use of other existing transmission corridors.

The Barry Family wishes to intervene because their interests are distinct from the other intervenor, both geographically due to their interest and location on the western side of this project and their focus on the adequacy of a distribution system option and distributed generation in area of load. The Barry Family wishes to protect their interests and develop the record through participation in this administrative docket.

Under the provisions of Minn.R. 1400.6200, subp.1, and 1405.0900, subp. 1, the Barry Family makes this Petition for an Order granting intervention as a full party, with all the rights of a party, in the above-captioned proceeding. Again, there will be no delay and no party will be prejudiced by this Limited Intervention. This Petition for Intervention is for the limited purpose of review of Discovery between parties, cross-examination of witnesses, filing of Brief, and filing of Exceptions if necessary. In this limited intervention, there will be no new Discovery, no late-filed Testimony, no subpoenas of agencies, and no delay in the proceeding – we are ready to appear at the hearing as scheduled next week fully prepared.

There are no current Intervenors or parties requesting Intervention at this time that could or would represent the distinct interests of the Barry Family. The Barry Family recognizes the rights and responsibilities of intervention and will participate within the narrow bounds proposed if granted Intervention.

The Barry Family meets the criteria for limited intervention and respectfully requests that it be granted intervention as a full party, with all the rights of a party, in the above-captioned proceeding.



March 4, 2013

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for the Barry Family
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**STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS
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In the Matter of the Application for a Certificate
Of Need for the Hollydale 115 kV Transmission
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NOTICE OF APPEARANCE – THE BARRY FAMILY

Name, Address and Telephone Number of Administrative Law Judge:

Eric Lipman, Office of Administrative Hearings, Office of Administrative Hearings
600 North Robert Street, PO Box 64620, St. Paul, MN 55164-0620; 651-361-7838

TO THE ADMINISTRATIVE LAW JUDGE:

You are advised that the party named below will appear in this matter:

NAME OF PARTY: **The Barry Family**

ADDRESS: Amy and Chris Barry, 1822 Morgan Road, Medina, MN 55356

PARTY'S REPRESENTATIVE/ATTORNEY:

Carol A. Overland
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Red Wing, Minnesota 55066
(612) 227-8638
overland@legalelectric.org

DATE: March 4, 2013



SIGNATURE: _____