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JUDGE HEYDINGER: Citizens Energy Task Force.

MS. MACCABEE: Paula Maccabee for Citizens Energy Task Force.

JUDGE HEYDINGER: For the Department of Commerce, Office of Energy Security.

MS. ANDERSON: Julia Anderson. Also with me is Dr. Steve Rakow.

JUDGE HEYDINGER: And for the staff today.

MR. JACOBSON: David Jacobson. Bob Cupit will be in and out, and also Andrew Mensing.

JUDGE HEYDINGER: Thank you. All right. We have had some revised maps distributed to the parties summarizing Mr. Krikava's explanation yesterday, and we'll give the parties all an opportunity to look at those. And later this morning, perhaps after the first break, we'll see if there are any additional questions about them and at that time we will have them marked for identification and determine whether there are any objections to having them received into the record.

Are there any other preliminary matters before we continue with the cross-examination by No CapX?

1 MR. KRIKAVA: I have one, Your Honor.

2 JUDGE HEYDINGER: Mr. Krikava.

3 MR. KRIKAVA: Thank you. Your Honor, for
4 the record, I would like to reflect that
5 Ms. Overland, on behalf of No CapX, has put on the
6 Elmo projector the Mid-Continent Area Power Pool
7 System Map, known as the MAPP map. It's not my
8 document. It's not my issue. But I would point out
9 that that -- it's our understanding that the MAPP
10 map is classified under federal law as critical
11 energy infrastructure information that is not to be
12 disclosed on a public basis and you have to sign a
13 nondisclosure agreement to receive it.

14 I know, for example, that the MCEA in
15 discovery in this matter asked us for a copy of the
16 MAPP map and we went through all sorts of wrangling,
17 and I think, Mary, we never did end up giving it to
18 you. You guys withdrew the request, if I'm
19 remembering right.

20 But anyway, I just want the record clear
21 that that document is not being sponsored by
22 Applicants. It's not been disclosed publicly by
23 Applicants.

24 MS. OVERLAND: Your Honor, I wish to
25 address that.

1 JUDGE HEYDINGER: Ms. Overland.

2 MS. OVERLAND: This is a 2005 map, long
3 before the CEII came into play. I've had this for
4 years.

5 JUDGE HEYDINGER: Mr. Krikava, do you
6 care to respond to that?

7 MR. KRIKAVA: I have nothing further,
8 Judge. Thanks.

9 JUDGE HEYDINGER: All right. Well, I
10 must admit, I'm not familiar with the legal status
11 of this map, Ms. Overland. Can you be clear for the
12 record from whom or where you obtained it?

13 MS. OVERLAND: I'm trying to remember.
14 I've been in so many transmission proceedings I
15 can't remember exactly where it came from. But I
16 think it came from -- I've got a number of copies.
17 I can look at the properties and see who sent it to
18 me, but I've had it since 2005. It's a 2005 update
19 of a 2004 map. There's also a new 2007 map which I
20 don't have.

21 JUDGE HEYDINGER: Well, here's --

22 MS. OVERLAND: And that will be covered
23 under CEII. This is something that they just
24 instituted within the last six months or so. And
25 this is an old map.

1 JUDGE HEYDINGER: Well, I understand
2 that, but I don't know for certain what its legal
3 status is. I would appreciate it if before we add
4 it into the record of this case, which would then
5 involve having it scanned and posted on a public web
6 site, that we verify what its status is and ensure
7 that it can in fact be disseminated to the public.

8 MS. OVERLAND: Your Honor, it already is
9 public. And I presented it at the -- it would have
10 been -- I think it was the 2006 Power Plant Siting
11 Act. Mr. Cupit may remember. I presented it and we
12 drew in the CapX lines at that time and put power
13 plants in at that time. It's a public record then,
14 it's posted on my blog, public there. This was
15 present before it ever came into being. This is not
16 the map covered by the CEII. It's the most recent I
17 had discovered. You can't retroactively cover the
18 documents, they are already in the public domain.

19 JUDGE HEYDINGER: That's certainly true.
20 Well, I will take you at your word. I have no other
21 basis --

22 MS. OVERLAND: I know that I was at the
23 power plant siting hearing and entered it into the
24 report. I'm sure Mr. Cupit remembers my drawing
25 those lines on the map.

1 JUDGE HEYDINGER: Your point is it's
2 already in the public domain.

3 MS. OVERLAND: It's already in the public
4 domain. It's on my blog. You can look at it online
5 anytime you like at legalelectric.org.

6 JUDGE HEYDINGER: That's fine. Is there
7 anyone else who cares to comment concerning the
8 public status of this particular document?

9 All right. Anything additional? And
10 does the staff care to comment at all about the
11 status of this map? Mr. Cupit.

12 MR. CUPIT: Bob Cupit. For the record,
13 my recollection is that it was submitted as an
14 exhibit in the public hearing on the power plant
15 siting program and that it is an attachment in the
16 docket that is online. I believe it did have some
17 markings on it that showed some potential coal
18 plants, I believe, or some type of generation
19 plants. But subject to check that this map is
20 indeed the same map, I would agree that there was a
21 map, it appears to be the same one that's in that
22 record.

23 JUDGE HEYDINGER: All right. With that
24 understanding, we'll proceed.

25 Anything additional before Ms. Overland

1 continues her cross-examination of Mr. Rogelstad?

2 Go ahead, Ms. Overland.

3 MS. OVERLAND: Thank you.

4 TIMOTHY ROGELSTAD,

5 after having been previously sworn, was

6 examined and testified further on his oath as

7 follows:

8 CONTINUED CROSS-EXAMINATION

9 BY MS. OVERLAND:

10 Q Good morning.

11 A Good morning.

12 Q Going back to -- I'm going to continue covering some
13 things that were brought up later yesterday so it
14 will be fresh in your memory and then start in with
15 the more difficult things again.

16 Going to your direct testimony, on page
17 12, where you're talking about cost-effectiveness of
18 transmission, that you are striving to develop a
19 reliable, cost-effective transmission. It's on
20 lines 8 and 9 of page 12. Now, is it correct that
21 you've spent years planning CapX?

22 A When you say CapX, I guess, what are you referring
23 to? The three projects that are part of this
24 application?

25 Q Working on the studies that resulted in these