

**STATE OF MINNESOTA
BEFORE THE
MINNESOTA PUBLIC UTILITIES COMMISSION**

**Beverly Jones Heydinger
Nancy Lange
Dan Lipschultz
John A. Tuma
Betsy Wergin**

**Chair
Commissioner
Commissioner
Commissioner
Commissioner**

In the Matter of the Application of Great River Energy and Minnesota Power for a Certificate of Need and Route Permit for the Menahga Area 115 kV Transmission Project in Hubbard, Wadena and Becker Counties, Minnesota

**PUC Docket No. ET-2,E-015/CN-14-787
PUC Docket No. ET-2,E-015/TL-14-797**

OAH Docket No. 5-2500-32715

**DONNA J. ANDERSEN AND DONNA J. ANDERSEN TRUST
PETITION FOR INTERVENTION**

Donna J. Andersen and Curtis Andersen, and the Donna J. Andersen Trust, Donna J. Andersen, Trustee, hereinafter “Andersen,” hereby make this Petition for Intervention as a full party, with all the rights of a party, in the above-captioned Menahga Area 115 kV Certificate of Need and Routing docket. Petitioner wishes to participate to the fullest extent possible, including but not limited to, filing of Comments, Information Requests, cross-examination of witnesses, filing of Initial and Reply Briefs, and filing of Exceptions, and a Motion for Reconsideration, if necessary.

Donna J. Andersen and Curtis Andersen, and the Donna J. Andersen Trust, Donna J. Andersen, Trustee, hereinafter “Andersen,” are directly affected landowners, on the only route

provided by Applicants, who own land in southern Hubbard County, in the northwest corner of this proposed project, land legally described as:

T139N R35W Section 31, SW ¼ of SW ¼ & SE ¼ of SW ¼, Hubbard County, Straight River Township.

Notices were initially sent to the property address, where there is no mail delivery, rather than to Andersen at the “address of taxpayer” on file at the Hubbard County Recorder. That error has since been corrected, Andersen is now receiving notices, but Andersen missed out on the earlier activity in these dockets.¹

Andersen has owned the 77.8 acre parcel on the north side of the Hubbard County Line, County Road 136, for 30 years. This property is Ms. Andersen’s legacy to her children, and has been placed in trust for them. Andersen has been working with a Minnesota Forester and the DNR on a forestry plan, the land is enrolled in a Woodland Stewardship Plan, and the property is zoned Managed Forest land. If the transmission line were routed on Andersen property, at least 100 feet of mature trees over the half-mile stretch would be lose, and they could not be replaced in the easement. Loss of these trees could not be mitigated and is non-compensable.

The Andersen property is bounded on the north by the NSP 230 kV transmission line, and the Menahga Area 115 kV project would surround it on the east and south, meaning three of four sides of their property would have overhead transmission lines on it. The area is also targeted for

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20151-106872-01	PUBLIC	14-787	<input type="checkbox"/>	CN	GREAT RIVER ENERGY AND MINNESOTA POWER	OTHER--MENA HGA AREA115 KV PROJECT CERTIFICATE OF NEED AND ROUTE PERMIT APPLICATION - REVISED APPENDIX J WITH CORRECTED LANDOWNER LIST	01/30/2015
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20152-107734-04	PUBLIC	14-787	<input type="checkbox"/>	CN	PUC	NOTICE--CERTIFICATE OF SERVICE AND SERVICE LISTS	02/27/2015
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the Sandpiper pipeline. This project would be an unreasonable burden to the Andersen family and their property, it would ruin the value of their land and the hard work of forest preservation, and destroy their right to enjoyment of their property.

Andersen will be directly affected by the outcome of this proceeding if a Certificate of Need and Route permit were to be granted for this 115 kV transmission line. It is important for Andersen 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 the Applicants have proposed only one route which goes over Andersen's land. Andersen wishes to participate in the Certificate of Need docket because it takes the 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 system options, such as the upgrade of the 34.5 kV distribution system as proposed in the Application; shifting the new pumping station to the new Menahga substation; installing new pump at the site of the existing pumping station that is to be removed (Straight River substation); and/or use of other existing pipeline or transmission corridors rather than the greenfield route over Andersen property.

Andersen wishes to intervene because their interests are distinct from any other potential intervenors, both geographically due to their interest and location on the northwestern part of this project, and by their focus on the adequacy of a distribution system upgrade option, and use of existing corridors as required by statute and case law for routing. Andersen wishes to protect their interests and develop the record through participation in these administrative dockets.

Under the provisions of Minn.R. 1400.6200, subp.1, and 1405.0900, subp. 1, Andersen makes this Petition for an Order granting intervention as a full party, with all the rights of a party, in the above-captioned proceeding. The Commission has been directed by the legislature

to “adopt a broad spectrum of public participation as a principal of operation.” Minn. Stat. §216E.08. The project docket procedure, as currently established, does not afford “a broad spectrum of public participation,” and does not afford Andersen her due process.

There are no current Intervenors or parties requesting Intervention at this time, and there are no potential intervenors that could or would represent the distinct interests of Andersen. Andersen recognizes the rights and responsibilities of intervention and will participate to the fullest extent possible if granted Intervention in these dockets.

Andersen meets the criteria for intervention and respectfully requests to be granted intervention as a full party, with all the rights of a party, in the above-captioned proceeding.



October 12, 2015

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