

PUBLIC HEARING - 14-787 and 14-797

MENAHGA - OCTOBER 19, 2015 - 6:00 P.M.

BEFORE THE OFFICE OF ADMINISTRATIVE HEARINGS
FOR THE MINNESOTA PUBLIC UTILITIES COMMISSION

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

MPUC DOCKET NOs. ET-2,E-015/CN-14-787
ET-2,E-015/TL-14-797
OAH DOCKET NO. 5-2500-32715

Menahga Senior Center
19 Cedar Avenue
Menahga Minnesota

October 19, 2015

BEFORE: Judge James Mortenson

REPORTER: Janet Shaddix Elling, RPR

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1 JUDGE MORTENSON: My name is Jim

2 Mortenson, I'm an Administrative Law Judge with the
3 Minnesota Office of Administrative Hearings.

4 Today is Monday, October 19th, 2015 and
5 we're convened here in the Menahga Senior Center in
6 Menahga, Minnesota for a public hearing In the
7 Matter of the Application for a Certificate of Need
8 and Route Permit for the Menahga Area 115 Kilovolt
9 Transmission Project in Hubbard, Wadena and Becker
10 Counties. This matter is otherwise known as OAH
11 docket number 5-2500-32715. It's also known as PUC
12 numbers CN-14-787 and TL-14-797.

13 Minnesota Statutes 216B.243 and 216E.03
14 require those who seek to construct a high-voltage
15 transmission line within Minnesota to first obtain a
16 certificate of need and a route permit from the
17 Minnesota Public Utilities Commission.

18 Great River Energy and Minnesota Power
19 propose to construct a high-voltage transmission
20 line consisting of a 22.5 mile 115 kilovolt line and
21 three new substations in Becker, Hubbard and Wadena
22 Counties. The utilities that serve the project is
23 necessary to address overloads on the existing
24 transmission system and to serve a proposed oil pump
25 station.

8

1 The Commission in turn requested that I
2 conduct a public hearing on the proposal.
3 Specifically, the Commission requested I conduct a
4 public hearing so as to give members of the public
5 an opportunity to express their views and make
6 inquiries about the proposed project. This is part
7 of the process to compile a record for the
8 Commission to consider in making its final
9 determination on the certificate of need and the
10 route permit.

11 I am merely a traffic cop charged with
12 compiling that record in a reasonable and efficient
13 manner, ensuring adequate public input and that
14 citizens' questions are answered. I will prepare a
15 summary report for the Commission. I make no final
16 decision or recommendation with regard to either the
17 certificate of need or the route permit in this
18 case.

19 The Minnesota Public Utilities Commission
20 must make an informed decision on the application
21 for a certificate of need and route permit. The
22 Minnesota Public Utilities Commission is a
23 five-member body appointed by the governor that is
24 charged with regulating electric, gas, and telephone
25 utilities.

1 A member of the PUC staff, Scott Ek, is
2 here with us. The PUC, or Public Utilities
3 Commission, will base its decision on a written
4 record that includes input from the applicants,
5 Great River Energy and Minnesota Power, and other
6 interested agencies and persons and you, the public.

7 The Office of Administrative Hearings is
8 independent of the Minnesota Public Utilities
9 Commission and the parties to this proceeding.

10 I encourage anyone who wishes to make
11 comments tonight to print your name on one of the
12 comment forms in the packets that have been placed
13 at the registration table and submit the completed
14 form to Mr. Ek or in the box at the back of the room
15 so as to indicate that you are interested in
16 speaking. I will be using the comment forms, or the
17 sign-in sheet in order to regulate the handling of
18 this hearing to ensure that everyone gets a chance
19 to speak.

20 For the benefit of the court reporter and
21 the clarity of the transcript, I'm going to call
22 names from the printed cards when it's time for the
23 public comment and I ask for people to join me one
24 at a time at the table in front of me and to my
25 left.

1 What I will do is provide up to five
2 minutes for those who have submitted cards to speak
3 or ask questions. That way we will go through at
4 least once all of those who have indicated a desire
5 to be recognized, and then give a second or third
6 opportunity once everyone has had at least one time
7 to speak or ask a question, including questions for
8 witnesses who have already made statements.

9 Because we are taking written versions of
10 remarks this evening and until November 2nd, folks
11 who testify this evening are strongly encouraged to
12 hit the highlights of the points they would like to
13 make within that five-minute period so that we can
14 hear from as many people and different points of
15 view as possible.

16 As soon as I have run through the stack
17 of comment sheets and the sign-in sheet, I'm
18 delighted to hear from folks for a second, third, or
19 even a fourth time. We will break for a 15-minute
20 break at 7:30 and then we will resume at quarter to
21 8:00 and I will be concluding this hearing no later
22 than 9:00 p.m. this evening.

23 If you wish, you may have a written
24 version of your remarks marked as an exhibit and
25 received into the record in this case and we are

1 delighted to do that. When you come up to speak, if
2 you don't want to speak and just hand me written
3 comments, you can just hand them to me and let me
4 know that you want them as an exhibit.

5 After this public hearing there will be a
6 two-week period within which to submit written
7 comments, additional written comments. And you're
8 encouraged, whether you are here, or friends and
9 neighbors that aren't here this evening, to use the
10 Public Utilities Commission's website, that's at
11 <http://mn.gov/puc/> and click on the Speak Up link at
12 the bottom of the page. You can then click on the
13 discussion on the right-hand side of the page and
14 scroll down to find this case, click it, and leave
15 your comments. There's instructions for doing this
16 in the packets at the back of the room, as I
17 understand, as well. You will have to sign in or
18 sign up in order to leave comments on the PUC
19 website.

20 The deadline for submission of those
21 written comments is 4:30 p.m. on Monday,
22 November 2nd. You may also mail your comments to
23 the PUC at 121 Seventh Place East, Suite 350,
24 St. Paul, Minnesota 55101, by the deadline.
25 Comments are public information whether you speak

1 here tonight, obviously, post them on the PUC
2 website, or mail them in.

3 After the public hearing and the public
4 comment period I will summarize the comments in a
5 report for the Public Utilities Commission. Under
6 the schedule in effect now my report to the Public
7 Utilities Commission is expected to be issued by
8 December 9th, 2015, and the PUC's decision is
9 expected sometime in January of 2016.

10 This evening we're going to hear a brief
11 welcome and presentation by the Public Utilities
12 Commission and by Great River Energy. I will then
13 officially enter any filed exhibits into the record
14 that have already been eFiled, and then we'll begin
15 with questions and comments from the public. The
16 representatives from the PUC and Great River Energy
17 will do their best to answer questions that arise.
18 And we have a representative from the Department of
19 Commerce who will speak tonight also.

20 Panel members, please remember to
21 introduce yourselves before you speak. Thank you
22 very much. And with that I'll turn it over to
23 Mr. Ek for the Public Utilities Commission.

24 MR. SCOTT EK: Good evening. My name is
25 Scott Ek, I'm a project analyst with the Public

1 Utilities Commission. I'm actually filling in
2 tonight for the analyst, his name is Cezar Panait,
3 and many of you might have already spoken with
4 Cezar, but he couldn't be here tonight so he's the
5 actual project analyst for this project so I'm just
6 filling in. But I'll let you know what my
7 responsibilities are as well as Cezar's
8 responsibilities are at the PUC.

9 Essentially it's our job to oversee the
10 application review process to ensure each step of
11 the process is being followed in accordance with
12 Minnesota rule and statute. We also review and
13 analyze the record of the proceedings and inform the
14 Commissioners through discussion and briefing papers
15 of important elements of the record to enable a
16 well-informed decision at the end of this process.
17 And that, in a nutshell, is what we do. We take a
18 look at the record, make sure the steps are being
19 followed correctly, and ensure that the
20 Commissioners are getting the important aspects of
21 the project that were raised through this
22 application review process.

23 So with that, thank you, and I look
24 forward to your comments tonight.

25 MR. RAY KIRSCH: Good evening. My name

1 is Ray Kirsch, I'm with the Minnesota Department of
2 Commerce, Energy Environmental Review and Analysis.

3 I'd just like to make a few remarks
4 concerning the environmental assessment that's been
5 prepared for this project. The environmental
6 assessment -- the Department of Commerce is charged
7 with conducting environmental review for
8 transmission line certificate of need applications
9 and route permit applications submitted to the
10 Public Utilities Commission. And for this project
11 the Department has prepared an environmental
12 assessment. I'll just briefly hold up the document.
13 There are some draft copies on the back table, we
14 also have copies available as a CD, which you may
15 please take if you would like a copy.

16 We started preparation of this
17 environmental assessment with a scoping process. We
18 held a public information and scoping meeting here
19 in Menahga on March 24th. We received many oral and
20 written comments during that comment period. We
21 issued a scoping decision for this document,
22 basically the table of contents, in May of 2015, and
23 this document, the environmental assessment, was
24 issued on September 28th of 2015.

25 The document is intended to aid the

1 Commission and other agencies that have permitting
2 authority related to the project and it's also
3 intended to help all of you, citizens, in providing
4 guidance to the Commission and other decision-makers
5 regarding the project.

6 So I'll conclude there and I'm available
7 to answer any questions during tonight's hearing.

8 MS. MICHELLE LOMMEL: Good evening. My
9 name is Michelle Lommel, and I'm the land rights
10 representative from Great River Energy. We do have
11 a number of other representatives from Great River
12 Energy here this evening representing our
13 environmental, transmission planning, and
14 transmission design areas. So I think we hopefully
15 will be able to answer a lot of the questions that
16 may come up.

17 I do encourage everyone, I know a number
18 of you did get a chance to look at the maps when you
19 arrived, I hope you were able to identify your
20 property if you're on the map, but certainly as you
21 come up to speak, if we can help you in finding your
22 property if you want to point to anything specific,
23 feel free to use the maps over there, and I can
24 certainly get up and come over and help you if you
25 weren't able to find your property when you first

1 arrived.

2 On the maps themselves we do show the
3 proposed route that Great River Energy applied for
4 in blue and then the yellow routes are the
5 alternatives that were considered in the
6 environmental assessment.

7 And I know there may be some of you that
8 haven't been involved with this process, we actually
9 started with an open house back in September of
10 2014, but we're certainly willing to answer any
11 questions or provide whatever information we can.

12 MS. LISA AGRIMONTI: Good evening. Thank
13 you for coming out this evening. My name is Lisa
14 Agrimonti, I am counsel for the project. Seated to
15 my right is Carole Schmidt, she is the permitting
16 lead for the project.

17 My sole purpose right now is to
18 introduce -- or ask the Administrative Law Judge to
19 introduce exhibits that are set forth in our
20 preliminary exhibit list prepared for the parties.
21 There are 52 exhibits on that list and I understand
22 that the Department and Great River Energy are
23 stipulating to the entry of those exhibits.

24 JUDGE MORTENSON: The exhibits identified
25 as numbers 1 through 52 are entered into the record

1 at this time.

2 (Exhibits 1 through 52 offered and
3 received.)

4 JUDGE MORTENSON: Anyone else from the
5 panel?

6 All right. Thank you very much.

7 All right. First on our list is Carol
8 Overland with Legalectric.org.

9 MS. CAROL OVERLAND: Thank you, Your
10 Honor. I'd like to be sworn --

11 JUDGE MORTENSON: You have to turn it on.

12 MS. CAROL OVERLAND: Thank you. I'd also
13 like to affirm -- rather than be sworn under oath,
14 I'd like to affirm.

15 JUDGE MORTENSON: Do you promise to tell
16 the truth, the whole truth, and nothing but the
17 truth?

18 MS. CAROL OVERLAND: Yes. Thank you.

19 First, I have a number of questions.

20 MS. LISA AGRIMONTI: Your Honor, a point
21 of clarification. I know that Ms. Overland has
22 filed materials on behalf of the Anderson Trust.
23 I'm interested in knowing if she is testifying as a
24 witness right now or as a representative of the
25 Andersons?

1 JUDGE MORTENSON: We'll find that out in
2 just a moment, I believe.

3 MS. CAROL OVERLAND: I'll be happy to
4 answer that. I am asking questions and I would
5 guess testifying, would be making a comment would be
6 the description, regarding things -- it will not be
7 duplicative of what Ms. Anderson has to say. This
8 is the more technical issues that I'm wanting to
9 bring up.

10 Does that answer your question?

11 JUDGE MORTENSON: Please proceed.

12 MS. CAROL OVERLAND: Thank you.

13 May I approach with exhibits?

14 JUDGE MORTENSON: One at a time, please.

15 MS. CAROL OVERLAND: Do you mean as they
16 come up? Or I have packets for everyone of, like,
17 five exhibits.

18 JUDGE MORTENSON: Do you have a question
19 or a comment at this point?

20 MS. CAROL OVERLAND: I have both. I have
21 questions and then I have comments.

22 JUDGE MORTENSON: So I want one exhibit
23 at a time so I can keep this -- you've got a few
24 minutes here, so I don't know how much --

25 MS. CAROL OVERLAND: Well, just a minute.

1 This is going to take some time to divvy them up. I
2 was trying to save time. This will take more time
3 to divvy them up.

4 JUDGE MORTENSON: Do you want an
5 opportunity to get organized and come back up later?

6 MS. CAROL OVERLAND: No, I am organized.
7 This is the packet, this is Exhibit A, I'll talk
8 about that first, and then B, C, and D. This is for
9 the record, and one for you.

10 (Exhibit 53 marked, offered, and
11 received.)

12 MS. CAROL OVERLAND: Okay. First, I'd
13 like to address the ampacity of the line. And in
14 the application on page 4-6, it describes the
15 conductors as 477,000 circular mil ACSR. So I'd
16 like you to refer to Exhibit A, and for someone from
17 GRE to address whether that Exhibit A -- to look at
18 that 477 on the left-hand side, I want to get an
19 idea on the record the capacity of this line.

20 JUDGE MORTENSON: For the record, I've
21 marked Exhibit A as Exhibit 53 to be consistent with
22 our numbering process.

23 Can you answer the question?

24 MS. LISA AGRIMONTI: Your Honor, I need
25 to call up one of the GRE representatives.

1 JUDGE MORTENSON: Okay.

2 MS. LISA AGRIMONTI: Mr. Mortenson [sic]?

3 MS. CAROL OVERLAND: For the record,
4 would you like me to describe where I got this?

5 JUDGE MORTENSON: If they can answer the
6 question, they'll answer the question.

7 MS. LISA AGRIMONTI: I think
8 Ms. Overland's question is simply what is the
9 ampacity of the line. If you hold on just a minute
10 I'll get someone to answer the question.

11 MS. CAROL OVERLAND: Correct, the
12 ampacity and the MVA. And whether that's consistent
13 with the chart.

14 JUDGE MORTENSON: Are we waiting for an
15 engineer in the room?

16 MS. LISA AGRIMONTI: Your Honor, I need
17 to hand him the document as well.

18 JUDGE MORTENSON: Okay.

19 MS. CAROL OVERLAND: It may be on the
20 application, page 6-5, that might be what you're
21 looking for.

22 MR. ERIC MESSERICH: My name is Eric
23 Messerich. The last name is spelled
24 M-E-S-S-E-R-I-C-H. Eric is E-R-I-C.

25 The rating of the line is 196 MVA.

1 MS. CAROL OVERLAND: Okay. And then
2 looking at this chart, would you agree that this --
3 for 477 under the 115 -- I'll give you a second to
4 get the chart.

5 Okay. And if you look at the -- where
6 for 477 it shows an ampacity of 702 with an MVA of
7 140, so that if you go to 477 and then follow that
8 over to the right. Okay, and that's lower, the 140
9 there is lower than your 196, correct?

10 MR. ERIC MESSERICH: Correct.

11 MS. CAROL OVERLAND: And so would it then
12 follow that the 702 amps that is there is lower than
13 what is associated with 196 MVA?

14 MR. ERIC MESSERICH: 196 MVA would
15 backsolve to an ampacity rating equivalent to 196
16 MVA would equate to an ampacity greater than 702
17 amps.

18 MS. CAROL OVERLAND: Thank you. And
19 that's it for Exhibit A.

20 JUDGE MORTENSON: We're going to move to
21 the next person then, and then it looks like you'll
22 have an opportunity to come back up.

23 MS. CAROL OVERLAND: Okay. Then before I
24 leave --

25 JUDGE MORTENSON: You've exceeded your

1 five minutes at this point.

2 MS. CAROL OVERLAND: Okay. Well, before
3 I leave, then, can I get Exhibit B, C, and D, these
4 are for my comment, and I want to make sure that
5 these get into the record.

6 JUDGE MORTENSON: Okay. We'll look at
7 those when you come back up. I want to move to the
8 next person, which I believe is your -- if I
9 understand it correctly, is your client, Donna
10 Anderson?

11 MS. CAROL OVERLAND: That's correct.

12 JUDGE MORTENSON: All right.
13 Ms. Anderson.

14 MS. CAROL OVERLAND: You have to turn the
15 mic on.

16 MS. DONNA ANDERSON: Okay. Hi, I'm Donna
17 Anderson. I own 78 acres of property on the
18 Hubbard, Becker, Wadena line. This is -- I've owned
19 the property for 30 years, it's a legacy to my
20 children, and I would like to put my property map in
21 as Exhibit A.

22 On the map --

23 JUDGE MORTENSON: Just a moment. Before
24 I accept this, it may be redundant of what we've
25 already got in the record.

1 Can someone from the panel take a look at
2 this and tell me if it's redundant of what's already
3 in the record?

4 MS. DONNA ANDERSON: It's on map 2.

5 JUDGE MORTENSON: It is? Okay. Well,
6 I'll refer to that. No disrespect to you, but I
7 don't want voluminous --

8 MS. DONNA ANDERSON: Okay. I understand.
9 Thank you.

10 I'd just like to point out that I do have
11 a 230 kilovolt power line on the north end of my
12 property and on the east end there is a power line.

13 And the other point I wanted to make is
14 the environmental assessment addresses areas of
15 biological significance between the Hubbard and
16 Straight River substations in the narrative, and
17 named sections in Hubbard and Straight River
18 Township, but it omits Section 31, which I reside
19 in. The EA is in error and is inadequate because
20 that does not address my property just beyond an
21 area of equal biological significance, and it's
22 shown on the map in the EA, page 82.

23 The EA also minimizes the impact stating
24 that where the applicant's proposed route crosses
25 and/or is near such communities it does so following

1 existing rights-of-way. This is not true.

2 In the EA, page 82, I strongly object to
3 this characterization of the impacts. The impacts
4 to the area of biological significance could be
5 minimized if it were routed on -- away from my
6 property.

7 I'd also like to submit as Exhibit B a
8 Woodland Stewardship Plan.

9 (Exhibit 54 marked, offered and received.)

10 MS. DONNA ANDERSON: Several years ago I
11 enrolled my land in a DNR Woodland Stewardship Plan.
12 And I have worked with the Forest Service on a plan
13 for managing this forest land.

14 The impact on the trees cannot be
15 mitigated. Once they are clearcut for easements
16 they cannot be replaced and regrow due to
17 restrictions. I feel that this is a noncompensable
18 impact. The value of the trees can be calculated,
19 but the value of having that many trees
20 intentionally cultivated with the forestry plan and
21 with the help of the DNR would be a noncompensable
22 loss. Both the DNR and the U.S. Fish and Wildlife
23 Service recommend routing to avoid loss of forest
24 land.

25 And I'd also like to make some comments

1 on the environmental assessment as far as was there
2 a bat study done. And this is my other exhibit.
3 And I was informed that there would be a bat study
4 done on my land because they are --

5 (Exhibit 55 marked, offered, and
6 received.)

7 MS. DONNA ANDERSON: -- because of the
8 Northern Long-eared bat, it's a threatened species
9 and a rare resource. And I was told I would receive
10 the results of the bat study and I have not received
11 them as of -- I think I have e-mails dating back to
12 July that I did never receive the results of that
13 study.

14 And also on page 82 of the EA they say
15 the Northern Long-eared bat was listed by the U.S.
16 Fish and Wildlife Service as a threatened species on
17 April 2nd, 2015, so I am concerned about this bat
18 study that I haven't received the results from.

19 JUDGE MORTENSON: Ms. Anderson, thank you
20 very much for those comments. I'll give you another
21 opportunity to come up, but I want to get on to the
22 next person.

23 MS. DONNA ANDERSON: Thank you. I
24 appreciate it.

25 MS. LISA AGRIMONTI: Your Honor, may we

1 respond to one of the items that was raised, or did
2 you want us to hold that until the end?

3 JUDGE MORTENSON: Is it a lengthy
4 response? Because I want to make sure we get
5 through everyone. If it's going to be brief, again,
6 it wasn't a question, but go ahead.

7 MS. LISA AGRIMONTI: I'll turn it over to
8 Ms. Schmidt.

9 MS. CAROLE SCHMIDT: My name is Carole
10 Schmidt, C-A-R-O-L-E, S-C-H-M-I-D-T.

11 In response to the bat study, we just
12 received it last week from the consultant. They're
13 pretty busy analyzing bat data from many different
14 studies, and we will be meeting with Fish and
15 Wildlife to discuss that study and then we can
16 forward you the results after that.

17 MS. DONNA ANDERSON: Thank you.

18 MS. CAROLE SCHMIDT: So it's forthcoming.

19 MS. DONNA ANDERSON: Thank you.

20 MS. CAROLE SCHMIDT: You're welcome.

21 JUDGE MORTENSON: Thank you.

22 Next I have Ms. Lori Tomperi. Am I
23 pronouncing that correctly? T-O-M-P-E-R-I.

24 MS. LORI TOMPERI: Tomperi.

25 JUDGE MORTENSON: Tomperi?

1 MS. LORI TOMPERI: Yes.

2 JUDGE MORTENSON: My apologies.

3 MS. LORI TOMPERI: That's all right.

4 Is the discussion tonight just about the
5 blue proposed lines or about any of the alternate
6 routes, too? It's about the alternate ones?

7 Okay. Well, I have 440 acres. And I,
8 too, have the stewardship, you know, plan. And,
9 one, I have the Koch pipeline that runs through my
10 property, too. And then the -- I can see it on the
11 map, this one right here is mine. And so this would
12 run right smack through the middle of untouched
13 land. I mean, it's solid woods. We bought this
14 land particularly because of the land itself. And
15 this, too, is being left to my children for them to
16 build homes and raise their children.

17 Then I have over here, on the power --
18 the pipeline. I really don't want to see it, but I
19 already have an existing power line that runs
20 through the back of my property. That why can you
21 not just -- our thoughts are just stay where there's
22 already a power line, if it's possible to do that.
23 I really don't want -- I don't want anything coming
24 through this land that's never been touched, you
25 know, that's solid woods. You know, that -- and I

1 guess worst-case scenario, if you had to come down
2 the pipeline, I'd prefer to see that than to go
3 through this land over here.

4 I guess that's really all I have to say.
5 I just wanted to say that I really don't want to see
6 it go through my land either.

7 JUDGE MORTENSON: Okay. Thank you very
8 much.

9 I have sign-in sheets 1, 2, 3, and 5.
10 Was there a number 4 that either I misplaced or
11 might still be back there?

12 MR. SCOTT EK: I bet you it's still back
13 here. Yea. It's blank.

14 JUDGE MORTENSON: I just wanted to make
15 sure I'm not overlooking anybody before we go back
16 to the beginning.

17 UNIDENTIFIED: Sign in to speak or --

18 JUDGE MORTENSON: Yes.

19 UNIDENTIFIED: Okay. I signed up, but I
20 thought it was just for attendance.

21 JUDGE MORTENSON: If you want to speak,
22 I'll give you an opportunity. Why don't you tell me
23 your name and I'll mark it on here.

24 UNIDENTIFIED: I thought it was just for
25 attendance so I wrote it down, but at this point I

1 don't want to.

2 JUDGE MORTENSON: I have checkmarks from
3 folks who want to speak.

4 UNIDENTIFIED: Okay.

5 JUDGE MORTENSON: So if you change your
6 mind, I'm not going to stop you.

7 UNIDENTIFIED: I'll think about it.

8 MR. SCOTT EK: And, Your Honor, number 4
9 is back there. They were signed up out of order and
10 it's blank.

11 JUDGE MORTENSON: Okay. I just wanted to
12 make sure I didn't leave anybody out.

13 So that brings us back to Ms. Overland.
14 I'm going to give the folks who've signed up another
15 chance to speak. If there's other folks who did not
16 indicate they want to speak, or if you have
17 questions, whether they are questions for the panel
18 or questions for folks who have already spoken, I
19 want you to have the opportunity, but you're going
20 to have to either jump up and shout at me, I might
21 not catch your attention if you only raise your
22 hand, so please feel free to do that.

23 Ms. Overland, please.

24 MS. CAROL OVERLAND: Thank you.

25 I'd also like to enter Exhibit B. This

1 is more of just a comment, my own exhibit. It's a
2 chart that I prepared regarding EMF levels at
3 amperages of 703 or an average of 422. This came
4 from an adjustable table that was prepared by Bruce
5 McKay back in the CapX project. And so he's
6 prepared something so I could plug numbers in and
7 come up with the rough estimates of -- well,
8 calculations of what the EMF would be at various
9 distances from the centerline of this project.

10 JUDGE MORTENSON: This is something you
11 already handed to me?

12 MS. CAROL OVERLAND: Yes.

13 JUDGE MORTENSON: All right. Let me
14 track it down.

15 MS. CAROL OVERLAND: It's labeled
16 Exhibit B in that packet that I had. If you'd like
17 another, I could give you another.

18 JUDGE MORTENSON: Is this it
19 (indicating)?

20 MS. CAROL OVERLAND: That's it. A is on
21 the top, B is next. Okay. So would this be --
22 which exhibit number?

23 JUDGE MORTENSON: What you've referred to
24 as Exhibit B will be labeled as Exhibit 56.

25 (Exhibit 56 marked, offered, and

received.)

MS. CAROL OVERLAND: 56. Okay. I just want to put that into the record.

And, also, I was noticing a questioning look from the engineer, and I was wondering if he had any comments on this, if this seems like a representative calculation? Or I realize it's spur of the moment, so he may not be able to comment.

MS. LISA AGRIMONTI: Your Honor, Ms. Overland, I believe that Mr. Messerich has some clarifications to the last set of questions you asked about the ampacity ratings. I don't believe we'll have any comments on a table that you had somebody else prepare, we'll let it speak for itself.

MS. CAROL OVERLAND: Okay. That's okay.

MR. ERIC MESSERICH: I misspoke earlier. The rating of the line is 140 MVA, not 196.

MS. CAROL OVERLAND: So the statement in the application is incorrect on page 6-5?

MR. ERIC MESSERICH: I don't have it in front of me.

MS. CAROL OVERLAND: It says ACSR would provide 196 MVA of capacity. Could someone provide him with a copy of the application, please, to look

1 at 6-5?

2 MR. ERIC MESSERICH: That is referencing
3 a conductor of 795 ACSR. We plan to use a conductor
4 of 477 ACSR.

5 MS. CAROL OVERLAND: Where is the 795
6 part stated? I don't see that.

7 MR. ERIC MESSERICH: It is not stated.
8 Some more clarification may be needed on that
9 paragraph.

10 MS. CAROL OVERLAND: And so you're
11 saying -- oh, okay. But that does coincide with
12 this table here that would give it an MVA of 194.
13 So that seems -- it fits with this table that I
14 have. So I have no more further questions on that.

15 I'm trying to cut down questions.

16 On the application, page 1-10, it states
17 that the need for the project has been discussed in
18 the biannual transmission project since 2007 using
19 tracking number 2007-NE-N3. So I'd like to pull out
20 Exhibit C, which is in that same packet. And what
21 it is is a compilation of the transmission projects
22 report for 2007, 2009, 2011, and 2013 regarding this
23 2007-NE-N3. And I want to draw attention to the
24 second page -- it starts with 2007. And these are
25 reports that are prepared by the applicant and

1 utilities biannually.

2 And for in 2007 it showed, on the back of
3 the first page you'll see a map of what was proposed
4 as 2007-NE-N3. If you go to the third page, which
5 is 2009 projects report, and that also does not show
6 anything related to what we have before us today.
7 If you go to 2011, which is the third page, it says
8 57 on the bottom, and if you'll note, the 2007-NE-N3
9 talks about -- now it starts talking about a 115
10 line, and it's talking about a pipeline pumping
11 station. And then in 2003 it changed and was
12 assigned a new number, 2013-NE-N21, and this is
13 called a Hubbard-Cat River line. And it's supposed
14 to be between Verndale and Hubbard.

15 And that's -- I want the record to
16 reflect that this is what is in the transmission
17 plan. And this was represented in the application
18 as being this project, but this project is very
19 different than what was presented here.

20 And then, fourth, I want to get Exhibit D
21 into the record. Exhibit C, would that then be 57?

22 JUDGE MORTENSON: I've marked Exhibit C
23 as 57, yes.

24 (Exhibit 57 marked, offered, and
25 received.)

1 MS. CAROL OVERLAND: Okay. And then
2 moving on to D, which would be 58?

3 JUDGE MORTENSON: That's correct.

4 (Exhibit 58 marked, offered, and
5 received.)

6 MS. CAROL OVERLAND: And this is the
7 Great River Energy Long-Range Transmission Plan,
8 which addresses this area, these are the pages, C-1
9 through C-22, that talk about plans for this area.
10 And I didn't see that referenced in the application
11 anywhere.

12 What's important about this is that it
13 stresses that it is talking about the 345 kV system
14 and the problems reflected there in that system.
15 And I would like to make a comment about peak demand
16 and I have a few questions about that.

17 First, looking at the application, page
18 5-11, and this goes to what's known as the Overland
19 issue of need. If you look at the application, page
20 5-11, you will see in Table 5-3 the historical
21 monthly coincident peak demand for affected load
22 area. Now, this is for the whole area, and we're
23 talking only a load of, maximum, 16.48 megawatts.
24 That's a very low, low amount. That's a very low
25 demand.

1 Now, referring back to that table with
2 the 140 MVA, if the engineer could quickly explain
3 the relation between MVA and megawatts?

4 MR. ERIC MESSERICH: MVA stands for
5 megavolt amps. Megawatts is calculated by
6 multiplying volts times amps. So megavolt amps are
7 very close to megawatts because they're both volt
8 amps multiplied together. MVA has a square root of
9 three associated with it. That's the main
10 difference.

11 MS. CAROL OVERLAND: So you're saying,
12 shorthand, in something maybe a lawyer might
13 understand, MVA is essentially megawatts, sort of?

14 MR. ERIC MESSERICH: Yeah. I missed a
15 part there. Megavolt amps includes reactive power.
16 There's two components to electricity, real and
17 reactive. So for the most part a megawatt is very
18 close to the same as an MVA.

19 MS. CAROL OVERLAND: Okay. And so this
20 is a -- 140 would be the radiance of the line,
21 meaning a high level of power that could go through
22 it, correct?

23 MR. ERIC MESSERICH: 140 megawatts,
24 about.

25 MS. CAROL OVERLAND: Or about. And the

1 historical monthly coincident peak demand in the
2 application shows the highest in December of 2013 of
3 16.48 megawatts. I just want to note that for the
4 record.

5 Then if you look at the Todd-Wadena load,
6 also the peak load, coincident peak, which means
7 it's all happening at the same time, as opposed to
8 noncoincident, which is happening at different
9 times. If you take 5-14 for Todd-Wadena, the share
10 of the full load in the area that Todd-Wadena has is
11 2 -- is 13.56 megawatts. And, again, that's out of,
12 say, this project is for 140. And then if you look
13 at Minnesota Power, which is also a share of that
14 area load, that is 5.2 megawatts total.

15 And then when you look at how they looked
16 at the annual growth rate, I think this is really
17 important because the charts show 2006 to 2014, and
18 we all know that there was a major drop in
19 electrical consumption and demand after early 2008.
20 And in this case, for this area, the peak was 2009,
21 then it dropped significantly and is going back up.
22 The charts that were used to support demand here and
23 claiming an average annual growth rate, for example,
24 in 5.19 it's averaging the growth rate of 2.85
25 percent, an average annual growth rate of 5.48

1 percent, those are starting after the power was
2 peaking along, and then it dropped significantly.
3 And then at the drop, that's where they're starting
4 these charts. And that is misleading. Because in
5 2009 you had 5.40, but in 2010 it was 4.0. So from
6 5.40 to 4.0 and then they're going up to 5.2, rather
7 than looking at it from 5.0 to 5.2, it shows a much
8 more gradual growth rate. And the growth rates in
9 this application are grossly misleading. They
10 should include the 2009, or even go all the way back
11 to 2006. You have the information here and
12 shouldn't be using the 2009 information after it
13 drops and using that as the starting point. That's
14 misleading. I ask that that be carefully considered
15 on this going forward.

16 And the no-build alternative in the
17 environmental assessment was grossly inadequate.
18 No-build doesn't only mean that the 115 line isn't
19 built. And in looking at system alternatives, it
20 isn't that you expect one alternative to meet the
21 entire demand. That it can be a number of things
22 put together, looked at individually and in
23 combination. And this no-build alternative did not
24 do that. It didn't present the 34 and a half
25 upgrade of the distribution system.

1 And as the application states, and for
2 the 2008 GRE plan states, this is an old system,
3 it's going to have to be rebuilt. But what they're
4 doing is they've got a distribution problem. And,
5 again, this happens recently, in a number of
6 applications lately, they're looking at a
7 transmission solution for a distribution problem.
8 And I think some of that could very well mean that
9 it will depend on or be based on the different
10 recovery for those expenditures, I don't know. But
11 they're going to have to rebuild that 34 and a half
12 line. And this is something that should be looked
13 at and then when that's done, then what is the need
14 here? And, you know, is there a need once they've
15 rebuilt that line. We've got a really good
16 north-south transmission line going from Hubbard
17 down to Wing River. Why isn't that river -- if that
18 were upgraded, what would that do for the problems
19 in the area, especially when you consider the load
20 is only 20 megawatts. Now, that needs to be looked
21 at.

22 And the other thing is the pumping
23 stations. And I do have a question about the
24 pumping stations. The one up to the north, how many
25 megawatts is that right now? Anyone know? And yet

1 you're claiming pumping stations are a need and that
2 that's causing a lot of the problems. Shouldn't
3 that be in the record of how many megawatts that is?

4 MS. LISA AGRIMONTI: I believe the record
5 reflects there is an upgrade to a pumping station
6 for Minnesota Pipe Line that's served by Minnesota
7 Power. I don't know which pumping station to the
8 north you're referring to.

9 MS. CAROL OVERLAND: Right. Okay. If we
10 look at the map, I have a map here somewhere. Okay.
11 There's a great map in the notice. It's called the
12 Minnesota Pipe Line. If you go to Hubbard and then
13 go west, there's what's called a Minnesota Pipe Line
14 station. And that's going to be taken off of this
15 system, another substation will be built to power
16 that. And so I'm wondering how many megawatts is
17 that? The new pumping station that they want to put
18 in is 10, 10 megawatts, but how much is that one
19 there? Does anyone know?

20 MR. ERIC MESSERICH: Approximately four
21 megawatts.

22 MS. CAROL OVERLAND: Four, okay. And
23 you're coming out of Hubbard, double-circuiting to
24 about halfway, right around Highway 71, you're
25 double-circuiting to there for a future project.

1 What is that?

2 MR. ERIC MESSERICH: GRE has a planned
3 project north that would use that power line.

4 MS. CAROL OVERLAND: Perhaps like a
5 pumping station for Sandpiper?

6 MR. ERIC MESSERICH: No, we have a load
7 serving need in the area.

8 MS. CAROL OVERLAND: And that load would
9 be the Sandpiper Pipeline?

10 MR. ERIC MESSERICH: Itasca, Mantrap,
11 Osage area.

12 MS. CAROL OVERLAND: Would a pumping
13 station for the Sandpiper Pipeline be in the Itasca,
14 Mantrap service area?

15 MR. ERIC MESSERICH: There could be.

16 MS. CAROL OVERLAND: Could be.

17 And then there's a Minnesota Pipe Line,
18 the MinnCan, which goes north-south. There's a four
19 megawatt load there. And then if you look at down
20 by -- hmm, there's another pumping station further
21 south, Thompson -- does that ring a bell? There's
22 another pumping station on the MinnCan line, MPL
23 Line 4 down by Verndale?

24 MR. ERIC MESSERICH: Yes, there is one.

25 MS. CAROL OVERLAND: And what is the load

1 for that?

2 MR. ERIC NESSERICH: We don't serve that
3 load. I would only speculate at the size.

4 MS. CAROL OVERLAND: Do you think it
5 might be the same as the one -- four megawatt one to
6 the north?

7 MR. ERIC NESSERICH: I don't know.

8 MS. CAROL OVERLAND: Is there any reason
9 that the four megawatt one can't be swapped out and
10 a bigger one be put in its place, rather than
11 duplicating and having one at the north, then down
12 the middle, and then one in Verndale?

13 MR. ERIC NESSERICH: I'm not a hydrology
14 engineer. I don't know how the pipelines work. Keep
15 in mind that there's more than one pipeline in a
16 right-of-way sometimes.

17 MS. CAROL OVERLAND: Do you know if the
18 new one that is planned, the new pumping station,
19 will be on the same pipeline as the one at the
20 northern Minnesota Pipe Line facility?

21 MR. ERIC NESSERICH: I do not know which
22 pumping stations are on which pipelines.

23 MS. CAROL OVERLAND: Has it been
24 considered to just run a line over to Hubbard to run
25 the pipeline pumping stations rather than go through

1 this do-si-do around the area?

2 MR. ERIC MESSERICH: Our project proposes
3 to build a 115 kV line to the pumping station
4 straight west of Hubbard, and that substation will
5 be called Straight River.

6 MS. CAROL OVERLAND: Correct. And then
7 if the 34 and a half system between Hubbard and
8 Verndale were upgraded because it's so old, it's
9 falling apart and it's creating reliability
10 problems, such as stated in the application and the
11 2008 project, the report, if that was upgraded and
12 you ran a line over to the Minnesota Pipe Line
13 station to power the pumps, couldn't that reasonably
14 address the problem?

15 MR. ERIC MESSERICH: No. The large
16 electric motors for these pumping stations require a
17 large voltage like 115 kV.

18 MS. CAROL OVERLAND: Right. What I was
19 saying was you upgrade the line from Hubbard to
20 Verndale so it's not falling apart anymore, and then
21 run your 115 over to the Minnesota Pipe Line
22 station, and then you have it double-circuited so
23 you can handle whatever future project, which is
24 likely related -- I think, related to the Sandpiper
25 Pipeline going in in that area, wouldn't that then

1 handle your issues?

2 MR. ERIC MESSERICH: If I understand you
3 correctly, you're suggesting that we build a 115 kV
4 line from Hubbard to Straight River for that pumping
5 station, rebuild the Hubbard to Verndale 34 and a
6 half kV system, and then use the 34 and a half kV
7 system to serve the new pumping station in Sebeka?

8 MS. CAROL OVERLAND: No. But maybe it
9 could. If your line has, you know, is capable of
10 140 MVA, and you've got a 10 megawatt load that
11 you're going to be putting in, and if you rebuild
12 the line so it's not so old and decrepit, you know,
13 this whole system, the 34 and a half system
14 throughout this area needs to be rebuilt, it seems
15 to me that's going to have to happen whether or not
16 it happens with this project or somewhere else. So
17 if that happens and if you build your 110 across the
18 top to Minnesota Pipe Line, I would think that the
19 rebuild could handle a 10 megawatt load if you're
20 looking at 140 MVA.

21 MR. ERIC MESSERICH: The large electric
22 motors need a large voltage like a 115 kV. The
23 electric motors cannot start on a 34 and a half kV
24 system.

25 MS. CAROL OVERLAND: And there's a 230 --

1 I have a chart, I'm going to bring that up my next
2 time around -- that shows the existing transmission
3 in the area, I just think that the alternatives
4 haven't been looked at. And we're going to have to
5 rebuild this. This is a very strange way to do it
6 because the distribution system is going to have to
7 be rebuilt no matter what. And so this 115 line
8 going around, why wouldn't it just -- if you're
9 going to build a 115 line, why not just build the
10 115 line down to Sebeka if that's what you want to
11 do? This doesn't make sense. And these
12 alternatives have not been looked at.

13 MR. ERIC MESSERICH: Does our project not
14 propose to build a 115 kV line down to Sebeka?

15 MS. CAROL OVERLAND: Exactly.

16 JUDGE MORTENSON: All right. I'm going
17 to slow down here for a minute. Because I want this
18 record to be clear for the Commission, who's making
19 this decision. So I don't want an argument here. I
20 want comments that the Commission can consider. And
21 if there's questions that will help you to ask the
22 questions if they can answer. But it's kind of a
23 managed discussion. But I'm not -- I don't want the
24 parties in an argument here. It doesn't help the
25 Commission to listen to your argument. It'll help

1 the Commission if you have comments about what you
2 believe is wrong or right about the proposal. And
3 if you have questions that GRE or anyone else on the
4 panel can answer, that will be helpful as well.
5 Okay. Just a reminder for everybody.

6 MS. CAROL OVERLAND: Well, other
7 alternatives that should have been looked at are --
8 I'll address those specifically in a comment in
9 writing, which they have already gone in, but I'll
10 address that.

11 Also, phasing connected action should be
12 considered in the environmental assessment and
13 that's one that was missing. That 115
14 double-circuit that then ends, that should have been
15 addressed in the environmental assessment.

16 There were -- have any upgrades been made
17 to the system over time since that 2007 or the 2008
18 GRE Long-Range Transmission Plan went out? Have any
19 upgrades been made in the area?

20 MR. ERIC MESSERICH: In Sebeka, Minnesota
21 Power installed a regulating station.

22 MS. CAROL OVERLAND: And that was above
23 voltage regulation to keep it even? Was that a
24 temporary matter?

25 MR. ERIC MESSERICH: A voltage regulator

1 is a reactive device that helps prep up voltage.

2 MS. CAROL OVERLAND: Okay. I'm trying to
3 make sure everything is covered.

4 Oh, and regarding the bat study. Will
5 that be entered into the record in this proceeding?

6 MS. LISA AGRIMONTI: Ms. Overland, the
7 question regarding whether the bat study will go in
8 the record is dependent in part on the timing of the
9 record close. If the U.S. Fish and Wildlife signs
10 off on it before the end of the record close, Great
11 River Energy will submit it into the record.
12 Otherwise -- just one moment. Otherwise, we'll
13 submit it when it is available, but it would be
14 perhaps after the close of the record. So Great
15 River Energy wouldn't object to a compliance
16 condition for filing of the bat study.

17 MS. CAROL OVERLAND: Is there a reason we
18 need to wait for U.S. Fish and Wildlife for the
19 study? Because the study is what it is.

20 MS. LISA AGRIMONTI: U.S. Fish and
21 Wildlife is charged with -- how would I explain
22 their role with the bats? They're the one that's
23 overseeing the protection of the species. We're
24 working closely with them to make sure that the
25 study covers the things that it needs to cover, so

1 we'd certainly want to wait until we knew that U.S.
2 Fish and Wildlife thought that they had the
3 information that was needed before submitting it to
4 the state.

5 MS. CAROL OVERLAND: Okay. And, again,
6 that's something that I think should be in the
7 environmental assessment, that it would be
8 inadequate without that, because the U.S. Fish and
9 Wildlife will be making a recommendation as to
10 whether or not a take permit would be needed and
11 that's something that I think that the Commission
12 would need to know before making any decision on
13 this.

14 And, also, it has an impact on routing.
15 For example, on the Andersons' land, that's where
16 they did the bat study, and that's where the bats
17 are believed to be. And they are the
18 uncontaminated -- they're the ones that don't have
19 the white nose disease, and so it's important, you
20 know, especially important in that area. And so it
21 should be known and it should be in the record
22 whether or not there would be a recommendation for a
23 take permit, which means that bats would die and
24 they are a protected species.

25 For now I think that is all that I have.

1 JUDGE MORTENSON: Thank you very much.

2 Ms. Anderson, you were second earlier, do
3 you want to -- I know you had some additional things
4 to share with the Commission?

5 MS. DONNA ANDERSON: I think I'm all
6 right.

7 JUDGE MORTENSON: Please?

8 MS. LISA AGRIMONTI: Your Honor?

9 JUDGE MORTENSON: Yes.

10 MS. LISA AGRIMONTI: I believe Ms. Lommel
11 would like to respond to one of the pipeline
12 questions with respect to the project that may be
13 utilizing the 115. Hold on a second.

14 I misspoke. She has a clarification
15 regarding your questions regarding the Sandpiper
16 Pipeline. Let me hand over the mic and let her
17 speak to it. Line 3, sorry, the other Enbridge
18 pipeline.

19 MS. MICHELLE LOMMEL: Yes. As far as the
20 Line 3, the Enbridge pump station that is north of
21 this project, there is a transmission line
22 component, or a transmission line that is already
23 under application that is a separate project, and
24 this particular project is not to serve any future
25 pump station in that area that we're aware of beyond

1 what's already under consideration at this time with
2 the PUC,

3 MS. CAROL OVERLAND: And that is -- what
4 is the docket number, do you know?

5 MS. MICHELLE LOMMEL: I don't believe we
6 have that with us tonight. We could look it up
7 either after the proceeding or submit it later. We
8 don't know the name of the project offhand. Clover
9 Township or Palisade -- yeah, Clover to Potato Lake
10 may be the line end points that are being used, so
11 that is a project that is underway at this time.

12 MS. CAROL OVERLAND: And to clarify,
13 you're saying that is what that 115 double-circuit
14 that stops --

15 MS. MICHELLE LOMMEL: No. No, this is no
16 tie in --

17 MS. CAROL OVERLAND: So it's different?

18 MS. MICHELLE LOMMEL: Yes.

19 MS. CAROL OVERLAND: And that has not
20 been the future project referred to?

21 MS. MICHELLE LOMMEL: No.

22 MS. OVERLAND: Okay.

23 JUDGE MORTENSON: Thank you.

24 Ms. Tomperi, you spoke earlier and you
25 indicated you were done. Do you have anything else?

1 MS. LORI TOMPERI: Not right now.

2 JUDGE MORTENSON: As long as we have time
3 this evening, that goes for everyone else in the
4 room.

5 And if you'll introduce yourself for the
6 record and proceed from there.

7 MR. WES RENNEBERG: All right. My name
8 is Wes Renneberg, W-E-S, R-E-N-N-E-B-E-R-G.

9 And I would assume that this is a past
10 exhibit, the ones that have been handed out back
11 there.

12 JUDGE MORTENSON: I believe we have all
13 the maps in the record.

14 MR. WES RENNEBERG: My question and
15 comment would be that a lot of the talk here is the
16 need of the electricity for the current pipeline
17 station and then the new pipeline station. And it
18 just seems to me that you're -- the map shows quite
19 clearly the pipeline corridor, which connects those
20 pipelines, but yet they don't wish to go down the
21 pipeline corridor. And I don't -- that doesn't make
22 sense to me.

23 As some of the other people have said,
24 why not use an existing corridor instead of breaking
25 all this new ground, going through all kinds of

1 people's property. There must be a lot more expense
2 to have to get new right-of-way, to obtain all of
3 those easement permits, it's already there on the
4 pipeline. So considering the fact that a lot of
5 this project is for the pipelines, why don't they
6 use the pipeline corridor for the line instead of
7 bothering all kinds of other people about it.

8 MR. RAY KIRSCH: I'll try and answer your
9 question and maybe Great River Energy has some
10 comments, too. Thank you for your comment.

11 Folks did raise that very same point when
12 we were here in March, why not look at the pipeline
13 as a way to route the transmission line. And from
14 the proposed Menahga substation, in the southern
15 project area all the way down to the red line, that
16 is an alternative. So that's a possibility that
17 could be selected by the Commission as the route for
18 this transmission line.

19 In the northern half of the project area
20 just south of the Straight River substation, the
21 pipeline crosses several agricultural fields that
22 have irrigators in them. And looking at the impact
23 on those irrigators, it would have been substantial,
24 or appear to be substantial, and so we presented
25 that to the Commission in our proposed scoping

1 decision and the Commission agreed that looking at
2 that and looking at the roadways in the area that we
3 would not pursue that evaluation of the northern
4 part in the environmental assessment. But we did
5 pursue it in the southern part, so the southern part
6 could be selected by the Commission as part of the
7 project.

8 MR. WES RENNEBERG: So you're saying that
9 going three to four miles longer with your line is
10 cheaper than buying an irrigator?

11 MR. RAY KIRSCH: To your question, I
12 don't know the exact cost of the irrigator, of
13 buying an irrigator compared to the cost of the
14 line.

15 I can comment that there are cost figures
16 in the southern project area in the EA, and even
17 though the pipeline south route alternative is the
18 shortest of the route alternatives, it's the most
19 expensive to construct. And it appears to be so
20 because of the wetlands and the lowland area. So
21 you are correct in that, length and cost are usually
22 very closely associated. In our environmental
23 reviews that's what we find, but it's not always the
24 case.

25 MR. WES RENNEBERG: Okay. Thank you.

1 JUDGE MORTENSON: Thank you.

2 Anyone else? Questions or comments for
3 the panel?

4 Let me make sure there's no one else that
5 hasn't spoken yet.

6 Anyone?

7 All right. Ms. Overland, do you have
8 something else?

9 MS. CAROL OVERLAND: I'd like to enter
10 this as Exhibit 59. What this is is a map showing
11 the large transmission highway and pipeline
12 corridors in the area and it's pretty clear what
13 they are. And I think this should be considered.

14 Also, regarding impact on pipelines,
15 isn't the primary impact one of induced voltage?
16 Or, you know --

17 JUDGE MORTENSON: Let's address the
18 exhibit first. Is this not duplicative of the maps
19 we already have in the record?

20 MS. CAROL OVERLAND: Well, it shows very
21 clearly. It's a little more visible on color, on
22 black and white. I'll be happy to take a picture of
23 it and do it that way if that would be more easier
24 to deal with than a large exhibit. But I think it's
25 important to see --

1 JUDGE MORTENSON: Go ahead.

2 MS. CAROL OVERLAND: Well, the law does
3 require that transmission be sited on existing
4 corridors.

5 JUDGE MORTENSON: I'm sorry. So explain
6 to me how this is different from what is already in
7 the record in terms of maps and the proposals?

8 MS. CAROL OVERLAND: Well, it's different
9 because it's highlighting in color on a black and
10 white map the existing corridors that aren't being
11 used.

12 JUDGE MORTENSON: Okay. I'll mark that
13 as Exhibit 59.

14 (Exhibit 59 marked, offered, and
15 received.)

16 MS. CAROL OVERLAND: Okay. And would you
17 like --

18 JUDGE MORTENSON: We'll figure it out.
19 If you'll bring that over to me, I've got a sticker
20 for it.

21 Now the question.

22 MR. RAY KIRSCH: I don't know if I'm the
23 person to ask, you could also ask the engineers, but
24 as far as I know, we could put a transmission line
25 along where there is already a pipeline. There is

1 possibly some induced voltage that would have to be
2 taken into consideration when you engineer that.
3 I'm assuming those would all be taken care of when
4 they actually engineered the line, discuss where it
5 would be next to the pipeline, make sure you could
6 get in and repair the pipeline, if needed, those
7 sorts of things.

8 MS. CAROL OVERLAND: All right. And is
9 it correct that, say, regarding pipelines and it's
10 also true of fences, where the biggest concern is
11 where it's parallel to a transmission line?

12 MR. RAY KIRSCH: I'm not sure I
13 understand the question.

14 MS. CAROL OVERLAND: It's related to
15 induced voltage. And where -- whether it's more
16 common if, say, a fence or a pipeline -- sorry,
17 irrigation. I'm sorry, irrigation, where it's
18 parallel, that there would be an induced voltage
19 issue, the conduction?

20 MR. RAY KIRSCH: Yeah, we talk about it
21 in the environmental assessment. You can have
22 induced voltage from transmission lines on metal
23 objects that are -- that are not grounded. Can I
24 finish? But the permit conditions usually, and we
25 have example permits and the Commission's permit

1 require grounding of all items within the
2 right-of-way to take care of that. So we discuss
3 what the issue might be and what situations that
4 might occur and then what permit conditions the
5 Commission requires in order to mitigate the
6 possible impact.

7 MS. CAROL OVERLAND: But you would agree
8 that where that happens is where something is
9 parallel to the transmission line, not something
10 that is running in a circle, but with the
11 transmission line at one end of it?

12 MR. RAY KIRSCH: Typically it's when
13 there's paralleling, but it really depends on the
14 shape of the object, what it's made out of, you
15 know, where the line is, but paralleling is probably
16 the best scenario for inducing the voltage, yeah.

17 MS. CAROL OVERLAND: Okay. Thank you.

18 And one thing I wanted to note for the
19 record. Ms. Agrimonti, your firm that you're with
20 now is Fredrikson & Byron, correct?

21 MS. LISA AGRIMONTI: Yes.

22 MS. CAROL OVERLAND: And is that the same
23 firm that's representing the applicant in the
24 Sandpiper Pipeline?

25 MS. LISA AGRIMONTI: Yes.

1 MS. CAROL OVERLAND: Okay. Are you
2 involved? Are you representing them on that or is
3 that Cindy [sic] Brusven only?

4 JUDGE MORTENSON: This is not a
5 discussion that I need for the MPUC's record on this
6 project. You folks can discuss that after we
7 conclude here.

8 MS. CAROL OVERLAND: Your Honor, the
9 reason I wanted it on the record is because if this
10 does have a pipeline component in it, up on the top
11 there where it's double-circuited, if that is being
12 built for the pipeline, and if that's the same firm
13 representing both the pipeline applicant and this
14 applicant, I think that's something that should be
15 in the record.

16 JUDGE MORTENSON: Is that something you
17 can find out and add comments within the timelines?
18 But I don't want to get into a discussion of who
19 Fredrikson & Byron represents, and it's not relevant
20 for this concern. If you think it's relevant and
21 you have the answer, that's one thing, but I'm not
22 going to engage in a discussion about it here.

23 MS. CAROL OVERLAND: But, Your Honor, it
24 wasn't a discussion, it was establishing that, and
25 we did establish that it is the same firm

1 representing both. That has been established and I
2 think it's important that the record reflect that
3 and it does now.

4 Thank you.

5 JUDGE MORTENSON: Do I have anyone else
6 with comments or questions regarding either the
7 certificate of need or the route permit?

8 Please. And when you come up, if you'll
9 introduce yourself for the record.

10 MR. CURTIS ANDERSON: My name is Curtis
11 Anderson.

12 COURT REPORTER: Please wait until you
13 get to the mic.

14 JUDGE MORTENSON: Yes. I want to make
15 sure I get a good transcript.

16 MR. CURTIS ANDERSON: My name is Curtis
17 Anderson. I'm Donna's husband. And there's some
18 things that really bother me about where they're
19 trying to put this in on both. Let's see. That
20 would be right there where 99th and 356th, I
21 believe, right on that corner, where they were
22 talking about putting that tie down. And on the
23 other side of that road, has the DNR done any
24 assessment? There is all kinds of turtles and
25 frogs, there's a wetlands area there. And I don't

1 believe anybody has been contacted to go out there
2 and check out those wetlands.

3 Actually, if I'm not mistaken, there's
4 wetlands on both sides of that road. But my concern
5 would be the end of our road where I see frogs,
6 turtles, and all kinds of different animals. And if
7 they eliminate that they're taking away all that
8 habitat. And I haven't seen or heard anything from
9 the DNR about that, that they've even been contacted
10 about the wetlands.

11 JUDGE MORTENSON: Is there an answer to
12 the question? I don't know if you folks can answer
13 that.

14 MS. CAROLE SCHMIDT: Carol Schmidt, Great
15 River Energy.

16 The DNR was contacted regarding this
17 project and they submitted comments, but they did
18 not necessarily or specifically address wetlands in
19 your area.

20 MR. CURTIS ANDERSON: Okay. So it would
21 be fair to say that at this point that we need to
22 contact them and we need to have them come and
23 assess this.

24 MS. CAROLE SCHMIDT: That would be up to
25 you, I guess.

1 MR. CURTIS ANDERSON: I'd like to have it
2 in the record that this should be done before the
3 decision is made.

4 JUDGE MORTENSON: It is now.

5 MR. CURTIS ANDERSON: Thank you.

6 JUDGE MORTENSON: Anyone else? Comments
7 or questions for the panel, please?

8 You will have two weeks from today to
9 submit written comments. Again, you can submit them
10 through the PUC's website or you can submit them via
11 mail.

12 Anyone else?

13 Is there anything else from the panel
14 before I conclude this public hearing?

15 MS. LISA AGRIMONTI: Yes, Your Honor. I
16 just want to clarify that I know Ms. Overland was
17 asking some questions about the interrelationship
18 between this project and the pipeline proposals by
19 Enbridge.

20 I want to make sure that there aren't
21 excerpts from the transcript taken and placed out of
22 context, I don't have any personal knowledge about
23 either the future project or a 115 for Great River
24 Energy and I believe the record was clarified that
25 the Line 3 work has already been part of another

1 proposal that's before the Commission and I just
2 wanted to clarify that. And if anybody notes that
3 I've misstated at this time to please correct me
4 because I may have not asked the best question
5 earlier this afternoon -- this evening.

6 JUDGE MORTENSON: Anything else from the
7 panel? Anyone else from the public?

8 Again, this isn't your last opportunity,
9 it'll be your last opportunity in a public hearing,
10 but if you want to submit comments you can do so via
11 the Speak Up function on the PUC website or send
12 them in via mail. The deadline for comments that I
13 will put in my report is 4:30 p.m. on November 2nd.

14 I will submit a report to the PUC
15 summarizing all the comments and the exhibits that
16 have been filed in this case. I'm not making any
17 decisions, I'm not making any recommendations, I'm
18 simply summarizing all of the input for the PUC who
19 will make a decision probably in January.

20 All right. Anything else?

21 That will conclude this public hearing on
22 the Menahga transmission proposal.

23 (Hearing concluded at 7:15 p.m.)
24
25

1 STATE OF MINNESOTA)
2) ss.
3 COUNTY OF HENNEPIN)
4
5

6 REPORTER'S CERTIFICATE
7
8

9 I, Janet Shaddix Elling, do hereby
10 certify that the above and foregoing transcript,
11 consisting of the preceding 61 pages is a
12 correct transcript of my stenographic notes, and is
13 a full, true and complete transcript of the
14 proceedings to the best of my ability.

15 Dated October 25, 2015.
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19

20 JANET SHADDIX ELLING
21 Registered Professional Reporter
22
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