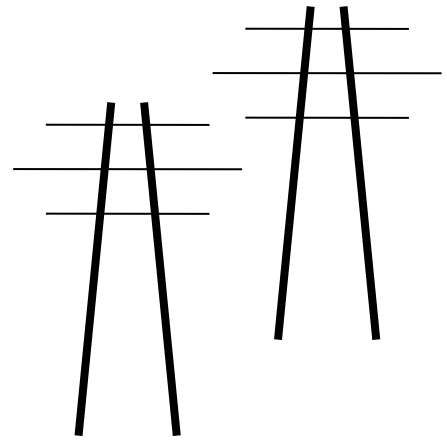


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July 1, 2016

Dennis Rankin
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via email at dennis.rankin@wdc.usda.gov

In Re: **NO CAPX 2020 COMMENT ON ENVIRONMENTAL ASSESSMENT**
Dairyland Power Cooperative Upgrade of Q-1D South, USDA RUD #1060

Dear Mr. Rankin:

Please accept this as a Comment on the RUS Environmental Assessment for this project, made on behalf of No CapX 2020.

Also, please incorporate my previously submitted Comments, dated May 17, 2016 and September 25, 2015, attached, as if fully related herein. Some material from these Comments will be repeated, because those issues are critical and should be determinative.

I have attached the August 26, 2014 “Briggs Road-La Crosse Tap 161 kV Rebuild Study” for incorporation into the EA.

I’ll begin with the EA, commenting on issues raised in order of appearance in the EA, and then conclude with general comments.

Dairyland’s status as “a not-for-profit generation and transmission cooperative”

The first sentence in the narrative notes that Dairyland is “a not-for-profit generation and transmission cooperative.” EA, p. 1-1. However, Dairyland’s operation includes electric wholesale marketing and sales arms, specifically, GEN-SYS Energy¹ and EnPower (Dairyland Annual Report, p. 12).

¹ See Dairyland’s website: http://www.dairylandpower.com/energy_resources/gen_sys.php

- It is not clear from the materials provided in the EA the purpose of this project, and whether it is all or part meant to serve the wholesale functions. This should be clarified in the EA, and relevant facts should receive consideration by RUS prior to any additional lending.

Project History – Improper Segmenting of the Q-1 Transmission Line

The EA candidly notes that the Q-1 line has been segmented in the EA:

Table 1-1: DPC Wisconsin Q-1 161 kV Line Segments and Status

Segment Name	Mileage	Status of Environmental Review
Alma – Marshland	27	Reviewed under the federal and State of Wisconsin CapX2020 Hampton – Rochester – La Crosse 345 kV Transmission Improvement Project (CapX project) EISs and selected as the route. Q-1 line was co-located as a double circuit with the CapX project. RUS issued Record of Decision (ROD) in January 2013. Public Service Commission of Wisconsin issued the Final Decision in May 2012.
Marshland – North La Crosse Substation (Briggs Road Substation) Q-1D North	13	Reviewed under a separate Environmental Assessment (EA) dated March 16, 2015. The Q-1D North line needed to be rebuilt as soon as possible to avoid interruptions in service and ongoing maintenance issues. Due to the need for the Q-1 D North line to remain in service during construction of the CapX project in Wisconsin, DPC constructed the Q-1D North line from August to December 2015, which was the earliest timeframe that would avoid impacts to certain protected species, wetlands, and waterways.
North La Crosse Substation (Briggs Road Substation) – La Crosse Tap Q-1D South	9	This segment is the subject of this EA. It was separated from the other Q-1 projects because it was considered as a possible route for the Badger – Coulee project planned for construction in 2018. DPC plans to begin construction on the Q-1D South in early September 2016.
La Crosse – Genoa Tap	21	Reviewed under a separate Environmental Report (ER) approved by RUS in September 2012. The project was not part of the route options considered for the CapX project and proposed Badger – Coulee 345 kV lines and was therefore reviewed on its own. Construction was recently completed.

EA p. 1-2. Further, the Alma – Marshland, Marshland – North La Crosse, and La Crosse – Genoa Tap were financed by RUS, hence RUS is well aware of the connected and interdependent status of these projects.

- The EA is inadequate because it does not disclose the cost of each segment.
- The EA is inadequate because it has facilitated/accepted segmentation of these parts of Dairyland’s Q-1 line.
- The EA is inadequate and must be revised and an EIS completed because RUS, through use of an EA has facilitated/accepted segmentation and provided an EA on this segment, and separately for others, in contravention of National Environmental Policy Act prohibitions of segmentation:

§1508.25 Scope.

Scope consists of the range of actions, alternatives, and impacts to be considered in an environmental impact statement. The scope of an individual statement may depend on its

relationships to other statements (§§ 1502.20 and 1508.28). To determine the scope of environmental impact statements, agencies shall consider 3 types of actions, 3 types of alternatives, and 3 types of impacts. They include:

(a) Actions (other than unconnected single actions) which may be:

(1) Connected actions, which means that they are closely related and therefore should be discussed in the same impact statement. Actions are connected if they:

(i) Automatically trigger other actions which may require environmental impact statements.

(ii) Cannot or will not proceed unless other actions are taken previously or simultaneously.

(iii) Are interdependent parts of a larger action and depend on the larger action for their justification.

(2) Cumulative actions, which when viewed with other proposed actions have cumulatively significant impacts and should therefore be discussed in the same impact statement.

(3) Similar actions, which when viewed with other reasonably foreseeable or proposed agency actions, have similarities that provide a basis for evaluating their environmental consequences together, such as common timing or geography. An agency may wish to analyze these actions in the same impact statement. It should do so when the best way to assess adequately the combined impacts of similar actions or reasonable alternatives to such actions is to treat them in a single impact statement.

See NEPA, 40 C.F.R. § 1508.25(a)(1). In all respects, this project and the other three segments are admittedly pieces of a whole, the Dairyland Q-1 line, and are connected, cumulative, and similar. EA, p. 1-2.

The “Schedule” Provides a Misleading Framing for this Project

The EA is inadequate because it accepts the framing of the schedule for this project as presented by Dairyland, set to fit between summer peak load periods and planned outages for Badger Coulee. EA, P. 1-2.

- The EA should disclose that given the electrical and geographical parallel line owned and operated by Xcel Energy, this is a false framing, because the Xcel line is capable of handling power needed in the La Crosse area from the north, and the Q-1 line from the south, the La Crosse – Genoa Tap is available for service from the south. Removal of the Q-1D South should not have any impact.

The “Schedule” also is problematic because Dairyland has delayed, claimed “because it was considered as a possible route for the Badger – Coulee project planned for construction in 2018.” Id.

- The EA should disclose that this delay also served to prohibit working with other infrastructure projects in the area, notably a Highway 35 rebuild by the Wisconsin DOT, during which the Dairyland Q-1 line could have been, should have been, undergrounded.

Access Routes and Material Staging

The EA is inadequate in its description of access routes and impacts. EA, p. 1-3.

- The EA should more fully disclose and address impacts of access roads, which are often across people's property, in their yards, and not part of the specific easements granted and recorded previously. These impacts include, as admitted, grading, vegetation clearing and/or trimming, and when occurring in people's yards, it can be a safety hazard, destructive of their property, difficult to predict and occurring at inconvenient times, and very stressful (having personally lived through rebuild of street in front of my house and an internet infrastructure on the other street on our corner).
- The EA notes that "[f]ollowing construction, access to the transmission line for routine maintenance would follow the access routes." As above, these routes are not part of easements.
- Easements for access must be secured, and landowners compensated for access routes.
- How has Dairyland been gaining access for maintenance? Or haven't they maintained the line and surrounding vegetation, a violation of NERC requirements, particularly since the August 2003 blackout due to lack of tree clearance maintenance?

Transmission Structures

The EA is inadequate because there are transmission structure issues not addressed. EA, p. 1-4.

- The claim that "The Project has been designed to avoid resources such as wetlands, surface waters, sensitive habitats, protected species, and historic or cultural areas to the extent possible," is absurd, as there's admittedly been no change from the route as it exists now.
- Any avoidance is related to construction best practices – this should be clarified.
- The EA inexplicably states, on p.1-5, that "single pole structures would be used to meet Federal Aviation Administration (FAA) and Cities of La Crosse and Onalaska height limitations..." but the EA on the previous page states that single pole steel structures would generally be taller. The EA states that there would be 54 poles from 95 – 115 feet and 4 Y frame structures 65 feet tall – Y structures are much lower than monopoles.

La Crosse River Floodplain

The EA is inadequate because it does not address impacts of construction. EA p. 1-6 – 1-7.

- The EA does not address the potential for leaching of chemicals from the poles used in construction that would be directly embedded in the soil in the wetlands.
- The EA states on p. 1-7 that “the existing transmission lines would not be decommissioned and removed from their current locations until construction of the Project is complete and the transmission lines are in-service.” This does not address logistical issues and whether it is reasonably possible to construct within the 80 foot easement while the existing line is in place and not “decommissioned.”
- The EA is inadequate because on p. 1-7 it regards “decommissioning” as cutting off the pole at the base. This is not “decommissioning.”

Purpose and Need for DPC’s Action and RUS Action

No CapX 2020 appreciates the EA’s distinction between the “purpose and need for DPC’s action” and the “purpose and need for RUS’s action.” EA, p. 2-1 and 2-4.

- As above, the EA should clarify whether the purpose of this project, and to what extent this project, is for service to the cooperative’s member organizations and/or whether it is for wholesale electric marketing beyond their member cooperatives, including but not limited to Dairyland’s GENSYS and EnPower.
- The purpose, if claimed to be for service of La Crosse by Dairyland, should be further investigated, as with Dairyland’s Alma plant closing, there is less load on the Q-1... unless power is being directed on the Q-1 from other sources. This should be clarified, because as presented, this is not reason for reconstructing the Q-1 transmission line.
- The EA is inadequate because it does not address the closing of Alma. It was not until a lawsuit resulting in a Consent Decree that Dairyland addressed the longstanding and continued air permit violations at its Alma coal plant. The resources used to defend that lawsuit was throwing good money after bad, rather than correct the problem and operate the plant under permit conditions and restrictions. The April 28, 2014 Order (attached) stated that by December 31, 2014, Alma Units 4 and 5 would cease burning coal. The Order also placed specific terms and restrictions on Dairyland’s J.P. Madgett coal plant, including NOx Tonnage limitations, and SO₂ removal, and Particulate Matter reductions. Rather than comply with the restrictions applicable to its Alma plant, Units 4 and 5 were closed.
- The EA is inadequate because it does not include as an appendix a copy of the “Briggs Road – La Crosse Tap 161 kV Rebuild Study.” See EA 2-1.
- The EA should address the timing of the CapX 2020 Hampton to La Crosse project and Badger Coulee v. this Q-1D South. The CapX and Badger Coulee projects were used by Dairyland as a factor in timing of Q-1 reconstruction (EA. P. 1-2), because the CapX 2020 Hampton – La Crosse PSC Order was issued on May 30, 2012, and the DPC

“Briggs Road – La Crosse Tap 161 kV Rebuild Study” was not “completed” until April 2013.

- The EA is inaccurate in stating that the “Briggs Road – La Crosse Tap 161 kV Rebuild Study” was completed in 2013. Compare EA, p. 2-1, “Briggs Road – La Crosse Tap 161 kV Rebuild Study” p. 1. It appears that was the “Marshland-Briggs Road” study published in April 2014, with the “Briggs Road – La Crosse Tap 161 kV Rebuild Study” in August 2014.
- In the CapX 2020 proceeding, the Public Service Commission failed to consider Dairyland’s southern Q-1 line, from Genoa north to La Crosse, which was announced by applicant Dairyland Power as finished in June 2013. Dairyland deemed this section of the Q-1 transmission line to be “the primary source of power delivery to the La Crosse area” whose reconstruction was reported “to increase capacity and therefore delivery efficiency by over 40%” to La Crosse². An increase of capacity of this magnitude alters the need of the area. Modeling assumptions must be corrected to reflect this and power-flow modeling re-performed to properly consider the impact and capability of the line’s increased reliability and capacity. The already reconstructed Q-1 from Genoa north to La Crosse calls the “need” for this Q-1D South reconstruction into question.
- The purpose, if claimed to be for service of La Crosse by Dairyland and that La Crosse may not have sufficient power without it, should be questioned because the CapX 2020 line was approved based on this theory, in particular based on testimony that a French Island Xcel unit would be closed, and just after the permit was issued in Wisconsin, Xcel declared that the French Island unit would be repaired and reopened!!! Thus, there is additional capacity in La Crosse than had been considered in the CapX proceeding, and as above, this too is not reason for reconstructing the Q-1 transmission line.

Existing Facilities

The EA is deficient because it does not present information in a way that can easily be analyzed. EA p. 2-2. Now that I’ve received the seven page “Briggs Road – La Crosse Tap 161 kV Rebuild Study,” it makes more sense, as I see that concerns I had about presentation and statements in the EA are different in the study. I’ll intersperse comments on the study in those comments already written below:

- While the EA discloses the configuration/specification of the line as it exists, it does not do so in a way that compares the existing configuration/specification with the proposed configuration.
- The EA should explain the different types of conductor and the meaning of MVA.
- The EA should clearly state that the current summer rating is 162 MVA and the winter rating is 211 MVA, and in this first section state that the reconstruction of the line will

² [Dairyland Power Genoa to La Crosse Transmission Project Fact Sheet](#)

provide for a 400 MVA summer rating and a higher winter rating of ____ (disclose please) MVA.

- The EA is inadequate because it should clearly state that the reconstruction of the Q-1 line will more than double the rating of the line, hence double the capacity of the line.
- The EA is inadequate because it should disclose in this section where capacity is discussed that the Alma plant generators will be shut down, how many megawatts less will be generated at Alma, and disclose the source and MW of electricity that will make up the 400 MVA capacity of the line.
- If additional electricity is not added to the Q-1 line from some source, the EA should disclose why Dairyland is proposing doubling the capacity of the line.
- The EA is inadequate because in Table 2-1, three segments of the Q-1 line are presented to demonstrate that there are “reliability issues.” There is no demonstration of “reliability” issues on Q-1D South, and no disclosure of the cause of outages, i.e., was it construction of the Marshland – Briggs Road, or the Genoa segments that caused the outages.
- The EA states, as above, that the “Q-1D South line has had some reliability issues” but more accurately, as noted above, the accompanying chart shows it’s Marshland – Briggs Road at issue. This is corroborated in the August 2014 “Briggs Road – La Crosse Tap 161 kV Rebuild Study.” Study, p. 2.
- The EA is inadequate because there is no indication of whether the outages were planned or now, nor is there any indication of the duration of the outages beyond “momentary” and “sustained.”
- The data in Table 2-1 is not part of the “Briggs Road – La Crosse Tap 161 kV Rebuild Study” because that was released in April, 2013 and it includes partial 2014 data.
- The Table 2-1 is included in the August 2014 “study” which explains the footnote to the table. This should be clarified.
- The EA is inadequate because the EA was not released until 2016, and should include 2015 outage data.
- Table 2-1 shows some outages from 2009 – 2012, which could be part of the “Briggs Road – La Crosse Tap 161 kV Rebuild Study,” but these outages are not unusual, nor under NERC criteria are they sufficient to trigger reconstruction of the line.
- The “Study” has a line above Table 2-1 that should be incorporated into the EA for transparency because it shows the segmentation, that Q-1D South is but a part of a larger transmission line. That sentence is, “When the Briggs Road substation is connected in

the fall of 2014 the line will become the Briggs Road – La Crosse Tap – Genoa 161 kV line.” The Briggs Road substation is connected, it is nearly 2 years beyond the fall of 2014, and this line is the Briggs Road – La Crosse Tap – Genoa 161 kV line.

Contingency Analysis

The EA is inadequate because it does not provide sufficient specific information, and some of what is provided is misleading. EA p. 2-2.

- The EA should more clearly state that the Q-1 line is just one of three lines serving La Crosse from the Briggs Road substation. That is laid out more fully in the “study” and should have not been deleted in this paragraph. EA p. 2-2.

The two 161 kV lines from the south are Genoa-Coulee and Genoa-La Crosse Tap. From the north are Briggs Road-Mayfair-La Crosse and Briggs Road-La Crosse Tap.

Study p. 2. I believe there is another line coming across the Mississippi from the west. There is a 69 kV line running north/south through Onalaska that should also be accounted for – it is owned by Xcel and was just realigned this spring near “Sunny’s overlook” in conjunction with Highway 35 work (photo taken looking down new clearcut easement:



- The EA should also in that first narrative paragraph list the lines serving La Crosse from other directions, i.e., from La Crescent across the Mississippi River, from Genoa to the

South, and identify any from the east and other directions. This is present in the “study” listing two lines from the south, and two from the north. Study, p. 2.

- The EA should disclose that the scenarios in the 2nd paragraph are examples of a N-2 contingency, two outages, a generator and a line outage and a generator offline and loss of Xcel line.
- The EA should clarify that in Table 2-2 the only scenarios where a contingency results in line loading of over 100% are N-2 scenarios.
- The EA should disclose the impact on line loading of shut down of the Alma generators.
- The EA should disclose the impact on line loading of availability of the La Crosse French Island generators.
- The EA should specifically describe NERC criteria and violations and what constitutes a NERC violation that would trigger a line rebuild.
- The EA is inadequate because it includes “off-line” “for market reasons” in its contingency modeling.
- The EA is inadequate because the conclusions of the “contingency analysis” show that the two instances of over 100% are both n-2, with either Genoa #3 or Lansing #4 out, together with Briggs Road-Mayfair, and the Lansing #4 offline. The EA more accurately states the remoteness of the Lansing #4 issue. These scenarios are too remote...
 - Although the base case is not known, it appears that the 69 kV line also serving La Crosse is not in the mix, and should be considered.
 - The Lansing #4 contingency is only an issue if the Mayfair line is put back into service.

Recommended Plan

The EA is inadequate because the recommended plan is not consistent or related to the previous narrative. EA p. 2-3.

- The EA is inadequate because it claims the line is the oldest line and in poor condition in need of replacement, yet proposes to tear down the existing line and reconstruct a line with a much higher capacity, without justification for that higher capacity.
- The EA is inadequate because it uses circular logic in stating that “Recent reliability issues on other sections of the Q-1 line support the decision that this line is in poor condition and is in need of replacement.” The other sections have already been upgraded, so I would presume that those “reliability issues” no longer exist and the entire 4-segment line has increased stability.

- The conductor size in the EA Table 2-3 is 656 ACCR, and in the same table in the “Study,” labeled “Table 4” it is 795 ACSS, and the one line drawing, Figure 2, reflects the same conductor. This inconsistency should be corrected.
- The one line drawing may explain the earlier statement that the line begins just a bit south of the Briggs Road substation. See “Study,” Figure 3.
- The EA should include the one line drawing from the “Study” with a legend.

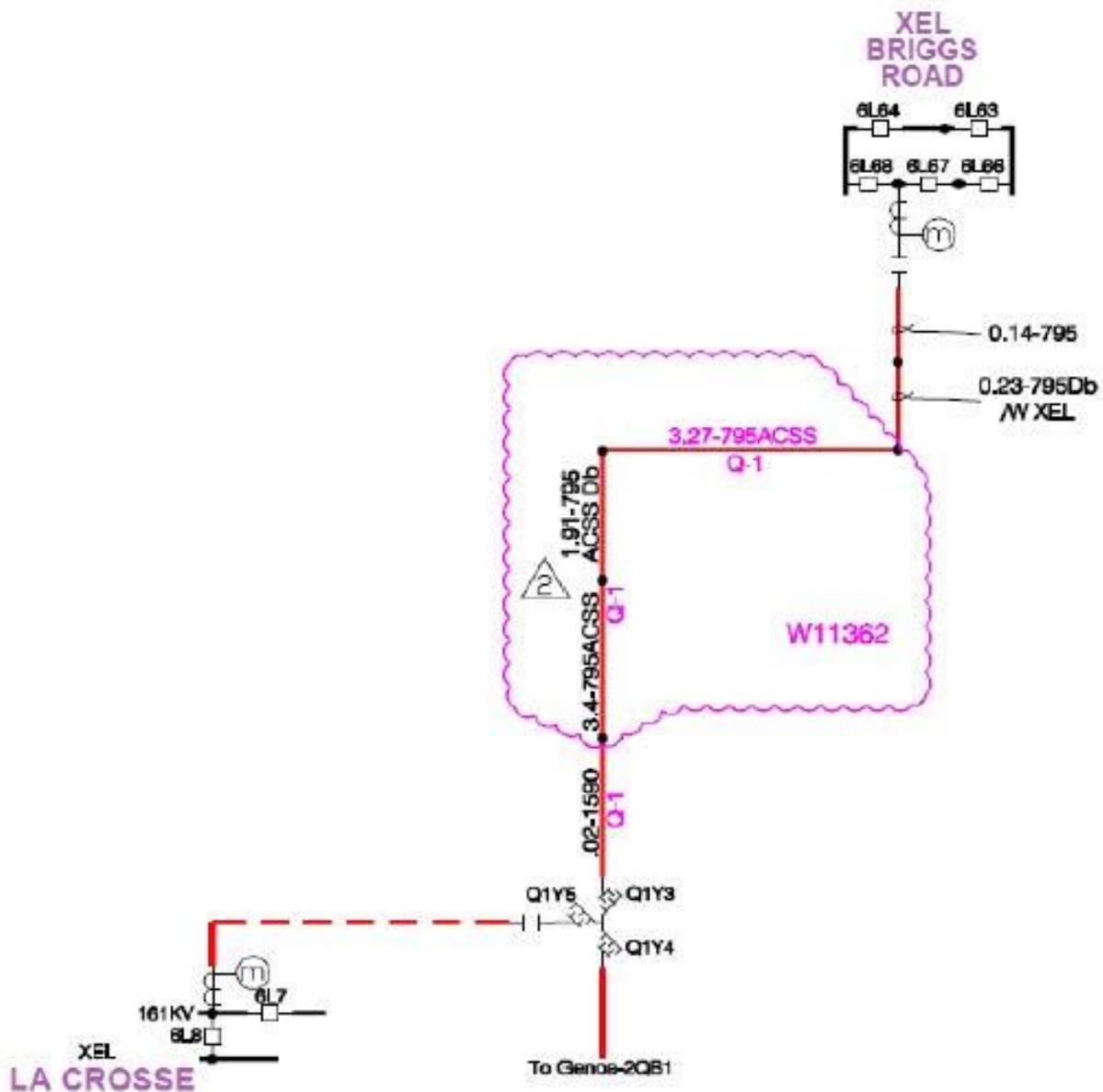


Figure 2 - Briggs Road-La Crosse Tap Project One-line

Purpose and Need for RUS's Action

The EA is grossly inadequate because it claims that its purpose is to make loans “for the purpose of financing the construction and operation of generating plants, electric transmission and distribution lines or systems for the furnishing and improving of electric service to persons in rural areas.” The EA does not address in what manner this fits with RUS purpose. Further, to the extent that the project is intended for wholesale marketing, it has not been disclosed whether and to what extent this project fits with RUS's function and mission.

ALTERNATIVES TO THE PROPOSED PROJECT

The EA is inadequate because it only considers transmission alternatives, and does not consider distributed generation, such as solar near load, or efficiency and conservation measures to reduce load below the claimed (potential) overloads in Table 2-2.

Proposed Action

- The EA is inadequate because on p. 3-1 it states that “The Project originates approximately 0.3 miles southeast of the Briggs Road Substation...” yet in all other instances the project is said to start at “Briggs Road.”
- The EA is inadequate because in the first paragraph describing the route, it does not give any indication of the setting this project traverses. This is a high density residential area.
- In the second paragraph, it is also a residential area, and this should be disclosed.
- In the third paragraph, where it does disclose that the line runs through a residential area, it should also disclose the proximity to homes as it runs parallel to Highway 52 through people's back yards.
- In the fourth descriptive paragraph, after it goes through a new subdivision, it does not describe how and where the line will connect to the northbound line from Genoa – all that is in the area is a corn or bean field.
- The EA claims this is a local load-serving facility, but considering the reduction in generation at Alma, and increase of generation at French Island, the purpose of the doubling of capacity is not clearly one of serving local load.
- The EA is inadequate because it does not address the routing of this line over and next to homes and businesses, which, according to a recent article:

The rebuilt line would cross as many as 14 dwellings that were constructed underneath the existing line. There are 42 dwellings and

four businesses within the 80-foot right of way³.

The aerial photo route maps provide clear depictions of the closeness of these homes. It is not responsible to build over these homes.



- The EA is inadequate because the project is not a “rebuild,” but instead removal of the existing line and constructing a new, larger, taller, and higher capacity line in its place, which would be in violation of Wisconsin Admin. Code PSC §114.234(2)(c):

c. Transmission lines over dwelling units.

No utility may construct conductors of supply lines designed to operate at voltages in excess of 35 kV over any portion of a dwelling unit. This provision also applies to line conductors in their wind-displaced position as defined in Rule 234A2.

³ See Dairyland rules out alternatives for high-voltage rebuild: http://lacrossetribune.com/news/local/dairyland-rules-out-alternatives-for-high-voltage-rebuild/article_a3f8a146-7060-5893-b126-6408cd046ed8.html

This project, as proposed, is prohibited by Wisconsin's adoption of National Electric Safety Code standards.

- The EA is inadequate because the "Proposed Project" does not disclose or address mitigation for homes and businesses within the easement. This proximity is not addressed until the "Alternatives" section, in Table 3.1 on p. 3-5, which shows that there are 24 residences 40 feet or less from the centerline, and 2 businesses 30 feet or less from the centerline as it exists now. Siting a transmission line this close is unacceptable.

Regional Alternatives

The EA is inadequate as it states that:

The Project is a local load-serving facility and is not intended to be regional in nature. As such, regional studies were not performed for the Project.

Alternative Designs and Construction Methods

The EA is inadequate because the alternative designs were limited, and non-transmission alternatives were not considered. EA p. 3-2.

- The EA merely states what designs Dairyland would use, and does not present a range of options.
- The EA is inadequate because it states that the project is planned "to meet FAA and Cities of La Crosse and Onalaska AOZD height restrictions near the La Crosse Airport when instead, Dairyland is working to change the AOZD to allow increased height and to avoid the necessity of requesting variances for the many poles that would not meet the ordinance height restrictions.
- The EA should disclose the number and locations of poles that do not meet the current AOZD.

ALTERNATIVE ROUTES CONSIDERED

The EA is inadequate because it is not clear that any alternative to Dairyland's existing Q-1 route were actually considered. EA p. 3-2 through 3-5.

Xcel Energy's Briggs Road – Mayfair 161 kV Transmission Line Route

- The EA makes claims that routing jointly with the Xcel line would eliminate redundancy, but the lines are already in such close geographic proximity that they would be exposed to the same major weather events risking outage.
- The EA makes this point elsewhere that "the risk of a simultaneous outage of both circuits due to a single event remains." EA p. 3-7.

- There is no demonstration in the EA that the lines as they are provide any redundancy or NERC reliability advantage.
- The EA misstates the requirement of new easements – a jointly routed line would most likely require only expanded easements.
- The EA does disclose what is likely the primary reason Dairyland wishes to avoid the Xcel route – that it “would also require going through the PSCW’s CPCN process!
- The EA claims the CPCN process would delay the reconstruction of the line by up to five years and increase cost, but provides no substantiation of this claim.
- In the EA, “DPC identified several physical constraints to using the Xcel 161 kV ROW.” However, these same constraints are found along the DairylandQ-1 route and are not regarded as problematic.
- The EA identifies a potential Mayo Clinic site and claims that hospitals are “sensitive sites” and to be avoided. THERE IS NO HOSPITAL AT THAT LOCATION.
- The EA incorrectly states that Wis. Admin. Code §PSCW 114.234(a)(4) prohibits construction over homes. However, this citation is incorrect – it is 114.234(2)(c) that prohibits construction over homes:

c. Transmission lines over dwelling units.

No utility may construct conductors of supply lines designed to operate at voltages in excess of 35 kV over-any portion of a dwelling unit. This provision also applies to line conductors in their wind-displaced position as defined in Rule 234A2.

- The EA is inadequate because it states that the Wisconsin code restriction that prohibits building transmission lines over a dwelling unit “likely applies to Xcel as a public utility but not to DPC as a cooperative.” This is an incorrect presumption, because the code at issue is adoption of the National Electric Safety Code and is meant to apply the laws of physics which are not dependent on the form of business organization.
- The EA is inadequate in that it does address this issue in this “Alternatives” section, yet does not address the identical issues raised with the project as proposed, where according to a recent article:

The rebuilt line would cross as many as 14 dwellings that were constructed underneath the existing line. There are 42 dwellings and

four businesses within the 80-foot right of way⁴.

- The EA is inadequate because it does not address homes and businesses within the easement other than Table 3.1 on p. 3-5, which shows that there are 24 residences 40 feet or less from the centerline, and 2 businesses 30 feet or less from the centerline as it exists now. Siting a transmission line this close is unacceptable.
- In another place, the EA states that “[t]here are 42 residences and four businesses located within the 80-foot ROW.” EA, p. 5-1. This is not acceptable.

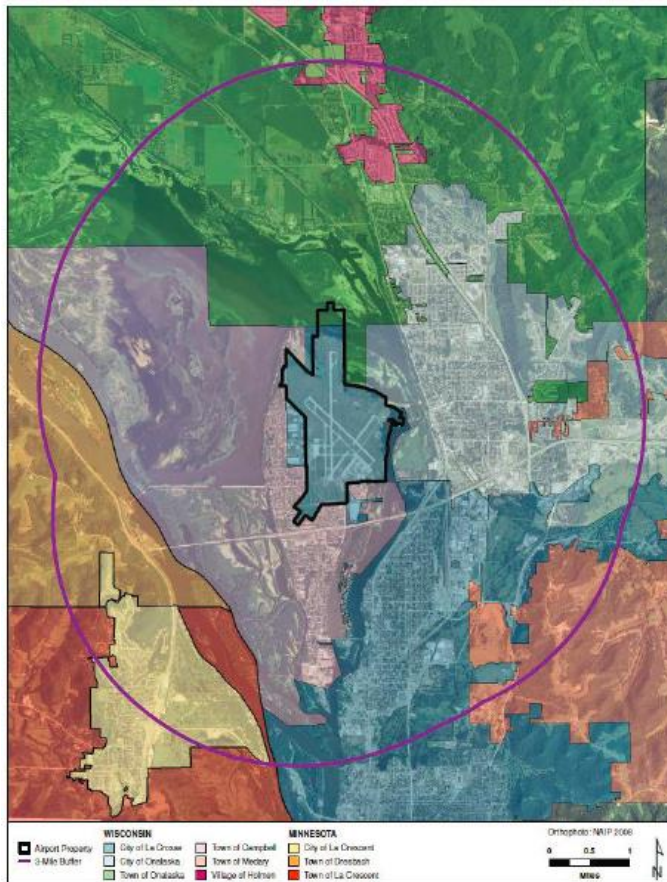
DPC’s 69 kV Transmission Line Route Alternatives

The EA is inadequate because it does not seriously consider this alternative either.

- The EA does disclose what is likely the primary reason Dairyland wishes to avoid the Xcel route – that it “would also require going through the PSCW’s CPCN process!”

FAA and Cities of La Crosse and Onalaska Airport Overlay Zoning

The EA is inadequate because it does not accurately depict the machinations that Dairyland is going through to change the AOZD. EA p. 3-6. Below is the AOZD map:



- The EA notes that “The city’s compliance with the ordinance affects their ability to get public funding.” This statement is not substantiated.
- If this above statement is correct, changing the AOZD to facilitate this transmission project, which does not comply with the ordinance as written, and which would apply to any future project, would detrimentally affect the cities’ ability to get public funding.
- The EA is inadequate because it does not clearly state how many structures, as proposed, would be prohibited by the AOZD.
- The EA is inadequate because it does not disclose the proposed amendments to the AOZD at Dairyland’s

http://lacrossetribune.com/news/local/dairyland-rules-out-alternatives-for-high-voltage-rebuild/article_a3f8a146-7060-5893-b126-6408cd046ed8.html

behest, which would allow the higher structures not allowed under the existing AOZD, and allow Dairyland to circumvent the AOZD variance process. As Dairyland states, “it is doubtful that the cities would approve these additional variances to the AOZD restrictions.” EA p. 3-6.

Reliability

The “Reliability” section of the EA should be incorporated into the “Contingency Analysis” section 2.1.2. EA p. 3-7.

- The EA incorrectly implies that combining Q-1D South with the Xcel Mayfair line, and suffering an outage, would isolate La Crosse if there were an outage. The area is served by transmission from other areas, and would not be isolated should those two lines be taken out of service.

- The EA notes:

Even when NREC criteria are satisfied locating lines near each other results in reduced reliability, particularly when two lines serve a common purpose such as the 161 kV lines feeding La Crosse.

EA p. 3-7. This is an implicit argument for undergrounding the Dairyland project, to provide reliability where two lines are in such close proximity as the Dairyland and Xcel lines.

ROW Acquisition

- The EA is inadequate where it notes “conflicts based on the presence of homes, parks, preschools, or other facilities” but fails to address these conflicts with the project as proposed, and as existing. EA, 3-8.
- The EA is inadequate in noting that the PSC considers the above conflicts, but where through segmenting, Dairyland avoids PSC scrutiny. This theme is repeated in the EA.
- Table 3-2 should incorporate the information on the project as proposed, and include the information in Table 3-1. Comparisons should also be made between the proposed project and the “Alternatives.”

Underground Alternative

The EA is inadequate because it unreasonably rejects undergrounding without basis and despite indications that undergrounding would address construction constraints and mitigate impacts.

- The EA is inadequate because it states:

Although rebuilding in the existing ROW is the least impactful alternative for an overhead line, it presents numerous obstacles to underground construction.

EA, p. 3-9. The obstacles to underground construction are essentially the same as for overhead, and the benefits of undergrounding in this area full of transmission constraints have not been considered.

- The EA does disclose what is likely the primary reason Dairyland wishes to avoid undergrounding all or part of the Q-1 route – that it “would also require going through the PSCW’s CPCN process! EA, p. 3-9.
- The EA claims the CPCN process would delay the reconstruction of the line by up to five years, but provides no substantiation of this claim.
- The EA is inadequate because it does not specify the cost of undergrounding all or part of the Q-1D South project, only claiming that it would be “prohibitively expensive.” EA, p. 3-9. Dairyland is familiar with the undergrounding required for the Chisago Project, and should also be aware of undergrounding required for Xcel’s Hiawatha Project through the Phillips neighborhood of Minneapolis. Utilities always whine about the cost of undergrounding, but recognize that there are cases where it is necessary.
- The EA is inadequate in that it does not address “who pays” for undergrounding.
- The EA is inadequate because it does not disclose that costs of undergrounding the project would be recoverable in rates through various cost recovery schemes.
- The “obstacles to underground construction” are all present for overhead construction, and are common to any underground project – transmission can be designed in and around these obstacles.
- The EA is inadequate in its description of requirements to underground, as these are not unusual and are not great engineering feats, but instead, part and parcel of designing an underground transmission project. EA, p. 3-10.
- The EA is inadequate because in discussing undergrounding, it does not address the rebuild of Highway 35 which provides an opportunity for joint infrastructure construction.
- The EA is also inadequate because it does not discuss cost sharing options if done in conjunction with local infrastructure projects.

No Action Alternative

The No Action Alternative is one anticipated by Dairyland in its Petition to FERC for its “hypothetical debt structure.” EA, p. 3-11. No Action is not the end of Dairyland’s world.

- The EA is inadequate because it does not address Dairyland’s preparation for independent market financing, as described as part of its need for FERC recognition of its “hypothetical debt structure.” The RUS is not the only potential funding source for this project.
- The EA reveals a primary issue that should be more fully addressed:

The aging transmission structures also present the potential for outages to the fiber optic line they carry.

EA, p. 3-11. The character and revenue from this fiber optic line must be disclosed.

- In this “information age,” this fiber optic line noted above may be the driver of this project. More information is required.

LAND USE

General Land Use

Again, Dairyland misstates the application of Wisconsin’s adoption of NESC clearance codes. EA p. 4-1 – 4-2. Rather than being in applicable, it more likely prohibits construction of the project.

- The EA incorrectly states that Wis. Admin. Code §PSCW 114.234(a)(4) prohibits construction over homes. However, this citation is incorrect – it is 114.234(2)(c) that prohibits construction over homes:

c. Transmission lines over dwelling units.

No utility may construct conductors of supply lines designed to operate at voltages in excess of 35 kV over-any portion of a dwelling unit. This provision also applies to line conductors in their wind-displaced position as defined in Rule 234A2.

- The EA is inadequate because Dairyland again proclaims that PSC and Wisconsin Administrative Code is not applicable, but then seeks shelter of PSC in noting that public utilities, which Dairyland is not, may seek waivers. Dairyland cannot have it both ways.
- Seeking a waiver from the PSC does not guarantee a waiver.
- A waiver may be sought, but that may only occur in a PSC proceeding, which Dairyland seeks to avoid for this transmission project.
- The EA is misleading in its discussion of other states’ laws on transmission construction over homes. For example, in Minnesota, if a line is permitted to be built, and a home was

in the easement, there would be displacement, the home and/or any associated structure (barn, shed, warehouse, hog barn) would not be allowed to remain in the easement.

La Crosse County

The EA is inadequate in its parroting language regarding transmission congestion by the County which has no transmission expertise. EA, p. 4-2.

The EA states that:

Transmission lines are specifically permitted in Agricultural District and Exclusive Agriculture District as well as between the setback lines and the highway. **They are not addressed in the other zoning districts crossed.**

EA, p. 4-3 (emphasis added). Where zoning ordinances and plans specifically permit in places, where ordinance is silent, that means they are not permitted! The EA should more directly state this lack of permitted use.

Town of Onalaska

The EA states that the Town of Onalaska has adopted La Crosse County exemptions of transmission poles and lines from height requirements. This should be specifically quoted and cited.

Village of Holmen

The EA states a comp plan requirement to “coordinate the location of public utilities with projected growth and development patterns. The EA is inadequate because it does not address how or whether this coordination has occurred.

Town of Medary

As with the Town of Onalaska, the EA states that the Town of Medary has adopted La Crosse County exemptions of transmission poles and lines from height requirements. This should be specifically quoted and cited.

City of Onalaska

The City of Onalaska recently updated its Comprehensive Plan regarding transmission, including language regarding routing considerations and a map of transmission and pipelines currently in place. The EA should address these transmission specific provisions of the Comprehensive Plan.

City of La Crosse

This Dairyland Q-1 line, and also Xcel’s Mayfair line, and Xcel’s 69 kV transmission line along Hwy. 35 impinge on the airport. La Crosse is in the process of amending the Airport Overlay District – if so, that establishes a precedent which would open the doors to future requests. The

EA should reflect the broader implications of amending the ordinance for Dairyland, knowing that other projects are pending in the area, and mindful of the purpose of the AOZD – protection of the public safety and the community’s investment in the La Crosse Airport.

- The EA is inadequate because it does not fully address transmission line impacts to the airport. The La Crosse airport and transmission impacts were significant issues in the Badger Coulee transmission proceeding at the Public Service Commission (PSC Docket 05-CE-142) where Onalaska provided Direct and Rebuttal testimony regarding that project’s proposed route through this area on the La Crosse airport. That issue is one reason the “southern route” was not chosen.
- The EA should more thoroughly address transmission impacts to users of airport – what this transmission line and the proposed AOZD amendment mean for pilots, choice of airport, and safety of flying public.
- The EA should address that the transmission lines through the AOZD were installed with no record of petition for variance, appeal, or special exception for the existing transmission poles, in some cases because the transmission line preceded the AOZD. Now, the AOZD is in place, and compliance should be expected.
- The EA does not address NESC code and whether it is compatible or whether it conflicts with La Crosse Airport Overlay restrictions.
- The EA is inadequate because there is no plan and profile and computer generated photos showing grading, clearing, access roads and other construction activities necessary to install and maintain transmission line and corridor.
- The EA is inadequate because lines should be undergrounded along this stretch where it would interfere with the airport – this was not part of the alternatives analysis. Undergrounding has been accomplished by Xcel in scenic locations, i.e., up and down the rocky bluffs of the Wild and Scenic St. Croix River and through city of St. Croix Falls. Also used in city where impacts on residents unacceptable, i.e., Hiawatha Project along 28th St. in Phillips neighborhood of Minneapolis. Undergrounding for airport safety is reasonable.
- Undergrounding of this stretch would eliminate the conflict with La Crosse airport restrictions and would comply with Airport Overlay District restrictions
- Undergrounding of this stretch would comply with National Electric Safety Code, and NESC as adopted by Wisconsin.
- The EA is inadequate because there is no demonstration that the project meets the criteria for a variance, leading to a presumption that it could not meet the three step test:
 - **Unique Characteristics of the Area** – in this case, these unique characteristics of the built up and crowded corridor with material construction challenges s that this

area is not appropriate for a transmission line corridor, and that rather than a variance to allow transmission, an alternative should be found.

- **No Harm to Public Interest** -- Public interest considerations listed in the EA are applicable to this project:
 - **Public health, safety, and welfare** - transmission line through AOZD district and over homes and businesses
 - **Natural scenic beauty** - detrimental aesthetic impacts on viewshed by transmission line and clear cutting and grading in and around people's homes and businesses.
 - **Minimization of property damages** – no mitigation of cutting of trees and vegetation that cannot be regrown in a transmission easement
 - **Provision of efficient public facilities...** Transmission line would detract from public facilities, particularly the La Crosse Airport
 - **Achievement of eventual compliance for nonconforming uses, structures, and lots** The existing transmission line, with no record of a variance, is likely now a nonconforming use, as are the structures. Granting a variance would make it conforming, technically, but that is a paper solution to a physical nonconformity of project to public intent of land use and land use conflict between project and the public's investment and construction of the Airport.
- **Unnecessary Hardship.** There is no specific claim of an unnecessary hardship, though without the variance, Dairyland could not build the project as proposed.

If Dairyland were to apply for the many variances it would require to build the transmission line under the existing AOZD, as stated in the EA:

“it is doubtful that the cities would approve these additional variances to the AOZD restrictions.”

EA p. 3-6. This is a significant issue that was addressed in the EA and should be seriously considered by RUS in making its decision whether to fund the project.

- The EA is inadequate because there is no record of an airport Communication Facility Impact Study.
- The EA is inadequate because there is no record of Comments of the WisDOT Bureau of Aeronautics.

Threatened and Endangered Species

Regarding bald eagles, the EA states:

While there are no known nests in the Project area, there is suitable habitat for the eagle to nest south of I-90.

EA, p. 4-9.

- The EA should address whether an eagle take permit is recommended for the project. Eagles are known to nest the length of the Mississippi. It is also necessary to avoid eagle range areas. For the CapX 2020 transmission project, and also the Badger Coulee transmission project, eagle habitat was a concern and USFWS recommended that the project developers obtain an eagle take permit for the projects. The potential for eagle kills and injuries by transmission lines should not be dismissed – there have been four Decorah eaglets killed by transmission lines in the last few years.
- The EA is inadequate because there is no record or inclusion of USFWS written comments or recommendations regarding eagles or other threatened and endangered species. The project should not go forward without Comments from USFWS.
- The EA is inadequate because it states that Bald Eagles prefer pine trees for nesting. A drive along the Mississippi river reveals that the majority of eagle nests are in large deciduous trees, not pine trees. EA, Table 4-3, p. 4-10.

Air Quality

The EA is inadequate because it does not address the potential for the Henshaw effect, particularly where transmission is routed over gravel pits as is proposed for this project. EA, p. 4-15. Corona attracts particulate matter, commonly found in operating gravel pits, and is readily inhaled and attaches to lungs with severe health impacts. The EA should incorporate or cite studies regarding the Henshaw effect and impacts on those breathing near transmission lines.

Cultural Resources

The EA is inadequate because efforts at consultation with local tribal governments were not sufficient to receive comments.

Socioeconomics and Community Resources

The EA is inadequate because it does not take into account many facets of “Socioeconomics and Community Resources.”

- The EA should include studies and estimates of property devaluations expected with construction activities, reconstructed transmission line, and access roads.
- The EA should include studies and estimates of lost tax revenue from decrease in property value.
- The EA should include studies and estimates of cost of decreased marketability of properties under or near the transmission line.
- The EA should include studies and estimates of loss of revenue of businesses under or near the transmission line.
- The EA should include studies and estimates of loss of tourism revenue due to the visual and aesthetic intrusion of the transmission line.

Environmental Justice Human Health and Safety

The EA does not adequately address Environmental Justice issues presenting with this project. EA p. 4-16; 4-19.

- The EA must address the economic aspect of the project's route through a trailer park with lower income housing and residents. Use of census tracts is not reasonable where the line so visibly runs directly over trailers.





Infliction of this transmission line reconstruction on these residents is an abjectly offensive act that shows utter disregard for their health and use and enjoyment of their homes and property.

EMF

The EA is inadequate because it understates the potential range of electric and magnetic fields.

Thompson said the rebuilt line should have lower EMF readings “under normal load” but concedes the new conductors will be capable of carrying more electricity, which would increase EMF.

Dairyland rules out alternatives for high-voltage rebuild/Power versus people, La Crosse Tribune, 6/26/2016. Article online at: http://lacrossetribune.com/news/local/dairyland-rules-out-alternatives-for-high-voltage-rebuild/article_a3f8a146-7060-5893-b126-6408cd046ed8.html

- The EA is inadequate because it does not include EMF modeling for the full range of capacity, up to and including 400 MVA.
- The EA should include charts showing the range of magnetic fields at various points to convey expected and potential levels under the line, and at various distances from the centerline to a distance where they would be below 2 mG.
- The EA is inadequate because it the MVA range used for the three magnetic field calculations was 27-138 MVA, far lower than the 400 MVA potential. The magnetic fields at 400 MVA would be expected to be more than double of that presented in the EA:

Calculated Magnetic Fields Table				Calculated Magnetic Fields Table			
Circuit Name: Q1 La Crosse Tap to Briggs Road Substation				Circuit Name: Q1 La Crosse Tap to Briggs Road Substation			
Facility Description: Proposed Davit Arm Single Circuit 161 kV				Facility Description: Proposed Y-Frame Single Circuit 161 kV			
Normal Load		Contingency Load		Normal Load		Contingency Load	
Distance from Centerline (feet)	Magnetic Field (mG)	Distance from Centerline (feet)	Magnetic Field (mG)	Distance from Centerline (feet)	Magnetic Field (mG)	Distance from Centerline (feet)	Magnetic Field (mG)
Centerline	15.5	Centerline	79.1	Centerline	24.2	Centerline	123.7
25	10.6	25	54.1	25	15.5	25	79.3
50	4.6	50	23.5	50	6.1	50	31.2
100	1.4	100	7.1	100	1.7	100	8.7
150	0.6	150	3.3	150	0.8	150	4.0
200	0.4	200	1.9	200	0.5	200	2.3
300	0.2	300	0.9	300	0.2	300	1.1
Assumptions: Typical Midspan Height = 26 feet Normal Load = 27 MVA (96.8A) Contingency Load = 138 MVA (494.9A) Conductor = 795 DRAKE ACSS (1.107") Shield Wire = OPGW (0.571") ROW Width = 80 Feet Field is Asymmetrical so Highest Values Shown per Distance				Assumptions: Typical Midspan Height = 26 feet Normal Load = 27 MVA (96.8A) Contingency Load = 138 MVA (494.9A) Conductor = 795 DRAKE ACSS (1.107") Shield Wire = OPGW (0.571") Shield Wire = 7/16" EHS (0.4375") ROW Width = 80 Feet Field is Asymmetrical so Highest Values Shown per Distance			

Calculated Magnetic Fields Table			
Circuit Name: Q1 La Crosse Tap to Briggs Road Substation			
Facility Description: Proposed Davit Arm Double Circuit 161 kV and 69 kV			
Normal Load		Contingency Load	
Distance from Centerline (feet)	Magnetic Field (mG)	Distance from Centerline (feet)	Magnetic Field (mG)
Centerline	10.7	Centerline	52.3
25	10.7	25	52.7
50	4.3	50	21.4
100	1.1	100	5.4
150	0.5	150	2.3
200	0.3	200	1.3
300	0.1	300	0.6
Assumptions: Typical Midspan Height = 26 feet 161 kV Normal Load = 27 MVA (96.8A) 69 kV Normal Load = 2.4 MVA (20.1A) 161 kV Contingency Load = 138 MVA (494.9A) 69 kV Contingency Load = 17 MVA (142.2A) Load Flow in Same Direction for Both Circuits 161 kV Conductor = 3M 636 GROSBEAK ACCR (1.004") 69 kV Conductor = 477 FLICKER ACSR (0.846") Shield Wire = OPGW (0.571") Shield Wire = 7/16" EHS (0.4375") ROW Width = 80 Feet Field is Asymmetrical so Highest Values Shown per Distance			

See Appendix G – Magnetic Fields

- Below is a chart with mG calculations showing the range of magnetic fields at various points to convey expected and potential levels under the line, and at various distances

from the centerline to a distance where they would be below 2 mG that should be incorporated into the EA:

ADJUSTABLE TABLE															
TABLE 5.2-6. Calculated Magnetic Fields (milligauss) for proposed double circuit 161 kV Transmission Line Designs (3.28 feet above ground)															
STRUCTURE TYPE	SYSTEM CONDITION	CURRENT (AMPS)	DISTANCE TO PROPOSED CENTERLINES												
			-300'	-200'	-100'	-75'	-50'	-25'	0'	25'	50'	75'	100'	200'	300'
1 CIRCUIT	PEAK	621.12	1.86	3.93	13.22	20.47	33.79	55.17	75.03	70.02	42.16	23.97	14.73	3.88	1.69
DELTA CFG	AVERAGE	359.03	1.07	2.27	7.64	11.84	19.54	31.88	43.36	40.47	24.38	13.86	8.52	2.25	0.98
1 CIRCUIT	PEAK	621.12	2.02	4.63	16.75	26.12	42.75	64.58	60.11	37.74	23.20	15.08	10.40	3.48	1.67
VERT CFG	AVERAGE	359.03	1.18	2.68	9.68	15.11	24.70	37.33	34.74	21.81	13.41	8.73	6.00	2.00	0.95
2 CIRCUIT W/	PEAK	621.12	1.67	3.48	10.42	15.13	23.27	37.86	60.28	64.70	42.77	26.12	16.73	4.63	2.02
1 CKT ACTIVE	AVERAGE	359.03	0.98	2.02	6.02	8.75	13.45	21.88	34.83	37.40	24.72	15.09	9.66	2.68	1.18
2 CIRCUIT W/	PEAK	621.12	0.45	1.36	7.81	14.30	28.14	53.88	70.65	54.25	28.47	14.52	7.98	1.39	0.45
2 CKTS ACTIVE	AVERAGE	359.03	0.25	0.80	4.52	8.27	16.27	31.15	40.83	31.36	16.45	8.41	4.61	0.80	0.27

ENTER MVA BELOW TO
ADJUST CURRENT IN THE TABLE:

173.00 MVA PEAK
161.00 kV
1.73 3 Phase
621.12 Amps PEAK CALC'D

100.00 MVA AVERAGE
161.00 kV
1.73 3 Phase
359.03 Amps AVERAGE CALC'D

ADJUSTABLE TABLE															
TABLE 5.2-6. Calculated Magnetic Fields (milligauss) for proposed double circuit 161 kV Transmission Line Designs (3.28 feet above ground)															
STRUCTURE TYPE	SYSTEM CONDITION	CURRENT (AMPS)	DISTANCE TO PROPOSED CENTERLINES												
			-300'	-200'	-100'	-75'	-50'	-25'	0'	25'	50'	75'	100'	200'	300'
1 CIRCUIT	PEAK	1436.11	4.30	9.08	30.57	47.33	78.12	127.56	173.48	161.89	97.48	55.43	34.05	8.98	3.92
DELTA CFG	AVERAGE	718.06	2.14	4.54	15.27	23.68	39.08	63.76	86.71	80.94	48.76	27.72	17.04	4.50	1.95
1 CIRCUIT	PEAK	1436.11	4.68	10.72	38.73	60.38	98.84	149.32	138.99	87.25	53.64	34.87	24.04	8.05	3.86
VERT CFG	AVERAGE	718.06	2.36	5.36	19.36	30.22	49.40	74.67	69.49	43.63	26.81	17.45	12.00	4.00	1.91
2 CIRCUIT W/	PEAK	1436.11	3.86	8.05	24.10	34.98	53.80	87.53	139.37	149.59	98.90	60.38	38.68	10.72	4.68
1 CKT ACTIVE	AVERAGE	718.06	1.95	4.04	12.04	17.50	26.90	43.77	69.67	74.81	49.45	30.18	19.31	5.36	2.36
2 CIRCUIT W/	PEAK	1436.11	1.03	3.16	18.06	33.07	65.06	124.57	163.36	125.44	65.82	33.56	18.44	3.21	1.03
2 CKTS ACTIVE	AVERAGE	718.06	0.50	1.59	9.04	16.54	32.54	62.31	81.67	62.72	32.90	16.82	9.23	1.59	0.50

ENTER MVA BELOW TO
ADJUST CURRENT IN THE TABLE:

400.00 MVA PEAK
161.00 kV
1.73 3 Phase
1436.11 Amps PEAK CALC'D

200.00 MVA AVERAGE
161.00 kV
1.73 3 Phase
718.06 Amps AVERAGE CALC'D

Corona

The EA is inadequate because it does not address the potential for the Henshaw effect, particularly where transmission is routed over gravel pits as is proposed for this project. EA, p. 4-20. Corona's charged particles attracts particulate matter, commonly found in operating gravel pits, and is readily inhaled and the particles attach to lungs with severe health impacts. The EA should incorporate or cite studies regarding the Henshaw effect and impacts on those breathing near transmission lines.

Financial Condition – Is Dairyland Power Cooperative a Reasonable Credit Risk?

The EA is inadequate because it does not address Dairyland's precarious financial situation. Dairyland entered the MISO energy market in 2010, and bought into the CapX 2020 Hampton – La Crosse transmission project, which required an 11% stake. That transmission "investment" of "Dairyland's share of the project"⁵ was funded by RUS. Dairyland also applied for and received RUS funding for the Marshland-Brigg's Road segment of the Q-1 line. After the CapX 2020 Hampton – La Crosse funding was granted by RUS, Dairyland then went to FERC for favored treatment through transmission rate incentives, and specifically requested for that CapX project:

- A "hypothetical capital structure" of 35 percent equity and 65 percent debt; and
- Recovery of 100 percent of prudently-incurred costs of transmission facilities that are abandoned for reasons beyond the control of Dairyland

⁵ Federal Register, online: <https://www.federalregister.gov/articles/2013/02/08/2013-02805/dairyland-power-cooperative-capx-2020-hampton-rochester-la-crosse-345-kv-transmission-line-proposal>

In its FERC Petition, Dairyland cited risk of the CapX investment and debt heavy financial status, and in its FERC filing requested this “hypothetical capital structure” as a means of upgrading its credit rating, to prevent it from falling into the “B” credit rating category, and that this structure is needed because unlike investor-owned utilities, it claims it cannot issue common stock to raise equity. Was this plan disclosed to RUS prior to RUS funding of Dairyland’s stake in CapX 2020 and the other segments of Q-1 reconstruction? Is RUS considering this in its funding decision for the Q-1 D South project? Is RUS considering Dairyland’s 9% interest in the upcoming Cardinal – Hickory Creek transmission project?

Overall, Dairyland claims “Total Assets \$1.5 billion” and claims the following liabilities (and assets):

	2015		2014	
	Recorded Value	Fair Value	Recorded Value	Fair Value
Assets:				
Other property and investments	\$ 10,885	\$ 10,885	\$ 10,197	\$ 10,197
Investments in capital term				
certificates of NRUCFC	9,176	9,176	9,176	9,176
Liabilities—long-term obligations	823,893	1,122,868	912,680	1,151,253

Dairyland 2015 Annual Report, p. 28.

In its FERC filing, Dairyland claimed debt of 85%, and requested a lower “hypothetical” debt/equity ratio so as to appear more attractive to investors and preserve its credit rating! Both of these numbers, 75% and 85%, are calculations prior to the RUS financing for the Q-1 D South project at issue in this proceeding, and prior to the RUS or other financing of Dairyland’s 9% interest in the Cardinal-Hickory Creek project.

In addition, Dairyland has liabilities attached to its closed nuclear plant and responsibilities for nuclear waste, which it has in part transferred to spinoffs under different names. See article, attached.

These financial realities are not indicative of a good credit risk, and instead are red flags of impending financial collapse.

CONCLUSIONS

The project as proposed includes many transmission towers that would violate the Airport Overlay Zoning District. The project as proposed also violates Wisc. Admin. Code. PSC 114.234(2)(c), which prohibits construction of transmission over homes. As the EA and Dairyland admit, **“it is doubtful that the cities would approve these additional variances to the AOZD restrictions.”** EA p. 3-6. These factors should rule out this project as one eligible for RUS funding.

Further, Dairyland's financial status is so debt-laden that it went to FERC for a "hypothetical debt structure" that intentionally misstates Dairyland's debt level in order to entice funding and retain its credit rating.

These are not hallmarks of a project worth funding or of a good credit risk.

For these reasons, and those outlined in No CapX 2020's previous comments, I request that USDA RUS find that the impacts of this project and the risks of financing are extreme and that Dairyland Power Cooperative's request for financing of the Q-1 D South transmission project be rejected.

Thank you for the opportunity to submit these comments on behalf of No CapX 2020,, and thank you for your consideration.

Very truly yours,

A handwritten signature in cursive script, reading "Carol A. Overland".

Carol A. Overland
Attorney at Law
for No CapX 2020