

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

**Nancy Lange
Dan Lipschultz
Matt Schuerger
Katie Sieben
John A. Tuma**

**Chair
Commissioner
Commissioner
Commissioner
Commissioner**

In the Matter of the Application of Enbridge Energy, Limited Partnership, for a Certificate of Need for the Line 3 Project in Minnesota from the North Dakota Border to the Wisconsin Border

PUC Docket No. PL-9/CN-14-916

In the Matter of the Application of Enbridge Energy, Limited Partnership, for a Routing Permit for the Line 3 Project in Minnesota from the North Dakota Border to the Wisconsin Border

PUC Docket No. PL-9/PPL-15-137

**EXCEPTIONS OF ASSOCIATION OF FREEBORN COUNTY LANDOWNERS TO
FINDINGS OF FACT, CONCLUSIONS OF LAW, AND RECOMMENDATION**

The Association of Freeborn County Landowners (AFCL), pursuant to Minn. Stat. §14.61 and Minn. R. 7829.2700, submit the following exceptions to the report of the Administrative Law Judge in the above captioned proceeding. The Association of Freeborn County Landowners are affected parties as landowners in Freeborn County, an area targeted for a portion of the SA-04 System Alternative proposed in the Certificate of Need docket.

**NO NOTICE HAS BEEN PROVIDED TO LANDOWNERS ALONG THE
SA-04 PROPOSED ROUTE.**

The Certificate of Need Notice Plan was inadequate, and there was no provision for notice to

those along any system alternative.

System Alternative 04, or SA-04, runs through Freeborn County:



ACFL takes exception to each and every reference to SA-04 in the ALJ's

Recommendation, beginning with the first on p. 24:

51. In this proceeding, FOH has proposed a system alternative that runs from Neche, North Dakota, south through western Minnesota and ending in Joliet, Illinois.¹⁰¹ This alternative is referred to as "System Alternative 04" or "SA-04".

For example, AFCL would add:

In this proceeding, FOH has proposed a system alternative that runs from Neche, North Dakota, south through western Minnesota and ending in Joliet, Illinois.¹⁰¹ This alternative is referred to as "System Alternative 04" or "SA-04". No notice has been provided to landowners along the SA-04 route.

Further, it was specifically determined by the Commission that there would be no meeting held in the SA-04 area:

170. On March 24, 2017, the Commission issued an Order Clarifying Process, explaining that public meetings required under Minn. R. 7852.1300, subp. 1B, and Minn. R. 4410.2600, subp. 2, would not be held in the counties in which System Alternative

SA-04 is located.³¹⁷ The Commission reasoned that SA-04 is a System Alternative related to the CN Docket, not a pipeline route alternative.³¹⁸ Because there is no proposal

to locate any part of the Proposed Line 3 in the counties where SA-04 is located, there would be no requirement to hold informational meetings in those counties.³¹⁹

There has been no opportunity for affected landowners to learn of this system alternative, much less comment on it.

SA-04 should not be considered as a System Alternative because no notice was provided to landowners, and the Notice Plan was inadequate as it did not contain any provision for notice to those affected by any proposed system alternatives.

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