

**STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS
FOR THE PUBLIC UTILITIES COMMISSION**

In the Matter of the Application of
Minnesota Power for a Certificate of Need
for the HVDC Modernization Project in
Hermantown, Saint Louis County;

OAH 5-2500-39600

In the Matter of the Application of
Minnesota Power for a Route Permit for a
High Voltage Transmission Line for the
HVDC Modernization Project in
Hermantown, Saint Louis County.

MPUC E-015/CN-22-607

MPUC E-015/TL-22-611

**AMERICAN TRANSMISSION COMPANY’S OBJECTION TO WORLD
ORGANIZATION FOR LANDOWNER FREEDOM’S PETITION TO
INTERVENE**

Pursuant to Minnesota Rule 1400.6200, subpart 2, American Transmission Company LLC by and through its corporate manager ATC Management Inc. (“ATC”) respectfully objects to the petition to intervene “as a full party, with all the rights of a party,” filed by World Organization for Landowner Freedom (“W.O.L.F.” or “Petitioner”) because Petitioner has not met the standard for intervention set forth in Minnesota Rule 1400.6200, subpart 1. W.O.L.F. has not demonstrated: (i) that it has *any* “legal rights, duties, or privileges” that may be determined or affected in this proceeding, or (ii) that W.O.L.F. “may be directly affected by the outcome” of this proceeding. *Id.*

Minnesota Rule 1400.6200, subpart 1 requires:

petition shall show how the petitioner’s legal rights, duties, or privileges may be determined or affected by the contested case; shall show how the

petitioner may be directly affected by the outcome or that petitioner's participation is authorized by statute, rule, or court decision; shall set forth the grounds and purposes for which intervention is sought; and shall indicate petitioner's statutory right to intervene if one should exist.

As an initial matter, Petitioner does not identify the purpose of the organization, its current membership, if any, or its current relationship to the HVDC Modernization Project or the high voltage transmission line for the HVDC Modernization Project (collectively, the "Projects"), much less how it would be impacted by the Projects. As such, Petitioner does not provide *any* information whatsoever to demonstrate that it has "legal rights, duties, or privileges [that] may be determined or affected by the contested case" or that W.O.L.F. itself would be de directly affected. *Id.*

Instead, Petitioner states that it is "'highly invested' in these dockets" because it participated in a proceeding before the Minnesota Environmental Quality Board ("EQB") that concluded in 2001. (Petition at 1-2) However, involvement in a proceeding *over twenty years ago* does not demonstrate that W.O.L.F. (if it still exists) would be affected by the outcome of this proceeding *today*. Petitioner claims its interest is to preserve conditions established in the EQB proceeding, but fails to articulate how those conditions remain relevant to W.O.L.F. or any current members. Simply put, Petitioner fails to provide the basic, relevant, and necessary information required to determine whether Petitioner has any right, duty, or privilege that may be impacted in this proceeding.

In summary, Petitioner fails to meet the *prima facie* burden of showing it would in any way be affected by the outcome of the contested case and fails to satisfy the

requirement set forth in Minnesota Rule 1400.6200, subpart 1. W.O.L.F.'s petition to intervene should be denied.

Dated: January 16, 2024

WINTHROP & WEINSTINE, P.A.

By: /s/ Eric F. Swanson
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