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PUC: E-015/CN-22-607
E-015/TL-22-611

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;

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.

PETITION FOR
INTERVENTION

WORLD ORGANIZATION
FOR
LANDOWNER FREEDOM

World Organization for Landowner Freedom, hereinafter “W.O.L.F.” hereby makes this Petition for Intervention as a full party, with all the rights of a party, in the Certificate of Need and Route Permit dockets for the above-captioned “HVDC Modernization Project,” as provided by statute and rule. Minn. R. 1405.6200, 7829.0800; see also Minn. Stat. §216E.08 Public Participation:

The commission shall adopt broad spectrum citizen participation as a principal of operation. The form of public participation shall not be limited to public hearings and advisory task forces and shall be consistent with the commission's rules and guidelines as provided for in section [216E.16](#).

W.O.L.F. has a material interest, a particular and unique interest, in this proceeding, satisfying the requirements for Intervenor status in the above-captioned dockets. W.O.L.F. is highly invested in these dockets because it was an active intervenor in Minnesota Power’s Arrowhead Exemption Application (herein “Arrowhead”) before the Environmental Quality

Board¹, and of the many Intervenor, W.O.L.F. was the only Relator at the Court of Appeals.² W.O.L.F. also was an intervenor in the Wisconsin PSC’s docket, initially applicants Wisconsin Power and Service (WPS) and Dairyland Power Cooperative (DPC), and later transferred from WPS to American Transmission Company (ATC).

In the Environmental Quality Board Arrowhead docket, W.O.L.F. made many substantive contributions³, informing the record on topics including health impacts of magnetic fields, aesthetic and visual impacts, noise, reliability (system adequacy and security), the historic Oliver bridge, relation of reduction in line loss to market and generation, use of the project to increase bulk power transfers of coal generation, and inability of landowners to utilize Minnesota’s Buy the Farm law if the project were exempted.⁴ The ALJ’s Arrowhead Project recommendation had a single condition that “noise impacts be reduced,” and “Noise mitigation by the use of sound barriers, the installation of quieter transformers, or the use of both.”⁵ The Environmental Quality Board approved the ALJ’s Recommendation of Exemption of the Arrowhead Project from the Power Plant Siting Act⁶, Minn. Stat. ch. 216E, with the addition to Finding of Fact 11:

- The approximate rating of these transformers is 800 MVA.

The project was ultimately approved with several conditions in the Order, including:

- Minnesota Power shall install the low-noise transformers identified in the application at the Arrowhead substation.

¹ In the Matter of the Exemption Application by Minnesota Power for a 345/230 kV High Voltage Transmission Line Known as the Arrowhead Project, MEQB Docket: MP-HVTL-EA-1-99.

² In the Matter of the Exemption Application by Minnesota Power for a 345/230 kV High Voltage Transmission Line Known as the Arrowhead Project, Court of Appeals, C4-01-1022 (January 15, 2002).

³ See Recommendation, Findings of Fact, Conclusions and Recommendation, and fn. 43,45, 55, 56, 58, 97, 119, 120, 126-128,142, 145-146,154-155,166, OAH Docket 10-2901-12620-2, online at: https://mn.gov/oah/assets/290112620.rt_tcm19-159974.pdf

⁴ Id.

⁵ Id, p. 15 and 26 of 31.

⁶ See Attachment 1, EQB Order, Minnesota Power’s Response to Route Alternative and Conditions... September 29, 2023 ([20239-199286-02](https://mn.gov/oah/assets/20239-199286-02))

- Minnesota Power shall apply to the Minnesota Environmental Quality Board under section 116C.57 for authorization to make any changes in the Arrowhead substation that would allow Minnesota Power to increase the capability of the substation to transmit power over the transmission line beyond 800 MVA.

W.O.L.F.'s interest in the instant proceeding is in preservation of the conditions established by the Environmental Quality Board, and in particular, preservation of the 800 MVA limitation at the Arrowhead substation which ATC seeks to circumvent. W.O.L.F.'s interest is distinct from that of Minnesota Power, as Minnesota Power's interest as a regulated utility is focused on preservation of the project as proposed, which is needed and designed to extend the lifespan of transmission from North Dakota to utilize that DC transmission line to bring energy to its service territory to serve its customers.

W.O.L.F. advocated for conditions in the Arrowhead-Weston transmission proceedings, resulting in conditions which in Minnesota were based on an extensive record before the Administrative Law Judge and recommendation. That record was reviewed by, and upon which the Environmental Quality Board granted, the Exemption to Minnesota Power.

ATC fails to address the existence and need for 800 MVA limitation of the phase shifting transformer⁷, which demonstrates failure to consider electrical impacts of its "plan." The phase shifting transformer is necessary due to voltage stability issues and the high potential for separation and inability to successfully close the circuit in the event of a fault. ATC's failure to address this limitation, and to advance a hare-brained attempt to further its corporate interest, is stunning.

Due to W.O.L.F.'s years' long active participation in the Minnesota and Wisconsin Arrowhead dockets, learning more about transmission than anyone should need to know, its

⁷ This is an example of the importance of institutional history. The Arrowhead Project was applied for in 1999, and the Wisconsin CPCN docket, 05-CE-113, was closed in 2005. ATC needs to review history.

participation in months of hearings, our presentation of material exhibits cited in Minnesota and Wisconsin Commission Orders, extensive discovery, motion practice and briefing, our investment of time and effort to secure conditions to the Exemption in Minnesota and the CPCN in Wisconsin, W.O.L.F.'s interest is reflected in the record in both states. W.O.L.F. has an interest and may be directly affected by the outcome of this case because acceptance and permitting of the ATC "alternative" would undo the ground gained in our years of work to obtain the two of many permit conditions proposed that were approved. The most important condition was the EQB's 800 MVA limitation.

W.O.L.F. has a unique interest that is not, and cannot be, represented by any other party. W.O.L.F.'s interest is distinct from that of Minnesota Power, as above. Minnesota Power's primary focus is its corporate interest, to hold on to their proposed project, designed to facilitate use of the Center to Arrowhead transmission line for the foreseeable future, and to secure transmission to serve its customers. Minnesota Power's project application claims it will also continue use of the transmission facilities in furtherance of renewable energy goals, something ATC's proposal does not address.⁸

W.O.L.F.'s primary interest is to preserve the hard won 800 MVA limitation⁹ to prevent bulk power transfer, and bulk power transfer capability is precisely what ATC would like to gain through this proposal and its expansion plans. However it's not "only" ATC's plan to run around the substation. W.O.L.F. also is concerned about the impacts to Minnesota ratepayers, and equally concerned as a utility regulatory docket participant, of the precedent of an entity from

⁸ We do not know ATC's intent, and we'd have to look at powerflows to determine what generation ATC thinks it could service. It's possible ATC's long plan is to capture wind from the Dakotas and/or hydro from Manitoba Power out from under Minnesota Power. However, there's not enough in its "plan" to determine what it's trying to do, other than enrage its corporate interest.

⁹ While Minnesota Power recognizes the 800 MVA limitation -- it's something that they did not want at the time of the Exemption decision, and likely would rather not have -- but MP has respected the Order and has had to work and plan transmission infrastructure with this legal and system limitation in mind.

another state at the last minute attempting to pull a long-planned project out from under a Minnesota legacy utility, a regulated utility.

The “alternative” offered by ATC was not timely filed, and a “modified” realignment was filed even later – it’s so very odd that the ATC “alternative” was added to the scope of the Environmental Assessment. ATC’s proposal is not electrically, economically, or environmentally sound. Alternatives have been proposed by intervenors in other dockets that have not been added to the scope for review where Commerce-EERA believes it does not fulfill the intent of the project proposer. This ATC proposal goes even farther than “not fulfilling the intent of the project proposer” by proposing a wholly separate project that has no relation whatsoever in purpose or design to what Minnesota Power is proposing¹⁰. There is not sufficient information provided by ATC to even review its proposal as a serious alternative. Most importantly to W.O.L.F., again, ATC’s “alternative” would circumvent the 800 MVA limitation of the Arrowhead substation by literally, electrically, going around the substation’s Phase Shifting Transformer to connect to the Arrowhead transmission line.

ATC is thumbing its corporate nose at the Arrowhead Project and the long extensive review before the Minnesota Exemption and Wisconsin Certificate of Convenience and Necessity approvals were granted. ATC is also disregarding Minnesota’s Certificate of Need and Power Plant Siting Act statutes and rules in its manipulation of process. Most likely, hopefully, this will be explored in the ongoing process, but it should not need to go that far -- that parties even need to expend effort and resources to challenge this untoward proposal is an unreasonable

¹⁰ Going through the process of a challenge to ATC’s proposal is similarly needless as it was to challenge the notion of a Dodge County Wind 345kV line proposed last minute through Dodge Center’s residential back yards, which was quickly dropped after environmental review, but requiring intense effort of residents to expose the absurdity. IP6981/TL-20-867. The public should not be saddled with these struggles but cannot and must not sit back in a snooze/lose proposition. The other side of the Commission’s charge of “broad spectrum of public participation” is that the public must show up.

burden. W.O.L.F. is very limited in resources, but of necessity, requests to intervene.

World Organization for Landowner Freedom requests permission to Intervene as a full party, with all the rights and responsibilities of a party, in the Certificate of Need and Route Permit dockets for the above-captioned “HVDC Modernization Project.” W.O.L.F. has demonstrated its unique interest and historical background in continued participation in matters regarding the Arrowhead-Weston transmission line, the Arrowhead substation, and will work to weigh in and shape the outcome of this proceeding.

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