

OAH: 5-2500-39600
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

**RESPONSE TO ATC OBJECTION
TO INTERVENTION OF
WORLD ORGANIZATION
FOR
LANDOWNER FREEDOM**

World Organization for Landowner Freedom, hereinafter “W.O.L.F.” hereby makes this Response to American Transmission Company’s (hereinafter “ATC”) Objection to W.O.L.F.’s Petition for Intervention.

In its Objection, ATC continues its Arrowhead-Weston modus operandi of baseless distractive, dismissive, and off-point comments and claims, i.e., “Petitioner does not identify the purpose of the organization, it’s current membership,” neither of which are factors for intervention. It further casts aspersions of W.O.L.F.’s legitimacy, raising questions of “if it even exists” despite the easy to find W.O.L.F. current registration in Wisconsin, Number W042335.¹ ATC Objection, p. 2. Further, ATC incorrectly claims the Minnesota EQB proceeding concluded in 2001, it did not “conclude” in Minnesota until the W.O.L.F. appeal of the Environmental Quality Board’s decision, with the Opinion of the Appellate Court, January 15, 2002, which was

¹ Online at: <https://www.wdfi.org/apps/corpsearch/Results.aspx?type=Simple&q=W042335>

also cited in the W.O.L.F. Petition². Id. In Wisconsin, W.O.L.F. materially participated in the Arrowhead Transmission Project far beyond 2002, and was granted nominal Intervenor Compensation. The Arrowhead-Weston permitting docket went through several iterations in Wisconsin due to cost increases, ending with the Public Service Commission's approval of cost increases and ATC's agreement with Douglas County in 2005.

ATC does have one somewhat legitimate concern, questioning W.O.L.F.'s "current relationship to the HVDC Modernization Project or the high voltage transmission line for the HVDC." Id. ATC is correct that W.O.L.F. has little "relationship" to the HVDC Modernization Project. However, W.O.L.F.'s concern and interest is not of the HVDC project, but instead is due solely to ATC's insertion of its "alternative"³ into the HVDC Modernization docket.

W.O.L.F.'s concern and interest, as stated in its Petition, is in the Arrowhead-Weston Transmission Project's EQB exemption conditions, in particular, the Arrowhead substation's 800 MVA limitation. This concern and interest was triggered by ATC's "alternative" proposal which would circumvent that limitation⁴. ATC's disregard for the Environmental Quality Board's condition in Exemption of the Arrowhead Project, and disregard for Minnesota Power's purpose of the HVDC Modernization Project, offering as an "alternative" something that has no relation to either, is nothing but a literal power grab by ATC. Because this bizarre "alternative" was accepted by Commerce-EERA, and is advancing through environmental review, W.O.L.F.'s concern regarding the conditions of the EQB's Arrowhead exemption, and its aim to preserve the conditions, W.O.L.F.'s interest is a specific, legitimate, and logical interest, not raised by others.

² Also available online at <https://mn.gov/law-library-stat/archive/ctapun/0201/1022.htm>

³ ATC's "alternative" is not an "alternative" but is a totally different project proposal, and should not be regarded as an "alternative." Further, ATC has improperly dropped this "alternative" into the administrative mix after the deadline for public comments, and should have been rejected out of hand.

⁴ Again, we do not know ATC's intent in submitting this "alternative," but that intent can and should be addressed in the HVDC dockets.

The Minnesota Public Utilities Commission has a statutory charge to allow intervention as found in statute and rule. Minn. R. 1405.6200, 7829.0800. More importantly, the Commission has a charge to foster public participation, Minn. Stat. §216E.08 Public Participation, which was emphasized in the Office of the Legislative Auditor’s investigation⁵:

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](#).

World Organization for Landowner Freedom finds ATC’s Objection without merit, and again requests a grant of 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 strong long-term historical background of continued participation in matters regarding the Arrowhead-Weston transmission line, the Arrowhead substation, and no other party can represent this interest⁶. W.O.L.F will abide by the schedule in the Prehearing Order and will not delay the proceedings, and will work to weigh in and inform the record in this proceeding.



January 17, 2024

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⁵ See OLA’s *Public Utilities Commission’s Public Participation Processes*
<https://www.auditor.leg.state.mn.us/ped/pedrep/puc2020.pdf>

⁶ Minnesota Power would not share W.O.L.F.’s interest in preservation of the 800 MVA limitation. Minnesota Power has, upon information and belief, complied with the 800 MVA limitation, but MP did not want this limitation at the time of the EQB’s Exemption decision. MP has respected the Order and has planned its transmission infrastructure within this legal and system limitation. MP has taken no steps to eliminate the 800MVA limitation.

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HVDC Modernization Project in
Hermantown, Saint Louis County.

I, Carol A. Overland, hereby certify that I have this day served a true and correct copy of the attached W.O.L.F. Response to ATC's Objection to W.O.L.F.'s Petition to Intervene to all persons on the attached Public Utilities Commission service list via eFiling and eService.



January 17, 2024

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