

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;

**ORDER DENYING THE WORLD  
ORGANIZATION FOR LANDOWNER  
FREEDOM'S MOTION TO CERTIFY ITS  
PETITION TO INTERVENE**

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.

On January 27, 2024, the World Organization for Landowner Freedom (W.O.L.F.), a non-stock corporation from Hawkins, Wisconsin, filed a Motion for Certification of Administrative Law Judge Jim Mortenson's denial of W.O.L.F.'s petition for intervention (Motion). On February 6, 2024, American Transmission Company, LLC (ATC), filed a letter objecting to W.O.L.F.'s request for certification.

Carol A. Overland, Legalectric – Overland Law Office, appeared on behalf of W.O.L.F. Eric F. Swanson, Winthrop & Weinstine, P.A., appeared on behalf of ATC.

Pursuant to Minn. R. 1400.5500, .7600 (2023), and for the reasons explained below,

**IT IS HEREBY ORDERED,**

W.O.L.F.'s Motion is **DENIED**.

Dated: February 12, 2024



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JIM MORTENSON  
Administrative Law Judge

## MEMORANDUM

W.O.L.F. requests certification of the denial of its Petition to Intervene to the Public Utilities Commission.<sup>1</sup> W.O.L.F. wants to be a party because it wants to preserve the requirement that the substation involved in the HVDC Modernization Project (Project) be limited to 800 megavolt-amperes (MVA).<sup>2</sup> W.O.L.F. wants to be sure it may “inform the record in this proceeding.”<sup>3</sup>

Minn. R. 1400.7600 sets forth the standards for certifying a motion to an agency when a contested case is pending before an administrative law judge. The rule specifically excludes “rulings on the admissibility of evidence or interpretations of parts 1400.5100 to 1400.8400” from being certifiable questions.<sup>4</sup>

The decision denying W.O.L.F.’s Petition to Intervene was based on Minn. R. 1400.5500 and .6200 (2023). Therefore, the denial of the Petition is not eligible for certification. Moreover, the denial of the Petition did not deprive W.O.L.F. the opportunity to participate as a member of the public in the contested case, pursuant to Minn. R. 1400.6200, subp. 5, .7150 (2023), and 1405.0800 (2023), or from informally collaborating with and supporting other parties. Specifically, W.O.L.F. may file offer direct testimony in written form at or following the hearing and may cross-examine witnesses by submitting questions in writing to the Administrative Law Judge to ask them before or during the hearings.

**J. R. M.**

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<sup>1</sup> Motion for Certification of Motion for Intervention of World Organization for Landowner Freedom at 3 (Jan. 27, 2024).

<sup>2</sup> *Id.* at 2.

<sup>3</sup> *Id.* at 7. W.O.L.F. mistakenly believes the decision to deny its Petition was due to a misunderstanding of the issue it is most concerned about. In fact, the decision turned on the fact the Judge could not determine what W.O.L.F.’s “legal rights are, what its duties are, or what privileges it has, which it seeks to protect” as a result of its failure to more clearly identify itself. Merely providing a link to the State of Wisconsin’s website showing W.O.L.F. is a non-stock corporation out of a small town in north-central Wisconsin sheds little light on who or what it is, regardless of what it has done in the past. See, Order Denying the World Organization for Landowner Freedom’s Petition to Intervene as a Full Party at 3 (Jan. 22, 2024).

<sup>4</sup> Minn. R. 1400.7600.

February 12, 2024

See Attached Service List

**Re: *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 Certificate of Need and for a Route Permit for a High Voltage Transmission Line for the HVDC Modernization Project in Hermantown, Saint Louis County***

**OAH 5-2500-39600  
MPUC E-015/CN-22-607  
MPUC E-015/TL-22-611**

To All Persons on the Attached Service List:

Enclosed and served upon you is the Administrative Law Judge's **ORDER DENYING THE WORLD ORGANIZATION FOR LANDOWNER FREEDOM'S MOTION TO CERTIFY ITS PETITION TO INTERVENE** in the above-entitled matter.

If you have any questions, please contact me at (651) 361-7857, [nichole.helmuelle@state.mn.us](mailto:nichole.helmuelle@state.mn.us), or via facsimile at (651) 539-0310.

Sincerely,



NICHOLE HELMUELLER  
Legal Assistant

Enclosure

cc: Docket Coordinator

STATE OF MINNESOTA  
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PO BOX 64620  
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**CERTIFICATE OF SERVICE**

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| <p>In the Matter of the Application of Minnesota Power for a Certificate of Need for the HVDC Modernization Project in Hermantown, Saint Louis County;</p> <p>In the Matter of the Application of Minnesota Power for a Certificate of Need and for a Route Permit for a High Voltage Transmission Line for the HVDC Modernization Project in Hermantown, Saint Louis County</p> | <p>OAH Docket No.:<br/> 5-2500-39600<br/> MPUC E-015/CN-22-607<br/> MPUC E-015/TL-22-611</p> |
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On February 12, 2024, a true and correct copy of the **ORDER DENYING THE WORLD ORGANIZATION FOR LANDOWNER FREEDOM'S MOTION TO CERTIFY ITS PETITION TO INTERVENE** was served by eService, and United States mail, (in the manner indicated below) to the following individuals:

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