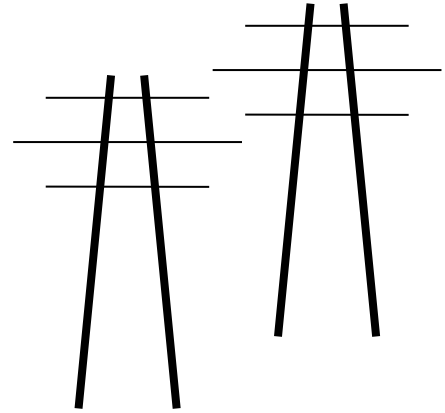


# Legalelectric, Inc.

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July 19, 2012

Burl Haar  
Executive Secretary  
Public Utilities Commission  
121 - 7<sup>th</sup> Place East, Suite 300  
St. Paul, MN 55101

**RE: Excelsior Energy's Mesaba Project  
PUC Docket E-6472/GS-06-668**

Dear Dr. Haar:

mncoalgasplant.com appreciates the extension of the Comment deadline in this docket. We have had time to review the additional filings of Excelsior Energy, and have additional comments as well.

The level of public spending on this project, and utter lack of private investment, make this an important matter for consideration by the Commission. Excelsior's July 12, 2012 Comments expose the nature of this “project” as little more than a continued pipedream, boondoggle, and random ink on pieces of paper.

Excelsior's July 12, 2012 focus is that “No commenter has suggested that the plant does not meet these requirements [of Minn. Stat. §216B.1694].”

That is not correct – mncoalgasplant.com has suggested that the plant does not meet the requirements, but notes that the record is insufficient to support a decision. More importantly, it has been noted by at least one commenter that Excelsior Energy has NOT demonstrated that the gas plant it proposes is of a design capable of conversion to a coal gasification unit. The question of whether the project meets the requirements of the statute cannot be determined until Excelsior Energy identifies WITH SPECIFICITY what exactly it plans to do, and commits to the plan.

Excelsior Energy has failed in its multi-year attempt to force a PPA. Excelsior Energy's prior attempts at filing an air permit application with the MPCA have been rebuffed by the agency, which has returned filings as inadequate and insufficient. Until Excelsior Energy files an

Amended Site Permit Application or an Air Permit Application of sufficient specificity, no determination can be made as to whether the proposed “project” meets the requirements of the statute. An executed PPA would go far to demonstrate viability of the project.

It's worth noting that the statute requires the project be the subject of contested case proceedings. In this docket, each and every one of the intervenors were ejected from the proceeding, which went forward with no parties, only the Applicant, with the ALJ ramming through roughly 20 witnesses in just two days over repeated objections, including one -20 degree day in an unheated gym in Hoyt Lakes – a mockery of administrative and participatory process. This project and Siting Permit docket does not meet the letter or spirit of the law as there was no contest in this case.

mncoalgasplant.com agrees with the EFP Staff recommendation that Excelsior clarify its plans, and that Excelsior file additional information. The “information” supplied by Excelsior in its June 26, 2012 letter is, again, inadequate and insufficient. Excelsior does not state its plans with any specificity, making statements with the most qualified waffle-waffly language in the dictionary.<sup>1</sup> Excelsior offers no specifics between the IGCC and NGCC facility and doesn't provide even the most basic identification of components. The chart offered on pages 2-4 is filled with vacuous guesses with no discernable basis.

mncoalgasplant.com requests that the Commission instruct Excelsior Energy to come back when it has something of substance to inform the record and upon which the Commission could reasonably base its decision.

Thank you, again, for extending the deadline and for the opportunity to submit these Comments.

Very truly yours,



Carol A. Overland  
Attorney at Law

cc: eFiled and eServed  
Linda Castagneri & Ron Gustafson, mncoalgasplant.com  
Charlotte Neigh, Citizens Against the Mesaba Project

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<sup>1</sup> Excelsior July 12, 2012 letter, p. 1: Excelsior would plan to construct the gasification island if and when it becomes to do so from economic and regulatory standpoints.