

Subject: Re: North Rochester to Skyway HVTL Prehearing Conference (Docket no. 26-135)

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Date: 8/25/2026, 10:17 AM

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All -

Two days notice of a Prehearing Conference is OK? No.

I do not represent anyone in this docket. The folks who have been showing up are not represented. They have no experience in administrative proceedings. Watching this from the sidelines, showing up occasionally, I'm appalled and compelled. Two days notice? It's hard to imagine a better way to keep the public out.

The Commission's "principal of operation" has been gutted over the 31 years that I've been around.

216L.16 PUBLIC PARTICIPATION.

Subdivision 1. **Public participation; generally.** The commission must adopt broad spectrum citizen participation as a principal of operation. The form of public participation must not be limited to public meetings and hearings and must be consistent with the commission's rules and guidelines under section [216L.26](#).

Commission rules? Right... We know those Minn. R. ch 7850 routing/siting rules were repealed, and that the Commission "may adopt rules," but won't.

On the other hand, the Chief Administrative law judge **MUST** adopt procedural rules:

216L.26 RULES.

Subdivision 1. **Commission rules.** The commission, in order to give effect to the purposes of this chapter, may adopt rules consistent with this chapter, including promulgation of site and route designation criteria, the description of the information to be furnished by the utilities, establishment of minimum guidelines for public participation in the development, revision, and enforcement of any rule, plan, or program established by the commission, procedures for the revocation or suspension of a site or route permit, and the procedure and timeliness for proposing alternative routes and sites. A rule adopted by the commission must not grant priority to state-owned wildlife management areas over agricultural lands in the designation of route avoidance areas. Chapter 14 applies to the appeal of rules adopted by the commission to the same extent as it applies to review of rules adopted by any other agency of state government.

Subd. 2. **Office of Administrative Hearings rules.** The chief administrative law judge must adopt procedural rules for public hearings relating to the site and route permit process. The rules must attempt to maximize citizen participation in these processes consistent with the time limits for commission decision established under this chapter.

Ummm... once more with feeling, the Commission refuses to adopt rules, but the Chief Administrative Law Judge **MUST**:

The chief administrative law judge must adopt procedural rules for public hearings relating to the site and route permit process. The rules must attempt to maximize citizen participation in these processes consistent with the time limits for commission decision established under this chapter.

Maximize citizen participation in these processes...

For a prehearing conference, there should be 7-10 days for novices to figure out what it means and what to do.

Carol