

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

PUBLIC INFORMATION MEETING - BEMIDJI
AUGUST 14, 2008 - 6:00 p.m.

STATE OF MINNESOTA
OFFICE OF ENERGY SECURITY

In the Matter of a Route Permit Application and
Certificate of Need Application for the
Bemidji - Grand Rapids 230 Kilovolt Transmission Line

PUC DOCKET NOs: TL-07-1327
CN-07-1222

Hampton Inn & Suites
1019 Paul Bunyan Drive South
Bemidji, Minnesota 56601

Met, pursuant to Notice, at 6:00 in the
evening on August 14, 2008.

COURT REPORTER: Christine Munson

I N D E X

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

WITNESS	PAGE
Suzanne Steinhauer	3
Al Koeckeritz	12
Barbara Britton	15
Mike Thomas	20
Mark Hicks	21
Peter Guggenheimer	25
Mike Lish	27
Carol Waughtal	29
Lou Buron	30
Carol Winans	31
Darrel Magoon	32
Denise Magoon	32
Brandy Toft	33
Nathan Richter	34
Dan Lund	35
John Knudson	36
Mike Lish	37
Mark Studer	38
Scott Williams	39
Sharon Lish	40
Nathan Richter	40
Keith Pommerening	41
Rogan Quinn	43
Brandy Toft	44
Bob Krava	44
Christine Quinn	46

1 MS. STEINHAUER: Thank you very much for
2 coming tonight. This is the environment -- the
3 public information and scoping meeting for the
4 proposed Bemidji-Grand Rapids 230 kV Transmission
5 Line.

6 My name is Suzanne Steinhauer. I'm with
7 the Minnesota Department of Commerce, Office of
8 Energy Security. And my colleagues, I think, are
9 still at the registration table. I'm the project
10 manager for the environmental review process for the
11 state. My job is to compile a record for the Public
12 Utilities Commission to make their ultimate permit
13 decision on.

14 A couple other colleagues here with me,
15 not in the room, Ray Kirsch is the public advisor.
16 And his job is to -- well, either of us can provide
17 you with information on participating in the process
18 and sort of what the steps are. Also with me
19 tonight is Deborah Pile, she's the facilities --
20 she's the supervisor of the Energy Facilities
21 Permitting group.

22 We have Mike Thomas and Meghan Sweeney
23 and they'll be helping us, also, as we proceed with
24 the environmental review. There are a number of
25 representatives from the utilities who proposed the

1 transmission line, and they're here tonight. And I
2 think Al Koeckeritz will be doing a presentation.
3 Also, Barbara Britton, who is with the U.S.
4 Department of Agriculture, Rural Utilities Service.

5 We'll be doing some brief presentations.
6 Mine is the longest of the briefs, so I tried to get
7 it brief, but there's a lot of information. So
8 we're keeping it -- we're trying to keep it pretty
9 general, and I'm sure there will be questions. If I
10 can ask you to hold your questions until the end of
11 the presentation, since they are brief.

12 I'll review the Minnesota Environmental
13 Review process for transmission lines. I think Al
14 Koeckeritz from Otter Tail Power will provide some
15 background on the project. Barbara will talk a
16 little bit about the federal environmental review
17 process. And then we'll open it up to -- to you
18 folks for questions and comments.

19 Our -- our intent here is two-fold.
20 We're required to hold these meetings and there's
21 two purposes. The first is to provide people with
22 information on the project and on the -- of the
23 approval process. I know the applicants have been
24 out here several times over the last year, but
25 they've applied for a Route Permit and a Certificate

1 of Need from the state. Now the process is turned
2 over to the state, and that's what we're here for.

3 The second thing that we're here for is
4 to get information from the public on what we need
5 to look at, what needs to be studied. Are there
6 other route alternatives that we should look at, and
7 impacts that we should study for the Public
8 Utilities Commission to make the best decision
9 about, number one, should the project be built? And
10 number two, if it is built, where should it go? And
11 what type of permit conditions should be placed on
12 it.

13 The Minnesota Public Utilities Commission
14 is comprised of five Commissioners. They're
15 appointed by the governor and there's a mixture of
16 political parties.

17 For high voltage transmission lines, they
18 are permitted in a two-part process. The first is a
19 determination of need, which looks at the size of
20 the project, the type, should there be generation or
21 transmission, and the timing, when should it be
22 constructed.

23 They're also for -- high voltage
24 transmission lines require a route permit which
25 looks at the location and permit conditions. Both

1 of those processes require an environmental review,
2 and that's where the Department of Commerce manages
3 the public participation and environmental review
4 process for the Commission. The Commission makes
5 the ultimate decision, but we build what's called
6 the record of the information for them to make their
7 decision on.

8 For the Commission to make their
9 decision, they have to balance a number of criteria
10 that are outlined in statutes. The conservation of
11 resources, they try to minimize the environmental
12 impact, minimize conflicts with human settlement and
13 other land uses, and ensure the state's electric
14 energy security through efficient, cost-effective
15 power supply and electric transmission
16 infrastructure.

17 The reality is that any project has
18 impacts. What the Commission tries to do and what
19 we try to provide them with is information for
20 making their decision in balancing those impacts.

21 If the Commission determines that a
22 transmission line should be built, they'll determine
23 the location and also add route conditions that they
24 believe are appropriate and can help to minimize the
25 impacts. Route conditions can look at things such

1 as design, like the type of poles that are used.
2 The route, where the project would go. Should it be
3 narrower in some places and wider in others.
4 Right-of-way preparation and construction
5 techniques, which look at how the project is
6 actually constructed. And any other appropriate
7 conditions.

8 What the -- one of the factors, and a big
9 factor in the Public Utilities Commission's
10 decision, is the environmental review. For a
11 project of this size it requires the highest level
12 of environmental review, which is called an
13 Environmental Impact Statement.

14 It starts on -- this is also on the pink
15 sheet, if you picked one of those up, and you're
16 welcome to either look at it now, or take it home.
17 This is very simplified, but it starts with the
18 application for a Certificate of Need and a Route
19 Permit. The applicants applied to the Commission
20 for that, and the Commission accepted those
21 applications at the end of June.

22 The next phase, then, is the public
23 scoping -- public information meeting and scoping
24 phase. So as I mentioned before, there's -- there's
25 two parts to provide you with information on the

1 project and process. And also to get input from the
2 public on what should be studied. What do we need
3 to look at, what alternatives should we look at, and
4 what impacts should we look at.

5 After the end of the scoping period,
6 which is -- ends on August 29 -- and I'll repeat
7 that date several times -- we'll take that
8 information, and develop -- the Commissioner will
9 issue a scoping decision that will identify the
10 routes that we'll be looking at, the project
11 alternatives that we'll be looking at, and the
12 impacts that we'll be looking at and studying
13 further.

14 We'll take several months, then, after
15 the scope is determined, to develop the actual Draft
16 Environmental Impact Statement. That will be made
17 available to the public and people will have an
18 opportunity to comment on that. We'll be out here
19 in the project area again, my guess is probably in
20 the spring, for public meetings and hearings.

21 After the comment period closes on the
22 Draft EIS, we need to receive the comments, those
23 will be recorded, and each comment will be responded
24 to in -- in some way. All that information -- at
25 the same time, there will be hearings presided over

1 by an administrative law judge. There will be
2 formal testimony presented by us and also by the
3 applicants. And once the final impact --
4 Environmental Impact Statement is developed, the
5 administrative law judge will take all the
6 information in the record, including the EIS, and
7 make a -- make a recommendation to the Commission on
8 which route should be approved and which permit
9 conditions -- any type of permit conditions that
10 should be part of the route permit.

11 All that information then will go to the
12 Public Utilities Commission and they will make the
13 final decision on need and the route permit.

14 During our environmental review process,
15 we received input from all the different Minnesota
16 agencies that have permitting or approval
17 responsibility for this project.

18 The -- the Minnesota -- because this
19 project requires environmental review, both for the
20 need and for the routing process, this particular
21 project also requires federal -- a federal level of
22 environmental review because of -- one of the
23 applicants is requesting federal funds, and Barbara
24 will talk about that in a little bit more detail.

25 Our intent here is to produce one

1 environmental review process for both the federal
2 and Minnesota processes. Once we get -- so we're
3 all kind of -- both the federal and state processes
4 proceed until this final EIS is developed. At that
5 point, each agency would make their own individual
6 permitting or approval decision based on the
7 information that's in the record, including the EIS.

8 I think we kind of reviewed -- covered
9 that. And then what's in an EIS? Issues typically
10 covered in an EIS, we'll look at impacts to human
11 settlements. That would be things like health,
12 noise, aesthetics, effects on property values,
13 effects on the natural environment, stream
14 crossings, wetlands, threatened and endangered
15 species. What would be the impact to vegetative
16 communities.

17 And then we'll also look at the
18 alternatives to the proposed project. The
19 alternatives reviewed need to include a no-build.
20 We'll look at providing different solutions to the
21 need that the applicant has identified and possibly
22 alternate routes. And as I mentioned before, what
23 we're looking for is -- one of the things we're
24 looking for is information on what this EIS should
25 look at.

1 Each project is different, each location
2 of the project is different, and each project will
3 have different impacts. So we want to get
4 information from you on -- on what we should be
5 looking at.

6 That information is due to us, or to me,
7 by Friday, August 29th, at 4:00 p.m. You can
8 provide us with comments at this meeting orally, we
9 have a court reporter here to take your comments.
10 We'll also be writing them on the flip chart, so you
11 can see how -- how we're -- how we're summarizing
12 them.

13 You can provide them to us in writing.
14 Either you can turn them in at this meeting, you can
15 mail them to me, you can e-mail them to me, you
16 could fax them to me. You could, if you are down in
17 St. Paul, you can drop it off at my office. As long
18 as it's by 4:00 on Friday, August 29th.

19 We'll take those and we'll make a
20 determination from there what we'll be studying
21 further in the Environmental Impact Statement. So
22 there's -- if you picked up the slide presentation,
23 there's some information on where you can find
24 additional information -- or the state keeps two
25 websites, which give you an idea of the documents

1 that are in the project file so far.

2 And there's my contact information.

3 Again, my contact information is also available on
4 the business cards out front and then on the comment
5 sheet that is available there.

6 And I'll turn this over to Al Koeckeritz
7 from Otter Tail Power, and he can talk a little bit
8 about the project.

9 MR. KOECKERITZ: Okay. I don't probably
10 need that, unless you want me to use it.

11 Again, Al Koeckeritz with Otter Tail
12 Power Company, representing our participants here
13 tonight. Probably a little background as to how we
14 ended up here. In 2003 most of us remember the
15 large outage out east. It was kind of in the
16 Ohio -- it took out a large area. Basically, the
17 power was out for a substantial amount of time out
18 there.

19 At that time the utilities in the state
20 of Minnesota and the OES agencies looked at, what --
21 well, what does the state of Minnesota need to do.
22 And what do we need to do as utilities to ensure
23 that we don't have a situation like that happen
24 here.

25 It was then that we started looking at

1 some additional studies, to make sure that we didn't
2 have a large blackout that would affect all of us
3 here in this room.

4 In 2000 -- about 2005 -- 2004, 2005, our
5 utilities got together. We formed this -- what we
6 call Capacity Expansion, or CapX 2020, that's some
7 of the brochures and handouts you see, is from them
8 -- or from us in that regard.

9 So we formed this organization. We were
10 doing these studies. Out of that first pass of
11 studies, four projects came out of that. And one of
12 them was to do something up here in the Bemidji
13 area. Bemidji, itself, and the area, about a
14 50-mile radius, it has about three percent load
15 growth. And over the last 20 or 25 years, the
16 utilities that served this area, we've made
17 additional modifications, and we've done all the
18 minor things that we can do to ensure that we have a
19 reliable -- a reliable facility up here.

20 However, we've reached the point now
21 when -- when our main power supply, which comes out
22 of Winger, really into Wilton, Minnesota. So the
23 end points are really Wilton and the Boswell
24 substation over at Cohasset, but people know Bemidji
25 and Grand Rapids much better.

1 But when the power is out in the line
2 between Wilton and Winger, the situation here in the
3 Bemidji area is a -- is of such regard that we're
4 almost to the point where we would be without --
5 without power, a blackout or brownout condition.

6 Now, we've got a couple years to go, but
7 as utilities we have to plan at any time, if one
8 line is out of service, we have to continue to
9 provide reliable service to -- to our customers up
10 here. So that's why we're here today, to ensure
11 that any time a line might be out of service, we can
12 continue to provide reliable power.

13 So we formed our group of utilities to
14 determine how we serve this need. And as we did
15 that, we narrowed down from about 30 studies to 11
16 and finally we arrived at this solution, to connect
17 the Boswell and Wilton endpoints. In 2007, we were
18 up, as Suzanne mentioned, we had open houses in
19 June. Again, open houses in October, and received
20 public comments and agency comments at that point in
21 time.

22 At the same time, we're assembling --
23 doing our environmental review and assembling our
24 applications for submittals to the state and federal
25 agencies. We submitted those, then, in March of

1 2008. We submitted the Certificate of Need, as
2 Suzanne mentioned, determining the need for the
3 project.

4 And then in June, we served -- or
5 submitted our Route Permit Application. Which is
6 the application that says we think the red and blue
7 lines on those maps are the -- are reasonable routes
8 to be considered.

9 At this point in time, then, the RUS
10 accepted -- the Rural Utility Services accepted our
11 documents that we submitted to them, Alternatives
12 Evaluation Study, and the Macro-Corridor analysis.
13 And that started the process where the state and
14 federal agencies then joined to be here tonight and
15 take your public input.

16 We appreciate you being here. Again,
17 this is a reliability project. We want to continue
18 to provide reliable service to all the customers in
19 this area. And we -- we welcome your comments here
20 tonight. So, thank you.

21 MS. BRITTON: Hello. I'm Barbara Britton
22 with the Rural Utilities Service. And I wanted to
23 thank you all for taking time out from your evening
24 to be with us tonight.

25 The Rural Utility Service has been around

1 since the new deal. It's a federal financing agency
2 within the U.S. Department of Agriculture, and we
3 provide financing for installation, expansion and
4 modernization of electric telecommunications and
5 water and waste systems in rural areas.

6 Before we can make a financing decision
7 regarding a proposed -- a project that's proposed to
8 us, the Rural Utility Service, and in fact any
9 federal agency that's undertaking a major federal
10 action, has to conduct an environmental review under
11 the National Environmental Policy Act.

12 Under -- for this project, RUS is the
13 lead federal agency. And we're following our NEPA
14 guidelines as found in CFR -- 7 CFR 1794. RUS is
15 not the only agency involved in this, there are a
16 number of state agencies that Suzanne had mentioned.
17 We also have four cooperating agencies on the
18 project.

19 The Leech Lake Band of Ojibwe is involved
20 because the proposed project has the potential for
21 running through the reservation. The U.S. Army
22 Corps of Engineers is involved because there may be
23 a need for a section 404 wetlands permit and a
24 section 10, river crossing permit. The Bureau
25 Indian Affairs is involved because there's a

1 potential for a -- a line that could cross Bureau --
2 Indian trust land. And the U.S. Forest Service is
3 involved because -- primarily because of the
4 Chippewa National Forest and the need for a
5 special-use permit in that case.

6 The U.S. Fish and Wildlife service is not
7 necessarily a cooperating agency, but they are
8 participating with us and involved in our dialog.

9 The results from the environmental review
10 that we're conducting will inform our permit
11 decisions and our financing -- financing decisions
12 at the federal level.

13 The NEPA process that RUS follows
14 incorporates a number of different statutes. Not
15 only do we follow NEPA and look at environmental
16 impacts, but we also look at endangered -- the
17 Endangered Species Act of 1973. We look at cultural
18 resource impacts under the National Historic
19 Preservation Act.

20 We look at impacts to farmland under the
21 Farmland Protection Act. We consider protection
22 enhancement of the cultural environmental and -- and
23 environmental quality. We look at floodplains,
24 wetlands, and federal actions to address
25 environmental justice and socioeconomic concerns.

1 RUS is a -- environmental review
2 guidelines have several classifications, depending
3 on what the level of impact that we think a proposed
4 action might have to the environment. For this
5 action, we're working with the state and other
6 federal agencies to prepare an Environmental Impact
7 Statement. Which -- which is the highest level of
8 review that we can do under NEPA.

9 Although the state -- the route
10 application for the state considered the central
11 corridor here, with these two route alternatives.
12 Under the federal -- federal process, we're
13 considering not only the central corridor, but the
14 corridor in the north, the south, and the far south
15 area of the study -- study area. And the reason we
16 do this is, NEPA requires us to look at alternatives
17 and these have been suggested as alternatives by the
18 stakeholders involved in the process.

19 Again, this -- the federal process is
20 very similar to what Suzanne discussed in the state
21 process. Again, we're using the Alternatives
22 Evaluation Study and the Macro-Corridor Study that
23 the applicants developed to inform the public
24 scoping process. Once we complete the public
25 scoping, based on comments we've received and the

1 information that we've collected, we'll narrow the
2 scope and develop a Draft EIS.

3 And once we've received comments and
4 incorporated public input into the Draft EIS, we'll
5 develop a Final EIS. And at every stage in this
6 process, there's an opportunity for public comment.

7 Again, the EIS we develop is a document
8 that will meet both state and federal needs. The
9 federal agencies will use that document to come up
10 with their decision on the project, and develop a
11 Record of Decision, which is, again, a public
12 document that will be published in the Federal
13 Register.

14 And then based on their decision in the
15 Record of Decision, they'll decide whether or not to
16 issue their permit. Or in our case, to provide
17 financing for the project. For the state, it's a
18 similar process. The EIS will be used to inform the
19 PUC's route permit decision.

20 So, thank you, again. And I'll turn it
21 back to Suzanne.

22 MS. STEINHAUER: Thank you. Mike's
23 setting up the flip chart here.

24 A couple of housekeeping items. If
25 you -- if you registered on the preregistration

1 sheet and asked to speak, I'll call those people
2 first. And then we'll just kind of open it up.

3 If you could raise your hand. If you
4 could please identify yourself for the court
5 reporter and spell your name. And if you could do
6 that -- if wish to speak more than once, if you
7 could do that each time, she would appreciate that.

8 And we have a mike for you. I believe
9 there's some sort of festivities going on next door.
10 It might make it easier to hear.

11 MR. THOMAS: What I'm going to be doing,
12 is I'm going to be trying to capture your question
13 or summarize the points. And then when we're done
14 filling out each one of these, we'll put them up on
15 the wall. And if at any time during that I've
16 misinterpreted or misrepresented what you've said,
17 you know, please correct me.

18 Because, again, this is your opportunity
19 to provide input to us and what we're going to be
20 looking at in detail in the Draft EIS. So these
21 issues are important to you, we want to make sure we
22 get them correctly.

23 MS. STEINHAUER: Okay. And the other
24 item for the court reporter, and for all us here, if
25 we could please just speak one at a time.

1 The first person I have is Mark Hicks.

2 MR. HICKS: That's me. Hi. I don't need
3 the microphone.

4 MS. STEINHAUER: Okay.

5 MR. HICKS: I speak for a living, you
6 know, and it's funny, I'm -- I'm actually nervous
7 about this. And I guess when you talk about
8 something that, you know, relates to you personally
9 or whatever, you know, you get a little more of a --
10 amped up about maybe than you would, you know,
11 otherwise.

12 For me, I don't know if this is a
13 question or a comment or whatever, but for the last
14 couple of years, I've been basically getting these
15 maps. And then when I've looked on the Internet
16 website, I basically see the same thing. And I've
17 never really been able to figure out, and I've
18 talked with a few of my neighbors here, too, exactly
19 where this thing is going, and because of that, I
20 think a lot of the neighbors might -- a couple of my
21 neighbors have no idea where it's going.

22 They haven't been paying any attention to
23 this at all, thinking that it's not going to affect
24 them in any way. Well, earlier today, probably only
25 about two hours ago, one of my neighbors that was at

1 the earlier meeting, dropped off another map, that
2 apparently she got here earlier today, which shows
3 that it looks like my property, along with several
4 other of my neighbors here, is pretty much going to
5 be gone, I guess, whenever this happens.

6 Is that -- I guess my comment, and maybe
7 my question, is this -- I'm under the impression
8 that we're purposely being sort of mislead or being
9 fed cloudy information as to where this thing is
10 going so that people don't show up to these
11 meetings. And then once it gets passed, then it's
12 going to be too late.

13 Who sends these out? Does this come from
14 the state? Or is this from Otter Tail Power, or
15 what?

16 MS. STEINHAUER: I will -- I'll answer
17 your last question first.

18 MR. HICKS: Okay. Thank you.

19 MS. STEINHAUER: Well, no, maybe I should
20 back up. The state by statute -- if a utility wants
21 to build a transmission line, we -- for anything
22 large like this, over 200 kilovolts, the state
23 requires them to identify a preferred and an
24 alternate route. Those are the -- the red line is
25 the preferred and the blue line is the alternate.

1 When they submit the application, they
2 need to notify landowners along both of those routes
3 that an application has been submitted. And you
4 probably received that in June -- sometime in June
5 or early July.

6 In that, there was information on -- that
7 you could register on the state site. If you were
8 registered on that site, and there were not very
9 many people, we sent you direct-mail notice. The
10 applicant also sent a direct-mail notice to, I think
11 there were about 11,000 landowners.

12 So -- so, that is -- to answer your first
13 question about -- it's confusing because we don't
14 know where the route is. We won't -- the Public
15 Utilities Commission won't make a determination on
16 where the route is for another year.

17 So I know that's everybody's big
18 question, and that's what I can answer tonight.

19 MR. HICKS: Well, what I'm saying, too,
20 is that people who don't think they're going to be
21 affected by it would not ever bother to show up at a
22 meeting like this. And then once that's all -- then
23 it's passed, I guess, and then you go and decide
24 where the route is going to be, right?

25 It goes through the process, and then

1 after it's all approved by whatever, then -- then
2 the final decision's made where it's actually going
3 to go.

4 MS. STEINHAUER: The -- the Commission
5 will approve a route. It may be a blue route, it
6 may be a red route, it may be a mixture. It may be
7 one part blue, one part red, bouncing back and
8 forth. Or it may be some other route.

9 So once the Commission approves a route,
10 then -- then the -- the utilities' right-of-way
11 agents will contact the landowners. So the
12 landowners are notified that the application is in
13 process.

14 And it's -- we try to make it as -- as --
15 as open as possible, but I realize not everybody
16 comes. That's why we also provide an opportunity
17 for written comments.

18 MR. HICKS: I guess I've said enough.
19 Thanks.

20 MS. STEINHAUER: So your question was to
21 the process and you wish there were better
22 notifications?

23 MR. HICKS: Well, yeah. And the other
24 thing, too -- I've noticed, too, it sounds like it's
25 -- everybody's kind of talking like it's for sure

1 going to happen. That seems to be the buzz, even
2 though it's not been approved yet. When I listen to
3 people talk, it's not if, it's kind of when.

4 MS. STEINHAUER: Well, the Commission has
5 two decisions. First of all, it needs to determine
6 that it's needed. So if it determines it's needed
7 they'll -- then at the same time we're looking at
8 different route alternatives. If the Commission
9 determines that the applicant hasn't proved their
10 needs, then we're not going to approve a route. If
11 they do, then we'll look at approving the route.

12 And we don't know it's going. We asked
13 them to provide information on two -- two routes
14 that they believe are -- are reasonable, a preferred
15 and an alternate. And then the process develops a
16 record to determine, which is indeed for the greater
17 state -- a preferable route.

18 I believe Peter Guggenheimer.

19 MR. GUGGENHEIMER: Yes. My last name is
20 Guggenheimer, G-U-G-G-E-N-H-E-I-M-E-R. I live in
21 Township 146, Range 33, Section 20. I'm right off
22 of the pipeline property.

23 My -- it's my hope that if that route is
24 chosen for the transmission line, that the -- or
25 that the transmission line be placed south of the

1 existing pipeline. There are several homes
2 immediately to the north of the transmission line,
3 and there's a large space to the south of the --
4 excuse me. There are several homes, existing homes,
5 to the north of the existing pipeline.

6 And there is one distant home to the
7 south of the pipeline. It would be my hope that you
8 would choose a route to the south of the pipeline.
9 Do I need to be any more specific than that?

10 MS. STEINHAUER: No, that's very
11 specific.

12 MR. GUGGENHEIMER: Okay. Thank you.

13 MS. STEINHAUER: Oh, thank you. I'm
14 sorry. Those are the only people who preregistered
15 who wished to speak and indicated that on the
16 registration sheet. So at this point, if you could
17 raise your hand, and we'll be here for awhile and
18 let everybody say their piece.

19 MR. THOMAS: Did you have something you
20 wanted to put in? Like a line or anything?

21 MR. LISH: Are you talking to me?

22 MR. THOMAS: You, sir. Yeah, you look
23 like you've got a couple of questions.

24 MR. LISH: I've got a couple questions.

25 MS. STEINHAUER: Would you identify

1 yourself?

2 MR. LISH: Mike Lish is my name and I
3 live by Lake Marquette. And I've got a couple
4 questions here.

5 By looking at the maps, I'm trying to
6 figure out why you don't go to a -- less populated
7 areas? Rather than right around town. And also,
8 would it not be cheaper to go along the trunk
9 highway bypass? You've already got the right-of-way
10 there, you don't have any obstructions, and it would
11 be easier to access line problems.

12 And I think -- oh, yeah. And then I
13 understand you've got about a thousand foot corridor
14 you're looking at, and it appears like you need 125
15 feet from the actual line -- or where the line is
16 going through. And now I'm assuming that thousand
17 foot area is just kind of a wiggle line, so you can
18 work within that thousand feet; is that correct?

19 MS. STEINHAUER: The -- the applicants
20 have asked for a route width of a thousand feet.
21 And they've said that within that width they need
22 125 feet for their right-of-way to actually place
23 the poles, and -- and access them and maintain them.

24 The -- the reason that they've asked for
25 that, is allow them, as you said, some wiggle room.

1 The -- one of the conditions of the permit is we
2 will approve -- or the Commission will approve a
3 certain route width and a certain right-of-way. In
4 some areas it may be narrower, and in some areas
5 they may get the full thousand feet.

6 I believe your first question is, it
7 looks like it would be better to go along Highway 2,
8 and -- and that's something that we'll be looking at
9 as we develop the environmental review documents.
10 So those are good points that will be considered.

11 MR. LISH: I guess the reason why I
12 mentioned the bypass, you've already got the
13 right-of-way, there's no houses sitting there and,
14 you know, less obstructions. You know, where you do
15 have a lot of people going around on that red line.

16 MS. STEINHAUER: Can you indicate the
17 bypass that --

18 MR. THOMAS: What was it called?

19 MR. LISH: Highway 2 bypass. Yeah, I'm
20 not sure if you can see it on this. But, anyway,
21 the bypass comes right through here (indicating).

22 MS. STEINHAUER: So --

23 MR. LISH: Basically, the blue line.

24 MS. STEINHAUER: So he's indicating a --
25 an area of Highway 2 in the Bemidji area, the blue

1 line.

2 Yes.

3 MS. WAUGHTAL: I'm Carol Waughtal,
4 W-A-U-G-H-T-A-L. And the gentleman mentioned
5 something about preferring that the pipeline -- or
6 the power line go south of the pipeline, and I don't
7 know where he lives, but we have property on 36
8 south of the pipeline. There are a lot homes in
9 that area.

10 And also, another concern would be the
11 Nary international Airport. I would prefer it not
12 to be in that area.

13 MR. THOMAS: Excuse me. What -- I'm
14 sorry. What was the area that you mentioned
15 specifically?

16 MS. WAUGHTAL: South of the pipeline on
17 County Road 36. And I'm concerned, also, of the
18 homes in that area, and Nary International Airport
19 is not too far from there either.

20 MS. STEINHAUER: So the Nary Airport?

21 MR. THOMAS: The Nary Airport?

22 MS. STEINHAUER: The Nary Airport?

23 MR. THOMAS: N-A-R-Y?

24 MS. STEINHAUER: N-A-R-Y?

25 MS. WAUGHTAL: N-A-R-Y.

1 MS. STEINHAEUER: Thank you.

2 MR. BURON: I don't know, can you hear
3 me? And, actually, my situation is a little bit
4 different. My name is Lou Buron and I'm the owner
5 of Paul Bunyan Broadcasting, which we have radio
6 stations in this area. And one of the radio
7 stations that it would affect, it appears at the
8 present time where this is located, is our radio
9 station KBUN-AM.

10 And, actually, there are guidelines, and
11 I have those here for you tonight, that is already
12 statuted through the FCC, Federal Communications
13 Commission, on building these kinds of structures.
14 What it actually would do, is it would interfere
15 with the signal. And we have to have a certain
16 signal, that is a criteria of the FCC, in order for
17 us to be on the air.

18 And -- and if that is interfered with,
19 then we need to find out why it's interfered with.
20 And in this situation, we would know how it's
21 interfered with, it would be the line. It isn't so
22 much the line, it's actually the poles and those
23 kinds of things that would be going up.

24 And there is a specified distance that it
25 would have to stay away from that particular tower

1 and where it sits right now. If you are familiar
2 with the water tower on Jefferson, it's just about
3 500 feet away from that.

4 So -- and there is a way to possibly get
5 around it, and that is, every -- every metal --
6 piece of metal has a frequency, and these poles can
7 be detuned, if necessary. However, that would
8 create a further cost to the project, I'm sure. So
9 -- but I just wanted to go on record for that, and I
10 have a handout for you.

11 MS. STEINHAUER: Thank you. No, this
12 will go into the record, and we'll have that. Thank
13 you.

14 MS. WINANS: My name is Carol Winans, and
15 that's spelled W-I-N-A-N-S, as in Sam. And talking
16 about -- the federal government has given people a
17 couple other routes, and I think the state ought to
18 look at those other routes very seriously. Around
19 the -- around the city of Bemidji, there is quite a
20 few people, and it's going to impact a number of
21 people.

22 And following the bypass, you know, there
23 is the consideration of the development that's going
24 in there with -- so I would really prefer that the
25 property -- or the -- the route would go much

1 further south or much further north. We have a
2 pipeline across our property now, and I think
3 sometimes these are really detriments and we don't
4 need any more.

5 Thank you.

6 MS. STEINHAUER: Thank you.

7 MR. MAGOON: My name is Darrel Magoon,
8 M-A-G-O-O-N. And a follow-up to what somebody said
9 earlier about the Nary International Airport, I also
10 live just west of there, in Section 1, Township 145,
11 Range 32, Section 7. And we also already have two
12 pipelines going through our property. And this
13 latest route will wipe us out, take our entire
14 property. So it's our wish that also an alternative
15 route be chosen in that area.

16 Did you have something? My wife does.

17 MS. MAGOON: My name is Denise, his wife.
18 Because of them wiping out our property, I know
19 everyone's going to be impacted, and we have seven
20 lines going through our property right now. Plus a
21 township road that split it in half.

22 And we're -- if this has to go through,
23 this line, I'd like it to be the west side, right
24 next to the pipeline, so we don't get split further
25 than we already are. And I realize everybody's

1 going to be impacted, and if it followed Highway 2,
2 I know people that live on Highway 2 are going to
3 jump up and down, but we have to all think about
4 each other.

5 And like I said, our property's going
6 to -- seven lines already is quite a bit for a
7 society of progress. So, like I said, if it has to
8 go in there, that it would be right at the edge of
9 the pipelines. So we would then -- we are already
10 broke up four times. Thank you.

11 MR. MAGOON: Yeah, thanks. And I've
12 already shown a couple of different people our
13 situation, and I just wanted to be on record.

14 MS. STEINHAUER: Okay. Thank you. Did
15 you have a -- an actual alternative that you were
16 thinking of -- at that marked -- Highway 2?

17 MR. MAGOON: Near Highway 2, and one of
18 those other alternatives.

19 MS. STEINHAUER: Okay. That are shown on
20 that overview map?

21 MR. MAGOON: Yeah.

22 MS. STEINHAUER: Thank you.

23 MS. TOFT: Hello, my name is Brandy Toft,
24 T-O-F, as in Frank, T. And I'm kind of representing
25 two bodies here. One would be my in-laws. Like the

1 gentleman who first spoke, said we're not going
2 there. We don't understand the maps. We don't
3 understand what's going on. And they're confused,
4 and so they don't come. But they live on Buchanan
5 and 16th. They already have a pipeline going
6 through their backyard, and now this proposed 230 --
7 if it's, I think it's on Route 1, will be going
8 right through their front yard. And there goes
9 their property value, and they -- you know, that's
10 their nest egg. So I know a lot people that are in
11 a predicament, also.

12 And then we live on 98 and County Road 9.
13 And, you know, it potentially affects our
14 aesthetical value. You know, it's not going to be
15 touching our property, but it's right on the border.
16 And, you know, people don't want to be around power
17 lines when they're buying property.

18 MS. STEINHAUER: Okay.

19 MR. RICHTER: My name is Nathan Richter,
20 my property -- oh, I'll spell that for you.
21 N-A-T-H-A-N, R-I-C-H-T-E-R. And my property is Lot
22 A of the northwest quarter of the southeast quarter,
23 Section 1, Township 145 North, Range 33 West.

24 Great Lakes Gas, it cuts through my
25 property. My house is, from their easement, 122

1 feet to my front door. And my understanding is you
2 need 125 feet. So if you were to go on the south
3 side of Lakes Gas, you would be going virtually over
4 my house.

5 Obviously, I just want to go on the
6 record to say I want you to take a different route
7 than line one. Thanks.

8 MS. STEINHAEUER: Thank you.

9 MR. LUND: My name is Dan Lund. And
10 thankfully I'm not -- I'm not in the proposed
11 right-of-way, but I want to make a comment that I do
12 have 25 acres under easement right now. And I would
13 propose to you that, whether you go through the
14 state or county, that -- like the roads, the
15 township roads and the county roads have all been
16 taking off of a tax base.

17 I would propose to you that, even on
18 these easements, would it be possible to deduct
19 that? I realize we all need power, and -- but this
20 high line is only going across probably less than
21 one percent of the people.

22 And just a bit of history. Otter Tail
23 came across my property in 1974. My wife and I have
24 been paying taxes on that ever since. They saw fit
25 to give me \$400, and I don't think that would even

1 pay taxes on the property.

2 I think that's a burden on -- and when
3 you look at -- at the Tribune and you see that Otter
4 Tail Power is -- has increased 27 percent this year,
5 so far. One of their main officers cashed in on
6 some of their stock options, and got literally
7 thousands and thousands of dollars. And it was off
8 the backs of the small people.

9 My advice to the people that are going --
10 this proposed line is going across, make sure that
11 everything that you want is in writing. If you
12 don't want a problem, make sure it's in that
13 contract. Thank you very much.

14 MS. STEINHAUER: Thank you.

15 MR. KNUDSON: My name is John Knudson,
16 K-N-U-D-S-O-N. And I'm wondering what type of a
17 line it is? I see it's 230 kV. Is it wood poles?
18 Is it one tower? Or is it a large structure?

19 MS. STEINHAUER: The applicants have
20 proposed a, what's called an H-frame structure,
21 which is two wood poles with a cross brace, and the
22 lines would run in a -- in a plane that's parallel
23 to the ground. There may be -- that's one of the
24 things that the permit will address. There may be
25 instances where, in some areas, a different type of

1 pole may be used.

2 Did you have any other information that
3 you wanted to provide on that?

4 MR. KOECKERITZ: No. You hit the nail on
5 the head there. That's our proposal, and however it
6 unfolds, congestion will cause different types of
7 structures sometimes.

8 MR. LISH: Mike Lish, again. I'm
9 wondering, is there a minimum distance the line
10 could be from a home? Because there's -- other
11 people here discussed that their homes are in the
12 way, also.

13 MS. STEINHAUER: I'm going to need to ask
14 the applicant to answer that question, because
15 they're more aware of the safety requirements .

16 MR. KOECKERITZ: Well, they're -- they're
17 safety requirements, but again, our proposed
18 right-of-way is going to be 125 feet. We'll be
19 looking to have anything outside of that -- outside
20 of that right-of-way. So, that's -- that's where we
21 are right now. Is -- that's where our right-of-way
22 would be, and we're going to work with the
23 landowners along the way to do what we can to locate
24 the line where it's the least effective to them,
25 so --

1 MR. STUDER: Mark Studer. I don't know
2 if it's been addressed or not, but is there a -- is
3 there a distance that that transmission line will
4 have to be away from the pipelines themselves?
5 Because there's three pipelines in that particular
6 area.

7 MS. STEINHAUER: Generally, that may
8 be -- that's probably something that we would look
9 at in the environmental review, and it may be a
10 permit condition. But I can't answer your question
11 specifically. Perhaps Al can.

12 MR. STUDER: Is it legal to put a
13 transmission line right over the pipeline, or is it
14 just -- would it not be --

15 MR. KOECKERITZ: For safety operation of
16 a pipeline, you can't build a transmission line over
17 the top of it. There are safe distances you have to
18 maintain.

19 MR. STUDER: What is that?

20 MR. KOECKERITZ: The -- the distance
21 needs to be 50 feet, but as you look at that
22 50 feet, you have to maintain 50 feet from equipment
23 that potentially would be in the area that they
24 would need to use to maintain the pipeline. So, for
25 example, if you had a crane that would potentially

1 swing out away from the pipeline. So where that
2 point is --

3 MR. STUDER: 50 feet from that?

4 MR. KOECKERITZ: 50 feet from that. That
5 would be correct.

6 MR. WILLIAMS: Scott Williams. I
7 wasn't -- I wasn't sure about that 125 feet -- I'm
8 sorry. I can't remember your name from Otter Tail
9 Power. So from the front of your house to the
10 actual edge of that power line, that's 125 feet? Or
11 are you talking the width of the actual structure,
12 that H-frame, is 125 feet?

13 MR. KOECKERITZ: The right-of-way we
14 would look to acquire would be 125 feet.

15 MR. WILLIAMS: Okay.

16 MR. KOECKERITZ: And the H-frame
17 structure would be approximately, at the top on the
18 arm itself, approximately 35 feet.

19 MR. WILLIAMS: So the right-of-way is 125
20 feet, but how far is that from somebody's house?

21 MR. KOECKERITZ: Well, assuming that the
22 structure's in the centerline, so six -- potentially
23 62 and a half feet to the edge of the
24 right-of-way --

25 MR. WILLIAMS: Right.

1 MR. KOECKERITZ: -- would be where a
2 structure could be located then.

3 MR. WILLIAMS: So 62 away from that power
4 line could be your front door?

5 MR. KOECKERITZ: Could be, I'm not --
6 we're going to work with everybody.

7 MR. WILLIAMS: I'm just clarifying.

8 MR. KOECKERITZ: Right.

9 MR. WILLIAMS: Okay. You can go over a
10 house or through, or any other --

11 MR. KOECKERITZ: No.

12 MR. WILLIAMS: -- building structure?

13 MR. KOECKERITZ: You can not.

14 MS. LISH: You can't go over a house.
15 Sharon Lish, L-I-S-H.

16 MS. STEINHAUER: I -- I know that there
17 are people here who haven't had an opportunity to
18 speak. I don't want to force anybody to speak if --
19 if you're not comfortable, but I want to make sure
20 that everybody has the opportunity to make their
21 comments here tonight orally and, as I mentioned and
22 I'll reiterate, you can also provide them to us in
23 writing.

24 MR. RICHTER: I just have another
25 question. Nathan Richter, again. Is there any

1 other states, like North Dakota or South Dakota,
2 that have legal distances from residences that the
3 state of Minnesota has not used -- or followed by?

4 MS. STEINHAUER: That's a good question.
5 And I -- I'm not aware of any. I don't know if the
6 applicants are.

7 MR. KOECKERITZ: The state of North
8 Dakota has what they call avoidance areas.

9 MR. RICHTER: Okay.

10 MR. KOECKERITZ: That doesn't mean that
11 you can't be closer than that avoidance area, but
12 the state of North Dakota has an avoidance area of
13 500 feet. Now, you can be within that 500 feet, you
14 just have work with the property owner to be within
15 that distance.

16 MR. POMMERENING: Yes. My name is Keith
17 Pommerening, P-O-M-M-E-R-E-N-I-N-G. And I guess I'm
18 wondering if this is an absolutely either/or, or if
19 they're still options? It seems like it's a mistake
20 to run it across so much private property, when it's
21 for everybody. You know, if you run across more
22 state land, you would be benefiting the hunters,
23 benefiting the state.

24 You know, the state could help guide it
25 so that they'd have an opportunity for hunting and

1 opportunity for fire breaks for forest fires. And
2 access to, you know, areas -- you know, I think it
3 would be a golden opportunity for the state to have,
4 you know -- you guys, when you're building the land
5 -- or building the line, to -- you know, increase
6 the -- the usefulness of property that they have.
7 And, you know, for all the people involved, you
8 know.

9 So I was just kind of wondering if this
10 is an either/or, or if there's still some wiggle
11 room?

12 MS. STEINHAEUER: To -- to answer your
13 question, there are these two alternatives, and
14 we're also -- we don't know what -- those two
15 alternatives will be studied. And -- and there may
16 be other alternatives, and that's one of the things
17 that we are out here asking for.

18 If people have other ideas of either a
19 new route of getting from point A to point B, or
20 different ways of -- in some areas, there may be
21 things that you believe we should move around. And
22 we call that an alternative segment, a way of
23 getting around an obstacle. So what ends up getting
24 permitted, is the -- if the PUC determines it's
25 needed, we really won't know for awhile. What --

1 what we're asking for here is which alternatives
2 should we look at.

3 Did -- did that answer your question?

4 MR. POMMERENING: Well, that's just
5 telling me that you're not going to go very far from
6 what you've already got laid out.

7 MR. QUINN: Hello. My name is Rogan
8 Quinn. R-O-G-A-N, Q-U-I-N-N. And I was just -- in
9 one of the mailings that I got, it mentioned the
10 preferred route as being route one, and I was
11 wondering why that was the preferred route?

12 MS. STEINHAUER: We asked the applicants
13 to identify a preferred and an alternate route. And
14 I will ask the applicants to -- to tell us why they
15 preferred route one.

16 MR. KOECKERITZ: Well, route one, it
17 offers a few alternatives that can be considered, if
18 you take a look at the maps a little bit there. As
19 well, there are some -- you know, there's plenty of
20 difficult places, as everybody mentioned here with
21 their own individual concerns, if you would.
22 Specifically, Cass Lake, and getting through that
23 area there between Pike Bay and Cass Lake, itself,
24 is a very difficult location and would force us to
25 go through Cass Lake, itself.

1 Of course, with the other terrain
2 features there, if you don't go through that place,
3 then the only other alternatives really is to go
4 south of Pike Bay. And so that's really one of our
5 main concerns about staying with route one.

6 MS. TOFT: I can just speak up. Brandy
7 Toft, again. I heard earlier that you can't go too
8 close to railroad tracks. And what is the buffer
9 distance to the railroad tracks? And what is the
10 reason for that?

11 MR. KOECKERITZ: The -- and Bob Krava
12 might be able to help me out a little bit here, but
13 generally with railroad tracks, they have
14 requirements to set back away from their facilities.
15 Typically, it's the height of the structure that you
16 have to set back from there.

17 As well, being on -- you don't want to be
18 on their right-of-way. Generally speaking, it's not
19 a good long-term solution for the situation. I
20 don't know, Bob, did I miss anything that might --

21 MR. KRAVA: Bob Krava, K-R-A-V-A. Otter
22 Tail Power Company. One of the railroads' concerns
23 is their signalling. So it's a safety issue because
24 they cross roadways and they carry the signals, in
25 some instances, through their tracks.

1 So the interferences that the gentleman
2 with the radio stations -- I mean, it isn't only
3 directed at radio stations, it can be directed at
4 other signaling types of situations. So that's the
5 railroads' concerns.

6 MS. TOFT: Okay. Now, what's the buffer?
7 What's the setback?

8 MR. KRAVA: The height of the pole.

9 MS. TOFT: Okay. So it's just whatever
10 it is laid down. Okay. And what will that height
11 be, approximately, if you use this H-frame?

12 MR. KOECKERITZ: The height will be
13 between 70 and 90 feet, it depends upon the spans.

14 MS. TOFT: Okay. Going -- sorry. Going
15 along with that, there's got to be quite a few pinch
16 points with the railroads. You know, with that
17 said --

18 MR. KOECKERITZ: Along --

19 MS. TOFT: -- I can just imagine on both
20 route alternatives, or both routes one and two.

21 MR. KOECKERITZ: Primarily around --
22 along route two is where the pinch points of the
23 railroad would be.

24 MS. TOFT: Okay.

25 MS. STEINHAUER: Other comments or

1 questions? We'll be here as long as you need
2 tonight. If you wanted to speak on the record here,
3 otherwise we'll be available, we can try to respond
4 to them.

5 And finally, I just want to reiterate
6 that August 29 deadline. If you could respond to me
7 with written comments or issues. If something comes
8 up later on, as it often does. You leave and then
9 you're thinking tomorrow morning when you're driving
10 in to work, I wish I would have asked about that.
11 As long as we get it by August 29, by e-mail, by
12 fax, by mail.

13 You don't have to use the comment sheet
14 provided. Anything -- you could send me an e-mail,
15 you can write me a letter, as long as it gets to me
16 the end of the day, 4:00, on August 29.

17 MS. QUINN: Where are your cards? Do --
18 do you have some cards that we can have with your
19 name on it?

20 MS. STEINHAUER: Could you please
21 identify yourself?

22 MS. QUINN: Christine Quinn. I'm sorry.
23 I just wanted to know where the cards would be with
24 your name on it?

25 MS. STEINHAUER: Yes. There are some

1 business cards outside, and it's also on the comment
2 form.

3 MS. QUINN: Okay.

4 MS. STEINHAUER: My contact information.

5 So I want to make sure everybody has an
6 opportunity to comment, but I also want to respect
7 your time. And it's still, I think, a beautiful
8 night out.

9 Not hearing any more comments, we'll
10 adjourn this formal meeting, but we'll be around to
11 try to answer your questions and take your comments.

12 Thank you.

13 (Hearing adjourned at 7:05 p.m.)

14

15

16

17

18

19

20

21

22

23

24

25

1 STATE OF MINNESOTA)
2) ss.
3 COUNTY OF HENNEPIN)

4
5
6 REPORTER'S CERTIFICATE

7
8
9 I, Christine Munson, do hereby
10 certify that the above and foregoing transcript,
11 consisting of the preceding 47 pages is a
12 correct transcript of my stenographic notes, and is
13 a full, true and complete transcript of the
14 proceedings to the best of my ability.

15 Dated August 25, 2008.

16
17
18
19
20 _____
21 CHRISTINE MUNSON
22 Court Reporter
23
24
25