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PUBLIC INFORMATION AND SCOPING MEETING  
MINNESOTA PUBLIC UTILITIES COMMISSION

In the Matter of the Application of Minnesota Power for a  
Route Permit for the Deer River High Voltage Transmission  
Line Project in Itasca County

MPUC DOCKET NO. E015/TL-13-68

White Oak Inn and Suites  
201 4th Avenue NW  
Deer River, Minnesota

June 19, 2013

COURT REPORTER: Janet Shaddix Elling, RPR

1 MS. TRACY SMETANA: Well, thank you for  
2 coming. I'm Tracy Smetana with the Public Utilities  
3 Commission. And it is ultimately the Commission  
4 that will make a decision about where this line  
5 goes. And so you have our handouts, you'll have  
6 that to take home with you to refer back to, if  
7 you'd like, or to follow up with either of us, or  
8 all three of us, I guess, we have contact  
9 information in there.

10 So I just want to talk a little bit about  
11 who everybody is, what we do, and then I'm going to  
12 turn it over to Suzanne so she can talk about the  
13 environmental piece, that's kind of her baby, so  
14 we'll get to that.

15 So a high voltage transmission line  
16 that's designed for and capable of operating at 110  
17 kilovolts or more and greater than 1,500 feet in  
18 length requires a route permit from the Public  
19 Utilities Commission. If it was something smaller  
20 they wouldn't need to come to us to ask. They might  
21 need to go to the City of Deer River or to the  
22 county or something, but they wouldn't need to come  
23 to the state. But because of the size, that's what  
24 requires a permit from our office.

25 Just a little bit about the Public

1 Utilities Commission. We regulate permitting for  
2 power plants, pipelines, transmission lines. I  
3 heard you mention pipeline projects in your neck of  
4 the woods as well. We also regulate rates and  
5 service for local and in-state long-distance  
6 telephone companies, and also the investor-owned  
7 electric and natural gas utilities. So all of those  
8 things fall under the umbrella of the Public  
9 Utilities Commission.

10 We have five commissioners appointed by  
11 the governor. They serve staggered terms and they  
12 also are full-time employees of the Commission.  
13 Sometimes people say, oh, so they just show up for a  
14 meeting now and again like a small town mayor or  
15 something, no, they're actually there full time.  
16 And we have 50 staff that help as well.

17 In terms of this particular process, in  
18 coming up with a route permit for this transmission  
19 line, this is a list of kind of who's who and who  
20 does what. Sometimes people see these terms or the  
21 names of these departments and wonder who are all  
22 these people and what do they do. And so we would  
23 refer to Minnesota Power in this case as the  
24 applicant. They're the company asking for the route  
25 permit. We also have the Department of Commerce,

1 Energy Facility Permitting, and that's who Suzanne  
2 represents. It's a state agency and they complete  
3 the environmental review for this project. And  
4 she'll tell you a little bit more about that.

5 The Department of Commerce also has a  
6 energy regulating planning area that deals with  
7 rates, services, and facilities when the companies  
8 ask to make changes in those areas.

9 Also involved is the Office of  
10 Administrative Hearings. You might see the  
11 abbreviation OAH, that's what that stands for.  
12 They're another state agency, independent of all the  
13 others that I've mentioned. There's an  
14 administrative law judge that will hold hearings and  
15 summarize the facts in the record as we go. And  
16 then they make recommendations to the Public  
17 Utilities Commissioners to use for their  
18 decision-making.

19 And then the Public Utilities Commission,  
20 as I mentioned, it's a state agency with five  
21 commissioners and they ultimately make the decision  
22 on the route permit. So all these other folks have  
23 a role that they play and then ultimately they bring  
24 all that information to the Commissioners and they  
25 review all the facts and make the decision.

1                   I am the public advisor at the Public  
2 Utilities Commission. My job is to deal with  
3 citizens like you and to say how do I get involved,  
4 how do I let you know what I think about it, how do  
5 we communicate with the agencies and the other  
6 parties involved in this process.

7                   We also have a staff analyst at the  
8 Public Utilities Commission who is not here this  
9 evening, but she also helps gather all the facts and  
10 helps the Commissioners make decisions, in terms of  
11 helping them understand what the consequences are of  
12 different paths they could choose in this particular  
13 case.

14                  And neither one of us are advocates.  
15 Even though my title is public advisor, I don't  
16 advocate on behalf of anyone. I can't give legal  
17 advice, you know, that type of thing. But I can  
18 help you figure out where to find the information or  
19 who has the information that you're looking for.

20                  I also have a list here, and I'm not  
21 going to read through all of them, but these are  
22 some the factors that are included, in terms of  
23 helping the Commission make a decision. These are  
24 the things they have to look at in order to decide  
25 what's the best place for this route to go. So

1 human settlement, public health and safety, the  
2 natural environment, the costs, does the project  
3 meet other state, local, and federal requirements  
4 and so on.

5 And then this chart kind of flows through  
6 how the process works. And you'll note the little  
7 spots that have a star tell you when there's  
8 opportunity for citizens to get involved. 'Cause a  
9 lot of what happens involves the lawyers sending  
10 stuff in or writing legal documents and that's kind  
11 of boring and not very interesting for Joe Q  
12 citizen, but there's a lot of opportunities because  
13 it affects people who live where these lines are  
14 going to go, and so we want to make sure that people  
15 have a chance to be involved in the process. And so  
16 you can see that first box that has the star is  
17 where we are today, the Information and  
18 Environmental Scoping Meeting. And then all these  
19 other things will happen from there.

20 So if you're a chart and picture person,  
21 that will be helpful for you. If you're more of a  
22 list person, the next slide will be more helpful.

23 MS. LINDA MICKLE: That's where I zeroed  
24 in.

25 MS. TRACY SMETANA: Yep. I'm more of a

1 list person, too, so I like to have both of them in  
2 there so people can follow along whichever works  
3 best for them. So, again, you can see the one  
4 that's starred is where we are today, the  
5 Information and Environmental Scoping Meeting. And  
6 then the comment period closes July 3rd. So for  
7 people that either couldn't come tonight or did come  
8 tonight but think of something later that they want  
9 to share with Suzanne about the environmental  
10 scoping, they still can send something in in  
11 writing. We want to make sure we hear from  
12 everybody.

13 Now, the dates that are beyond that, as  
14 we get into August, November, next year, some of  
15 those are still a little tentative. So you'll get  
16 further information as the project moves along.

17 And so some other terms that you might  
18 see, in terms of the route permit or even when  
19 people are talking about the proposed transmission  
20 line, you might hear the term permitted route. And  
21 that's going to be kind of the big area where the  
22 route can go. A smaller area contained within the  
23 permitted route is the right-of-way, the amount of  
24 space on either side of the line that is needed to  
25 maintain it and so forth. And then the alignment or

1 the centerline is where the line actually goes. So  
2 people sometimes hear those different terms and  
3 wonder what does that mean and when can it be moved  
4 and that type of thing, but those are terms you  
5 might hear throughout the course of the project.

6 And then there's some places where you  
7 can get more information. The Department of  
8 Commerce maintains a project page that lists  
9 information about the project, what it proposes to  
10 do, links to some of the documents that you may find  
11 helpful. Kind of a timeline on where we're at in  
12 the process and so forth. If you want more  
13 information than that you can look at all of the  
14 documents that have been filed. We do have a copy  
15 here of the application, if people want to look  
16 through that, it's kind of a booklet, a lot of  
17 information that the company has to provide as part  
18 of their application. You also can subscribe to  
19 receive an e-mail notice when new documents come in  
20 if you want to stay up to the minute on everything.  
21 And there's also a project mailing list that you can  
22 sign up for, which you may already be on. I don't  
23 know, did you take one of the orange cards?

24 MS. LINDA MICKLE: No.

25 MS. TRACY SMETANA: Okay. If you're

1 interested in making sure you stay up to date on  
2 future meetings or comment periods or that type of  
3 thing, that gives you a little less information than  
4 subscribing where you get a notice about everything  
5 and for now it comes only by U.S. mail. So all the  
6 information on how you can sign up for all of those  
7 ways to get information is included here.

8 And then if that's not enough information  
9 for you, there are some additional resources that I  
10 listed here. Some websites that you can visit. And  
11 then also the contact information for me. Again, my  
12 name is Tracy, and then the staff analyst on this  
13 project is Tricia and so her contact information is  
14 there as well.

15 All right. And now I'm going to turn it  
16 over to Minnesota Power.

17 MR. DAN McCOURTNEY: All right.

18 MS. TRACY SMETANA: Thank you.

19 MR. DAN McCOURTNEY: My name is Dan  
20 McCourtney, I'm with Minnesota Power. I believe  
21 we've talked about this project a little bit  
22 already, but I'm just going to quickly go over what  
23 our Deer River project entails here.

24 First off, we're going to be rebuilding  
25 this existing line right here. Then we will be

1 building a new 115 kilovolt transmission line that  
2 will originate on the eastern side of this Great  
3 River Energy substation and proceed south and  
4 terminate in the Enbridge pumping station here.

5 Then also on this east side we will be  
6 rebuilding this existing substation to something  
7 like that. We will also have a 230 kilovolt  
8 transmission line that will tap that existing  
9 transmission line that you guys are well aware of  
10 that's out there, cross the road, and then terminate  
11 into this new proposed substation.

12 Doing all this will allow us to, what you  
13 guys are interested in, is remove seven and a half  
14 miles of transmission line. It'll also increase the  
15 area's capacity and upgrade the area's electrical  
16 system as well.

17 Just to give you an idea of what this is  
18 going to look like here. It'll be weathering steel,  
19 monopole structures. As you guys go home take a  
20 look at that Enbridge facility there, that line  
21 that's there, that's what all these structures for  
22 all three of these lines are going to look like,  
23 they'll all look real similar. And the substation  
24 itself will look somewhat similar to this as well.

25 Again, I know that's not really why

1           you're here, you're more interested in the line  
2           that's being removed. So I guess with that I'll  
3           stop explaining the project, and if you guys have  
4           any questions, comments, throughout this meeting,  
5           I'll be more than happy to answer them. Thanks.

6                       MS. SUZANNE STEINHAUER: Okay. I'm  
7           Suzanne Steinhauer, I also work for the state. I'm  
8           with the Minnesota Department of Commerce.

9                       I think Tracy did a nice overview of all  
10          the different roles in this. And in this project,  
11          the Department of Commerce, Energy Facility  
12          Permitting group, is charged with doing an  
13          environmental review for the project.

14                      Many state decisions, including things  
15          like the permitting of transmission lines or power  
16          plants, it's understood that there are going to be  
17          some impacts so there's a requirement to do an  
18          environmental review. For the project that  
19          Minnesota Power has applied for, that environmental  
20          review is called an environmental assessment. And  
21          part of preparing the environment assessment  
22          includes a comment period for people and agencies to  
23          identify what they believe should be covered in the  
24          EA.

25                      So after the comment period closes, we

1 take a look at any comments, which is July 3rd, and  
2 I'll repeat that at least two more times. We'll  
3 take a look at the comments that have been received,  
4 we'll make them available to the public. We'll ask  
5 the Commission if they have any additional  
6 alternatives that they'd like to see reviewed in the  
7 EA. And then we pass on a recommendation to the  
8 Department's deputy director and he would issue a  
9 decision on what would be in the EA. That decision  
10 is called the environmental scope.

11 Under rule, each EA includes -- is  
12 required to include a project description, route  
13 alternatives, if any are identified, potential  
14 impacts, mitigation measures, feasibility, and  
15 assessment of the feasibility routes, a list of  
16 required permits and other matters identified in  
17 scoping.

18 There is a handout here that is  
19 two-sided, so that's the type of information that's  
20 required in the EA. This is -- think of it as  
21 something like a skeleton or a very abridged table  
22 of contents about the things that would typically be  
23 addressed. And then the back of that is built a  
24 little bit more on, Tracy had talked about the  
25 things that the Commission needs to consider and

1           this is the actual tasks.

2                       So part of the scope is we ask the public  
3 and agencies for input on the impacts that should be  
4 studied in the environmental assessment, any  
5 mitigation that we should take a look at, and then  
6 also any alternative routes or route segments. And  
7 so in the slides we tried to give you an example of  
8 the things that we're looking for.

9                       So, for instance, an EA always covers  
10 impacts to vegetation. We would normally look at  
11 about how many trees, you know, what's the acreage  
12 of tree clearing, generally what types of vegetation  
13 are you going to be disturbing, what's allowed to  
14 grow back in the right-of-way once the construction  
15 is complete and what's not allowed to grow in the  
16 right-of-way. But in some areas people have brought  
17 to our attention where they may be concerned about  
18 impacts to particular plant species or natural  
19 features, which should be identified by the time  
20 that the route permit is applied for. Or land uses,  
21 for instance, a Christmas tree farm or an organic  
22 farm that people may be particularly concerned about  
23 and want to make sure that the impacts, potential  
24 impacts to that resource are explored in the  
25 environmental review.

1           So the mitigation, the EA always looks  
2           at, once it's understood that there are impacts,  
3           they look at mitigation or what can be done to  
4           minimize those impacts to make the project less  
5           intrusive and to minimize the impacts. And there  
6           are a certain number of strategies that are  
7           typically looked at, but if somebody's identified an  
8           impact they're particularly concerned about, for  
9           instance, this project I don't think is such a  
10          concern, but a lot of the projects, especially up  
11          here, there are a lot of wetlands. And so we look  
12          at that, it's understood that the project will  
13          probably have to cross some wetlands, but is there  
14          anything we can do, can we use different types of  
15          structures to increase the span so you have fewer  
16          poles in the wetlands, that makes it generally  
17          easier to maintain, requires less disruption of the  
18          wetlands.

19                 And then finally route alternatives.  
20          Minnesota Power has proposed a route, but people may  
21          want to suggest an alternative route. Or often it's  
22          not a whole different route but a route segment or  
23          an alignment to avoid some impact. For example,  
24          there was a project that I was involved in where  
25          there was an unmarked cemetery. It was really a

1 family graveyard. And people suggested that, well,  
2 in this area can you maybe move the alignment to the  
3 other side of the road. So it's not something that  
4 would normally turn up in a record search, but it  
5 kind of draws on the area knowledge.

6 So utilities, when they prepare the  
7 application, have done their diligence and usually  
8 try to identify those. They try to avoid areas  
9 where they anticipate adverse impacts. But  
10 oftentimes the public or local agencies have  
11 information on, for instance, a highway realignment  
12 that they may want to do. So that's helpful to the  
13 Commission in determining the eventual route for the  
14 project, if we can understand what those are, and  
15 then through the record try to develop some ways to  
16 minimize those impacts.

17 So any person can propose a route or  
18 route alternative, but the rule does ask that you  
19 identify the route alternative, or identify what  
20 you're trying to -- the impact that you're trying to  
21 minimize or what you believe the alternative route  
22 or route segment could -- why that might be better  
23 than what's been proposed. So if, for instance,  
24 your desire is to -- it's understandable, people  
25 would like it to not be on -- the new construction

1 to not be on their property, so try to develop some  
2 rationale for why it would be better someplace else.  
3 We don't expect the public to provide a full blown  
4 analysis of why it might be better, but again, to  
5 think about what impact you're trying to avoid and  
6 why you think a proposed alternative would be  
7 better. If you have an impact that you're concerned  
8 about but don't know how to go about proposing an  
9 alternative, you or anybody else that you talk to,  
10 you can speak to me here during the meeting, I'll be  
11 around afterwards for awhile, or on the phone  
12 sometime before the end of the comment period and I  
13 can try to work with you on that.

14 And that is about the end of my  
15 presentation. I want to reiterate that the written  
16 comment deadline is the end of the day July 3rd. We  
17 can take oral comments here, there is a court  
18 reporter here and she can take your oral comments.  
19 But if you, your neighbor, somebody, if you think of  
20 something later and want to provide that in writing,  
21 I do need that in written form, you can certainly  
22 give me a call and we can talk about it, but for it  
23 to be considered it does need to be in writing. It  
24 can be delivered to us by e-mail, by fax. If you  
25 look on our website there's a project comment

1 button. So that just needs to be delivered to me by  
2 July 3rd.

3 On July 1st our department is changing  
4 their phone numbers. So I believe that my correct  
5 phone number is -- oh, I don't think that's correct.  
6 I think you have that in Tracy's presentation.  
7 She's got my correct phone number. I discovered  
8 this morning that the fax numbers will also be  
9 changing, they had said they were not going to be  
10 changing, so I will correct the fax number. And as  
11 of July 1st, if you'd like to reach me by sending a  
12 comment by fax, the updated fax number is  
13 651-539-1549 and I can provide that to you after the  
14 meeting.

15 So I'd like to open it up for comments.

16 MR. CALVIN MICKLE: I have no comments.

17 MS. LINDA MICKLE: You did a good job  
18 explaining it.

19 MS. STEINHAUER: Thank you. So comments  
20 going once, going twice, going three times?

21 I would like to thank you for coming out  
22 this evening. Did you want to officially close the  
23 meeting?

24 MS. TRACY SMETANA: Go for it.

25 MS. STEINHAUER: I think we'll close the

1 official portion of this meeting, but we'll be  
2 around if you have questions afterwards. So thank  
3 you very much for coming out on a beautiful night.  
4 Thank you.

5 (Meeting concluded.)  
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