

ISSUE DATE: February 23, 1998

DOCKET NO. E-119/C-92-318

ORDER STAYING IMPLEMENTATION

BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION

Edward A. Garvey	Chair
Joel Jacobs	Commissioner
Marshall Johnson	Commissioner
LeRoy Koppendrayer	Commissioner
Gregory Scott	Commissioner

In the Matter of a Complaint Regarding Stray  
Voltage

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**PROCEDURAL HISTORY**

The following is an abbreviated summary of the key actions leading to the Commission's consideration of this matter on February 12, 1998:

On February 22, 1994, the Commission issued an Order requiring Lake Region Cooperative Electric Association (LRCEA , Lake Region, or the Co-op) to implement in modified form, its previously filed Voltage Reduction Plan (VRP) on the two distribution feeders serving the two farms that are the subject of this complaint.

On May 18, 1994 LRCEA filed a Petition to Dismiss the Complaint. This motion was based on what LRCEA viewed as the Complainants' uncooperative position and their continued apparent violation of National Electrical Safety Code (NESC) Standards.

On August 11, 1994, the Commission met to consider the VRP issue and issued an Order requiring further testing on August 26, 1994.

On August 11, 1997 Commission staff distributed a draft test protocol for such testing.

On September 3, 1997 LRCEA filed objections to the draft protocol.

A notice of intent to take administrative notice of the report of the Science Advisors (dated January 1996) was sent to the parties on January 12, 1998.

The Commission met on February 12, 1998 to consider this matter.

## FINDINGS AND CONCLUSIONS

### **I. ADMINISTRATIVE NOTICE**

On January 12, 1998, the Commission issued a notice to all parties that it intended to take administrative notice of a report issued by the Science Advisors in January 1996 entitled "Proposed Research for Evaluating Possible Electrical Causes of Poor Health and Production in Dairy Cows."

The report of the Science Advisors has been distributed throughout the group of interested stray voltage parties as part of the activities of the Science Advisors group. It is reasonable to assume that Commission discussion of the types of issues in this complaint may well reach the need to reference the information contained in the Science Advisors report. No party objected to the Commission taking administrative notice of this document.

Accordingly, the Commission will take administrative notice of the Science Advisors' report, thereby including it as part of the record in this matter.

### **II. CONSIDERATION OF FURTHER TESTING AND DISMISSAL OF COMPLAINT**

LRCEA recommended that the Commission dismiss the complaint, without prejudice, meaning that if relevant new information was developed, such as the Science Advisors' Final Report, the complainants could renew their complaint. The Co-op argued that all testing to-date showed that there was no service quality problem that could be attributed to it.

The Complainants argued that further testing, as ordered by the Commission's August 26, 1994 Order, is still appropriate and should be conducted. Specifically, the Complainants proposed 1) that the Co-op's primary neutral (distribution) system should be disconnected for a short time to determine whether LRCEA is the source of electrical signals (ground currents) on the Nelson and Franze farms and 2) that ground wires around the farm be disconnected for a reasonable period to measure what complainants predicted would be reduced ground current flow and improved herd production on the Nelson and Franze farms.

The Commission is concerned about the efficacy of further testing on the Complainants' farms at this time due to the questioned ability of earth current testing to demonstrate herd harm. The Science Advisors study, which is expected to shed light on the efficacy of further ground current testing is anticipated within the next several months.

In these circumstances, the Commission believes it most prudent to await the results of the Science Advisors' study, which is anticipated on or about July 1, 1998 and which will provide an expert and most recent examination of the ground current issue. Once the Commission has received and reviewed that study and given the parties an opportunity to file written recommendation regarding what, if any further investigation is warranted in this matter, it will be in a better position to determine whether further testing or dismissal of this complaint is warranted.

At the same time, the Commission will move toward final resolution of the isolator cost issue and any other issues that require a Commission decision. See Ordering Paragraph 3.

**ORDER**

1. The Commission hereby takes administrative notice of a report of the Science Advisors issued January 1996 entitled "Proposed Research for Evaluating Possible Electrical Causes of Poor Health and Production in Dairy Cows."
2. The testing required by the Commission in its Order dated August 26, 1994 is temporarily stayed, pending further order of the Commission.
3. Within 60 days of this Order, the parties shall file briefs and proposed findings addressing the isolator cost issue and other related outstanding items in this matter that the parties believe require a Commission decision.
4. This Order shall become effective immediately.

BY ORDER OF THE COMMISSION

Burl W. Haar  
Executive Secretary

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