

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS
FOR THE PUBLIC UTILITIES COMMISSION

In the Matter of the Route Permit Application for
the Hollydale 115 kV Transmission Line Project
in the Cities of Plymouth and Medina, Hennepin
County

**SUMMARY OF
PUBLIC TESTIMONY**

This matter came before Administrative Law Judge Eric L. Lipman for public hearings on June 7 and 8, 2012.

Earlier, on May 4, 2012, the Minnesota Public Utilities Commission (MPUC or Commission) issued an Order determining that it was “prudent and administratively efficient to update the scoping decision in this docket.”¹ It requested that the undersigned conduct public hearings so as to “ensure that the record is informed from the start by the concerns raised by the commenters to date.”²

An evening public hearing was held on June 7, 2012, and an afternoon hearing was held on June 8, 2012. Both hearings were held in the auditorium of the Wayzata High School in Plymouth, Minnesota.

The best estimate by the staff of the Department of Commerce’s Energy Facility Permitting unit (EFP) is that 270 persons attended the public hearing on June 7, 2012, and 90 persons attended the afternoon hearing on June 8, 2012.

Forty-five persons provided testimony during the public hearings. Interested persons were recognized for remarks during which they could submit testimony or make inquiries of the members of the agency and applicant panels. This process continued until the time set for the hearings expired.³

¹ Order, *In the Matter of the Route Permit Application for the Hollydale 115 kV Transmission Line Project in the Cities of Plymouth and Medina, Hennepin County*, MPUC Docket No. E-002/TL-11-152 at 5 (May 4, 2012) (E-Docket No. 20125-74462-01) (the “May 4, 2012 Order”).

² *Id.*

³ *Hearing Transcript*, Volume I, at 140 (E-Docket No. 20127-76858-01); *Hearing Transcript*, Volume II, at 126 (E-Docket No. 20127-76858-02).

Following the adjournment of the public hearings, the record remained open for an additional fourteen days within which interested persons were permitted to submit written comments.

Two hundred fifty-one (251) comments were received before 4:30 p.m. on Friday, June 22, 2012.⁴ Five comments were received after the close of the comment period and were not included in the materials for this summary.

The EFP will issue its scoping decision following a review of this Summary, the hearing transcripts and the filings submitted into the hearing record.

Description of the Project

Northern States Power Company, a Minnesota corporation doing business as Xcel Energy (Xcel), and Great River Energy (GRE) filed an application for a Route Permit for a transmission line that would run in the cities of Medina and Plymouth.

The proposed Project includes upgrading an existing 69 kilovolt line that is approximately 8 miles long to a 155 kilovolt line, constructing a new substation, installing a new 115 kV transmission line to connect the new substation and modifying existing substation facilities to accommodate the proposed Project.⁵

The Applicants assert that the proposed project will provide increased distribution capacity and avoid overloads to feeder circuits in the distribution delivery system in and around Plymouth, Minnesota.⁶

Procedural History

On June 30, 2011, Xcel Energy filed its application for an HVTL Route Permit and approval of the proposed substation replacement.⁷

On August 25, 2011, the Commission accepted the route permit application as substantially complete and authorized the Department of Commerce to name a public advisor for the Hollydale project.⁸

⁴ See, E-Dockets Nos. 20126-75514-01, 20126-75721-01 and 20127-76533-01 through 20127-76552-01.

⁵ *Application*, MPUC Docket No. E002 / TL-11-152 at 1 (E-Docket No. 20116-64334-03)

⁶ *Id.*, at 2.

⁷ *Application*, MPUC Docket No. E002 / TL-11-152 (E-Docket No. 20116-64334-03).

⁸ *May 4 Order*, *supra*, at 1 (E-Docket No. 20125-74462-01).

On December 7, 2011, the Commissioner of the Department issued a decision establishing the scope of the environmental assessment for the project. This assessment identified 13 route alternatives to be evaluated.⁹

On February 27, 2012, the Applicants filed a petition to convert the route permit proceeding from the alternative permitting process to the full permitting process.¹⁰

On May 24, 2012, the EFP issued a Notice of Public Hearing giving advance notice of the public hearing to parties on the service list, landowners, governmental units and other interested persons.¹¹

Summary of Public Testimony

Minn. Stat. § 116D.04, subd. 2 (a), establishes certain minimum standards for the development of environmental impact statements. The statute provides:

The environmental impact statement shall be an analytical rather than an encyclopedic document which describes the proposed action in detail, analyzes its significant environmental impacts, discusses appropriate alternatives to the proposed action and their impacts, and explores methods by which adverse environmental impacts of an action could be mitigated. The environmental impact statement shall also analyze those economic, employment and sociological effects that cannot be avoided should the action be implemented.

In the view of the Administrative Law Judge, the December 7, 2011 scoping decision for the environmental assessment does a good job in identifying areas of significant environmental impact, possible alternatives to explore and focal points for mitigation measures. Most of the feedback received during the public hearings and the later comment period can be addressed squarely within the topic areas outlined in that initial scoping decision.

Also true is the fact that the public hearing and comments raise a number of key questions that might not ordinarily be addressed in the Department's "analytical document," but that certainly go to the "economic, employment and sociological effects that cannot be avoided" in the event that the Applicants proposal is approved.¹² For that reason, this summary is presented in two portions – a description of some of these broader questions raised by commentators and the key categories of inquiries that were urged upon the Department during the public hearing process.

⁹ *Id.*

¹⁰ *Id.*, at 2.

¹¹ *Notice*, MPUC Docket No. E002 / TL-11-152 (E-Docket No. 20125-74980-01).

¹² Minn. Stat. § 116D.04, subd. 2 (a).

I. Economic, Employment and Sociological Impacts Identified by the Public that May be Beyond the Range of the Department's Technical Analysis

During the public hearings, and the comment period thereafter, local commentators raised a number of questions that are relevant to the Commission's decision-making but which may be difficult to address through a technical analysis alone. Among these questions are:

A. What are the reasonable investment-backed expectations of adjacent landowners regarding the size, location and future uses within a transmission line easement?

An important dispute among local commentators was highlighted at the public hearings. Many of those who had purchased properties along the existing GRE 69 kV line asserted that they had purchased their homes mindful of the size and voltage of this particular line and that some portions of this line are not often energized by GRE to transmit electric power.¹³ These landowners argue that the proposed project is different in both kind and intensity to GRE's current use along the easement area.¹⁴

Other commentators, whose properties lie along proposed alternative routes, but as to which there is no transmission line easement today, argue that the market has already accounted for the presence of power lines in the valuations of the properties along GRE's 69 kV line corridor. Selection of new transmission line corridors, argue these landowners, wastes land resources and overrides price signals made in the real estate market.¹⁵

Thus, both sets of the commentators ask whether acceptance of a 69 kV line fairly implies a willingness to accept upgrades to higher voltage facilities in the future.

B. What types of parcels are best suited to host a 115 kV transmission line?

While urging acceptance of Alternative Route E (a routing that travels along Highway 55 and Interstate 494), many commentators asserted that it is inappropriate to

¹³ See, generally, *Transcript*, Volume I, at 43 ("We were just going to clarify the 69-kilovolt line use and where it is active and where it's not active. From the Medina substation to the Hollydale substation is active all the time. In 2006, from the Hollydale substation to the new 115 connection on [Route] 494, it was taken out of service and used as a backup.") (Remarks of RaeLynn Asah, Permitting Lead for the project for Xcel Energy).

¹⁴ See, e.g., *Transcript*, Volume I, at 41-42 and 46; *Comments of Charles M. Eiden* (June 11, 2012); *Comments of Karina Grazouski* (June 11, 2012); *Comments of Douglas and Karen Nauth* (June 11, 2012); *Comments of Carl and Pat Niemi* (June 12, 2012); *Comments of Scott Pribula* (June 18, 2012); *Comments of Jim and Lynn Zook* (June 22).

¹⁵ See, e.g., *Comments of Patrick Busch* (June 14, 2012); *Comments of Erik Cochran* (June 15, 2012); *Comments of Bill Jarvey* (June 22, 2012); *Comments of Anthony Pence* (June 14, 2012); *Comments of Dave and Jeanne Traux* (June 22, 2012); *Comments of Robert Tucker* (June 21, 2012).

route a 115 kV transmission line along residential or shore land properties when an alternative routing through a commercial area is available. These commentators argue that the potential health, aesthetic and valuation impacts of a transmission line are fewer, and more equitably borne, by parcels in commercial areas than by properties in residential areas.¹⁶

C. Who should bear the risk of any uncertainty with the respect to the future impacts of the installation of a 115 kV transmission line?

Asserting that the scientific literature does not provide firm answers as to the long-term health impacts of living adjacent to transmission lines, several commentators argued that, as a policy matter, these lines should be placed underground – at least until such time as the health impacts from electro-magnetic fields (EMF) are more clearly understood.¹⁷

D. Is it equitable to expect that some landowners bear the costs, externalities and impacts of a transmission line that will benefit a wide range of electricity customers and ratepayers?

In the context of discussions on installing transmission lines underground, several commentators asserted that the higher installation and maintenance costs associated with this practice should be borne by the larger number of benefitting ratepayers. As these commentators argue, if reliability and service delivery is improved by the installation of a 115 kV transmission line, all of the benefitting ratepayers should bear the costs of addressing the impacts along the easement corridor.¹⁸

Similarly, some commentators argued that all benefitting ratepayers should bear the liabilities of any future health and valuation impacts of routing a transmission line in residential areas.¹⁹

¹⁶ See, e.g., *Transcript*, Volume I, at 47; *Comments of State Representative Sarah Anderson* (June 12, 2012); *Comments of Grace Azine* (June 21, 2012); *Comments of Dafne Berlanga* (June 11, 2012); *Comments of Barbara Bremer* (June 19, 2012); *Comments of Tami Carpenter* (June 21, 2012); *Comments of Mark Frank* (June 22, 2012); *Comments of Rudolf and Eva Gutman* (June 12, 2012); *Comments of Joanie Meehan* (June 22, 2012); *Comments of Thomas E. Murphy* (June 9, 2012); *Comments of Wade and Barbara Niemi* (June 19, 2012); *Comments of Michael Nispel* (June 22, 2012); *Comments of Colleen TwoFeathers* (June 21, 2012); *Comments of Jim and Lynn Zook* (June 22, 2012).

¹⁷ See, e.g., *Comments of Tami Carpenter* (June 22, 2012); *Comments of Tom Kubinski* (June 12, 2012); *Comments of Viswesaran and Kalyani Suhash* (June 12, 2012); *Comments of Ilan Zeroni* (June 6, 2012).

¹⁸ See, e.g., *Transcript*, Volume I, at 69-70 and 137-38; See, e.g., *Comments of Barry J. Altman* (June 25, 2012); *Comments of Katie Benusa* (June 22, 2012); *Comments of Tim and Berersdorf* (June 21, 2012); *Comments of Kenneth and Elaine Johnson* (June 20, 2012); *Comments of Thomas J. McClellan and Pamela Barton* (June 18, 2012); *Comments of Ruth and Robert Peterson* (June 22, 2012); *Comments of Sandra Plummer* (June 19, 2012); *Comments of Ilan Zeroni* (June 6, 2012).

¹⁹ *Transcript*, Volume I, at 40 and 57-58; *Comments of Ron and Victoria Boyd* (June 21, 2012); *Comments of Tami Carpenter* (June 22, 2012); *Comments of Karin K. Cotter* (June 21, 2012); *Comments of Douglas Haugen* (June 22, 2012); *Comments of Brian and Debra Stage* (June 7, 2012).

II. Key Areas of Technical Inquiry Urged by Members of the Public

A. Right-of-Way and Easement Practice

A number of commentators raised questions about the scope and privileges of the utility rights-of-way along the existing 69 kV line corridor. The testimony of Vicki Swisher was representative of these commentators. She testified:

I bought my home in 1999. The easement was secured I believe in either 1969 or 1971 for a 69 kV line. Nowhere in that was there information about potential upgrades to a more high voltage line, et cetera. And I can also say that my home and my neighbor's homes, which I've had several conversations, we did not pay a discounted price for our homes at the time we purchased them at that time. So I completely and fully respect other residences' opinions that, "Hey, you knew what you were getting into;" but, actually, with exception, we did not sign up for a 115, a high voltage line, when we purchased our property.²⁰

B. Undergrounding Transmission Line Facilities

Most of the commentators that raised concerns about EMF likewise urged an exploration of undergrounding as an installation option. The testimony of Anil Singh was representative of these commentators. He testified:

You know, it almost seems like the default solution right now is an overlying route. I think as part of the EIS, the State should take a very thorough look at underground cable and different types of underground cable. I'm sure with modern technology you can provide all kinds of insulation around it to minimize the EMF impacts. So that's something that I would also like to recommend.²¹

C. Noise Impacts

A few commentators expressed concerns over the decibel level of a fully operational 115 kV transmission line and the impacts that such a line would have on adjacent properties. The testimony of Alan Napier is representative of the concerns of several commentators. He noted:

²⁰ *Transcript*, Volume II, at 75-76; see also, Initial Scoping Decision, Section I (F); *Comments of Joanie Meehan* (June 22, 2012); *Comments of Thomas E. Murphy* (June 9, 2012); *Comments of Scott Pribula* (June 11, 2012); *Comments of Dennis Wenslow* (June 20, 2012).

²¹ Initial Scoping Decision, Section III (D); see also, *Comments of Barry J. Altman* (June 25, 2012); *Comments of Katie Benusa* (June 22, 2012); *Comments of Tim and Berersdorf* (June 21, 2012); *Comments of Kenneth and Elaine Johnson* (June 20, 2012); *Comments of Tom Kubinski* (June 8, 2012); *Comments of Thomas J. McClellan and Pamela Barton* (June 18, 2012); *Comments of Ruth and Robert Peterson* (June 22, 2012); *Comments of Sandra Plummer* (June 19, 2012); *Comments of Ilan Zeroni* (June 6, 2012).

It's not a 69-volt line all the time; it's only a 69-volt line when GRE needs a standby for it. And I don't know, and this is all okay, I don't know if this is scientific at all; but when that line is active, we can hear it hum. When it's not active, which is the vast majority of the time, we can't. Now, if that is indeed a caliber on whether or not that line is actually in use, it's not in use very much at all. So when we do the study on the impact it, somebody also has to study how it's used, because it's being proposed as a constant-use line and I don't believe right now it is a constant-use line. At least it wasn't when we moved into the house in '95. So you could add that to the list of things that you're looking into.²²

D. Aesthetic Impacts

Many commentators expressed concerns over the impacts that the transmission line would have in changing the nature of local topography. The comments of Joanie Meehan are representative of these commentators. She noted:

[T]his was a highly-sought-out-after neighborhood, wonderful schools, incredible walking paths, biking paths, you know, water areas where there's wetlands. And there are five trumpeter swans that are at my house every morning, there's great blue herons, rabbits and, you know, just all kinds of wonderful things....

....

Medina Road is an absolute exquisite road. It's rolling acres of trees and large estates. Let's say we say, oh, minimum impact of people or houses. I don't know that it's fair to put that on a road just because there's fewer homes because they can afford larger lots. It's absolutely incredible if you drive down that road.²³

E. Proximity to Homes

A number of commentators expressed concerns over the narrow distances between the centerline of an upgraded transmission line and the homes that are adjacent to the existing GRE line corridor. The testimony of Janet Clarke was representative of these landowners. She stated:

²² *Transcript*, Volume I, at 38-42; see also, Initial Scoping Decision, Section V (C) (1); *Comments of Jacqueline and Leonard Eagon* (June 11, 2012); *Comments of Elise Lindberg* (June 21, 2012).

²³ *Transcript*, Volume II, at 82-84; see also, Initial Scoping Decision, Section V (C) (2); *Comments of Grace Azine* (June 20, 2012); *Comments of Michelle Beddor* (June 13, 2012); *Comments of Patrick, Diana, Len and Marge Busch* (June 14, 2012); *Comments of Karin K. Cotter* (June 20, 2012); *Comments of Sandra Hodgkin* (June 12, 2012); *Comments of Bill Jarvey* (June 22, 2012); *Comments of Lisa Lewis* (June 22, 2012).

Xcel was kind enough per my request to provide a document of what the magnetic radiation was at the levels above the ground. The document they provided was at a maximum electromagnetic radiation. I compared it with the -- let's see. I compared it with the average amperage chart from their initial proposal, and I compared the chart to average amps and converted to 20 feet, 30 feet, 40 feet off ground. I also have in my comments an illustration of the average electromagnetic radiation of townhomes in our association. We have at least eight townhomes in our association that are within 30 feet of the current centerline. Most of these have bedrooms in the upper story, and they are three level. So they have a walkout basement, a first floor, and bedrooms on the third -- on the upper story. Using the average amperage, those bedrooms would be exposed on average to 11.3 milligauss of electromagnetic radiation.²⁴

F. Impacts to Property Values

The potential reduction in property values of homes along the project route was a key concern of those participating in the public hearing. Several of those who testified, pointed to the opinions of real estate professionals as to the impact of transmission lines upon property values. The testimony of Dayna Murray, a local real estate agent, was representative of these commentators. She stated:

I am a real estate agent with Keller Williams.... I recently sold a home up in St. Michael, though that's a different market; but that house would still be on the market because of high power lines behind it if it weren't for the little lady that bought it because it's directly across the street from her grandchildren. And that was the only reason she purchased that house. Everyone that walked into the house -- we kind of lowered the blinds halfway so they couldn't see the big power lines, but walking out on the deck you could see them. It was on the market for a very long time for that specific reason, and we had to lower the price, lower the price, lower the price. Every comment said beautiful home, wonderful neighborhood ... whoo, don't need the power lines. A gentleman with the throat cancer said it precisely: I would not have bought this house. This is going to make a significant impact on our property values.²⁵

²⁴ *Transcript*, Volume II, at 82-84; see also, Initial Scoping Decision, Section V (C) (3); *Comments of Barry J. Altman* (May 29, 2012); *Comments of Karin K. Cotter* (June 20, 2012); *Comments of Joel Feder* (June 21, 2012); *Comments of Kenneth and Elaine Johnson* (May 31, 2012); *Comments of Tom Kubinski* (June 8, 2012); *Comments of Sandy Hodgkin* (June 16, 2012); *Comments of Jeff Minea* (June 22, 2012); *Comments of Glenda and Michael Murphy* (May 30, 2012); *Comments of Joan Slifka* (May 31, 2012); *Comments of Lowell Turner* (June 19, 2012); *Comments of Robert and Katherine Walz* (June 20, 2012); *Comments of Laura Warner* (June 22); *Comments of William K. Whitmore* (June 9, 2012).

²⁵ *Transcript*, Volume I, at 70-72; see also, Initial Scoping Decision, Section V (C) (5); *Comments of Karina and Edward Grazovski* (June 11, 2012); *Comments of Doug Haugen* (June 22, 2012); *Comments of Patricia Jenson and Edwin Pelot* (June 11, 2012); *Comments of Art and Betty Meyer* (May 30, 2012); *Comments of Terry Ottinger* (June 15, 2012); *Comments of Anthony Pence* (June 14, 2012); *Comments of Tom Vertes* (June 14, 2012).

G. Electric and Magnetic Field Exposure

Most of the commentators who expressed concerns about the routing of a 115 kV transmission likewise expressed concern over the EMFs that are created by transmission line operation. Of these commentators, several shared the results of their own reviews of the literature on EMF. Notable among these were the calculations made by Ilan Zeroni which projected the intensity of EMF at a distance of 60 feet from the project centerline. Pointing to his tabulations, which are included as Hearing Exhibit K, Dr. Zeroni asserted:

So looking at this plot and reading it, it seems to me that my children will be exposed to 20 milligauss for ten hours a day. Well, what does 20 milligauss mean? I know that there's no standard anywhere to say is that high, is that low, et cetera. So what I did do -- by the way, and the rating for this line is 360 megavolt down here. So, in fact, it doubles all the values along this curve. So, in fact, instead of 20, at maximum capacity they will be close to 40 milligauss....

....

And now what I'm going to do is I'm going to put on that, to add to that slide that 20 milligauss that my children will be exposed to for 10 hours every day; and we can see that it's about 50 times exposure from what a normal person would typically have along the day at 60 feet, which is the distance again from the current position of the line to my children's bedroom window. 60 feet of magnetic -- three times the magnetic field exposure....

....

My children, my twin children at six and a half, if I decide to stay at my house, which I assure you I will not -- I will simply have to cut my significant losses and move. But, otherwise, I have to go to sleep at night knowing that now I'm exposing them to 50 times what a normal person would usually be exposed to....

....

[I]f my children live 60 feet away, their bedroom windows are 60 feet away from the centerline, if this line is undergrounded, we can see that practically there is zero magnetic field at their bedroom windows, as opposed to the 20 milligauss overhead line for the horizontal post pole, as I've shown before²⁶

²⁶ *Transcript*, Volume II, at 108-11 and 114; see also, Initial Scoping Decision, Section V (D) (2); *Comments of Dafne Berlanga* (June 11, 2012); *Comments of Tami Carpenter* (June 20, 2012); *Comments of Kim and Jan Diemand* (June 13, 2012); *Comments of Ron and Shari Frick* (June 12, 2012); *Comments of McKenna, Brady and Kylee Stoner* (June 20, 2012); *Comments of Enhui Tan and Ping Peng* (June 22, 2012).

H. Impacts to Implantable Devices

A corollary to the discussion of EMF along the transmission line corridor, were concerns regarding the impacts such fields may have upon implantable medical devices. The remarks of Lowell Turner were representative of the commentators who raised this concern. He testified:

And my main concern myself is this 115 K transmission line that's going through here, how that would affect my pacemaker.... I would like a report from an independent source, as our home is only 20 feet from the center line of this transmission line and it's right in the area where I watch TV for about four hours a day. Anyhow, I'm very concerned about the health and welfare of all the units in there. They're all subject to this, but I am – our home is the closest of any.²⁷

I. Proximity to Schools

Among the alternative routes under review by the Department are routes that run near Greenwood Elementary School, Kimberly Lane Elementary School, New Horizon Academy, Providence Academy and Wayzata High School. Patti O'Donnell, the Director of Buildings and Grounds for Providence Academy, pointed to the efforts to mitigate the impacts to that school:

[O]ur future expansion includes a chapel located directly next to the proposed line. This expansion is difficult with current structures in place, let alone the proposed upgrade. Providence Academy parents, families, and faculty are concerned about the impact the expansion will have on our community of students. Because of our concern, Providence has been actively working with the City of Plymouth, Xcel Energy Company, and the Department of Commerce to facilitate a compromise that would lessen the potential impact on the 900-plus students who attend our school....

[I]f the rebuild is granted along the route preferred by Xcel, we encourage the transmission line that runs north and south on Providence's campus between Schmidt Lake Road and the railroad tracks to be moved to the east of the conservation easement located on our campus. In the environmental impact statement draft scoping document, this is identified in Figure 1-4, the Providence Academy alternative route.

Number two, if an alternate route is considered, we support the new line being constructed from substation A, moving south down 494, and then west along Highway 55, connecting with the existing Xcel Hollydale substation and then moving west along the proposed route. In the

²⁷ See, Hearing Transcript, Vol. I, at 24; see also, Initial Scoping Decision, Section V (D) (3)' *Comments of Doug Haugen* (June 22, 2012).

environmental impact statement draft scoping document, this is identified in Figure 1-4, the ATF alternative route E.²⁸

J. Compatibility with Residential and Commercial Areas

As noted earlier, several commentators asserted that it is inappropriate to route a 115 kV transmission line through a residential area when an alternative routing through a commercial area is likewise available. Dr. Zeroni's remarks at the evening public hearing are representative of these commentators. He argued:

[T]his is the proposed line because this is the current line since 1971. There was nothing there. Now this whole land is full of densely-populated residential. We should not perpetuate this issue. Definitely move along major thoroughfares, and we should definitely try to minimize impact. That is – those are the two guiding principles that I absolutely wish would guide you when you prepare your report and when you consider this project, is just look at the proposed route and you'll see that the last thing it does is it does not minimize impact, it does not run along major thoroughfares. There are some other considerations in proposing this route.²⁹

Sounding a similar theme, Carolyn Anderson testified:

[Y]ou look at any industrial corridor such as Highway 55, you know that any property owners on that highway, the expectation was it was going to be industrial. I mean, it's zoned that way. And they understand there could be power lines, there could be billboards, whatever. That's the expectation. When they purchase that property, they know that this is going to be a consequence.³⁰

²⁸ See, Hearing Transcript, Vol. I, at 22-23; see also, Initial Scoping Decision, Section V (F) (4); *Comments of Dafne Berlanga* (June 11, 2012); *Comments of Darrin and Greta Homme* (June 14, 2012); *Comments of Jim and Lisa Keller* (June 22, 2012); *Comments of Colleen Larson* (June 22, 2012); *Comments of Anthony Pence* (June 14, 2012); *Comments of Pasha Quaas* (June 21, 2012); *Comments of Jim Weinand* (June 16, 2012).

²⁹ See, Hearing Transcript, Vol. I, at 98; see also, Initial Scoping Decision, Section V (J) (2); *Comments of Barbara Bremer* (June 17, 2012); *Comments of John P. Caye, Jr.* (June 21, 2012); *Comments of Tracy A. Crocker* (June 18, 2012); *Comments of Charles and Carole Eiden* (June 10, 2012); *Comments of Kevin and Nancy Remede* (June 8, 2012).

³⁰ See, Hearing Transcript, Vol. I, at 119; see also, Initial Scoping Decision, Section V (J) (6); Hearing Transcript, Vol. I, at 136; *Comments of State Representative Sarah Anderson* (June 12, 2012); *Comments of Grace Azine* (June 21, 2012); *Comments of Dafne Berlanga* (June 11, 2012); *Comments of Barbara Bremer* (June 19, 2012); *Comments of Tami Carpenter* (June 21, 2012); *Comments of Mark Frank* (June 22, 2012); *Comments of Rudolf and Eva Gutman* (June 12, 2012); *Comments of Joanie Meehan* (June 22, 2012); *Comments of Thomas E. Murphy* (June 9, 2012); *Comments of Wade and Barbara Niemi* (June 19, 2012); *Comments of Michael Nispel* (June 22, 2012); *Comments of Colleen TwoFeathers* (June 21, 2012); *Comments of Jim and Lynn Zook* (June 22, 2012).

K. Compatibility with Wetland and Shore Land Areas

A number of commentators expressed concern over the impacts of high voltage transmission line to local wetland, shore land and wildlife habitats. The testimony of Yan Kravchenko was representative of these commentators. He asserted:

A couple of things that I want to make sure that the study focuses on. So as part of bringing in these power lines, there will be a process for clearing trees, there will be a process for clearing right-of-way. We already know the wetland where the power line currently sits has a very vibrant wildlife. There are many trees. There are owls. There are, you know, deer, all kinds of wildlife. And it adds tremendous overall value to the property. So what I want the study to focus on is not just the reduction of property values with proximity, but what happens when you take a premium loss where backyard used to be a wild area with trees and wildlife and turn it into basically a barren land where a power pole is taken up.³¹

L. Impacts to Mature Trees

Because the routing of a transmission line along areas where there is no current right-of-way might involve the clearing of trees within the new corridor, a few commentators expressed concern over the impact that a new corridor may have on existing stocks of mature trees. The testimony of William Mohrman was representative of these concerns. He noted:

I think it's proposed route D1 that would be a disaster for my house. The backyard of our home has old growth woods virtually in the back of the house all way to Rockford Road. One of the reasons we bought the home is because the woods for the kids to play, and also it's pretty in back.... [T]aking out trees on my property and the neighbors' property, properties along Rockford Road/Hollydale, would significantly decrease the value of our homes, coupled with the fact obviously the real estate market has dropped significantly recently.³²

³¹ See, Hearing Transcript, Vol. I, at 86-87; see also, Initial Scoping Decision, Section V (J) (6); *Comments of Kellie Hurwitz* (June 14, 2012); *Comments of Maria Maag* (June 3, 2012); *Comments of Verne Palmberg* (June 13, 2012); *Comments of Mary Shimsock* (June 22, 2012).

³² See, Hearing Transcript, Vol. II, at 43-44; see also, Initial Scoping Decision, Section V (M) (2); *Comments of Jennie Nyren and Rodrigo Fuentes* (June 20, 2012); *Comments of John, Julie and Jennifer wood* (June 22, 2012).

Drawing upon the more than 250 written comments and two volumes of hearing transcripts, the Department is able to “ensure that the record is informed from the start by the concerns raised by the commenters to date.”³³

Dated: July 20, 2012

s/Eric L. Lipman
ERIC L. LIPMAN
Administrative Law Judge

Reported: Two Volumes (Shaddix & Associates)

NOTICE

This report contains a summary of public testimony. It is not a final decision. Pursuant to Minn. R. 7850.3900, the Commission will make the final determination of following a review of the record from the administrative law judge.

³³ May 4, 2012 Order, at 5.



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July 20, 2012

See Attached Service List

Re: *In the Matter of the Route Permit Application for the Hollydale 115 kV Transmission Line Project in the Cities of Plymouth and Medina, Hennepin County*

**OAH 8-2500-22806-2
MPUC E-002 / TL-11-152**

Dear Parties:

Enclosed herewith and served upon you is the Administrative Law Judge's **SUMMARY OF PUBLIC TESTIMONY** in the above-entitled matter

Sincerely,

s/Eric L. Lipman

ERIC L. LIPMAN
Assistant Chief Administrative Law Judge

Telephone: (651) 361-7842

ELL:dc
Enclosures

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS
ADMINISTRATIVE LAW SECTION
600 NORTH ROBERT STREET
PO BOX 64620
ST. PAUL, MINNESOTA 55164-0620

CERTIFICATE OF SERVICE

In the Matter of the Route Permit Application for the Hollydale 115 kV Transmission Line Project in the Cities of Plymouth and Medina, Hennepin County	OAH 8-2500-22806-2 MPUC E-002 / TL-11-152
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Denise Collins, certifies that on the 20th day of July, 2012, she served a true and correct copy of the attached the **SUMMARY OF PUBLIC TESTIMONY** by eService, and U.S. Mail, (in the manner indicated below) to the following individuals:

Assigned Service List Members - Windows Internet Explorer

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Service List Member Information

Electronic Service Member(s)

Last Name	First Name	Email	Company Name	Delivery Method	View Trade Secret
Agrimonti	Lisa	lagrimonti@briggs.com	Briggs And Morgan, P.A.	Electronic Service	No
Anderson	Julia	Julia.Anderson@ag.state.mn.us	Office of the Attorney General-DOC	Electronic Service	Yes
Carpenter	Tami	tamicarp@comcast.net	N/A	Electronic Service	No
Ferguson	Sharon	sharon.ferguson@state.mn.us	Department of Commerce	Electronic Service	No
Haar	Burl W.	burl.haar@state.mn.us	Public Utilities Commission	Electronic Service	Yes
Hammel	Karen Finstad	Karen.Hammel@ag.state.mn.us	Office of the Attorney General-DOC	Electronic Service	No
Herring	Valerie	vherring@briggs.com	Briggs and Morgan, P.A.	Electronic Service	No
Kotch	Stacy	Stacy.Kotch@state.mn.us	MINNESOTA DEPARTMENT OF TRANSPORTATION	Electronic Service	No
Lindell	John	agorud.ecf@ag.state.mn.us	Office of the Attorney General-RUD	Electronic Service	Yes
Maccabee	Paula	Pmaccabee@visi.com	Just Change Law Offices	Electronic Service	No
Parlow	Marsha	mparlow@greenergy.com	Great River Energy	Electronic Service	No
Sedarski	Joseph G.	joseph.g.sedarski@xcelenergy.com	Xcel Energy	Electronic Service	No
Thompson	SaGonna	Regulatory.Records@xcelenergy.com	Xcel Energy	Electronic Service	No

Paper Service Member(s)

Last Name	First Name	Company Name	Address	Delivery Method	View Trade Secret
Lipman	Eric	Office of Administrative Hearings	PO Box 64620, St. Paul, MN-551640620	Paper Service	Yes

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