

Master

Index

Volumes 1-4

June 26-29, 2006

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA

=====

IN THE MATTER OF THE APPLICATION BY
OTTER TAIL POWER COMPANY ON BEHALF OF
BIG STONE II CO-OWNERS FOR AN ENERGY EL05-022
CONVERSION FACILITY PERMIT FOR THE
CONSTRUCTION OF THE BIG STONE II PROJECT

=====

Master Index
Volumes 1 through 4
June 26 through 29, 2006

=====

COMMISSION STAFF

JOHN SMITH
KAREN CREMER
GREG RISLOV

RECEIVED

JUL 05 2006

**SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION**

APPEARANCES (continued on next page)

THOMAS J. WELK and CHRISTOPHER W. MADSEN,
BOYCE, GREENFIELD, PASHBY & WELK,
Attorneys at Law, P.O. Box 5015,
Sioux Falls, South Dakota 57117,
appearing on behalf of Big Stone II;

TODD J. GUERRERO and DAVID L. SASSEVILLE,
LINDQUIST & VENNUM, Attorneys at Law,
80 South Eighth Street, 4200 IDS Center,
Minneapolis, Minnesota 55402,
appearing on behalf of Big Stone II;

PETER GLASER,
TROUTMAN SANDERS LLP, Attorneys at Law,
401 Ninth Street NW, Suite 1000,
Washington, D.C. 20004,
appearing on behalf of Big Stone II;

ORIGINAL

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

APPEARANCES (cont.)

ELIZABETH GOODPASTER,
Attorney at Law, Minnesota Center for
Environmental Advocacy, 26 East Exchange Street #206,
St. Paul, Minnesota 55101,
appearing on behalf of Minnesota Center for
Environmental Advocacy, Izaak Walton League of
America - Midwest Office, Minnesotans for an Energy
Efficient Economy and Union of Concerned Scientists;

MICHAEL D. O'NEILL,
JOHNSON, PROVO, PETERSEN, LLP, Attorneys at Law,
332 Minnesota Street, First National Bank
Building, Suite West 975, St. Paul, Minneosta 55101,
appearing on behalf of Minnesota Center for
Environmental Advocacy, Izaak Walton League of
America - Midwest Office, Minnesotans for an Energy
Efficient Economy and Union of Concerned Scientists;

JOHN DAVIDSON JR.,
Attorney at Law, USD School of Law, 414 East Clark
Street, Vermillion, South Dakota 57069,
appearing on behalf of Minnesota Center for
Environmental Advocacy, Izaak Walton League of
America - Midwest Office, Minnesotans for an Energy
Efficient Economy and Union of Concerned Scientists;

MARY JO STUEVE,
196 East 6th Street #401, Sioux Falls,
South Dakota 57104,
appearing pro se.

Reported by Carla A. Bachand, RMR, CRR

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

WITNESSES:

PAGE:

WARD UGGERUD

Direct by Mr. Sasseville.	27
Cross by Mr. O'Neill.	34
Redirect by Mr. Sasseville.	59
Cross by Ms. Stueve	65
Cross by Ms. Cremer	74

MARK ROLFES

Direct by Mr. Guerrero.	84
Cross by Mr. O'Neill.	89
Cross by Ms. Stueve	94
Cross by Ms. Cremer	97
Examination by Commissioner Hanson.	104
Examination by Chairman Sahr.	105
Examination by Commissioner Hanson.	106
Examination by Vice-Chair Johnson	109
Redirect by Mr. Guerrero.	111

TERRY GRAUMANN

Direct by Mr. Guerrero.	114
Cross by Ms. Goodpaster	121
Cross by Ms. Stueve	129
Cross by Ms. Cremer	137
Examination by Vice-Chair Johnson	143
Examination by Commissioner Hanson.	144
Redirect by Mr. Guerrero.	146
Recross by Ms. Goodpaster	148
Recross by Ms. Stueve	148

RAYMOND WAHLE

Direct by Mr. Welk.	151
Cross by Mr. O'Neill.	158
Cross by Ms. Stueve	162
Examination by Commissioner Hanson.	165
Redirect by Mr. Welk.	167
Recross by Ms. Stueve	168

MICHAEL McDOWELL

Direct by Mr. Welk.	170
Cross by Ms. Goodpaster	175
Cross by Ms. Stueve	188

I N D E X (cont.)

1		
2	<u>JERRY TIELKE</u>	
	Direct by Mr. Sasseville.	196
3	Cross by Ms. Goodpaster	203
	Cross by Ms. Stueve	211
4	Redirect by Ms. Sasseville.	216
	Examination by Commissioner Hanson.	218
5	Recross by Ms. Goodpaster	220
6	<u>STEPHEN THOMPSON</u>	
	Direct by Mr. Sasseville.	221
7	Cross by Mr. O'Neill.	228
	Cross by Ms. Stueve	228
8	Examination by Chairman Sahr.	231
	Examination by Commissioner Hanson.	232
9		
	<u>JOHN KNOFCZYNSKI</u>	
10	Direct by Mr. Sasseville.	233
	Cross by Ms. Goodpaster	240
11	Cross by Ms. Stueve	251
	Examination by Vice-Chair Johnson	254
12	Redirect by Mr. Sasseville.	255
	Recross by Ms. Goodpaster	257
13	Redirect by Mr. Sasseville.	259
14	<u>JOHN LEE</u>	
	Direct by Mr. Welk.	264
15	Cross by Mr. O'Neill.	270
	Cross by Ms. Stueve	277
16	Cross by Ms. Cremer	284
	Examination by Vice-Chair Johnson	284
17	Examination by Mr. Smith.	289
18	<u>ANDREW SKOGLUND</u>	
	Direct by Mr. Madsen.	291
19		
	<u>RANDALL STUEFEN</u>	
20	Direct by Mr. Madsen.	295
	Cross by Mr. O'Neill.	301
21	Cross by Ms. Stueve	304
	Cross by Ms. Cremer	306
22	Recross by Mr. O'Neill.	309
	Recross by Ms. Stueve	310
23		
24		
25		

I N D E X (cont.)

1		
2	<u>ROBERT BRAUTOVICH</u>	
	Direct by Mr. Guerrero.	311
3	Cross by Ms. Goodpaster	316
	Cross by Ms. Stueve	320
4	Cross by Ms. Cremer	326
	Examination by Chairman Sahr.	328
5		
	<u>JEFFREY GREIG</u>	
6	Direct by Mr. Guerrero.	329
	Cross by Mr. O'Neill.	340
7	Cross by Ms. Stueve	345
	Examination by Vice-Chair Johnson	346
8	Redirect by Mr. Guerrero.	347
9		
	<u>STEPHEN GOSOROSKI</u>	
	Direct by Mr. Sasseville.	350
10	Cross by Ms. Goodpaster	356
	Cross by Ms. Stueve	360
11	Cross by Ms. Cremer	364
	Examination by Commissioner Hanson.	365
12	Recross by Ms. Goodpaster	367
	Redirect by Mr. Sasseville.	368
13	Recross by Ms. Goodpaster	369
14		
	<u>KIAH HARRIS</u>	
	Direct by Mr. Sasseville.	371
15	Cross by Ms. Stueve	374
16		
	<u>PETER KOEGEL</u>	
	Direct by Mr. Guerrero.	375
17	Cross by Ms. Goodpaster	380
	Cross by Ms. Stueve	386
18	Redirect by Mr. Guerrero.	390
19		
	<u>BRYAN MORLOCK</u>	
	Direct by Mr. Guerrero.	392
20	Cross by Ms. Goodpaster	399
	Cross by Ms. Stueve	420
21	Examination by Commissioner Hanson.	423
22		
	<u>STAN SELANDER</u>	
	Direct by Mr. Sasseville.	429
23		
	<u>LARRY ANDERSON</u>	
24	Direct by Mr. Sasseville.	432
25		

I N D E X (cont.)

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

DAVID GAIGE

Direct by Mr. Sasseville. 449
Cross by Ms. Stueve 453

HOA NGUYEN

Direct by Mr. Sasseville. 477
Cross by Ms. Goodpaster 486
Cross by Ms. Stueve 504
Redirect by Mr. Sasseville. 508
Recross by Ms. Goodpaster 511
Recross by Ms. Stueve 513
Examination by Vice-Chair Johnson 514

ROBERT DAVIS

Direct by Mr. Sasseville. 515
Cross by Mr. O'Neill. 520

DANIEL KLEIN

Direct by Mr. Glaser. 525
Cross by Ms. Goodpaster 532
Redirect by Mr. Glaser. 551

THOMAS HEWSON

Direct by Mr. Glaser. 560
Cross by Mr. O'Neill. 569
Cross by Ms. Cremer 573
Examination by Chairman Sahr. 575
Examination by Vice-Chair Johnson 577
Examination by Chairman Sahr. 578
Examination by Commissioner Hanson. 587
Examination by Chairman Sahr. 589
Cross by Mr. O'Neill. 592
Cross by Ms. Stueve 595
Cross by Ms. Cremer 597
Redirect by Mr. Glaser. 600

MARY JO STUEVE

Testimony by Ms. Stueve 608
Cross by Ms. Goodpaster 615
Examination by Vice-Chair Johnson 617

MICHAEL MADDEN

Direct by Ms. Cremer. 621
Cross by Ms. Stueve 627
Examination by Vice-Chair Johnson 628
Examination by Mr. Smith. 631

I N D E X (cont.)

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

OLYESA DENNEY

Direct by Ms. Cremer	632
Cross by Mr. Glaser.	641
Cross by Mr. O'Neill	669
Cross by Ms. Stueve.	672
Examination by Vice-Chair Johnson.	674
Redirect by Ms. Cremer	677
Recross by Ms. Stueve.	678

MARSHALL GOLDBERG

Direct by Mr. O'Neill.	690
Cross by Mr. Welk.	695
Cross by Ms. Cremer.	703
Examination by Vice-Chair Johnson.	704
Examination by Commissioner Hanson	704
Examination by Chairman Sahr	705
Redirect by Mr. O'Neill.	713

DAVID SCHLISSEL

Direct by Mr. O'Neill.	716
Cross by Mr. Glaser.	724
Cross by Ms. Cremer.	749
Examination by Vice-Chair Johnson.	753

ANNA SOMMER

Direct by Mr. O'Neill.	764
Cross by Mr. Glaser.	770
Cross by Ms. Cremer.	777
Redirect by Mr. O'Neill.	780
Recross by Mr. Glaser.	782

Public Testimony	794
----------------------------	-----

I N D E X (cont.)

	<u>EXHIBITS:</u>	<u>OFFERED:</u>	<u>RECEIVED:</u>
1			
2			
3			
4	Applicants' Exhibit No. 1	28	28
5	Applicants' Exhibit Nos. 2, 2-A, 2-B, 2-C, 2-D, 2-E	21	22
6	Applicants' Exhibit No. 3	157	158
7	Applicants' Exhibit No. 4	170	170
8	Applicants' Exhibit No. 5	21	22
9	Applicants' Exhibit No. 6	222	223
10	Applicants' Exhibit No. 7	21	22
11	Applicants' Exhibit No. 8	85	85
12	Applicants' Exhibit No. 9	377	378
13	Applicants' Exhibit No. 10.	395	395
14	Applicants' Exhibit No. 11.	478	478
15	Applicants' Exhibit No. 12.	--	--
16	Applicants' Exhibit No. 13.	434	434
17	Applicants' Exhibit No. 14.	199	199
18	Applicants' Exhibit No. 15.	234	234
19	Applicants' Exhibit No. 16.	116	117
20	Applicants' Exhibit No. 17.	21	22
21	Applicants' Exhibit No. 18.	266	266
22	Applicants' Exhibit No. 19.	21	22
23	Applicants' Exhibit No. 20.	292	292
24	Applicant's Exhibit No. 21.	21	22
25	Applicants' Exhibit No. 22.	450	450
26	Applicants' Exhibit No. 23.	331	332
27	Applicants' Exhibit No. 24.	351	351
28	Applicants' Exhibit No. 25	604	604
29	Applicants' Exhibit No. 26, 26-A, 26-B	297	297
30	Applicants' Exhibit No. 27.	21	22
31	Applicants' Exhibit No. 28.	21	22
32	Applicants' Exhibit No. 29.	28	28
33	Applicants' Exhibit No. 30.	562	562
34	Applicants' Exhibit No. 31.	526	526
35	Applicants' Exhibit No. 32.	395	395
36	Applicants' Exhibit No. 33.	85	85
37	Applicants' Exhibit No. 34.	116	117
38	Applicants' Exhibit No. 35.	313	313
39	Applicants' Exhibit No. 36.	266	266
40	Applicants' Exhibit Nos. 37, 37-A, 37-B and 37-C.	82	82
41	Applicants' Exhibit No. 38.	292	292
42	Applicants' Exhibit No. 39.	558	559
43	Applicants' Exhibit No. 40.	298	298
44	Applicants' Exhibit No. 41.	157	158
45	Applicants' Exhibit No. 42.	395	395

I N D E X (cont.)

1			
2	Applicants' Exhibit No. 43.	431	431
3	Applicants' Exhibit No. 44.	199	199
4	Applicants' Exhibit No. 45, 45-A, 45-B	434	434
4	Applicants' Exhibit No. 46.	222	223
5	Applicants' Exhibit No. 47.	517	518
5	Applicants' Exhibit No. 48.	478	478
6	Applicants' Exhibit No. 49.	234	234
6	Applicants' Exhibit No. 50.	377	378
7	Applicants' Exhibit No. 51.	331	332
7	Applicants' Exhibit No. 52.	562	562
8	Applicants' Exhibit No. 53.	82	83
8	Applicants' Exhibit Nos. 54		
9	through 90	26	26
9	Applicants' Exhibit No. 91.	81	81
10	Applicants' Exhibit Nos. 92 to 115. .	605	606
10	Applicants' Exhibit No. 116	788	788
11	Applicants' Exhibit No. 117 and 118 .	669	669
12	Joint Intervenors' Exhibit No. 1	765	766
13	Joint Intervenors' Exhibit No. 2	688	689
13	Joint Intervenors' Exhibit No. 3	691	692
14	Joint Intervenors' Exhibit No. 4	766	767
14	Joint Intervenors' Exhibit No. 5	767	767
15	Joint Intervenors' Exhibit No. 6	768	768
15	Joint Intervenors' Exhibit No. 7	688	689
16	Joint Intervenors' Exhibit No. 7-A . . .	689	689
16	Joint Intervenors' Exhibit No. 8. . . .	50	50
17	Joint Intervenors' Exhibit No. 9. . . .	52	52
17	Joint Intervenors' Exhibit No. 10 . . .	54	55
18	Joint Intervenors' Exhibit No. 11 . . .	176	177
18	Joint Intervenors' Exhibit No. 12 . . .	178	178
19	Joint Intervenors' Exhibit No. 13 . . .	180	182
19	Joint Intervenors' Exhibit No. 14 . . .	383	383
20	Joint Intervenors' Exhibit No. 15. . . .	769	769
21	Staff Exhibit No. 1	623	623
22	Staff Exhibit No. 2, 2-A and 2-B. . . .	636	636
22	Staff Exhibit No. 3	636	636
23	Staff Exhibit No. 4.	789	789
23	Staff Exhibit No. 5.	791	792
24			
25			

I N D E X (cont.)

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

Stueve Exhibit No. A.	612	613
Stueve Exhibit No. 1-D.	212	--
Stueve Exhibit No. 1-E.	614	614
Stueve Exhibit No. 1-F.	361	370
Stueve Exhibit No. 1-G.	787	787
 Certificate of Court Reporter.		 866