

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA

EL 13-028

IN THE MATTER OF THE APPLICATION)
OF MONTANA-DAKOTA UTILITIES CO.)
AND OTTER TAIL POWER COMPANY FOR)
A PERMIT TO CONSTRUCT THE BIG)
STONE SOUTH TO ELLENDALE 345 KV)
TRANSMISSION LINE)

TRANSCRIPT OF PUBLIC INPUT HEARING

BEFORE: SOUTH DAKOTA PUBLIC UTILITIES COMMISSION
Gary Hanson, Chairman
Chris Nelson, Commissioner
Kristie Fiegen, Commissioner

RAMADA

Rooms D & H
2727 6th Avenue Southeast
Aberdeen, South Dakota

May 20, 2014

6:30 P.M.

Nancy McClanahan
Reporter/RPR, RMR

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PROCEEDINGS

(EXHIBITS 50 AND 50A MARKED.)

CHAIRMAN HANSON: We will call the meeting of the South Dakota Public Utilities Commission to order. My name is Gary Hanson. I serve as the Chairman of the South Dakota Public Utilities Commission. With me here to today are my fellow two commissioners, Vice-Chairman Chris Nelson, and Commissioner Kristie Fiegen. The three of us -- There is something that I have to read first, because this is an official meeting of the PUC for the hearing purposes. I need to set out a few pieces of information.

Something that I would really wish to stress upon, folks, is that we want to give everyone an opportunity to speak here tonight, and we want to hear everything that you have to say. When you do address us or address the Petitioner, I would like you to step over to the microphone, because this -- we have a court reporter, and we are recording this, because, well, we don't remember absolutely everything that's said. And we would like you to state your name and your address. If you have an interesting spelling to your name, would you please spell it for the court reporter.

1 We would appreciate that very much.

2 If you have any cellphones, we'd
3 appreciate if you would turn those off. And please
4 be certain to be courteous to one another as we
5 progress through the meeting.

6 Our purpose today is to hold another
7 public hearing, excuse me, in Docket EL 13-028
8 titled *In the Matter of the Application of*
9 *Montana-Dakota Utilities Company and Otter Tail*
10 *Power Company for a Permit to Construct the Big*
11 *Stone South to Ellendale 345 kV Transmission Line.*
12 The need for this meeting is to provide an
13 opportunity for hearing for landowners who will now
14 come within the half-mile transmission line
15 corridor due to some reroutes of the line by the
16 Applicants.

17 The Application submitted by MDU and
18 Otter Tail is for approval of a permit to construct
19 a 345-kilovolt transmission line of approximately
20 150 to 160 miles in South Dakota. The proposed
21 line will cross the South Dakota-North Dakota
22 border in Brown County and extend south and east
23 through Brown, Day, and Grant counties to the
24 Big Stone South Substation in Grant County near
25 Big Stone City. Modifications to the project may

1 occur, depending on the final route permitted, land
2 rights, and the final engineering design.

3 This hearing presents an opportunity to
4 provide information to the public about the
5 proposed project and to receive public comments
6 about the project. Interested persons have the
7 right to present their views and comments regarding
8 the Application, and we encourage you to do so.

9 No decisions are being made today. A copy
10 of the Application is on file with each of the
11 Brown County, Day, and Grant County auditors. You
12 may also access the Application and all other
13 nonconfidential documents in the official file on
14 the Commission's website, at www.puc.sd.gov. You
15 will need to look under "Commission Actions,"
16 "Commission Dockets," then "2013 Electric Dockets"
17 and scroll down to this docket, which is known as
18 EL 13-028, or simply call or write or phone the PUC
19 offices and we will help you with that.

20 The parties to this proceeding are MDU,
21 Otter Tail, the Commission, Gerald Pesall,
22 James McKane, III, Clark Olson, Schuring Farms,
23 Incorporated, Bradley R. Morehouse, and
24 Kevin Anderson.

25 I would like to emphasize to everyone,

1 however, that you do not need to be a party in the
2 case to make your voice heard by the Commission.
3 The reason we are here today is to hear your
4 comments and your concerns about the project. We
5 will also be accepting comments in writing from
6 anyone -- either by mail, personal delivery, or
7 e-mail -- right up until the time of the decision.

8 For its permit to be approved, our law
9 states that MDU and Otter Tail must show that the
10 proposed transmission facility will comply with all
11 applicable laws and rules; will not pose a threat
12 of serious injury to the environment or to the
13 social and economic conditions of the inhabitants
14 or expected inhabitants in the siting area; that it
15 will not substantially impair the health, safety,
16 or welfare of the inhabitants; and will not unduly
17 interfere with the orderly development of the
18 region, with due consideration to the views of
19 governing bodies of the affected local units of
20 government. Based on these factors, the Commission
21 will decide whether the permit for the project
22 should be granted, denied, or granted upon such
23 terms, conditions, and modifications of the
24 construction, operation, or maintenance of the
25 facilities, as the Commission finds appropriate.

1 I would like to point out to everyone that
2 we have Nancy McClanahan, our court reporter, here
3 today so I ask you to please use the microphone and
4 introduce yourself, spell your name when you speak,
5 so we get it on the record. Also, as you can tell,
6 I speak rather slowly. I have empathy with court
7 reporters, especially when I start reading, a
8 person can get carried away and start reading
9 rapidly. We'd like you to, if you're going to be
10 reading, to pause and make certain that the court
11 reporter has an opportunity to get that
12 information.

13 I will also point out that Karen Cremer,
14 Brian Rounds, and Darren Kearney of the Commission
15 Staff are here today, and we want you to feel free
16 to seek them out if you have questions or need help
17 with anything either here today or in the future.
18 Brian, Karen, Darren, would you -- Brian is on the
19 end here. Karen is in the brown with her hand up.
20 And Darren is standing in the middle of the aisle
21 in the back.

22 We will begin the hearing by having the
23 MDU and Otter Tail folks make a presentation to
24 explain their proposed project. Following that
25 presentation, we will take comments from any

1 interested persons or organizations, and we
2 strongly encourage members of the public to present
3 your views.

4 Before we get started, I ask that each of
5 you make sure to put your information on the
6 sign-in sheet so that we have a record of who
7 attended the hearing in case we need to provide you
8 with additional information. Tom Welk will be the
9 spokesman here today for -- I believe. There is
10 Tom. I hadn't seen you earlier -- will be the
11 spokesman here today for Otter Tail and MDU. Tom,
12 please introduce your folks and the floor is yours.

13 **THOMAS WELK:** Thank you, Mr. Chairman, and
14 Commissioners. My name is Tom Welk, along with me
15 to my right is Jason Sutton, one of my partners,
16 and to my left is Henry Ford, who is the Lead
17 Project Representative for MDU and for Otter Tail.

18 Also, with me today, Commissioners, and
19 members of the public, we have members of our
20 consulting team, the consulting team of KLJ from
21 Fargo are the people that are involved with the
22 discussions with the landowners and the surveying.

23 We also have two engineers here from
24 Power Engineering, one is an electrical engineer to
25 assist Mr. Ford and the Commission if there is any

1 questions related to the electrical engineering
2 issues in the line. We also have Angela Piner from
3 HDR in the event there is any questions regarding
4 the environmental.

5 So Mr. Ford is going to go ahead and
6 present a PowerPoint presentation of the project.
7 Some of you that were at the last hearing, it is
8 duplicative of what he already has talked about,
9 but what is new in this is his discussion of their
10 proposed route changes that have resulted from
11 discussions with landowners, and he is going to go
12 through those. We want to respect the privacy of
13 the landowners and their names, but he'll try to
14 talk about generally what the route changes have
15 been, what precipitated the changes, and the shifts
16 that have occurred. He may want to ask, if he is
17 not aware of the answers to some of the questions,
18 some of the consultants. And I'm sure he'll feel
19 free to lateral those questions to those he feels
20 appropriate.

21 So with that introduction, Mr. Chairman
22 and Commissioners, I'll turn it over to Mr. Ford.

23 We have marked for purposes of the record,
24 Exhibit 50, which is his PowerPoint presentation.
25 I selected that number because there are some

1 anticipated exhibit numbers for the evidentiary
2 hearing, and then that was filed on the
3 Commission's website yesterday and available to the
4 public. There have been some revisions based upon
5 continued discussions with landowners.

6 I have marked as Exhibit 50A, revised
7 potential route changes that involve Changes 3
8 and 4. I've given copies to the members of the
9 Commission, the Commission Staff, and there are
10 available some copies up here of 50A; otherwise,
11 Exhibit 50 is available on the website. That's
12 what I would offer into evidence for purposes of
13 the hearing, Exhibits 50 and 50A, or I can do that,
14 Mr. Smith, at the end of the presentation.

15 **JOHN SMITH:** Well, we won't accept them
16 into the record here. We're not dealing formally
17 with evidence here at this point, Mr. Welk, so.
18 Admitting them into evidence is going to occur at
19 the hearing beginning on June 10.

20 **THOMAS WELK:** I'll have them marked and
21 placed in the record as Exhibits 50 and 50A. With
22 that, I'll turn this over to Mr. Ford.

23 **HENRY FORD:** Thank you, Tom. Good
24 evening, ladies and gentlemen. A lot of you,
25 familiar faces out there so I'm glad to see you

1 again. Can you make this work for me.

2 **(INAUDIBLE DISCUSSION REGARDING THE**
3 **OVERHEAD.)**

4 **HENRY FORD:** Oh. It just worked. Okay.
5 Sorry. Started off with a technical problem.

6 All right. As Tom said, a lot of you were
7 here at earlier meetings, and we've discussed a lot
8 about the project in the past. So a lot of this is
9 going to be repeat for a number of you. Those of
10 you who are here at the hearing now because of the
11 route shifts that we've made, this will be new
12 information for you so I'm going to still take the
13 time to go through the information: just give you
14 very briefly a review of the Applicants, MDU and
15 Otter Tail; tell you just very, very briefly how
16 the project came to be; then just kind of give you
17 a little overview of the project, what it looks
18 like and so forth.

19 I can talk a little bit about our routing
20 process, how we kind of went through the steps or
21 what were the criteria that we used to help select
22 the route. And then I'm going to get into the
23 specific route changes that really triggered the
24 need for this meeting tonight. And then just back
25 to the general items, engineering design, public

1 outreach, what our right-of-way process, how it's
2 going so far, and then next steps, so.

3 Those are the things that I'll be talking
4 about here, and I'm going to try to be a little bit
5 brief on some of these so that we can spend, I
6 guess, maybe more of our time talking about the
7 route changes themselves.

8 So I work for Montana-Dakota Utilities.
9 We're a utility that's headquartered out of
10 Bismarck, North Dakota. We do serve both
11 electricity and natural gas. Pretty much as you
12 see on the map there, North Dakota, South Dakota,
13 Wyoming, and Montana. We have about 312,000
14 customers in that area. So we're one of the two
15 partners on the project.

16 The other partner is Otter Tail Power
17 Company, who is headquartered out of Fergus Falls.
18 They serve parts of Minnesota, North Dakota, and
19 South Dakota, and they have about 129,000 customers
20 in 422 communities.

21 So those are the two owners of this
22 project. And I think you can see by looking at the
23 maps that geographically we're right here in this
24 area where this project is occurring.

25 All right. But to understand how this

1 project really came about, I want to give you just
2 a little, very, very brief introduction to MISO.
3 And MISO, which stands for Midcontinent Independent
4 System Operator, is an organization that consists
5 of 48 transmission-owning utilities, and those
6 include MDU and Otter Tail. So we're members of
7 MISO. So this term will come up.

8 MISO is actually the company or the firm
9 that created this project. MISO is the company
10 that did the study work. MISO is the organization
11 that determined that this was a project that needed
12 to be built. And a lot of the reason for that is
13 that MISO has this role in the electric industry
14 that goes over and above what individual utilities
15 themselves have. And the main thing here is that
16 they assure consumers of unbiased regional grid
17 management and open access to the transmission
18 facilities.

19 So they're the ones that are really making
20 sure that this transmission system is operating
21 correctly, that everybody that wants to have access
22 to the transmission system can have it. And
23 they're the ones that make sure that everyone's
24 needs that are members of MISO, as far as their
25 demand needs, their energy needs, are being met.

1 So that's why MISO created this project.

2 And they went a step further and called
3 this a multi-value project. The reason for that
4 being, is that this project is one that does
5 benefit the entire MISO footprint. So its purpose
6 goes over and above what we would normally be
7 thinking about in terms of transmission projects in
8 North and South Dakota, being a transmission line
9 built maybe from some new generation to some new
10 load or something like that. This project has kind
11 of a larger social need.

12 And just a little background, this project
13 was approved by MISO, their board of directors, in
14 December of 2011. So that's really when this
15 project was created. And you can see that it was
16 created along with 17 other projects, or 16 other
17 projects in this whole MVP portfolio. Like I say,
18 we're one of 17 projects in this portfolio that
19 were all approved at the same time.

20 So the project that we're here to talk
21 about today is this joint project between MDU and
22 Otter Tail, which is a 345 kV transmission line, so
23 345,000-volt transmission line. And it's running
24 from Ellendale, North Dakota, there will be a new
25 substation built here, and then it's going to dip

1 into South Dakota and make its way over to a new
2 substation that's going to be built by Otter Tail
3 over south of the Big Stone Power Plant. So those
4 are the two endpoints that we're trying to get this
5 line in between. And what you see here in blue is
6 the route that we have developed over the last, oh,
7 rough three years of effort here in talking to
8 organizations and landowners and so forth.

9 The project right now is anticipated to
10 cost roughly \$290 to \$370 million in total. That
11 includes the entire line, both states, as well as
12 the Ellendale substation, which is part of this
13 project. The Big Stone South substation is not
14 technically part of this particular MVP project.

15 And I guess going back here, 160 to 170
16 miles in total, and it's about 10 miles in
17 North Dakota. So we're talking 150 to 160 miles of
18 this line are all in South Dakota.

19 Now, this project, you know, it's a big
20 project, it's going to take two years or better to
21 build, and it's going to generate some economic
22 benefits while it's being built. So we thought
23 it's worth-while to point out that we're going to
24 have construction expenditures in this \$3 to
25 \$7 million range during construction. These are

1 local dollars being spent as a result of
2 construction crews, you know, fuel, lodging, meals,
3 local materials, things like that.

4 There is, obviously, other tax benefits on
5 a project like this, which we're estimating at 5.5
6 to 9 million. And these are short-term tax
7 benefits, mainly sales and use taxes and contractor
8 taxes. So these are immediate benefits to the
9 project, which are going to occur during
10 construction.

11 Long term, once the project is in service,
12 you know, we're going to have an investment in
13 these three counties, Brown, Day, and Grant County.
14 So that investment is subject to taxation, and
15 we're estimating that this, these ranges of dollars
16 are what we would expect to pay in real estate tax
17 or property tax in these three counties. We can
18 see that's a pretty significant amount of money as
19 well.

20 So those are kind of the local benefits.

21 Now, when, you know, when we decided we
22 needed to build this project, we had to figure out
23 how to route it. You know, earlier I showed you the
24 drawing and the two points, Ellendale and Big Stone,
25 and obviously the shortest distance would be a nice

1 straight diagonal line between those two points. But
2 any time you're going to route a transmission line you
3 have to consider a lot of factors. And when you start
4 to consider all these factors, that's what affects the
5 routing of the line; that's what changes it from this
6 nice straight line to something that is far from
7 straight in this case.

8 So, obviously, believe it or not, we were
9 concerned about the overall length of this line and
10 what that line is going to cost. So our goal is to
11 the best of our ability, to minimize these items. We
12 looked at existing transmission lines and highway
13 infrastructure as opportunities to potentially
14 parallel some of these, if we could. High-voltage
15 transmission lines, of course -- we talked about this
16 issue before -- there is a reliability issue with
17 double-circuiting or paralleling too closely with
18 another high-voltage transmission line. So there
19 aren't a lot of opportunities there, but more so, with
20 highways, section lines, in particular, trying to
21 parallel those things. And populated areas and
22 residences, are, in our view, avoidance areas. So
23 we're trying not to run this transmission line, you
24 know, directly by any occupied residence. And that
25 includes, you know, going through any towns,

1 communities along the way.

2 There is a number of environmental concerns.
3 We, obviously, have to deal with archaeological
4 resources, cultural resources, wetlands, and waterfowl
5 and whooping cranes and -- you know, so there is a lot
6 of those factors. You know, we're in consultation
7 with the U.S. Fish and Wildlife Service. We're in
8 consultation with the Corps of Engineers. So we have
9 to satisfy all those considerations as well. There
10 are obviously engineering considerations when you
11 build a line like this. You are looking for areas
12 where the terrain, you might say, is most friendly to
13 building a line like this. Maybe the soils are a
14 little better than another possible location so that
15 the structures can be built more economic and more
16 stable.

17 In this particular project, we have to cross
18 the James River, and so looking for, I guess, what
19 might be the ideal river crossing was a factor here.
20 And you'll see as I go through the route changes that
21 there is actually a new river crossing from what we
22 had originally proposed, and I think based on our
23 analysis that we think this river crossing is probably
24 better, although maybe marginally so, than our
25 original river crossing.

1 Then, of course, I had mentioned earlier, we
2 have been talking a lot to the agencies, state/federal
3 agencies, and we've been talking a lot to the public.
4 You know, that's going to continue really on until the
5 end of the project, because we started out with, very
6 early in the project, we started out with open houses
7 where we asked the public to come in and give us their
8 opinion of what we're looking at doing, where the
9 route might be. And we had -- I don't remember how
10 many. I got a slide on that in a little bit here.
11 But so we've had a lot of input from the public, a lot
12 of input from agencies. And all of that input is
13 continuing, and that's why you're still seeing the
14 route of this line change ever so slightly over time,
15 is we're listening to the feedback that we're getting
16 from the public; we're listening to the feedback we're
17 getting from the agencies, the tribes, whoever that
18 we're dealing with, so.

19 And along that line, then, to date, on the
20 project, we have 36 total Route Change Requests, we
21 call them, that have been made of the project. So
22 we've had 36 different suggestions for how we might
23 change the route. Some of these may include more than
24 one possible route. But if a landowner came to us and
25 said, Could we look at moving the route to this

1 location, that's a route change request, and we take
2 that under advisement and we go through our process of
3 evaluating whether that route change is possible or
4 doable.

5 So we've had 36 of those so far in the
6 process. And of this total 36, there are five route
7 changes that we're currently working on that if
8 they're approved, they bring in new landowners who are
9 not part of the original notification process. So
10 some of you landowners out there have gotten, you
11 know, numerous letters, numerous notifications. And
12 some of you landowners have maybe only gotten one
13 notification so far, and that's because of this route
14 change. So there are these five route changes that
15 actually trigger -- Oops, that actually triggered --
16 actually triggered the additional notification to
17 32 landowners on the project. So there was
18 32 landowners that had not previously been notified
19 about this project, you know, directly by us. And,
20 therefore, they did not have an opportunity to come
21 and comment.

22 And really that's, I think, the driver for
23 the meeting tonight, among any other comments that
24 people care to make. But we wanted to make sure that
25 we reached out specifically to these 32 people and

1 make sure they understood the project itself, and
2 maybe why the route is now impacting them.

3 So there is a map in the back of the room
4 that looks exactly like this. This is just the
5 overall route again that you saw earlier. Shown on
6 that map is the location of these five route changes
7 that I'm going to talk about just in a little bit more
8 detail. And remember, there was 36 route changes that
9 have been suggested. These five are being picked out
10 because these are the ones that the route change is
11 significant enough that it does bring in additional
12 landowners into the discussion. A lot of the route
13 changes were very minimal and really did not affect
14 additional landowners over and above those that had
15 already been contacted or those that we'd been working
16 with to date.

17 So you can see these five route changes are
18 pretty well spread out between Brown and Day County.
19 And we -- I mentioned this earlier, but when we get
20 these Route Change Requests from landowners, we review
21 those Route Change Requests by the same project team,
22 using the same routing criteria that we would have
23 used when we selected the original route. So we have
24 the same rules, I guess you could say, for why a route
25 works or doesn't work, based on all the various

1 feedback. So we've got to do our homework on a route
2 change as well and make sure that there aren't issues
3 with wetlands or archaeological sources or, you know,
4 residences nearby or any of those same kind of factors
5 that we had before.

6 But even so -- And there is a typo here.
7 This should be 36. So of the 36 RCRs or Route Change
8 Requests that have been proposed, 14 of those have
9 already been approved and been enacted, I guess you
10 could say; five were not approved; and the rest are
11 still being worked on. The group that I'm going to
12 talk about today, well, I guess, two of those have
13 been accepted, and three are essentially still under
14 consideration.

15 So Route Change No. 1 is the same No. 1 as on
16 the map. So it's the one up in the furthest upper
17 left-hand corner of the map. This one, you can see
18 right here is the border between North and
19 South Dakota. When you cross the border between North
20 and South Dakota, there is a section line offset. And
21 originally, this purple route is the route that we had
22 chosen -- somewhat arbitrarily, I think -- but we knew
23 we had to do an offset one way or the other, and we
24 chose to offset to the west. And we also, of course,
25 because of the hearing that we had in North Dakota on

1 April 1 and the ongoing work that we're doing with the
2 South Dakota Commission, we wanted to really try to
3 make sure that we could get the border crossing itself
4 tied down as soon as possible.

5 So we were having some landowner resistance
6 on this side of this section line, and that's really
7 the reason that drove us to look at the other side of
8 the road or the other side of the section line. And
9 we found that we had support over here. So we made
10 the choice to simply move the line across the section
11 line into this new location. And this route change
12 has been accepted. We have secured most of the
13 options along this new route.

14 But there again, because of the change, just
15 because of this shift across the section line, it
16 brought in, I believe it was, one new landowner that
17 had not been notified previously. So that's why this
18 one is in the list.

19 Route Change No. 2, a little bit further
20 south and east, then, into South Dakota. You can see
21 we're still in Brown County. We're in
22 Garland Township here. And this route change -- The
23 purple route again is still the original route. This
24 red route is the route that we're considering as the
25 route change. We have not locked this down yet, but

1 we have what we believe, anyway, is pretty good
2 support along most of this. We don't have it all sewn
3 up yet, but because this is one that we're working on
4 that looked favorable, looked like it was potentially
5 going to be approved, we wanted to make sure that we
6 included those additional landowners that had not been
7 contacted before into this discussion. So I think
8 this route change brought in seven additional
9 landowners that had not previously been notified about
10 the project.

11 Route Change No. 3 is also still in
12 Brown County. Now we're in Cambria and a little bit
13 in Bath Township. And, here again, is the purple
14 route, the original route. We did not, of course,
15 have quite as much support on that route and so we
16 started looking for alternatives. We found that we
17 were able to get pretty good support from landowners
18 on this alternate red route. In fact, I believe we
19 are signing some of those options now. So we are
20 getting landowner support for this red route. This
21 does kind of have a side benefit to us in the project
22 as well, in that this line, this nice straight
23 diagonal, when they could do that, you know, good ol'
24 days, is a Basin 345 line that I believe is built for
25 500, and there is a WAPA line in here I believe.

1 Anyway, our original route you could see was
2 crossing that line twice, and this totally avoids
3 crossing that line. So that's obviously a side
4 benefit, and this is the location where we originally
5 were going to cross the James River down here. Now
6 we're going to cross the James River up here. And in
7 looking at this aerial photo, it looks like it's maybe
8 a little bit dryer. But I was out there a week ago
9 and it didn't look too much dryer. Looked pretty wet
10 yet everywhere.

11 The fourth one, then, now we're in
12 Day County. And this is in Andover, primarily, at
13 least, in Andover Township. There again, the purple
14 line came down and actually paralleled the railroad
15 here for a little ways. And we had some landowner
16 requests to look at shifting this line, and so we have
17 been looking at different options. The route that
18 appears to be gaining the most traction, I guess, is
19 this red route right now. We have a short piece of
20 diagonal in here that has -- We don't normally like to
21 run diagonal, but these landowners have agreed to this
22 diagonal route, and so this is as near as we can tell,
23 it's meeting the requirements of the original route
24 concerns. This route is on the east side of this
25 quarter line. I know some of these are very tough to

1 see, but it's actually on the east side of the quarter
2 line, and then runs a diagonal and then comes down on
3 the east side of this quarter line.

4 So this one I know, I believe, is the one
5 that brought in the most -- No, I guess it was the one
6 before. Excuse me. The one before actually brought
7 in 14 new landowners that had not been previously
8 contacted. This route only brought in three
9 landowners that had not been previously contacted.

10 The final route change that I wanted to
11 mention in detail here is over in, still in
12 Day County, but it's over more towards the eastern
13 edge of Day County now. And in Wheatland Township.
14 This was strictly a request by landowners who wanted
15 the line, instead of offset of the quarter line, they
16 wanted it to run directly down the quarter line. So
17 this wasn't something that we were normally doing, but
18 we were able to get landowner acceptance on both sides
19 of the quarter line all through here. So this is one
20 of the route changes that has really been fully
21 accepted and is really a definite. And I don't
22 remember if this one -- I guess it had six additional
23 landowners, and that's strictly because of this amount
24 of move with the half a mile, it brought in some
25 landowners that previously were not within the

1 half-a-mile buffer.

2 But this is more typical of most of the
3 reroutes that you're seeing, that if you would see on
4 our list, they're generally fairly small tweaks. This
5 one, of course, travels over a couple-mile span. A
6 lot of them were only a matter of a couple structures,
7 so less than a half a mile. But we've been doing our
8 best to try to accommodate these kind of landowner
9 requests and they have come up, provided that we can
10 still in good conscience feel we're meeting our
11 original routing criteria and, you know, serving the
12 costs of the project the best way we can.

13 So those are the route changes that really
14 drove the need for this meeting. Now, for those of
15 you who weren't in any of the other public input
16 hearings, I showed these slides before so those of you
17 who have been here can nod off if you need to. But
18 what we're intending to build here is a steel
19 monopole, it's called, a single-pole structure. These
20 are steel structures so they're a pole, round
21 diameter. Each one is set on a concrete foundation,
22 and this pole from essentially the top of the
23 foundation to the tip of the pole is going to average
24 125 to 155 feet tall. So these are pretty tall
25 structures. These are typical high-voltage

1 transmission structures.

2 So these concrete foundations, most of them
3 will be in this six-foot range. That's your typical,
4 what we call a tangent or typical straight line or on
5 line kind of structure. When you start turning angles
6 on these type of structures, you need more concrete,
7 and that's when you get up into the 11-foot kinds of
8 diameters.

9 The span length of this line -- and span is
10 the distance from one structure to the next structure
11 down the line -- typically, we're seeing spans of
12 anywhere from 700 to 1200 feet. So on average, we're
13 talking about five to six structures per mile on a
14 line like this. You know, when you look at the
15 smaller, lower-voltage transmission lines, a lot of
16 those have like 30 structures per mile or
17 20 structures per mile. So these spans are very long,
18 which is why these structures are very tall.

19 And because of the voltage that we're dealing
20 with here, this line is designed for a minimum ground
21 clearance of 30 feet. And the 30 feet is only going
22 to occur during really the worst conditions of the
23 line. In other words, it's going to have ice loading
24 on it; it's going to be just those worst conditions
25 where that conductor is going to sag as far as

1 possible. So typically what you're going to see for
2 clearance above ground is going to be more in that,
3 probably, 40-to-50-feet range, of course depending on
4 how close you are to a structure or how close you are
5 to mid-span. So there is a lot of room underneath
6 this line to be able to operate farm machinery or
7 whatever you need to do as well.

8 For those of you who haven't seen this
9 before, this is just a brief series of pictures that
10 show you kind of what construction of a line like this
11 entails. So the steps, just in general terms, we go
12 out and we get our structure locations surveyed and
13 staked in the field. And then the first step is going
14 to be a crew that comes out there with the purpose of
15 setting these concrete foundations. So they're the
16 ones that come out and they dig the big hole that this
17 foundation is going to get poured into. And this gets
18 all, of course, reinforced with rebar and everything
19 so there is a crew there that does all that work.

20 Once the foundation is in place, the pole
21 materials do get ultimately delivered out to the
22 field, out to the structure location, and laid down.
23 And then there is a framing crew that takes these
24 different sections and crossarms and actually puts
25 that pole together. These pieces you can see were put

1 together on the ground, and then ultimately you bolt
2 this bottom section to the foundation and then you
3 erect the top section and assemble it into a complete
4 structure. So there is, you know, cranes involved in
5 that purpose, digger trucks here, sometimes backhoes
6 or some of the heavier equipment.

7 Once all the structures are set, then the
8 next step is to string the conductor. That can be
9 done a lot of different ways, and we haven't really
10 decided on this project how we're going to do it. Any
11 of you who have driven by the transmission line on the
12 Interstate between Fargo and Minneapolis, maybe has
13 had an opportunity to see the helicopters flying
14 through there doing the stringing of the conductor,
15 you know, where they are having a guy sitting on one
16 of the landing rungs and reaching over and attaching.
17 You know, so there is ways to do this different than
18 necessarily -- different than necessarily on the
19 ground. But this picture is more showing loading up
20 some reels of conductor, so. And once the conductor
21 is all strung and once it's, what we call, clipping or
22 clipped in -- That's where the conductor is actually
23 tied in then to each structure -- once that's done,
24 the line is technically considered done.

25 But the final step, obviously, is to go out

1 along the right-of-way, there is a special crew that
2 their whole purpose is to drive that right-of-way
3 looking for any materials that got left behind, any
4 other garbage, and at the same time, if there is any
5 temporary gates that had to be installed or any other
6 damages, fences, things like that, they're going to do
7 all of those repairs and the effort here to restore
8 the right-of-way to preconstruction condition.

9 So that's kind of what it takes to build a
10 line like this. And we expect this line to take, like
11 I say, roughly two years, maybe a little bit more than
12 two years to construct. So there will be winter
13 construction, as well as summer construction on this
14 project.

15 I talked about this a little bit earlier.
16 And I'm not going to go through this in any kind of
17 detail, but, you know, we have done a lot of outreach,
18 both with the public and with agencies, whether
19 they're county or state or federal, and this is just a
20 list of all the different dates when we have made
21 contacts with various agencies or landowners. So we
22 feel we've made pretty good effort to reach out to the
23 agencies and the public looking for their feedback.

24 And, of course, all of you in the room here
25 know that we have land agents on the ground today, and

1 those land agents are the ones -- there our boots on
2 the ground that when you have concerns about the route
3 or anything, they're the ones you need to try to feed
4 that information to and then ultimately comes right
5 back up to the rest of the group here, including
6 myself. So those kind of concerns that you have or
7 any kind of concerns that you have, those land agents
8 are really there to work with you so it's pretty
9 important if you are able to spend some time, to visit
10 with them and get your concerns heard.

11 So this is now pretty well current as of
12 today. So roughly as of today, and then I mentioned
13 here that we started contacting landowners back in
14 August of 2013. So that's, what? Seven months ago,
15 eight months ago. And we have, one way or another, we
16 have made some type of contact with every South Dakota
17 owner. Some of those maybe not verbal contact or
18 face-to-face contact; it may have been a mailing that
19 they received.

20 But as of today, we've got just about
21 60 percent of the South Dakota project miles under
22 option. So we're making progress. You know, it's
23 kind of fits and starts, and it's, you know, it's slow
24 at certain times of the year, depending on what's
25 going on. But we're still making, we feel, steady

1 progress and 60 percent we think is a pretty
2 reasonable number for the amount of time that we've
3 been out working on this.

4 Just to remind everybody on the project
5 itself, then, we're still here working on getting the
6 permitting in place. We're still working on
7 right-of-way. We're still working on engineering
8 design. What we're expecting is the physical
9 construction of this line will not begin until
10 probably the summer of 2016. And with the kind of
11 construction schedule that we've laid out here, what
12 we think is going to be necessary to get this line
13 built, we're looking really at an in-service date of
14 no later than the end of 2019. So there is quite a
15 few years yet before this project will be behind all
16 of us. And like I said, with a two-year plus
17 construction cycle, you know, some of you may see
18 progress in 2016; some of you may not see any physical
19 construction until 2017 or potentially even 2018. So
20 it's going to be a lengthy process to get to that
21 point.

22 Just to remind everyone, we do have a lot of
23 ways that you can still comment on the project to us
24 as owners, give us your feedback, give us your
25 questions or comments. We still operate our toll free

1 line. We have our website, and we do continue to
2 update that website continuously. That website will
3 become even more important as we start moving into the
4 construction phase of the project. There you'll be
5 able to get information, pretty well up-to-date
6 information, on the status of the construction, where
7 certain phases of construction are at.

8 We do have our e-mail address so you can send
9 e-mail to that address with any of your comments and
10 questions. If you want somebody to give you a call,
11 you can just e-mail this address and somebody will
12 call you back. And you can still make comments online
13 as well.

14 So there is a lot of different ways that
15 you've got to keep in touch with us. And to us I
16 guess that's what's most important here is as we're
17 trying to work through this, we just need to keep
18 communicating and we need to keep talking about what
19 the issues are, what the concerns are, what the
20 options are so that that we can ultimately get to a
21 final route that hopefully satisfies at least the
22 largest number of landowners out there. We know we
23 have no chance, probably, of finding every single
24 landowner that's going to be overjoyed to have this
25 project on their property, but if we can get it to the

1 minimum number of landowners that maybe are unhappy
2 but are still going to accept it, I guess we feel
3 we've probably succeeded, so.

4 So that, I believe, is the end. Yeah. So
5 those are my opening comments.

6 **CHAIRMAN HANSON:** My apologies to anybody
7 over on this side of the room. It occurred to me I
8 might be blocking your view so I moved, perhaps,
9 not timely enough. But I hope I gave you an
10 opportunity to see.

11 Ladies and gentlemen, this is your
12 opportunity to address us. We've heard from the
13 Applicant. We would very much like to hear from
14 you. Again, please step up to the microphone and
15 state your name. Please spell it if it has an
16 interesting spelling. You don't need to tell us
17 your address. I assume you've signed up as you
18 came in so we have that in case the -- in case the
19 Applicant needs to get in contact with you.

20 But we, as Commissioners, serve the
21 citizens of South Dakota, and this is a docket
22 before us. And we want to engage you. We want to
23 hear from you. We want to make our decisions based
24 upon all the information that's available, and you
25 folks have usually very specific and unique

1 information for us. So please step up to the
2 microphone and address the Commission, if you
3 would. I'm sure that there is some comments,
4 additionally. This is a great time to ask
5 questions of the Applicant.

6 Good evening, sir.

7 **PAUL DULITZ:** Yes. My name is
8 Paul Dulitz. D-U-L-I-T-Z. A couple of concerns
9 that I had. I did want to make sure that -- My
10 understanding of this project is there is really no
11 economic benefit for the agricultural community in
12 South Dakota, except possibly for the option
13 payments that you're doing. Is that correct?
14 Mr. Ford?

15 **HENRY FORD:** Well, there is option
16 payments and easement payments, I guess.

17 **PAUL DULITZ:** Right.

18 **HENRY FORD:** Those are the initial
19 benefits that you as the farmer would see, yes.

20 **PAUL DULITZ:** Right. I asked the local
21 rural electric cooperative if this will have any
22 benefit to them. Before I even got done asking the
23 question, my response was -- or the response I got
24 from him was, "No." So we do -- That makes me
25 wonder why the project is going. If -- You

1 mentioned Western Area Power, WAPA, and they have a
2 line through there. I guess I would expect that if
3 the project was that necessary, that the federal
4 government under the Department of Energy, Western
5 Area Power, would be looking at constructing the
6 line. That's my comment on that side of it.

7 You mentioned safety. Now, I live on a
8 dead-end road, essentially. The power line will
9 cross the road. So I'm concerned about safety. If
10 that line comes down, how am I going to get out?
11 Am I going to be able to get fire or rescue to come
12 through the area where that line is? What's your
13 plan? Do you have an immediate plan? How soon of
14 a response will it be from -- perchance one of
15 those lines hit the road until that line is
16 de-energized and removed from the road? Any plans?

17 **HENRY FORD:** You know, the lines of this
18 kind of voltage, they won't stay energized, No. 1.
19 If a conductor does come down, it trips out in
20 fractions of a second. And that line will then be
21 de-energized. Now, we always say not to assume
22 that on your own and, you know, put yourself in
23 jeopardy. But once, if that line goes down at all,
24 our operating centers, they know immediately that
25 the line has -- something has gone wrong.

1 **PAUL DULITZ:** A fault.

2 **HENRY FORD:** Yes. Yeah, the line has
3 switched itself off. So now it's a matter of
4 dispatching out the crews to find the location.
5 And, honestly, we rely very heavily on the public
6 that if this line fell down in front of your house,
7 the greatest benefit we could have would be for you
8 to call the dispatch center and say, "Hey, this
9 line is down in front of my yard." Then we know
10 immediately where it's at.

11 Otherwise, we would patrol the line,
12 typically with aircraft, looking for what the
13 problem is. The relaying equipment will predict
14 where it thinks the problem is at. So we have
15 generally some kind of a range of distance that
16 we'll go out and look for it. But, you know, the
17 first thing is that they make the -- they make the
18 line safe, and by doing that, the line is locked
19 out of service, which means that the line cannot be
20 turned on under any circumstances until that line
21 is repaired.

22 So from a safety standpoint, as soon as
23 the line breaks or whatever happens that it comes
24 down, that line goes out of service, and
25 technically, it's safe at that point. And then

1 it's just a matter of, yeah, how long does it take
2 to get a crew out there, how long does it take to
3 do the repairs before the line is back up and out
4 of your way. And I couldn't really predict that.
5 It all varies with weather conditions and causes
6 and, you know, what else is going on.

7 **PAUL DULITZ:** Thank you. Is there a --
8 How do I want to phrase that? Is there a goal, you
9 know, that you have like 24 hours? Would that be
10 your goal to get that line back in, you know, out
11 of the way of the public in 24 hours?

12 **HENRY FORD:** Yeah, the goal -- The goal,
13 obviously, is to get that line back in service as
14 quickly as possible. Within that 24-hour period,
15 barring some kind of extreme weather conditions
16 that prevented us from getting out and looking at
17 the line, we would know just in a matter of, you
18 know, maybe one or two hours where the problem is.
19 And what would need to be done to make it safe, I
20 guess, would be a matter of, you know, if the
21 conductor is laying across your road and your
22 concern is driving over it, you know, we'd maybe
23 either pull it off the road; or if the conductor is
24 still intact, you know, if the line is
25 out-of-service, you technically could drive over

1 the conductor. But, so, there would be a period of
2 time there where we have to find where the problem
3 is first, what caused the problem, and then we can
4 figure out, you know, what our steps are to make it
5 safe or make it back in service, make the repairs.

6 **PAUL DULITZ:** On the safety, then, let me
7 cover one more thing, then we'll move on. Do you
8 have -- What kind of locations have you planned so
9 far for the trucks to dispatch from? If they're
10 going to dispatch from Bismarck, it would take a
11 long time. If they were to dispatch from Aberdeen,
12 it would take less time. Do you have those plans
13 in place?

14 **HENRY FORD:** The -- Not really. Short
15 answer is no. And that is because we have two
16 utility companies that are going to be maintaining
17 this line, and we have not yet decided who is going
18 to maintain what portion of the line. But like I
19 said, this type of line is typically controlled
20 aerially by helicopter, and that helicopter could
21 very likely come out of Bismarck. But that's,
22 that's not a problem. I mean, the distance by
23 helicopter is not very far. That's where a lot of
24 the expertise is on this line as well, as in
25 Fergus Falls. Otter Tail is in a little bit better

1 position than we are in that they actually have
2 maintenance staff. You know, they have offices and
3 so forth in eastern South Dakota where we do not.

4 **PAUL DULITZ:** Uh-huh (Yes).

5 **HENRY FORD:** So there is a strong
6 possibility that in a situation like that,
7 Otter Tail would be taking the lead and dispatching
8 out their local folks to respond.

9 **PAUL DULITZ:** And this is the only 345 kV
10 line you have; correct?

11 **HENRY FORD:** Well, MDU has another 345 kV
12 line.

13 **PAUL DULITZ:** But Otter Tail does not. So
14 that would require a terrific amount of training to
15 handle a conductor of that -- or a voltage of
16 that -- The requirements for training is something
17 new to Otter Tail, because they haven't done it
18 before.

19 **HENRY FORD:** Well, we don't typically work
20 on these lines energized, anyway.

21 **PAUL DULITZ:** Uh-huh (Yes).

22 **HENRY FORD:** So the type of training
23 you're talking about is really more related to the
24 physical handling of the weight and the tension of
25 these conductors, which isn't really that different

1 from a 230 line to a 345 line, for example.

2 **PAUL DULITZ:** Okay.

3 **HENRY FORD:** We both got a number of 230
4 lines in our system. Just doing the physical
5 maintenance on the line is not an issue for either
6 of our companies. We have experience in that area,
7 yes.

8 **PAUL DULITZ:** Okay. Sorry I got
9 sidetracked on that. Under the safety, yet, one
10 more thing. Is there anything that aviation is
11 going to need to know about this?

12 **HENRY FORD:** All of the airports I guess
13 that are anywhere near this transmission line we
14 have already applied to FAA for review of our
15 transmission line. They do a review to make sure
16 that the line does not interfere with the glide
17 paths in or out of any of the airports that may be
18 operating in the area.

19 **PAUL DULITZ:** Yeah, the approach and
20 departure paths.

21 **HENRY FORD:** Yes.

22 **PAUL DULITZ:** Yes. What about township
23 road damage? Am I going to have, you know, really,
24 be inconvenienced by the damage to the roads? You
25 guys are going to repair them, the contractor for

1 you guys, can we have guarantees of that?

2 **HENRY FORD:** Yeah, the owners themselves
3 ultimately have that responsibility to make sure
4 that the roads are repaired. But what we would
5 intend to do is we will have a construction manager
6 out on the project. We will have a project manager
7 out on the project. These are the people that will
8 be boots on the ground that will be reviewing
9 things like the road damage, you know, on a daily
10 basis. They'll be the ones that will be directing
11 the crews, whether they shouldn't use a particular
12 road or, you know, they'll be making those
13 decisions. And if something is repaired or --
14 excuse me, is damaged, it's going to be their
15 immediate responsibility to -- if it's a township
16 road, you know, we need to work out these protocols
17 with the various townships and counties. Do they
18 want us to try to do the repairs? When I say "us,"
19 I'm talking about the project. Or do they want us
20 to fund the repairs, you know, reimburse the costs
21 of doing those repairs, which is what we would
22 expect on, probably on the county road level at
23 least.

24 But we are committed to making sure that
25 any road damage on this project is restored to

1 pre-project condition when we're done there. And
2 what that means during the project, we're concerned
3 about, obviously, the wet soils and the amount of
4 moisture down in this part of the country. It's
5 going to be a challenge. We know that we're going
6 to be probably scheduling a fair amount of our
7 construction to occur during the winter months for
8 that very reason. And we would fully expect that
9 if a certain area is too wet and the roads are in
10 too poor of a condition, we're going to skip that,
11 and we're going to go to another part of the line
12 where we can work and hopefully not cause any of
13 those kind of damages, so.

14 **PAUL DULITZ:** That's a reasonable answer.

15 **HENRY FORD:** Yeah.

16 **PAUL DULITZ:** But as long as, you know, I
17 really want that assurance, you know, and your name
18 on it that we're not going on to be stuck with a
19 bunch of bad roads.

20 **HENRY FORD:** Yeah. And in the worse-case
21 scenario, I mean, we do file a bond with the Public
22 Utilities Commission, and that bond is available
23 for those kind of things if for some reason we
24 would say, you know, we don't think we should have
25 to pay for that. But that I wouldn't expect should

1 be our approach here at all.

2 **PAUL DULITZ:** Okay. You're going to take
3 a reasonable or -- Well, how do I want to say?
4 Reasonable, or do we want to say extraordinary
5 precautions to make sure that we don't wind-up with
6 excess soil compaction and troubles years and years
7 and years -- well, not years and years, but at
8 least three to five years down the road? Is that
9 reasonable?

10 **HENRY FORD:** And you're talking about now
11 compaction out in the cropland?

12 **PAUL DULITZ:** In the croplands, yes.

13 **HENRY FORD:** Yes. We do have that
14 addressed and we expect to address that through our
15 damage mitigation at the end of the project. So if
16 we have soil compaction that has occurred because
17 of the construction, we're going to work with the
18 landowners. We will either go through there and,
19 you know, de-compact it by turning over the soil
20 and loosening it up again, or working with you as a
21 landowner to say, "Well, what would you like us to
22 do about that? Is that something you want to do
23 and have us pay you for it?"

24 Our damage payments themselves on like
25 crop damage, if you lost, you know, X-number of

1 acres of production during construction, we take
2 that ultimate cost, you know, and figure out how
3 many bushels were lost, what the cost per bushel
4 was, all of that. We'll take that number and we
5 will double it in the hopes that that's saying,
6 okay, we know that you lost full production this
7 year. Next year, maybe it's, you know, 50 percent.
8 Next year, after that, maybe it's 25. And
9 ultimately, you know, you get back to full
10 production in those areas one way or the other.
11 But that's simply the formula that we're going to
12 use to pay for crop damages.

13 **PAUL DULITZ:** Uh-huh (Yes).

14 **HENRY FORD:** If that makes sense.

15 **PAUL DULITZ:** Yes, thank you. That's the
16 end of my questions, but I did have one other
17 question that was proposed to me to ask. And that
18 is kind of partway between you and partway between
19 the Commission. Once this line is going through,
20 is that going to mean, you know, that, all right,
21 now we've got a situation here, we've got a lot of
22 landowners inconvenienced here so now let's put
23 another line over a quarter mile away and come
24 through the farms, you know, with another line,
25 because, well, we already got this one, people are

1 already inconvenienced, let's just throw another
2 line on it? I'm not aware that you have any plans
3 for that. I'm not aware that the Commission, that
4 this item is on the agenda of the Commission, but
5 if you want the Commission to understand that just
6 because this line comes through, whether we want it
7 or not, you know, that doesn't leave us open to
8 other lines. At some point, we're going to get too
9 many. But thank you very much.

10 **HENRY FORD:** Thank you.

11 **CHAIRMAN HANSON:** Are there further
12 comments or questions? And if another line were to
13 go through, we would go through another siting
14 process, so. Just for your information.

15 **HENRY FORD:** Yeah, it's important to note
16 that the easements that we get for this line, those
17 easements only allow for this particular line to be
18 built. So those easements could not be used to
19 build any additional facilities.

20 **BOB PESALL:** Good evening. Bob Pesall,
21 attorney from Flandreau. I'm actually here
22 representing Gerald Pesall, who is sitting in the
23 back row beside me. We've already intervened in
24 the proceedings so the Commission is going to see a
25 lot of what we have to say. For purposes of making

1 an appearance for the record here, we intend to
2 oppose the issuance of the permit. We don't see
3 the necessity. We see a lot more damage than any
4 benefit that this thing is likely to produce. It's
5 ugly. We think it will hurt the local economy.
6 It's going to interfere with farming and local
7 economic development. It's going to spread pests
8 from field to field, and it's going to put the
9 public at risk for injury because -- The Applicants
10 say that this project could stay for 100, 200
11 years. People are going to have accidents with
12 this thing. People are going to get hurt. And if
13 there is no benefit, it's just really difficult to
14 justify.

15 But we do have two questions outside of
16 the scope of what we've done so far to propose to
17 the Applicants, or at least for the information of
18 the Commission and the people here this evening.

19 No. 1, if the permit is denied, will you
20 be considering the other routes that you had
21 examined earlier in your research process? Like I
22 said, that's my first question.

23 **HENRY FORD:** I would have to say yes. We
24 would have to go back to the drawing board, as it
25 were, and figure out if there is another route that

1 would make more sense for whatever reason. I mean,
2 I guess it kind of comes down to what would have
3 been the reasons that the route was denied in the
4 first place. Maybe -- Maybe it would only require
5 a tweak in certain areas of the route or something
6 like that.

7 **BOB PESALL:** And then the other question.
8 And I guess this is -- A couple other landowners
9 that I don't represent have asked about it, and I'm
10 kind of curious myself, if you might elaborate on
11 what the standard easement offer that the
12 Applicants are making for property is and how much
13 you negotiate, typically one way or the other, when
14 you're dealing with a landowner.

15 **HENRY FORD:** Um, we -- Before we started
16 calculating any easement payments, what we did was
17 a property evaluation study and that was a
18 combination of looking at recent sales in each of
19 the counties. There were some other resources. I
20 might have to defer this to Terry to give you a
21 little more detail, but we did an evaluation of
22 land values, essentially, on a county-by-county
23 basis. And what the project feels is a fair offer
24 is 80 percent of that value of the land for the
25 easement. So it's the 150-foot wide right-of-way

1 times the length of the line, which, you know, a
2 half a mile of line would be about nine acres of
3 right-of-way times -- the land value times
4 80 percent, and that's what we're looking at as our
5 offer.

6 And as far as negotiating on that price,
7 the negotiation would mainly be in the area of the
8 land value itself. If there is some error or some
9 problem with the land valuation method, that's what
10 we want to figure out so that we can adjust the
11 process, in general. We're not -- Our goal here is
12 to treat everyone fairly and the same. So we don't
13 want to pay, you know, landowner A, you know, let's
14 just say, 50,000 for their easement, and they're
15 willing to take that, and landowner B, their
16 neighbor who just simply wants more money, you
17 know, we're not going to give them a hundred
18 thousand just because they complain. I mean, there
19 has to be a reason; there has to be a basis for
20 why, why that dollar value should be different.

21 **BOB PESALL:** Thank you.

22 **HENRY FORD:** Yes.

23 **JERALD ZUBKE:** Jerry Zubke, Z-U-B-K-E,
24 from Milbank, South Dakota. And this last issue is
25 my concern. They're going to go over my piece of

1 property, and I adjoin my local golf course. And I
2 want to develop that property someday, and once
3 this line goes over there, I know my development
4 potential is gone. And they're telling me it's
5 only ag property, but I have a problem with that.
6 And what process do I do to protect myself as you
7 go down the road? Do I need an attorney for
8 eminent domain and what do I do? I have a -- My
9 property is worth development property value
10 because of the golf course and the people that are
11 wanting to build on it.

12 **HENRY FORD:** Yeah, I'm familiar with your
13 property and your location. Terry and I were just
14 talking about it earlier today. And I know we've
15 been trying to determine -- There was a plat that
16 was done on your property I guess some years ago.
17 And, you know, we need to figure out exactly what
18 you're platting there, and, you know, I guess we're
19 still -- we're not by any means done talking to
20 you. I mean, we're going to keep trying to work
21 with you on what -- I guess what I'm hearing is, is
22 your biggest concern the value that we offer you or
23 the location of the line?

24 **JERALD ZUBKE:** Well, I can sell this
25 property as a development property, but once you

1 put that line over it, I can't. So I would like to
2 have what it's worth for development property, just
3 put your line someplace else and let me sell it for
4 what it's worth. Don't put your line there and say
5 this is what you've got to pay.

6 **HENRY FORD:** Yeah, because I know there
7 was some discussion about us moving the line onto
8 the section line.

9 **JERALD ZUBKE:** But I need people to walk
10 from my property under that line into the golf
11 course. And people aren't going to build a house
12 right by that line. I wouldn't and I wouldn't
13 expect anybody else to either. So to me, once that
14 line is built, that property becomes undevelopable.

15 **HENRY FORD:** So moving the line to the
16 section line isn't really the solution you're
17 looking for?

18 **JERALD ZUBKE:** I mean, I wouldn't build a
19 new house -- I want coverage for a \$500,000 house,
20 and I wouldn't build it anywheres close to a power
21 line, and I wouldn't expect anybody else to either.

22 **HENRY FORD:** Uh-huh (Yes). Yeah.

23 **JERALD ZUBKE:** All I want to know is what
24 I need to do to protect my legal rights so I don't
25 get backed into a corner. Do I need an attorney

1 right away, or how do I protect my rights?

2 **HENRY FORD:** Well, that's not --

3 **THOMAS WELK:** We can't advise you one way
4 or the other, sir. If you would want to consult
5 with counsel, you should do that. I think what the
6 project is saying, is they want to continue to talk
7 with you. If you feel you have a need for an
8 attorney, you should get one, and if you feel more
9 comfortable. The project doesn't want to make a
10 bad deal for you either. They want to make a fair
11 deal.

12 So what Mr. Ford is saying is, we just
13 have found out about your plat. Your issue is
14 different and unique than other landowners, because
15 of what you had previously done. And so the
16 project wants to continue to discuss with you, but
17 if you feel you need to have counsel, you should go
18 get counsel and then we'll talk with your lawyer or
19 you can continue to talk with the project. But
20 they just want to continue visiting.

21 Whatever you feel comfortable doing,
22 whatever you want to do to know what your rights
23 are, you should feel free to do so. And you have a
24 right to counsel and to talk to them and do
25 whatever you'd like to feel. We can't tell you one

1 way or the other.

2 **JERALD ZUBKE:** Well, that's comforting to
3 hear, because the agent that talked to me said it's
4 ag value and that's it. So I'm glad to hear what
5 you're telling me.

6 **THOMAS WELK:** Yeah, the project always
7 is -- because you have a unique setting. Not
8 everybody has the same setting as you. So you need
9 to continue to talk to -- I know they were talking
10 today about they want to visit with you. They want
11 to see what your plans were, how it was, and so we
12 want to keep the lines of communication open. And
13 if you want to have a lawyer to help you assist
14 with that, feel free to do so.

15 **JERALD ZUBKE:** Yeah, that answers my
16 question. Thank you.

17 **THOMAS WELK:** Okay. Thank you.

18 **REUBEN PARKS:** My name is Reuben Parks
19 from Webster, is my address. I'm hear to make a
20 formal statement after multiple conversations with
21 Brian Rounds. He suggested that I do it before the
22 PUC.

23 It's disturbing to me that the PUC did not
24 review the easement contracts and the implications
25 of terms before the BSSE was allowed to present

1 them to us as property owners. Some of the terms
2 within these easements: The easements to survey,
3 if signed, would take away my right to object to
4 litigate after the signature. The easements have
5 three blank pages in them. I've never signed a
6 contract with three blank pages. The easements can
7 be taken anywhere on the property. The easements
8 are also permanent and can be assigned to anyone
9 the BSSE proposes to assign them.

10 After understanding these terms and
11 consequences, I don't see why I would sign such an
12 easement. And upon my resistance to sign, it was
13 suggested that eminent domain would be imposed upon
14 me. My yearly losses from these easements could
15 exceed \$25,000. My farming practices will be
16 compromised by requiring me for more time, money
17 invested, to deal with the obstructions and the use
18 of electronics and applications of my farming
19 practices of seeding, fertilizing, and spraying.

20 This project does not serve me. It will
21 take land and productivity from landowners to pay
22 income tax and taxes to the state for the
23 productivity of the property. It will devalue my
24 property and further generations. I see no good
25 reason to give my land to the BSSE. And I would

1 hope that the PUC does not give BSSE the use of
2 eminent domain to possess my property and that they
3 deny the request of construction. Thank you.

4 (Applause.)

5 CHAIRMAN HANSON: Thank you, Mr. Parks. I
6 appreciate those comments, and, obviously, there is
7 a number of other people in the audience that
8 appreciated them too. I'm compelled to -- This is
9 your opportunity to chat with the Applicant, and
10 certainly, that's the type of thing that the PUC
11 needs to address here. And I appreciate Mr. Rounds
12 instructing you to -- or advising you to ask the
13 question. It may be helpful to understand what our
14 role is in the Public Utilities Commission here.

15 This is a docket that's been filed before
16 us. We're acting as judges in this docket. And it
17 would be improper for us to review easements, and
18 it would be a conflict of interest for us to advise
19 you. It's similar to going into a court. If you
20 went into a court, and there is a judge that's
21 handling that court case, and there is two parties,
22 the judge wouldn't step down from his or her role
23 and begin to advise you as to what you should be
24 doing or review your -- the legal instruments from
25 either party. That's the role of attorneys.

1 We receive our authority through the
2 legislature. And we cannot go beyond that
3 authority, for one thing -- besides it being a
4 conflict of interest. We don't give legal advice
5 from -- as Commissioners. There are -- We have
6 attorneys who give us advice who we discuss law
7 with, but in a situation where you have a party who
8 wants you to sign an instrument just as the
9 previous speaker -- I believe it was Jerry who was
10 asking that question -- you need to, you need to
11 seek legal counsel.

12 I have found in my life in all of the
13 businesses and all of the situations that I have
14 been in, that whenever I've been in a situation
15 where I wonder whether or not I should speak with
16 counsel, it's best that I actually do speak with
17 counsel. And that's what we'd advise you to do
18 here.

19 There is a couple other things that I had
20 thought of that were pertinent and escaped --

21 **COMMISSIONER FIEGEN:** Eminent domain.

22 **CHAIRMAN HANSON:** Oh, yes. Eminent
23 domain. Thank you.

24 Eminent domain is a law that is passed by
25 the legislature. We have absolutely nothing to do

1 with eminent domain. We cannot grant eminent
2 domain. We cannot prohibit eminent domain. It is
3 a law. We get our authority from the legislature,
4 and I'm not meaning to pass it off on the
5 legislature, but eminent domain is a common
6 practice throughout the United States from a
7 standpoint of being able to allow business to grow,
8 utilities to grow. Without it -- And I don't mean
9 to be selling eminent domain, but the purpose of it
10 is so that one party in a \$400 million project
11 cannot stop that project. If it's to the benefit
12 of everyone else, then it should go through, and
13 that party should receive fair compensation for it.

14 Every one of you has an opportunity to go
15 to court on it, and I know that can be an expensive
16 situation. You can have your peers, I believe, sit
17 on a jury and decide whether or not there is a fair
18 value. And I've been on both sides of eminent
19 domain, and I recognize the challenges from it.
20 But as a Public Utilities Commissioner, we have
21 absolutely nothing to do with eminent domain. So
22 we won't be granting it or prohibiting it; we
23 can't. But thank you very much for your comment.

24 Other comments, please. I'm sure there is
25 some thoughts. This is a great opportunity; we

1 have the Applicant here. Thank you, sir.

2 **RANDY SCHURING:** Yes. Randy Schuring.
3 Andover, South Dakota. S-C-H-U-R-I-N-G. I made a
4 couple comments here, a couple notes myself, as
5 there was a question as far as the roads earlier
6 and what condition they would be left in. A few
7 years ago, we had an experience with TransCanada on
8 the oil line, and they went through the permitting
9 process and everything else. There was a few of us
10 landowners ended up taking it to court because we
11 weren't satisfied with the value that they had
12 determine for our easements.

13 In our particular situation, arriving at
14 that value, we had three land sales within two
15 years within two miles of our property. They hired
16 an independent appraiser. They used land at
17 Wilmot, South Dakota, south of Waubay, and up in
18 Roslyn, when they had the other land sales that
19 were right in, you know, in the neighborhood. And
20 so that was one of the reasons that we challenged
21 their payment on the easement value. Well, in the
22 meantime, even when we went to court, and they
23 ended up settling before the judge ruled on it, it
24 was quite apparent they had probably a dozen
25 lawyers. It probably cost them more for their

1 lawyer fees that they had for a week of court than
2 it cost them to settle it with the ten landowners.

3 But anyway, they assured us that they
4 would, if the conditions weren't fit, that they
5 would not be operating on our roads, nor would they
6 be on our property. Well, it so happens in the
7 fall of that year -- And we've had some wet
8 conditions in the area. There was an article in
9 the Aberdeen American News how TransCanada, how
10 they fixed all these roads up and how much time
11 they'd spent on them. Well, the only thing is, the
12 reporter should have went out and visited the
13 roads, because they were unfit. They were using
14 Caterpillars to pull semis down township roads.
15 They were out in the feeds bulldozing the topsoil
16 away so that they could continue to work. And then
17 there was an article in the Aberdeen American News
18 for PR purposes how they were, you know, taking
19 care of it and putting our property back in
20 condition.

21 But -- So I don't always trust it when
22 somebody says, "Yeah, if it's not fit, we're not
23 going to be working," because we've seen otherwise.
24 But my main concern is, is -- And I have some
25 feelings for the gentleman from Milbank with his

1 property on his proposed plans on the golf course.
2 Last winter we were contacted and we indicated that
3 we were not interested in any easements or have any
4 poles on our property. And that was the last
5 discussion that I had with anybody concerning the
6 project until after we were granted party status in
7 the teleconference.

8 Last Friday I had a contact from a person,
9 and I'm sure that they wanted to have that contact
10 before the meeting tonight because they didn't want
11 me to come here tonight and say, "Nobody's
12 contacted me yet." Anyway, I think they thought
13 they were going to probably not have to deal with
14 us. It actually is within -- well, across the
15 section line of three quarters of our land.
16 Actually more than that. It's five.

17 But anyway, the bottom line is, is as long
18 as they put it on a neighbor's, they didn't have to
19 deal with us because they knew we weren't a willing
20 party to it. But the fact of the matter is,
21 they're less than a half mile from a state
22 permitted 1350 head dairy facility.

23 The gentleman from Milbank is worried
24 about what that would do to the value of his
25 property if his power line came over it. I'm

1 concerned that if someday, if I'm not here, family
2 members would decide to try and sell this dairy,
3 we've been there for 18 years with this facility.
4 It's not something that's proposed, may happen, can
5 happen; it's there. And we're a little over a
6 quarter of a mile from this, where the proposed
7 route is to be. And I can assure you, whether it's
8 fact or fiction or rumor or whatever, you try and
9 sell a multimillion-dollar dairy facility to
10 somebody for the value that it's worth, you won't
11 come close. Nope. In fact, you won't -- you
12 probably will not get anybody that is interested
13 because of all of the articles and different
14 things.

15 And it depends on -- It's like a lawyer.
16 He can argue both sides of it, whether I hire him
17 or the other side hired him. You can get engineers
18 that -- You know, you're going to hire an engineer
19 that's going to tell you what you want to hear. I
20 can hire an engineer that's going to tell me what I
21 want to hear. Nobody knows for sure. But I can
22 assure you that you're going to devalue the value
23 of that dairy. You know, I cannot, you know, not
24 be in opposition to it when it's that close to our
25 facility, you know. So I think South Dakota, and

1 the party that attended last Friday with me, too,
2 she admitted, she said, North Dakota's got a lot
3 tougher laws and more restrictions on building
4 power lines than South Dakota has. Maybe that's
5 the reason that they're coming through South Dakota
6 instead of going straight north from Big Stone
7 Power Plant and going across into North Dakota. I
8 know that they claim Game and Fish and the Indian
9 reservations and everything, but if we have to deal
10 with it, they can deal with it also.

11 Now, the other thing that I would -- that
12 I think South Dakota maybe needs -- Minnesota, in
13 fact, there is a case going on in Minnesota right
14 now. They passed legislation, "Buy the Farm." If
15 you adversely affect the value of a farm with any
16 utility, you have to buy the farm for its value.
17 And you're probably familiar with the cases now
18 that the utility companies are challenging it. But
19 that's the law in Minnesota; "Buy the Farm" is what
20 they call it.

21 So I think that South Dakota maybe needs
22 to look at something like that, because some of us
23 are definitely going to be adversely affected by
24 this. And, you know, and I cannot, even though
25 they're not going to have to deal with me on the

1 easement, I can't say that this project is good for
2 our area.

3 We suggested an alternative route earlier.
4 It would have no feedlot like my neighbor has. It
5 would not affect our dairy. It would go -- And it
6 would go across our pasture land. Much simpler.
7 You would have less jogs in the line. But they
8 said they don't have time because the PUC has not
9 given them enough time.

10 So, and what I'm concerned about, also, is
11 they don't seem to be in any big hurry to discuss
12 this with us. And basically, what it's doing is --
13 You know, we know June 10th, 11th, and 12th is
14 coming up awful fast. And they said, "Well, please
15 don't hire a lawyer. Work with us." Well, we
16 can't stall until the hearing is here. We need to
17 know where we're at and if they're going to
18 consider an alternative route in our area. Thank
19 you.

20 **(Applause.)**

21 **COMMISSIONER NELSON:** Mr. Schuring, one
22 question. Is your property affected by any of
23 these five reroutes, or are you affected by the
24 original route?

25 **RANDY SCHURING:** I can't tell you for

1 sure. The reason that is, when I told them last
2 winter we were not interested, nobody contacted me
3 and nobody showed me the route. I got a map of the
4 routes, of the reroute last Friday.

5 **COMMISSIONER NELSON:** So are you in one of
6 those five areas?

7 **RANDY SCHURING:** Yes.

8 **HENRY FORD:** Route Change No. 4.

9 **RANDY SCHURING:** We're in the reroute that
10 showed it that they moved it to the railroad. But
11 were we in the original one? I don't know for sure
12 because nobody showed us the original map until
13 last Friday and that was the reroute map.

14 **COMMISSIONER NELSON:** Okay. What I would
15 love to see is -- Can you pull that one up on the
16 overhead? **(Pause.)**

17 **HENRY FORD:** No. **(Chuckles.)**

18 **COMMISSIONER NELSON:** I'm going to have
19 him pull that on the overhead, and then I would
20 like for you just to point out where you're at so
21 that I can visualize that.

22 **(Pause.)**

23 **HENRY FORD:** There we go. Right there.

24 **COMMISSIONER NELSON:** Go ahead and just
25 point it out on there where you're at.

1 **HENRY FORD:** You're up in this area;
2 right?

3 **RANDY SCHURING:** Okay. Excuse me, here.
4 (LAUGHTER.)

5 **JOHN SMITH:** Do you have a pointer?

6 **RANDY SCHURING:** This right here is the
7 substation south of Andover.

8 **COMMISSIONER NELSON:** Okay.

9 **RANDY SCHURING:** The REA has a substation.
10 They have to make a jog around it. We are right up
11 here -- Actually, we're right here. This road is
12 not on the half mile line. We got four right here
13 with the dairy. And here is the proposed line.

14 **COMMISSIONER NELSON:** And what was your
15 suggestion?

16 **RANDY SCHURING:** Well, we made -- We made
17 the suggestion to, where they're coming out, where
18 they're coming out of the hills here -- Do you have
19 a -- Could you go back a couple maps? You had a
20 better one there. It showed the jogs. Okay.

21 **BRIAN ROUNDS:** Henry, give him the mike.

22 **COMMISSIONER FIEGEN:** Can you give him a
23 mike?

24 **HENRY FORD:** Oh. Sorry. Yeah, borrow it.

25 **RANDY SCHURING:** Okay. If you -- Right

1 here, right here is Andover. But where they're
2 coming across here, where the railroad, they made
3 this change here, why not continue straight west
4 through Scotland Township, through the pasture
5 land, and then where they come up here, they would
6 eliminate a feedlot that they've had some concerns
7 about. They would eliminate, you know, just a
8 little over a quarter mile from our dairy, and they
9 would probably be what, Brad? There would be two
10 or three families along that route, but they would
11 be -- they would be a half a mile away from the --

12 **BRAD MOREHOUSE:** Probably five families.
13 Five residences.

14 **RANDY SCHURING:** Five, yeah. But they
15 wouldn't have anything to contend with as far as
16 the feedlot or the dairies, and it's a route that
17 would be simpler. They would have less jogs. They
18 wouldn't have to go around the station. They could
19 go straight west, make a 90, and come straight
20 north.

21 **COMMISSIONER NELSON:** Okay. Thank you.

22 **JOHN SMITH:** Mr. Schuring, could you
23 please identify who it was that was talking for the
24 court reporter, please, who you asked the question
25 of?

1 **CHAIRMAN HANSON:** The party who answered
2 Mr. Schuring's question.

3 **BRAD MOREHOUSE:** Brad Morehouse.

4 **JOHN SMITH:** Thank you.

5 **CHAIRMAN HANSON:** Thank you, sir.

6 **BRAD MOREHOSUE:** And I would like to say a
7 little something about that. I'm Brad Morehouse
8 from Andover. M-O-R-E-H-O-U-S-E. I've got the
9 feedlot and they have talked to me. They have
10 moved the line. It was coming right down the fence
11 line and -- on the quarter line. And which they
12 stayed on the east side on the neighbor's side with
13 all of the poles and with all the air space, and
14 everything, which, which is good, but better is to
15 move it away. We had discussion; we had a meeting
16 at my place. They did move it. I wanted them to
17 move it half a mile, because I was notified that
18 everybody within a half a mile got notified. And
19 what's the reason this half a mile? So I thought,
20 and I'd feel a whole lot more comfortable than a
21 half a mile, then they came up with 1200 feet.

22 There is an existing farm site not
23 occupied. There is buildings. There is quonsets,
24 barns, and things. And one of the neighbors
25 accommodated me, he says, "Go right over the top of

1 that. That's a half mile away." Well, the guy
2 says, "We can't go over the top of that because we
3 got to ground it. And with the grounding issues,
4 we can't go over the top of that." And I said,
5 Well, you were telling me earlier that this line is
6 not farmable, that a microwave in your house has
7 more of this electromagnetic field. That's what
8 I'm scared to death of is electromagnetic field
9 coming up. I don't care about the poles. I don't
10 care about anything else. It's -- The
11 electromagnetic field to me is a very serious
12 thing. And I've had -- Years ago, when we used to
13 dairy and we had stray voltage in our dairy herd,
14 and this is a different type of voltage. It's not
15 to do -- But it has as bad or worse consequences
16 with livestock.

17 So they moved, so they moved this -- They
18 said this is not any more electromagnetic field
19 charge coming off of that as a microwave. Well,
20 everybody here bring your microwave to my place,
21 plug them in, and use them all at the same time,
22 I'm good with that, because I don't have to ground
23 anything in the instruction, anything with my
24 microwave. This thing he said they needed to
25 ground, and I believe that, and that would be

1 good -- good management when they're putting a line
2 that close to a facility like that. And, also,
3 earlier they said, "Just go ahead and ground your
4 fencing." Why ground? Why do all of this? Why
5 have the line that close and do all of this, all
6 these things you've got to do to keep yourself safe
7 when just move the line and we don't have to do
8 that? So they moved it 1200 feet. They said I was
9 happy. They thought I was happy, the gal that --
10 The gal that visited with us, and she called me on
11 the phone and she says, "Oh, goody, goody. We got
12 it all done. We got it moved away from your
13 feedlot." Well, it gave me about -- I was happy,
14 but, yeah, it didn't come in where I kind of
15 planned on or thought maybe a half a mile from me.
16 And you can sure do that, because they did do some
17 changes there right on that screen, where they --
18 They could go another one mile up that, where it
19 starts to jog. From the bottom of the picture,
20 they can go one more mile right along that line and
21 that would be half a mile from me. That would cure
22 me. That would -- That would be a great thing for
23 me, because this 1200 feet, I'm looking up there,
24 you could spit from the top of that and hit my
25 feedlot on the right day. And that, I don't feel

1 safe. I don't know. I don't want to -- I don't
2 want to have those things happen to me.

3 So the other thing, they could sure easily
4 enough move that. But what Randy and I are talking
5 about, well, why even have it come -- they're going
6 past center pivots. We've got a center pivot.
7 Bob Zimmerman actually stopped it, the original
8 line with his center pivot, because he's pulling it
9 north farther there where those railroad tracks
10 are. He's actually stopped the line. That's what
11 caused the reroute.

12 They told us at one time they couldn't go
13 close to the railroad track because of parallelling
14 a big metal, whatever, line. This electromagnetic
15 field can charge that thing up and have problems
16 with the rail. Well, then I was told that, no,
17 they could go right alongside that line and ground
18 the rail for that distance and they would be fine
19 too. So I'm just being told a lot of things. I'm
20 still scared to death to having that thing within a
21 half a mile of my feedlot, because I like feeding
22 cattle.

23 And I was also informed that if they're
24 right where they were going to put it, probably
25 discontinue your last two pens there. So how would

1 everybody like to have something that they can only
2 use part of? The last few years in the cattle
3 business have just been just swell, you know, with
4 the high cost of feed and everything, but anyway,
5 we would have to deal with that.

6 So they could surely -- Randy and I looked
7 that over, and they could surely go down right
8 south of me, it would be two miles, I believe, a
9 mile and a half to two miles. They could come down
10 the township plat there. Nobody's there. They'd
11 hit the Basin line diagonally a little bit, head
12 back north, hit their same line, go all the way
13 around all this confusion, and that would be the
14 simplest thing in the world. But they said they
15 can't do that because the PUC doesn't allow them
16 enough time, because there is a starting point and
17 time to do things. And I'm sure there has got to
18 be deadlines or things would get drug out forever.

19 But on the other side of that, why did it
20 take them -- We had this meeting to just get this
21 little jog done the first part of April. Friday
22 she called me and said, It's done. The contractor,
23 the engineer, got busy on another job. I don't
24 know what --

25 **CHAIRMAN HANSON:** Mr. Morehouse, you're

1 the second individual to bring up the not enough
2 time that apparently someone said to someone.
3 Anyone who is a party to a docket can request
4 additional time. The constraint is on us, as the
5 PUC, to make a decision within a certain period of
6 time. Again, it's within the law. However,
7 Intervenors and the Applicant themselves has the
8 ability, have the ability to simply request
9 additional time, if additional time is necessary.

10 These additional questions that have been
11 brought up here pertaining to the moving it, moving
12 the line -- several different questions. One is
13 moving the line a half mile. Would you comment on
14 that? Have you been in any discussions on that,
15 moving the line a half mile over?

16 **HENRY FORD:** This specific location?

17 **CHAIRMAN HANSON:** Right.

18 **THOMAS WELK:** Use the mike.

19 **HENRY FORD:** That one I'm not aware of, as
20 far as the -- this particular -- We're talking this
21 one a half mile?

22 **BRAD MOREHOUSE:** Yep. Yep. Just go north
23 one more mile. See, where they jog it back to the
24 left side of the screen, the left where they come
25 up from the bottom? They go one more mile straight

1 along that township road, and I would be great with
2 that. And I don't know why they -- Because in the
3 relocation, it was actually where they started the
4 relocation, or the reroute, whatever you want to
5 call it, was actually even a quarter -- or a half a
6 mile farther to the left, then that line would be
7 straight all the way, where it goes diagonally
8 right in there. And so they did move it back to
9 the right that one-half a mile, and then they just
10 didn't go far enough. They came back right --
11 Let's get to the feedlot. We've got to be there,
12 for some reason. Why can't they go just north for
13 one more mile? We're good.

14 **COMMISSIONER NELSON:** Mr. Morehouse,
15 could you show me where the feedlot is? That
16 would help me. Thanks.

17 **BRAD MOREHOUSE:** Right there. Yep.

18 **COMMISSIONER NELSON:** Okay.

19 **CHAIRMAN HANSON:** Thank you. You and
20 Mr. Schuring have presented some interesting
21 criteria, reasons for moving the line and I know
22 that they, the Applicant, will be in touch with you
23 to discuss that. It's not something that we will
24 necessarily resolve here tonight, by any means, but
25 thank you very much for bringing that up.

1 **BRAD MOREHOUSE:** Thank you.

2 **CHAIRMAN HANSON:** You brought up some
3 good points, and you folks will chat with them on
4 that.

5 **HENRY FORD:** Absolutely, yeah.

6 **CHAIRMAN HANSON:** Other questions?
7 Concerns? The is mike open. Good evening, sir.

8 **RON RINGGENBERG:** Ron Ringgenberg from
9 Columbia. Cambria Township. Ringgenberg is
10 spelled just like it sounds, R-I-N-G-G-E-N-B-E-R-G.
11 And I would like to have you pull up project --
12 that third change there.

13 **HENRY FORD:** This one?

14 **RON RINGGENBERG:** The map I got it's hard
15 to see where the --

16 **CHAIRMAN HANSON:** Please use the
17 microphone, if you're going to come up here and
18 speak.

19 **RON RINGGENBERG:** I can't really tell
20 where.

21 **CHAIRMAN HANSON:** If you're going to
22 speak, just use this mike. Thank you.

23 **JASON SUTTON:** Sir? Here. Here you go.

24 **RON RINGGENBERG:** The East River has got a
25 line that runs in there, and then it goes north,

1 and but I am not sure what section. It's kind of
2 hard to tell on the sections here. You're going to
3 be awful close to -- Yeah, okay. This -- There is
4 a substation right there. I'm sure you're aware of
5 that.

6 **HENRY FORD:** Uh-huh (Yes).

7 **RON RINGGENBERG:** And then you're going to
8 go down, there is a power line that runs this way.
9 Are you going to be going along that route?

10 **SPEAKER FROM THE AUDIENCE:** Power line is
11 on the other end; right, Dave?

12 **RON RINGGENBERG:** It's a smaller one. I
13 don't know where it goes. It runs east and west.
14 And there is one that comes out of the substation
15 and goes to the 3M plant here in Aberdeen.

16 **HENRY FORD:** Yeah.

17 **RON RINGGENBERG:** Goes to Aberdeen.

18 **HENRY FORD:** We don't have any problems
19 with --

20 **CHAIRMAN HANSON:** Please use the mike so
21 we can record it. Thank you.

22 **HENRY FORD:** We don't have any -- There is
23 no issues, really, related to parallelling a
24 distribution line with a transmission line. I
25 mean, I'm not sure what lines we're talking about

1 here. This is a transmission line up here that I
2 think is East River's. We cross that. We
3 paralleled this one for a short distance.

4 **RON RINGGENBERG:** That's a bigger line.
5 This one here is a bigger line here than this one
6 here.

7 **CHAIRMAN HANSON:** You'll need to share
8 that microphone. Mr. Ford, would you please.
9 Thank you.

10 **RON RINGGENBERG:** This line here goes up,
11 and then it catches one that goes to 3M out of the
12 substation.

13 **CHAIRMAN HANSON:** Thanks, Brian.

14 **HENRY FORD:** Okay.

15 **RON RINGGENBERG:** And where you're going
16 along, there is actually another line there. And
17 we're trying to farm with that line, you're going
18 to be about, what, a hundred fifty feet away from
19 that other line, or where are you --

20 **HENRY FORD:** It's going to depend on what
21 line you're talking about and where it is in
22 relation to, you know, if they're on opposite sides
23 of the road like this appears to be --

24 **RON RINGGENBERG:** No, you're coming up the
25 section line there. That's not a road.

1 **HENRY FORD:** Yeah, this quarter line, you
2 mean?

3 **RON RINGGENBERG:** Yep.

4 **HENRY FORD:** Yeah. I'm not sure where
5 you're at. What location are you at?

6 **RON RINGGENBERG:** And there is a power
7 line that goes up that.

8 **HENRY FORD:** Is this the location you're
9 concerned about right here?

10 **RON RINGGENBERG:** Well, yeah. It's hard
11 to farm around. There is four power lines in that
12 area now. And you're going to be five. And then I
13 understand that East River is talking about
14 bringing a line out over to the Groton ethanol
15 plant, out of that substation. So we're going to
16 have another line. We're going to have about six
17 lines there right in that area. I'm dropping my --
18 It's hard to farm.

19 And another thing, every farm magazine I
20 think I've read this winter is -- I think I
21 mentioned that last fall when we had the meeting.
22 We're going to lose acres, you know, with these
23 lines. And this, the one magazine that I read, I
24 think every four days this world gets 800,000 more
25 mouths to feed. That's the same as the population

1 of South Dakota. And think of that. In 50 years
2 or in 30 years from now, the amount of food that
3 we're going to need to produce. And we're going to
4 lose acres on this thing. And we're coming through
5 some of the best land in the state of South Dakota.
6 Why not stay further east someplace where we have
7 more grassland and not so much high-density
8 farming?

9 (Applause.)

10 **CHAIRMAN HANSON:** Thank you, sir.

11 **RON RINGGENBERG:** There is one other
12 comment.

13 **CHAIRMAN HANSON:** All right. Go ahead.
14 I'll let you go ahead.

15 **RON RINGGENBERG:** I lost my notes here.
16 One thing is you said you were going to build
17 another substation up there in Ellendale. Why not
18 put it back further east and shorten this line up?

19 **HENRY FORD:** The substation locations are
20 determined -- Well, first off, they were determined
21 by MISO, but they relate to the specific location
22 in the electric grid where this 345 line needs to
23 terminate. So, you know, us as owners of the
24 project and builders of the project, we don't have
25 that flexibility to say we want to build a

1 substation somewhere different.

2 **RON RINGGENBERG:** Okay. Thank you.

3 **LLOYD BUNTROCK:** Lloyd Buntrock.

4 Columbia. I just was wondering who's going to get
5 to utilize this electricity through this power
6 line. I have not got a clear explanation of who
7 this is going to benefit. I haven't heard that
8 Columbia is going to get anything, Aberdeen is
9 going to get anything. I haven't heard that
10 anybody is going to benefit in South Dakota.

11 **HENRY FORD:** The project, and I'm probably
12 not the best expert to talk about the actual MISO
13 studies and how this line, project, was determined.
14 But as I said during my presentation, you're
15 correct in the sense that the transmission line is
16 not being built in the traditional sense of, here
17 is the location of generation and we need to get
18 power to Andover or Cambria or whatever these
19 communities are that, you know, might have this
20 need.

21 When you start talking about bulk
22 transmission or this very high-voltage
23 transmission, the purpose of this type of
24 transmission is like an interstate highway system.
25 It's a large capacity method of carrying lots of

1 energy through a particular area. Now, you know,
2 we're only tying it in to the local grid at
3 Big Stone and at Ellendale.

4 A lot of the reason why MISO determined
5 the need for this project has to do with generation
6 needs for MISO and where they predict potential
7 generation resources to be built. You know, I
8 can't really defend this in the sense that this has
9 this strong local benefit, because MISO by virtue
10 of its makeup is a -- kind of a socialized
11 organization in that they're taking care of this
12 entire Upper Midwest part of the country.

13 So the -- When I mentioned, you know,
14 they're looking at generation. Obviously, what
15 generation they're looking at to a great extent is
16 the wind projects that would like to be built in
17 North Dakota and South Dakota. So if anything,
18 these wind projects are probably, you know, the
19 potential economic benefit for South Dakota and
20 North Dakota in terms of economic development, you
21 know, having these projects be built. And these
22 projects, yes, maybe the electricity is not serving
23 the local community. But what you may not realize
24 is that even the electric co-ops, a lot of these
25 electric co-ops are members of companies like Basin

1 Electric, Heartland Electric, these are the
2 generation and transmission co-ops. A lot of those
3 same co-ops want to build wind generation as well.

4 And when you build generation, the
5 complicated thing about transmission is,
6 electricity, you can't put electricity into a piece
7 of conductor here and say, I'm delivering this to
8 Sioux Falls, South Dakota, and have it go there.
9 Electricity follows wherever the load is requesting
10 it. So the grid itself is this very complicated
11 network that engineers that do things that I don't
12 understand are the ones that analyze these networks
13 and figure out where the flows are. And those are
14 the reasons why this particular line between these
15 particular endpoints makes the most sense. It's
16 from an overall grid support standpoint.

17 **LLOYD BUNTROCK:** Okay. I'm going to -- It
18 was stated at one of the meetings, and I'm going
19 to -- You can say that I'm wrong or right. But
20 this electricity basically wants to go back to
21 Minnesota. They're the ones that want it. But
22 they do not want it made from Big Stone because of
23 the coal. Environmentalists got that strong a hold
24 on Minnesota. That really disturbs me and I hope
25 the PUC would look at it as being South Dakota

1 representatives, why should the people in
2 South Dakota suffer and lose land value and
3 everything else.

4 I'm not a big farmer. I have my name on
5 four quarters. Every one of them except one is
6 going to have poles. So I hope you look at that
7 line. We're not benefiting South Dakota. Yeah,
8 you can say the tax dollars and some of that is
9 going to come back to maybe roads, schools, or
10 whatever, but here you're coming through and you're
11 suffering the whole 160 miles of people and
12 individuals, that some might want it and some might
13 not. It's tougher for us to farm. And you can't
14 say them poles on that land -- There is two
15 quarters of land side by side. I know which one
16 I'm going to pick if I'm going to buy it. Not the
17 one with poles on.

18 And you say that it don't affect cattle or
19 don't have that. I can give you a couple names of
20 people that have fought with their cattle, with
21 pastures under them lines; that they got to either
22 have another expense of adding some more mineral or
23 whatever. So that it don't -- Because it takes
24 something out of them cattle. And if you look at
25 these pastures that got cattle in, most of the time

1 they're standing underneath the lines, because
2 there is less flies and mosquitoes so you can't
3 tell me that there ain't current coming out of
4 there that's detaining them from being there.

5 But I would just like to encourage the PUC
6 to -- I can't see that South Dakota is benefiting
7 from this whatsoever. Just to bring it through
8 South Dakota, the best farm ground and everything
9 else and turn around when there is other routes
10 that would be a lot straighter and shorter and
11 would not interfere with more people, so. That
12 would be my kind of challenge to the PUC.

13 **(Applause.)**

14 **THE COURT REPORTER:** Can I have your name
15 again?

16 **CHAIRMAN HANSON:** Sir, would you spell
17 your last name for the court reporter, please.
18 Thank you.

19 **LLOYD BUNTROCK:** B-U-N-T-R-O-C-K.

20 **CHAIRMAN HANSON:** Thank you very much.

21 **THE COURT REPORTER:** And your first name
22 was --

23 **LLOYD BUNTROCK:** Lloyd.

24 **THE COURT REPORTER:** Lloyd, okay. Thank
25 you.

1 **CHAIRMAN HANSON:** Yep, thank you. I'm
2 going to have to ask my compatriot fellow
3 Commissioner about the flies and mosquitoes. I
4 wasn't aware of that. Chris raises cattle so we're
5 going to have a discussion on that some day.
6 That's an interesting -- I hadn't heard of that
7 before. Yes, sir.

8 **CHRIS PODOLL:** Chris Podoll, Columbia.
9 Podoll is P-O-D-O-L-L. First question I have: at
10 the October meeting it was brought up about our
11 crop insurance having to have proven yields and by
12 you paying for double the crop year, that's not
13 really helping us other than that one year. Have
14 you come up with a solution yet, too, how you're
15 going to handle the bushels lost for your
16 production history?

17 **HENRY FORD:** Well, like I said, if you
18 lost \$10,000 of crop the year that we did the
19 construction and we pay you 20,000, how does that
20 not help you beyond the one year?

21 **CHRIS PODOLL:** Because I still don't have
22 them bushels for proven yields. You're getting rid
23 of them bushels. I don't have them anymore.

24 **HENRY FORD:** So you're talking about it's
25 in the crop insurance calculation?

1 **SPEAKER FROM THE AUDIENCE:** That's a
2 ten-year history.

3 **HENRY FORD:** Yeah. Yeah, I don't know
4 what we can do about that.

5 **CHRIS PODOLL:** I don't know what I can do
6 about it either.

7 (LAUGHTER.)

8 **HENRY FORD:** It seems like whoever does
9 those calculations, it seems like they ought to be
10 able to, you know, include those bushels because
11 they were lost beyond, you know, for a reason
12 beyond your own control.

13 **SPEAKER FROM THE AUDIENCE:** What world do
14 you live in?

15 (LAUGHTER.)

16 **CHAIRMAN HANSON:** Yeah, we're going to
17 remain -- I know that was in gest, but we need to
18 remain civil as best we can and speak at the mike
19 and give your name and all that. I'm not prompting
20 you to go speak, but you look like you're
21 compelled.

22 (LAUGHTER.)

23 **CHAIRMAN HANSON:** Looks like you want to
24 say something.

25 **CHRIS PODOLL:** Second question. You had

1 spoke on easement values and you said 80 percent of
2 land value. There is some easements out there if
3 it's just an overhang easement, they're only being
4 paid 50 percent of the value.

5 **HENRY FORD:** Right. The overhang
6 easements, which means there is no poles or
7 anything on the land, it just means that the
8 150-foot-wide easement would cross over the
9 property line. So that's why it's called overhang.

10 **CHRIS PODOLL:** Correct. Some of those
11 easements have that statement on there; some of
12 them do not.

13 **HENRY FORD:** Right. So there is no direct
14 impact to that land by the overhang, except that,
15 like I say, we're trying to define this
16 150-foot-wide right-of-way. So, yes, overhang
17 easements are being paid or being offered to be
18 paid at 50 percent of the easement that contains
19 poles. That's correct.

20 **CHRIS PODOLL:** So an easement isn't an
21 easement. If it's an easement with this power
22 line, it's not a cut, if it's an easement, you get
23 this, you get 80 percent. You get half, if it's
24 just an overhang easement?

25 **HENRY FORD:** That's correct.

1 **CHRIS PODOLL:** You get half of the 80; is
2 that correct?

3 **HENRY FORD:** That's correct.

4 **CHAIRMAN HANSON:** Chris -- I believe Chris
5 has a question.

6 **COMMISSIONER NELSON:** Follow-up question
7 on that. So where you're running down the quarter
8 section line, who is getting paid the 80? Who is
9 getting paid the 50? How does that work?

10 **HENRY FORD:** Well, what we've decided to
11 do on those locations is if -- It depends on the
12 location. Some of them, they actually want the
13 poles right smack on the quarter line. So if it's
14 right smack on the property line, we're just taking
15 the easement value and dividing it in half, because
16 it's impacting both landowners equally.

17 **COMMISSIONER NELSON:** So 80 percent in
18 half?

19 **HENRY FORD:** Yes.

20 **COMMISSIONER NELSON:** Yeah. Okay.
21 Thanks.

22 **LELAND STAUCH:** Leland Stauch,
23 S-T-A-U-C-H. I own property in Henry Township and
24 also south of Andover where these power lines will
25 be coming through. I have a number of questions to

1 ask you.

2 First of all, who is going to maintain and
3 control the weeds around these posts for where it's
4 next to a fence line? Those weeds will grow there.
5 Somebody will have to either spray them or cut them
6 or let them go to seed like the Canadian thistle,
7 sow thistle, and that. Somebody forever and ever
8 will have to maintain weed control on this property
9 surrounding these posts. I see a guy today just
10 about hit a post with his sprayer when he made a
11 big swing with his John Deere. He came so close to
12 that post, a fence post, he could have lost that
13 sprayer real quick.

14 And when you sign these easements and sell
15 these leases to the public utility, you will
16 maintain that for your life, your kids' life, and
17 whoever comes after you. You fully need to
18 understand that. You need to figure, you have a
19 cost that you're going to have to maintain every
20 year to keep this right-of-way looking proper. And
21 nobody wants Canadian thistles and sow thistles
22 going to seed and going all over the countryside,
23 because there are plenty out there right now.

24 Another question. These guys that got
25 killed out here by Highmore, hit a wind charger.

1 Now, that wind charger should have had a light on
2 the top of it to warn these guys who are getting
3 close to it in the fog. Are any of these 150-foot
4 poles going to have red lights on the top for
5 safety?

6 **HENRY FORD:** No, they will not.

7 **LELAND STAUCH:** Okay. Another question
8 is, you say on the bottom of the scoop on the wire
9 hanging is 30 feet above the ground.

10 **HENRY FORD:** Worse-case scenario, yes.

11 **LELAND STAUCH:** Worse case, okay. When
12 you're doing aerial spraying of pasture land -- And
13 I sprayed some of my pasture land last year with an
14 aerial sprayer. Okay. I plan to do it in the
15 future to control the weeds. A lot of these
16 pastures, wherever they may be, have not had weed
17 control whatsoever. Okay, who is it in that plane
18 is going to want to barrel underneath that power
19 line when he's got 30-foot clearance between the
20 ground, the plane hitting the top of that wire, or
21 is he going to have to go over the top and dip down
22 and then come back along the power line to get full
23 coverage for that spray dump. If I pay 15 bucks an
24 acre for spraying this cropland, I expect the weeds
25 controlled.

1 Another question we have is the
2 right-of-way for the crops. Okay. The crop you
3 plant, you say you're going to use adjusted yield
4 or county average, you need to come up and say, Are
5 we using proven yield or county average? What are
6 we going to base the price on? You can take the
7 average for corn off of the last two years and come
8 up with an average of \$6 a bushel. What's the
9 price of corn going to be this fall? Maybe it's
10 going to be \$3.50. If it's \$3.50 for your basis,
11 remember you said this probably will not be
12 finished 'til 2019. You know, it's 2014 today.
13 Land prices have done a lot in the last five years.
14 In fact, three years.

15 What are you going to base your land value
16 on? The date you sign that easement contract? Are
17 you going to base it on when you agreed on the
18 price per acre? I would like to tell the people --
19 have you tell the people here what year are you
20 going to set the value for this land. Land right
21 now has not been down in value. Morehouse bought a
22 quarter right across the road from me. He knows
23 what he paid. He did not steal the property. He
24 paid top money for pasture.

25 Another thing, when you receive this

1 10,000 bucks an acre, let's say as an example,
2 you're not going to get all that money. 15 percent
3 goes for federal capital gains tax, 3.4 goes to
4 Obama medicare tax. If you live in Minnesota,
5 which I happen to live yet -- Although I'm from
6 South Dakota and I love South Dakota, South Dakota,
7 I was born here; to me, it's my home. I will pay
8 15 percent, 3.4, and 9.8 to Mr. Dayton on the sale
9 of this property. So I'm going to lose 30 cents of
10 every dollar. So I am not getting 10,000. I'm
11 getting 7,000 an acre, and my land is worth a hell
12 of a lot more than 7,000 an acre.

13 They have sold land up by Cambria this
14 spring for thirteen-five-plus an acre. There was
15 two quarters sold in Putney Township two years ago,
16 2012, at 13,000 an acre. A quarter of land that's
17 right across from where you want to put the power
18 line on my land, Henry Township, sold for
19 eleven-five an acre. Now, based on land records
20 from the college, land prices have went up three to
21 five or six percent this past year. So that
22 eleven-five across the road is no longer even a
23 good figure today. Nobody has agreed on these
24 prices. People need to be told, when are we going
25 to set the price so you know?

1 And then when are we going to get paid?
2 Are we going to get paid 2019? Are we going to get
3 paid 2017? We want to know that. With the
4 government spending money the way it is, they're
5 going to be increasing the tax rate, whether it's
6 in South Dakota, Minnesota, or nationwide. Obama
7 is spending a lot of money, and he's going to need
8 to recover it and you, the tax payer, are going to
9 put the money on the table.

10 And I think people need to be informed
11 really of what's going on, and a lot of these
12 questions have not been answered. I don't care --
13 I'd just as soon not put any pole on any of my
14 land, personally. I don't want to see a pole on
15 any of my land; my personal opinion. I bought
16 every acre here and I don't want a pole on any of
17 it, really, if you want to know the God's honest
18 truth. I'm not buying it to have to look at poles
19 on it. They're an eyesore and that pole will be
20 there forever, for the life of all of us here.
21 Don't look at anybody -- those poles will be -- The
22 poles if they're built, stay forever.

23 And I think people should learn to think
24 about this, what's going to happen. Is the county
25 assessor going to drop the tax value on that nine

1 acres? I'll betcha not. I'll betcha she won't.
2 Let's put that in writing. The county assessors
3 will be advised to drop the land value on this nine
4 acres of property, the value that you decrease the
5 value, because you cannot build a house on it.

6 You're going to have to stay a distance
7 from it. So you're losing more than those nine
8 acres; you're losing much more. And you're losing
9 the control of that land forever and whoever buys
10 it in the future will have restrictions. That
11 easement stays forever. I hope you think about it
12 when you sign those agreements.

13 I haven't signed any to sell anything.
14 I'm not going to be the first guy to sell the
15 place. I'm going to get what I feel is a fair
16 price, and I think everybody is entitled to a fair
17 price, and that's where we need to come from. I
18 care about South Dakota. I care about every one of
19 these farmers, half, 90 percent of these guys I
20 don't remember. I've been away from here since
21 1960 when I graduated college and went into the
22 Army. And after that I went to Minneapolis,
23 because there was no point in staying in
24 South Dakota. Thank you for you time.

25 **(Applause.)**

1 **HENRY FORD:** I can comment on just a
2 little bit of that that I can remember here. One
3 thing as far as the easement payment itself, you
4 know that we're out getting options today. And our
5 intention is that if the stars align and we do get
6 our route permit for the project, that's the point
7 in time when we start going forward and making
8 easement payments. So if, you know, depending on
9 the schedule here, if we were to get our line
10 permit before the end of 2014, we would begin to
11 make the actual easement payments in 2015. And our
12 intention would be to pay all those payments in
13 '15, because, you remember, we're looking at
14 starting construction in 2016.

15 So from a land-value standpoint, I guess
16 it would be 2015 land values that we would be
17 looking at for making the easement payments. And
18 that would be the year that we would be doing that.

19 **COMMISSIONER NELSON:** If I could just
20 follow up on the one question, though, so far as
21 the crop damage payments, I'm assuming that's going
22 to be made in the year the damage is incurred and
23 the price is set at that point? Is that accurate?

24 **HENRY FORD:** Yes, that's correct.

25 **COMMISSIONER NELSON:** Okay. Thank you.

1 **LYLE PODOLL:** My name is Lyle Podoll.
2 P-O-D-O-L-L. My concerns echo some of these that
3 are here, and, Gary, you did explain that you did
4 have some limitations, but I'm going to read this
5 anyway as it is, so.

6 **CHAIRMAN HANSON:** (Nods affirmatively.)

7 **LYLE PODOLL:** As a result of the joint
8 meeting on October 17, 2013, we were informed
9 verbally by BSSE that the PUC requested that they
10 give consideration to those having residences
11 within a half mile of the proposed line but may not
12 have actual property on that line. We thank you
13 for that.

14 Just a point now, we are involved in this
15 proposal on change No. 2 on the map.

16 The results have been mixed. I was
17 verbally informed last fall that BSSE was proposing
18 moving the three-and-a-half mile line on 120th
19 Street east of Westport a half a mile north of
20 120th to the quarter line, which would place the
21 line on some of our property. This resulted in
22 moving the project farther from some homes and
23 closer to others but still leave the line within a
24 half mile of seven residences. Which was on the
25 original letter we sent last fall.

1 Being partially compensated does not
2 change the issue for the following reasons: With
3 no written information being offered, my wife and I
4 requested a meeting in an attempt to learn more
5 about what they were proposing. We met on
6 April 15, 2014, at which time an option form and
7 information was presented. We had a great deal of
8 discussion on the issue, but what it boiled down to
9 was that I did not have a problem with the power
10 poles on ag land. We already worked around that.
11 But I did have a problem with the line being close
12 to our home, approximately within 800 feet of our
13 new house built in 2010. It would also run within
14 600 feet of my son's home across the road. They
15 plan to run the line 120 feet north of the quarter
16 line because of trees so we would not be
17 compensated for this property with the house on it.
18 We would be compensated for the bare quarter
19 section to the east. This discussion ended with
20 the fact that we would continue to visit with them
21 about the proposal, if they would further discuss
22 the impact of devaluation to our home. I was
23 assured that they would discuss it at one of their
24 regular meetings.

25 In a telephone conversation on May 7, this

1 month in 2014, on another issue, I asked if the
2 devaluation was discussed. The response was, "We
3 asked ourselves, is there a loss of value to a
4 residence because of unsightly poles nearby? The
5 answer would be a definite yes. We just don't know
6 how much value to place on it."

7 We own 440 acres and we now have two,
8 excuse me, transmission lines on those 440 acres.
9 Not distribution lines. These are transmission
10 lines. Now, the proposal is to add a third line.
11 Add that to their comment that the unsightly poles
12 will definitely devalue our new home is of grave
13 concern to us. What direct financial cost should
14 we bear to further this proposal? How much would
15 you as individuals be willing to sacrifice for this
16 project if you wanted to sell your home?

17 We were also told that if we did not go
18 along with the above proposal, BSSE would go back
19 to the original proposal. Which was proposed last
20 October.

21 With that in mind, Arnold and
22 Darlene Dennert, and Carol Rydberg and I requested
23 another meeting to discuss the original proposal.
24 We met with representatives on May 13, 2014. Our
25 discussion centered on some of the reroutes we

1 proposed in our packet as of October 17, 2013. All
2 three of us feel that the proposals in the packet
3 still have a great deal of merit. As of this date,
4 we have not received any response on those
5 proposals, other than under consideration. Arnold
6 and Darlene would allow a diagonal across two
7 quarters of land to keep it further from their
8 residence, and Carol would allow it to border
9 10 feet from the quarter line going south for one
10 mile instead of having it out onto her land in the
11 original proposal.

12 The landowner to the south of Carol for a
13 half mile indicated just recently that he would
14 allow it along one quarter of his land, but he is
15 also a lessee on the next quarter. It is his
16 intentions to purchase -- It is his intention to
17 purchase that quarter and would like to have some
18 input as to the routing of the poles on that
19 quarter if this route were selected.

20 As this just came up recently, details on
21 the remaining quarter have not been discussed.
22 What that brings -- With that it brings the line to
23 two-and-a-half miles of an improved township
24 road -- unimproved township road going east to once
25 again meet up with the original line. With this

1 proposal, there are only two residences within a
2 half mile of the line; one that has requested the
3 line come through his land, and the last residence
4 has no change in distance with either proposal.
5 This being Lloyd Buntrock who just spoke
6 previously.

7 This also has merit from the standpoint
8 that six residences would not have to deal with
9 devaluation of their homes as was indicated to me.
10 As you can see, we are so close to making this work
11 for everyone. The representative we met with said
12 they would discuss it but indicated that their
13 meeting with the PUC was in June and time was a
14 factor.

15 Arnold Dennert said if they went back to
16 the original proposal, there would probably be
17 three large landowners in the immediate vicinity
18 that would go through condemnation and that would
19 take a great deal of time also, probably more time
20 than looking at this proposal. The representative
21 also stated that they should have moved the
22 original line coming from North Dakota many miles
23 west of here and turned east somewhere near
24 Aberdeen to meet up with the line going east. They
25 indicated to us at the meeting that their selection

1 of the route in this area was, by their own
2 admission, not a good decision.

3 It would be our request at this time for
4 the PUC to delay any approval until such time as
5 more discussions and agreements can be worked out
6 between BSSE and the landowners. If BSSE indicates
7 to you, the PUC, that any delays in approval would
8 be a cost to the project, it should not be a factor
9 in your decision. By their own admission the
10 preferred line should have been many miles west of
11 here and a great deal of savings would have been
12 obtained from land values alone.

13 At the October meeting last fall, I asked
14 why they did not consider the diagonal line through
15 the Coteau Hills, possibly along an existing rail
16 line and probably save \$80 million. I have since
17 been in touch with that rail line and they
18 indicated three times that they would be very
19 interested in discussing it with BSSE and would
20 look forward to a meeting with them, but they were
21 not contacted. That indicates to us that money is
22 not a factor. It is acceptable to proceed with a
23 bad decision as long as the PUC allows it. It
24 would also be acceptable to BSSE, by their own
25 admission, to incur devaluation of our homes if the

1 PUC allows it. It would be regrettable if the PUC
2 did not consider the needs of the landowners and
3 homeowners over two public utilities from other
4 states when possible solutions for the benefit of
5 everyone can still be achieved.

6 Thank you for your consideration in this
7 matter, and I know that the landowners in this area
8 would be willing to meet any time to obtain a
9 workable solution beneficial to everyone. That's
10 all I have.

11 **(Applause.)**

12 **CHAIRMAN HANSON:** Thank you. Did you have
13 some questions?

14 **COMMISSIONER NELSON:** Mr. Podoll, if I
15 could indulge you, if you could bring up No. 2 on
16 the slide, could you just quickly show me where
17 your alternative is on here.

18 **LYLE PODOLL:** Sure.

19 **COMMISSIONER NELSON:** And I've gotten your
20 written materials, but I understand that what
21 you're talking about now is different from what
22 your materials were last fall; right?

23 **LYLE PODOLL:** Yes. It is actually real
24 close to what we had last fall. Let's see. We're
25 three miles east of Westport, if I can find

1 Westport on here. Okay, this is the proposed line
2 here. This is Arnold Dennert's place here. He
3 would allow that -- He owns the next two quarters
4 to the east. He would allow that line to go
5 through an entire mile to come over here, which
6 gets it further away from his residence. If it
7 comes back to the original proposal, it will still
8 be just a few hundred feet from the front of his
9 house. He would agree to this diagonal line.

10 Carol Rydberg owns these two quarters
11 here. She would allow, on that 10-foot of her
12 property, where here it was going to be 120 to
13 150 feet out on her property. She owns those two
14 quarters.

15 And then we have the quarter here. And I
16 went and talked to that guy twice, and he said he
17 would be in agreement to letting them do that.

18 The only quarter that we have in question,
19 then, is this quarter right here that he intends to
20 buy. Now, whether we could do a diagonal there or
21 go this route here, but that brings us to the
22 two-and-a-half miles of township, unimproved
23 township road to get back to the original line.
24 This was in one of those original proposals. And
25 we had discussed various routes coming this way,

1 because of certain vacant places. But as you can
2 see, there are no residences whatsoever in this
3 area, other than Arnold, and that proposal would
4 take it further away from his house. This place is
5 vacant. It's probably not inhabitable the way it
6 is, but it is a nice location that may be some day.

7 So the only quarter in question to make
8 this go is this here. Now, the landowners all live
9 out of state, but the lessee has said that he works
10 well with them, and based on that, he said he would
11 hope that we could come up with a solution. The
12 landowner in question that wants it would be right
13 here. He would prefer that it come through his
14 ground. A couple of landowners that have land,
15 this is mostly pasture land and stuff along here,
16 too, so it wouldn't have an impact on much ag land
17 at all. Does that answer your question?

18 **COMMISSIONER NELSON:** It does. Thank you.

19 **LYLE PODOLL:** Okay. Thank you.

20 **CHAIRMAN HANSON:** Good evening.

21 **DANA JONES:** I'm Dana Jones. I live in
22 Watertown, but I own land in Brown County in
23 Cambria Township, me and my siblings. And I didn't
24 see that change map until tonight. If you'd go
25 back to change No. 3, please. Now, the blue line

1 and I'm probably going to have to come and show
2 you, because if you look -- it would be easier for
3 me to show you than for me to try and explain it.

4 Now, I take it that this purple line is
5 the original route. Right?

6 **HENRY FORD:** Yes.

7 **DANA JONES:** Okay. How far is this change
8 in miles from this purple line, or from this
9 original deal?

10 **HENRY FORD:** That should be about a half a
11 mile.

12 **DANA JONES:** It looks like one square,
13 which on the plot map would be one mile; right?

14 **HENRY FORD:** Half mile, yes.

15 **CHAIRMAN HANSON:** The answer was half
16 mile.

17 **THE COURT REPORTER:** Thank you.

18 **DANA JONES:** What's that?

19 **CHAIRMAN HANSON:** I have to speak for
20 Mr. Ford, because he doesn't have a mike. So I'm
21 just telling the court reporter what he's saying.
22 Go ahead.

23 **DANA JONES:** Oh, okay. So if this got
24 moved, then we have a quarter of land that I think
25 this was probably going to go through and go down

1 and border that line. And it's possible that this
2 might get moved over to a mile -- or a half a mile
3 to the west, if I'm not mistaken? I would almost
4 have to see the -- I've never seen this map. There
5 is nothing written on here about legal descriptions
6 of where the land is; it's pretty vague. So I
7 don't really know.

8 **HENRY FORD:** Yeah, I'm not sure what
9 you're asking, but the red route on here is the
10 route that has been under consideration and
11 negotiation with Dennis.

12 **DANA JONES:** Okay. See, the land that we
13 own borders the land that Mr. Ringgenberg owns
14 farther to the south of it. So he probably knows
15 more about where this is going than I do, because I
16 haven't seen this map. This map is crappy. It
17 doesn't have any descriptions on it, as far as
18 legal. It says, 124 North here. And it says, 062
19 West, but that doesn't really give you a -- doesn't
20 really give you a quarter description. It just
21 tells you what section you're in vaguely.

22 **HENRY FORD:** Yeah, you're in Section 28
23 here, and down here would be --

24 **DANA JONES:** And here is 27.

25 **HENRY FORD:** Right. So this would be the

1 Southeast Quarter of 28.

2 **DANA JONES:** Okay. Well, I'll have to
3 write that all down and get a different map and
4 then go home and look in my book and figure this
5 all out then. Okay?

6 **HENRY FORD:** Yeah, you could certainly
7 talk to Terry.

8 **DANA JONES:** Well, I think he's going to
9 get me some different maps, because we already had
10 a conversation.

11 **HENRY FORD:** Okay.

12 **DANA JONES:** But until then it's a big fog
13 in my mind. Thanks.

14 **HENRY FORD:** Okay.

15 **CHAIRMAN HANSON:** Good evening, sir.

16 **BUD DENNERT:** Good evening. Bud Dennert.
17 Westport, South Dakota. D-E-N-N-E-R-T. And we've
18 been fighting this for -- proposed line since we
19 first heard of it. And every time we have a
20 meeting like this here, it seems that there is more
21 people that are unhappy. They, like the last
22 fellow, the crappy maps they sent us. We had to
23 try to figure out where it was going to go, whether
24 it was coming on our land or not, but we put up
25 with it. And now it's getting about time to just

1 say, "Let's shut the dam thing down. We've had
2 enough of it. If they want to build it, come back
3 and resurvey it."

4 I think they surveyed this two years ago,
5 if I remember right, when we had all the snow. And
6 they couldn't get down anything but the mail routes
7 and the school bus routes and that there to take a
8 picture of what they wanted to work with. Let's
9 get it so that they're doing a job that, oh, an
10 engineer should do when he does something. This
11 here it looks like they had a square that was big
12 enough to go over one inch, and they turned it
13 every time so that they could make a stair step.
14 And that's not an engineer's way of doing
15 something. The proper way to do that is point A,
16 point B, straight line. And this here, there is no
17 straight line. And thank you. Mr. Podoll, he did
18 the work on that other proposal and did a heck of a
19 job for us. Thank you.

20 **CHAIRMAN HANSON:** Thank you, sir. Further
21 comments? Good evening.

22 **RYAN BUNTROCK:** Good evening.
23 Ryan Buntrock, B-U-N-T-R-O-C-K. Columbia.
24 Garland Township. I have a question for the BSSE
25 on if the PUC hasn't given you the permits or

1 nothing yet to do any work, why do you have
2 surveyors out chipping up on our roads already and
3 the roads that you're on, the landowners haven't
4 even signed nothing yet. My father and I have went
5 and met with your crew, and they said that they
6 were testing and surveying on the roads already,
7 both township and county. That's my question.

8 **HENRY FORD:** Terry, you want to answer
9 that?

10 **TERRY FASTEEN:** Sure.

11 **HENRY FORD:** Terry Fasteen is our
12 consulting engineer from Kadrmas Lee & Jackson.
13 They're the survey company. I can give you kind of
14 a general response, but I think Terry would give
15 you a little bit better.

16 **TERRY FASTEEN:** Terry Fasteen with KLJ.
17 Part of the reason that people are out doing
18 surveys, they're looking for section corners,
19 quarter corners, which by law that access to the
20 right-of-way has been granted. So for part of the
21 project, as you're hearing Bud point out, to do an
22 engineering research to really look at things, you
23 need to set and establish control.

24 You've heard there is no legal
25 description. You can't write a legal description

1 accurately unless you locate for established
2 section corners. That's what the crews are out
3 there doing. That's what they're trying at this
4 time.

5 It's true that there hasn't been an
6 application granted. So the opportunity would be
7 either to -- for the owners to expense some moneys
8 in advance, anticipate they're going to get a
9 permit, and do the work ahead of time; or wait
10 until that point in time, if the application was
11 granted, and then try to undertake all the work and
12 get the project constructed. So it's part of a
13 gamble, I guess you could put it, on their side
14 that we're out there doing this. But that's what
15 they're trying to do. Plus there was an aerial
16 photography plan to look at ground features, and
17 again, to make sure that they line up with the
18 sections you need control. So that's part of what
19 the survey crew were doing.

20 **RYAN BUNTROCK:** So even though they're
21 chipping up on our township roads already, doing
22 drilling and actually chipping up the roads?

23 **TERRY FASTEEN:** That's the only way you
24 can get to a section corner in most cases because
25 they're usually buried under something. So that's

1 how they do it. They actually have to locate that
2 section corner or determine if it is there or not.
3 And if it's not there, there is a public land
4 survey system that's established by the government
5 to tell you how to reestablish it. So in order to
6 determine that, they have to physically look for
7 it. So that's what they're doing. If that answers
8 your question.

9 **RYAN BUNTROCK:** Yeah. Thanks.

10 **CHAIRMAN HANSON:** Interesting question.
11 Thank you. Good evening, sir.

12 **CHRIS ROETTELE:** Thank you.

13 Chris Roettele. R-O-E-T-T-E-L-E. Columbia. I
14 have a couple questions. First one was, it was
15 brought up at the last meeting about life of the
16 easements. It was brought to everyone's attention
17 that North Dakota was a 99 versus a life term of
18 easement. What have -- Have you guys thought about
19 that for South Dakota maybe getting a 99 or less
20 than a life, that way maybe my kids or grandkids
21 could possibly not be affected by this?

22 **HENRY FORD:** Yeah, I guess what we're
23 doing is following the law in each of the states.
24 And North Dakota has a law that limits the easement
25 to 99 years. It's a relatively new law, but

1 South Dakota has no such law so we have the right
2 to get a perpetual easement.

3 **CHRIS ROETTELE:** So with the landowners
4 here, their right is taken away from them, and they
5 have no ability to do anything about it. Is there
6 any chance that you would do 99 just like
7 North Dakota, to try and help out the landowner?

8 **HENRY FORD:** Well, from our perspective, I
9 guess, the question is what happens -- and, sure,
10 it's way beyond any of our lifetimes here -- but
11 from a business standpoint, I mean, if you invest
12 \$300 or \$400 million in a project like this, and in
13 some distant point in the future we no longer have
14 the right to have that facility there, and the
15 facility is still needed and is still, you know,
16 being used, you know, we're kind of left in a bad
17 position as far as companies. We would have to go
18 out and renegotiate. I mean, the line is, I would
19 hope, is still going to stay in that location. So
20 we would be forced to come out and renegotiate it.
21 And I guess in North Dakota they passed that law so
22 that's why we're doing it. If South Dakota passed
23 that law, I guess we would have to do that. But
24 that's the whole reason why perpetual easements
25 were originally established was for these

1 facilities that are intended to be there, you know,
2 essentially forever.

3 **CHRIS ROETTELE:** Well, and I'll just leave
4 it at this, but I guess my thoughts are, is that
5 does cause potential money and problems for you,
6 but your value that you're giving the landowners of
7 80 percent, which I also just found out now
8 50 percent for the overhang, they don't get the
9 increased value 99 years down the road. And as we
10 know, the last 20 years, ground has gone up from a
11 thousand dollars to 13,000. So we're losing that
12 value, that time value in the future that we would
13 maybe need to know. At least my grandkids could
14 get a little bit of it back down the road. I guess
15 we'll leave it at that.

16 And on the other thing on the easement
17 value. The last two meetings I've been to, I was
18 told 80 percent on each of them. Just a couple
19 days ago I was informed about this 50 percent. How
20 long has that been out there? My -- I don't own
21 any land on this, but my -- I rent land, and the
22 owner of it did not know about it either. And so I
23 guess I'm kind of wondering why we weren't informed
24 of this earlier in any public meetings.

25 **HENRY FORD:** Yeah, I can't tell you off

1 the top of my head whether that was ever discussed,
2 but overhang easements have been considered to be
3 paid at that rate since the beginning of the
4 project based on the fact that there is physically
5 nothing, there is really nothing encumbering that
6 property, other than just the fact that the
7 150-foot right-of-way would be there. So there is
8 that, that encumbrance of the easement, whatever
9 that distance would need to be. But there is
10 nothing physically in your way on the property. So
11 that's why there is a difference.

12 **CHRIS ROETTELE:** And I'm fine with that
13 if we would have been informed. I know at one of
14 the meetings, there was a recorded event that the
15 question was asked and we were directly told
16 80 percent. And so that kind of disturbs me that
17 we were lied and it was caught on tape. But the
18 bigger thing is, one of the issues with my
19 landlord, she actually was not opposed to this
20 route, and -- but she was told when the option
21 contract came out, that she would only be giving
22 rights to soils actually on the ground. And from
23 my understanding from one of the other people here,
24 that brought it to the attention here, that she
25 actually signed the right to let you place easement

1 anywhere on her ground. Is that correct?

2 **HENRY FORD:** What the purpose of the
3 option was, is really to determine a landowner's
4 willingness or non-willingness to have the line
5 crossing on their property. So we're talking to
6 the landowners in a sense before we really know
7 where the line is going to be. You know, what
8 you've been seeing is, is preliminary structure
9 locations and, you know, you've seen these five
10 route changes today. The option, there is an
11 exhibit that goes with every option, and that
12 exhibit outlines a 500-foot-wide strip of land. So
13 what we determined is that with, I guess, pretty
14 high level of confidence, we expect the center line
15 to be somewhere within that 500-foot strip of land.
16 And that's what the easement is -- or the option
17 agreement is stating or covering.

18 **CHRIS ROETTELE:** So then beings she signed
19 that, she's giving you the right to basically put
20 it within that 500 feet; correct?

21 **HENRY FORD:** Well, she hasn't signed an
22 easement yet, but, yeah, that's the intention, is
23 that in signing the option, that landowner has
24 agreed that we -- that they would support the line
25 coming somewhere within that 500-foot strip.

1 **CHRIS ROETTELE:** If you were told that
2 you'd lose \$90,000 by signing that because you
3 didn't know that it was 50 percent versus 80, would
4 you sign it? Because she was, unfortunately, lied
5 to and I wanted on her behalf, even though she's
6 for this, to make it known that -- You've showed a
7 slide earlier that 60 percent of options were
8 signed. My landowner was lied to. She did sign
9 it. I have not been contacted. I know many of the
10 other farmers in here that actually farm the ground
11 and own it were not informed of a lot of these
12 things. And she told me that there was discussion
13 with you guys that you guys were going to talk to
14 me about where the location of the line would be.
15 I have not received a phone call. So it disturbs
16 me that she was lied to, and that she didn't know
17 the value of what she could have, and I guess now
18 she's kind of out on one leg right now.

19 **HENRY FORD:** Yeah, the only thing I could
20 say to that is I guess we'd have to find out which
21 of Terry's land agents was dealing directly with
22 her to find out if this is true or not, I guess.
23 All the land agents were trained at the beginning
24 of the project. They understood the difference
25 between overhang easement and pole location

1 easement. So I can't make any excuses why a land
2 agent would have gone out there and said the wrong
3 thing.

4 **CHRIS ROETTELE:** Okay. I'll finish up
5 here, but I'd like the PUC to at least, you know,
6 think about these easements, the 99 versus life,
7 and then the fact that no one else -- and possibly
8 some of these other 60 percent people have signed,
9 did not know until they got the final paperwork,
10 that, hey, it's 50 percent versus 80 percent.
11 Thank you.

12 **CHAIRMAN HANSON:** One second, please. I
13 believe Commissioner --

14 **COMMISSIONER NELSON:** The follow-up
15 question that I've got for Mr. Ford, in the
16 easement that's presented for signature, does it
17 have the 50 percent figure in it?

18 **HENRY FORD:** The --

19 **TERRY FASTEEN:** The option, it should be.
20 Well, they're signing --

21 **HENRY FORD:** I'll let Terry answer.

22 **TERRY FASTEEN:** I believe --

23 **COMMISSIONER NELSON:** You're signing an
24 option, but obviously you're seeing the easement
25 language at that same time; correct? Or not?

1 **HENRY FORD:** Yeah, we're -- Go ahead.

2 **TERRY FASTEEN:** Yeah, Terry Fasteen again.
3 When the landowner gets a package, it has the
4 option document in it, and talks about how many
5 acres the easement would be. It talks about if
6 it's an overhang or a -- we call it, a straight
7 easement at 80 percent or at 40 percent, so, you
8 know, 50 percent of the land value. In that
9 package, also, is a sample document of what the
10 easement would be. The easement is not filled out,
11 because we don't have the specific, the project
12 does not have a specific location, because they
13 don't have an application. So within that 500-foot
14 option area, that easement document isn't
15 completely filled out.

16 But, again, on an option document, it
17 shows what the intent for the option payment is,
18 and there is conversation with the agent as to
19 based on a percentage of crop, your easement
20 payment could be X-number of dollars or if it's
21 pasture. And it does, it shows if it's overhang or
22 not. So that conversation there.

23 I can't say because I'm not in every
24 conversation with that person, but I truly don't
25 believe that our agents would deliberately lie and

1 tell somebody they're going to get something that
2 they're really not. But, again, I'm not there
3 having the conversation so I can't make that
4 comment. But I don't know who we're talking about.
5 Maybe you and I can get together and you could tell
6 me who you're referring to because I don't know
7 everybody, sorry.

8 **CHRIS ROETTELE:** We can discuss
9 afterwards.

10 **TERRY FASTEEN:** Sure.

11 **CHRIS ROETTELE:** And like I said, I was
12 not there either. This is just what I was
13 informed. Like I said, she is for it -- or not
14 against it, I guess I would say. So that's why,
15 like I said, I figured the truth and the right
16 details would be perfectly fine in that scenario,
17 and I just want to make sure that everyone here
18 gets the truth, I guess, so we can all see what
19 we're doing.

20 **COMMISSIONER NELSON:** I'm just going to
21 ask a follow-up question. So in this packet, there
22 is a description that describes what an overhang
23 easement is, and that it is paid at 50 percent; is
24 that correct?

25 **TERRY FASTEEN:** It shows that a straight

1 easement is at 80 percent and that the overhang is
2 at 40, so.

3 **COMMISSIONER NELSON:** And does it describe
4 what an overhang easement is?

5 **TERRY FASTEEN:** I believe it does. I
6 believe it says that the easement is on the
7 property, but there is no physical structures on
8 the property.

9 **COMMISSIONER NELSON:** Thank you.

10 **CHAIRMAN HANSON:** Terry, do any of your
11 options -- Let me ask it this way. Are all of your
12 options exactly the same from a standpoint of --
13 obviously, the property that's described and the
14 person who is signing it is different, but are they
15 all identical?

16 **TERRY FASTEEN:** Unless there was some
17 specific request to define something clearly to
18 someone. It's a template.

19 **CHAIRMAN HANSON:** Okay.

20 **TERRY FASTEEN:** So it's just replicated
21 with name and --

22 **CHAIRMAN HANSON:** Do you have on any of
23 the -- Specifically, what I'm interested in is
24 knowing, do you have any options that would state
25 anywhere within the property, boundaries? Do all

1 of them -- Another way of asking the same question
2 is: Do all of the options state within 500 feet?

3 **HENRY FORD:** The exhibit.

4 **CHAIRMAN HANSON:** You stated when you were
5 telling us about this particular easement or about
6 an easement you said you didn't know which one we
7 were talking about, and that it said, it states
8 that your intent is to place the line inside the
9 500-foot line.

10 **TERRY FASTEEN:** Yeah.

11 **CHAIRMAN HANSON:** Now, do all of those,
12 all of the easements that you submit to landowners
13 have that statement in them, or do some of them
14 state within the boundaries of the property?

15 **TERRY FASTEEN:** The option agreement would
16 state within the 500-foot limit. Now, some people
17 don't have a full, you know, 500 on their property,
18 because they might have a quarter line, but the
19 exhibit physically shows that. And the text is the
20 easement would be placed within the option area
21 boundary. And it's -- In an aerial photograph, the
22 option area is boldly outlined. And it's -- It
23 does state that, yes.

24 **CHAIRMAN HANSON:** And do all of them state
25 the price that is going to be paid?

1 **TERRY FASTEEN:** For the easement or for
2 the option? For the option, it does. When we
3 first meet with the landowners, we don't exactly
4 know how much is crop and how much is pasture. And
5 it says that that will be fully determined when the
6 actual footprint location is determined, because it
7 could switch, based on the legal description and
8 the legal -- or the land use within 150 feet.

9 **CHAIRMAN HANSON:** Certainly. But does the
10 option specifically state how that's going to be
11 calculated?

12 **TERRY FASTEEN:** Um, I can't really recall
13 all the verbiage right now at this time, but I
14 cannot -- I would look and get back to you on that.

15 **CHAIRMAN HANSON:** I don't necessarily mean
16 that it's going to be this many acres. What I'm
17 asking is, does it state the amount of money that
18 would -- that would be -- that would be paid for an
19 overhang or the amount that would be paid for poles
20 area?

21 **TERRY FASTEEN:** We don't have that
22 specific calculation at that time. You know, it
23 just said that we pay by the land use at X-number
24 of dollars per acre.

25 **CHAIRMAN HANSON:** I'm concerned about any

1 ambiguity that would be in the option.

2 **TERRY FASTEEN:** The best I could probably
3 do is bring it to you, so you could -- send it to
4 you so you could read it yourself.

5 **CHAIRMAN HANSON:** All right. Thank you.
6 Any further questions at this juncture? Sir.

7 **RANDY SCHURING:** Commissioner Hanson,
8 Randy Schuring again. I have in front of me an
9 option that was given to me on Friday, and I'll
10 grant that I haven't reviewed it thoroughly, but
11 just glancing through it I see nothing in here
12 saying 80 percent or 50 percent. And I'm glancing
13 through here. If it's in here, I would like to
14 have somebody show me. Because I haven't had a
15 real good chance to study it, because I just got it
16 Friday. But it says nothing in the option about
17 80 percent or 50 percent.

18 **CHAIRMAN HANSON:** Thank you.

19 **HENRY FORD:** Do you want to look at it?

20 **TERRY FASTEEN:** Yeah.

21 **HENRY FORD:** Could we look at it?

22 **CHAIRMAN HANSON:** Mr. Schuring, would you
23 mind bringing that up to counsel for the Applicant?

24 Thank you. Yes, sir.

25 **DARRIN ERDMANN:** My name is

1 Darrin Erdmann. That should be easy to spell. I'm
2 a third-generation farmer located primarily in the
3 center of Brown County. The reason I'm here is
4 I've had no follow up with BSSE since the meeting
5 last fall concerning this project. I asked
6 numerous questions at that and just kept hearing,
7 "Yep, we'll get back to you on that." Haven't
8 heard anything back.

9 One of the things that they spoke of was
10 repetition of service, that even though we've
11 already got three other lines coming through our
12 township, we need a fourth so in case one goes
13 down, you know, you can't rely on just one power
14 line to feed everyone. My issue with this is, if
15 there is a severe weather event, it's -- you're
16 probably going to take out the lines within a mile
17 or two. And they're going across the Jim River and
18 the last time I can remember being able to cross
19 the Jim River, I was not old enough to have a
20 driver's license. And that's where these lines are
21 going across. It says the route that they
22 rerouted, was actually, on this number three, was
23 where --

24 **CHAIRMAN HANSON:** Excuse me, sir. Excuse
25 me.

1 Your conversation is going to have to be
2 away from the court reporter. She needs to be able
3 to hear what's being said. Thank you.

4 **DARRIN ERDMANN:** The reroute there, the
5 red line, the county just tore out that bridge. So
6 even at low or below normal water level, best-case
7 scenario, there is no way for those -- for them to
8 get across there without going way around to get to
9 the other side of the line.

10 The other thing that I asked about last
11 fall was radio interference. It was mentioned, the
12 inability to place these transmission towers in the
13 railroad right-of-ways since the footprint of the
14 tower is small, yet the electrical field was liken
15 to an interstate highway.

16 Now, I would like to know what is going to
17 be done to ensure we are able to continue using
18 corrected GPS signals such as RTK without accuracy
19 being affected. The response that I got last fall
20 was GPS is line of site, and going under a power
21 line isn't going to hurt anything because you're
22 looking at the satellite. We need to correct those
23 GPS signals with a base station. And, you know, we
24 don't use them for steering and guidance anymore;
25 that's a minor use. The thing that we use the GPS

1 technology for is site specific application of
2 fertilizer, seed, and chemical. We're currently
3 zeroing in our productivity so specific that we can
4 have different seeding populations every
5 two-and-a-half feet. And by having the radio
6 interference from these towers, we've got ten feet
7 to a half a mile that were affected by not being
8 able to correct and farm to the best of our
9 ability.

10 And we as producers need to know what
11 you're going to do to mitigate this, because as
12 we're in South Dakota and easements are for
13 perpetuity, the technology to do what we're doing
14 has come about in the last ten years. There is
15 nobody that can tell what we're even going to be
16 able to do in the next two. And, yet, we're going
17 to have to live with this power line through the
18 most productive land in the county or the state for
19 perpetuity. And no response. You didn't get back
20 to us.

21 The soil disruption. You mentioned that
22 it was only a disturbance, not --

23 **THOMAS WELK:** Sir, I need to respond to
24 you.

25 **DARRIN ERDMANN:** Okay.

1 **THOMAS WELK:** We did respond to a data
2 request. There was a follow-up --

3 **CHAIRMAN HANSON:** Tom. Mr. Welk, please.

4 **THOMAS WELK:** Oh, excuse me. In answer to
5 your inquiry, the staff sent us a written request
6 to answer under oath and we did respond to the PUC,
7 a staff, and follow up yours. And also one more
8 thing to help you, we brought an electrical
9 engineer, who is knowledgeable about this to try to
10 answer your question. So if you'd like to hear
11 from him.

12 **DARRIN ERDMANN:** That would be great.

13 **THOMAS WELK:** He's the one that
14 actually -- As a result of your inquiry last time,
15 we did follow up. We took it seriously, the staff
16 took it seriously, and we did some additional
17 research. So if you'd like to hear from Mr. Leman,
18 he's the electrical engineer that's familiar with
19 the systems.

20 **DARRIN ERDMANN:** That would be great.

21 **THOMAS WELK:** Do you want him to respond,
22 Mr. Chairman?

23 **CHAIRMAN HANSON:** That would be
24 appropriate, yes.

25 **THOMAS WELK:** Okay. His name is

1 Jon Leman. He's from Power Engineering.

2 Jon, would you just give a little bit of
3 background about yourself and your electrical
4 engineering and your familiarity with the guidance
5 systems, GPS.

6 **JON LEMAN:** Not sure -- As was mentioned,
7 my name is Jon Leman. I work with Power Engineers,
8 Incorporated. I've been with Power for about
9 14 years now. I would have been involved in the
10 design of high-voltage transmission line and
11 analysis of electric and magnetic field issues, as
12 well as interference issues like the question
13 that's brought here. Prior to Power, taught
14 electrical engineering for the United States Navy.

15 So to your question regarding GPS, there
16 are two ways in which GPS can be interfered with.
17 The first way is the line-of-sight issue that you
18 brought up, and the second way is by interference
19 from the radio, radiofrequency transmissions from
20 the power line. So the electric fields around the
21 conductor emit radiofrequency signals that are
22 broad spectrum, and there are certain things that
23 that can interfere with. However, GPS signals, for
24 example, RTK, or even the older style GPS, uses
25 frequencies that are above those that are produced

1 by the transmission line.

2 GPS tends to be in frequencies of
3 450 Megahertz to 900 Megahertz. Hopefully that's
4 similar to what you've seen in your GPS systems.
5 The frequencies of radio-interference broadcast by
6 high-voltage transmission lines tends to be around
7 1 Megahertz, and as you go above 1 Megahertz, it
8 drops off, drops off significantly. So we wouldn't
9 expect to see any interference from the
10 radiofrequency broadcast of the transmission line.
11 Rather, it would be a possible line-of-sight issue
12 like you might have for a tree or any other
13 building.

14 Does that answer your question?

15 **DARRIN ERDMANN:** Yes. My concern is,
16 though, is if you're wrong, what is going to be
17 done to mitigate the problems that we see when this
18 power line goes up?

19 **JON LEMAN:** Yeah, I'm not going to answer
20 that question, because I've done my research and
21 I'm pretty confident in that answer, but maybe I
22 can turn that back to Mr. Ford.

23 **HENRY FORD:** Still, thanks.

24 (LAUGHTER.)

25 **THE COURT REPORTER:** Spell your name,

1 quick.

2 **JON LEMAN:** J-O-N, L-E-M-A-N.

3 **COMMISSIONER NELSON:** Mr. Erdmann, I keyed
4 in on your question last fall because it was a
5 great question, and I appreciated when the company
6 filed their response. I read that and appreciated
7 the work you did on that. My question for you is,
8 we obviously got high-powered transmission lines
9 all over ag country. We got people doing the exact
10 kind of technology you're talking about. Do you
11 have any evidence that this is creating a problem
12 anywhere? That's what I want to know.

13 **DARRIN ERDMANN:** It depends on who you
14 talk to. You know, evidence, you can have an
15 engineer battle all day long. You know, each side
16 can bring them in. From my experience we have
17 typically had more problems with our GPS when we're
18 crossing under high-power voltage lines.

19 **COMMISSIONER NELSON:** So you've seen the
20 problem. Explain to me what happens when you do
21 that.

22 **DARRIN ERDMANN:** You lose signal.

23 **COMMISSIONER NELSON:** For how long?

24 **DARRIN ERDMANN:** It's in the vicinity of
25 the lines. And I'm not going to stand here and say

1 that it's forever. You know, there is days it
2 happens; there is days it doesn't. But when it
3 happens, it tends to be in the fields with the
4 high-voltage lines. And the problem is, we don't
5 have a clue where this technology is going. I was
6 just informed by a representative from John Deere
7 that their next step is we're not even going to
8 have wiring harnesses anymore. We're going to have
9 wireless transmission of information from the
10 implement to the tractor. We already have tractors
11 and combines talking to each other in the field.

12 The problem I see is this line is forever.
13 We don't know where technology is going to go. Are
14 we going to be prohibited from using it in some of
15 the best soil in the state?

16 And as far as the soil goes, they
17 mentioned six inches, is what was Mr. Ford
18 mentioned, I believe it was you, that mentioned it
19 last fall. Six inches is what was going to be
20 affected during a construction. That's the soil
21 that matters. Corn roots go down over six feet on
22 a regular basis.

23 There is a lot of things that people do to
24 take care of their ground using tracks, not going
25 out there when it's wet. Who is going to have

1 control when you guys are in the field? Do we have
2 veto power and say, "It's too wet. You're not
3 going to tear it up. You're not going out there"?
4 Or are you guys in charge of that?

5 **HENRY FORD:** The construction manager who
6 is, you know, the boots on the ground, is
7 ultimately the one that is going to make that call,
8 and I guess as a landowner, you would be talking to
9 him or, hopefully, contacting him. And, you know,
10 I think that he's going to have that kind of
11 instruction. I mean, if the field conditions are
12 too wet, I mean, if we're doing a lot of damage out
13 there, we don't want to do that because that costs
14 us more money as well. So we're going to try to
15 avoid that as much as we can, but, you know, I'm
16 not going to be sitting out on the project myself.
17 It's going to be our construction manager.

18 **DARRIN ERDMANN:** So, ultimately, it's the
19 construction manager's call on whether they can go
20 out on the land, whether it's fit to be worked?

21 **HENRY FORD:** I would say so, yes.

22 **DARRIN ERDMANN:** Okay. I have other
23 issues. The road damage, it's been mentioned. The
24 bonding, it's been mentioned. Yield loss
25 compensation, it's been mentioned. Aerial

1 application, it's been mentioned. Land
2 devaluation.

3 As far as drainage, is there anything in
4 the easement which would prohibit us from running
5 tile line underneath the power lines?

6 **HENRY FORD:** I would say no.

7 **DARRIN ERDMANN:** Okay. A couple of last
8 things I want to touch on. We met with a lady, I
9 think it was last Friday -- or Monday that she came
10 out. Just recently. And it was very a threatening
11 tone, that if we didn't sign off on this, there
12 would be eminent domain. I also asked her if the
13 option was truly an option or whether we were
14 basically signing our rights away, and in that
15 option we agreed to sign the easement -- or we were
16 going to be obligated to sign the easement. And
17 she hemmed and hawed a little bit and finally she
18 did say that -- "Yeah." So it's not really an
19 option. You sign that option thinking -- And they
20 talked about this four- or five-year deal, but from
21 her information, we're obligating ourselves to sign
22 the easement.

23 And the other thing you mentioned just a
24 few minutes ago, is we're going to use 2015 land
25 values, but there is land values already written in

1 the contracts. So which are we going to use? Are
2 we going to use the land values that have already
3 been presented to us? Or are we going to use the
4 2015 land values as you stated a few minutes ago?

5 **HENRY FORD:** Well, we kind of said from
6 the beginning that our intention is to keep track
7 or keep a watch for how land values are changing.
8 So as land values change, those payments will be
9 adjusted, you know, up until we sign an easement.
10 So I think we have that intention to review the
11 land values again, probably early next year before
12 we would go forward with making those payments.

13 **DARRIN ERDMANN:** So you have the intention
14 of reviewing them, or they will be reviewed?

15 **HENRY FORD:** They will be.

16 **DARRIN ERDMANN:** And you mentioned earlier
17 that it will benefit wind generation. So if there
18 is a wind project between Ellendale and Big Stone,
19 they're going to be allowed to tie into this?

20 **HENRY FORD:** Absolutely. If they want to
21 tie into it, it's beyond our control.

22 **DARRIN ERDMANN:** Thanks much.

23 **CHAIRMAN HANSON:** Thank you. Any further
24 comments?

25 **COMMISSIONER FIEGEN:** I just have --

1 **CHAIRMAN HANSON:** Oh, Kristie here.

2 **COMMISSIONER FIEGEN:** I just have a quick
3 followup for Mr. Ford. You talked about the
4 construction manager and that that person would
5 have ultimate decision on when they go in the
6 agriculture land. Are they changed on soil
7 compaction? Are they trained on agricultural
8 practices? Do they have training on that so they
9 can make a good decision for our agricultural
10 farmer?

11 **HENRY FORD:** I can't personally answer
12 that question. That would be a consultant that
13 would be doing that work so I'm going to try to
14 defer to Mark Shaw here with Power Engineers and
15 see if he can answer it.

16 **MARK SHAW:** I'm Mark Shaw with Power
17 Engineers. Shaw is S-H-A-W. And it kind of
18 depends on the construction manager. We have a
19 variety of experiences. I'm not aware that we have
20 specific training like you're asking, but that's
21 not to say that we don't already have that. It's
22 something that I've not run across myself so I
23 couldn't tell you for sure. But we can certainly
24 check and find out what our typical construction
25 managers have.

1 **COMMISSIONER FIEGEN:** Thank you. Because
2 if they have ultimate decision-making authority on
3 soil compaction as might relate to agriculture,
4 certainly look at it every day, our farmers are
5 looking at it every day, and we want to make sure
6 the construction manager understands the practices.

7 **MARK SHAW:** I mean, with their experience
8 I think they have gained experience, but whether
9 they have absolute training, that's what I'm not
10 sure.

11 **COMMISSIONER FIEGEN:** (Nods
12 affirmatively.)

13 **CHAIRMAN HANSON:** Yes, sir. Good evening.

14 **DAVE NILSSON:** Yes, I'm Dave Nilsson.
15 N-I-L-S-S-O-N. I'm in Cambria Township. Is part
16 of the reasons why you're not doing the overhang,
17 and you're not going to put it right down the
18 section line, is that way you can cheapen up the
19 route because you're only paying 40 percent on half
20 of it?

21 **HENRY FORD:** No.

22 **DAVE NILSSON:** Well, then why aren't we
23 putting it right down the middle of the quarter
24 lines?

25 **HENRY FORD:** We are doing that in quite a

1 number of locations. There again, it depends on
2 the landowner themselves, if that's where they want
3 it. In a lot of cases, you've got, you know, one
4 landowner who is willing to take the poles and the
5 neighbor isn't, so. There is no -- They're not
6 going to all be in the same place.

7 **DAVE NILSSON:** How about the right-of-way
8 lines? Are you still going to do the 150, 200
9 feet, 50 feet out, or can, if the township and the
10 county says it's okay, we can put them right in the
11 right-of-way; we do not have to stay 150 feet off
12 the road?

13 **HENRY FORD:** Let's see. We are looking at
14 each of the county's setback rules from their
15 right-of-way, and --

16 **DAVE NILSSON:** Brown County does not have
17 a rule.

18 **HENRY FORD:** Brown County. Is that true,
19 Brown County has no setbacks?

20 **TERRY FASTEEN:** Not that we saw.

21 **HENRY FORD:** Okay. I guess I can't tell
22 you for sure. If there is no setback rule -- The
23 reason we were looking at, the 183 feet is what it
24 amounted to, from the section line or from the
25 center of the road was due to the idea that being

1 further out in the field was allowing the farmer to
2 farm around that structure versus if it's close to
3 the edge of the field, he can only go around one
4 side and so he's losing out on the cropland on the
5 other side of the pole.

6 Now, we have adjusted those locations in
7 more than one place where, for whatever reason, you
8 know, the farmer would prefer it to be closer to
9 the section line than that. But I guess we'd have
10 to take into account all the options we've got
11 here, and if that's what you're saying you would
12 like to do and there is no setback rules that would
13 prevent that, you know, then we probably could do
14 that.

15 **DAVE NILSSON:** So once the Commission says
16 that this is okay, and we go in and we're signing
17 the easements and everything, you're going to let
18 us change that pole placement where we want them?

19 **HENRY FORD:** Yeah, we're not going to be
20 done, you know, routing this line really until all
21 the easements are signed.

22 **DAVE NILSSON:** The next thing is when
23 you're doing the damage out in the field, we've
24 been doing no-till for a long, long time. There is
25 no way in the world you guys are going to be

1 driving around out there and not lose the 10, 15,
2 20 years of no-till. How are you going to
3 compensate that much time?

4 **HENRY FORD:** Do you have a recommendation?

5 **DAVE NILSSON:** Stay out of there.

6 (LAUGHTER.)

7 (Applause.)

8 **DAVE NILSSON:** And why was the route
9 changed on Section 28 down there? Why was that
10 changed? That's No. 3.

11 **HENRY FORD:** Okay, No. 3. Go back.
12 Section 28.

13 **DAVE NILSSON:** It's right in the middle
14 there. It's right where the substation is.

15 **HENRY FORD:** Why was it changed from the
16 original, the purple route?

17 **DAVE NILSSON:** Yeah, why didn't it keep
18 going straight south?

19 **HENRY FORD:** Terry, can you answer that?
20 I mean, this has all been part of the landowner
21 negotiations, so. I don't know that I have the
22 detail.

23 **TERRY FASTEEN:** Terry Fasteen, KLJ. Part
24 of the reason was the discussion with the
25 landowners, plus we've discussed, Dave, several

1 times about if it's possible not to cross
2 transmission lines, it's better. So the landowners
3 we've been talking with actually posed this route
4 to us. Why don't you come this way? It's a
5 benefit to us as landowners with our property.
6 Plus, we won't have to cross that transmission
7 line.

8 **DAVE NILSSON:** Is part of it because there
9 are three pivots down there that you couldn't
10 cross?

11 **TERRY FASTEEN:** I believe if you talk on
12 the original line, we did talk to those landowners,
13 and in talking with design, we could avoid those
14 pivots and put the line through there.

15 **DAVE NILSSON:** So it's just strictly you,
16 you talked to the landowners and they moving the
17 pivots had nothing to do with it?

18 **TERRY FASTEEN:** Correct. The
19 landowners -- I'm not naming names, because we told
20 them we wouldn't do this. But there is landowners
21 that have land on that line that said it would be
22 better for us if you could stay on our property,
23 reroute this line there, and would it or would it
24 not be better for you guys to avoid these
25 transmission lines? We took their advice. We

1 spent weeks, talked to their landowners on an
2 alternative route to see if they were open to that
3 or not, and that's why the land is going this
4 way -- or proposed to going this way, excuse me.

5 **DAVE NILSSON:** Okay.

6 **TERRY FASTEEN:** If that answers your
7 question?

8 **DAVE NILSSON:** Yes, it did. Thank you.
9 Then I guess your main deal here was you were going
10 to put wind towers, that's your main option to
11 this, is to try to get Minnesota to be renewable
12 fuels by two thousand -- What is it? 2020. That's
13 your main purpose here? Is that what your main
14 goal is?

15 **HENRY FORD:** Well, remember right at the
16 beginning of my presentation I explained how this
17 project was not something that was created by MDU
18 or Otter Tail. This was created by MISO, and
19 MISO --

20 **DAVE NILSSON:** But I'm concerned if you
21 look at the existing plans, you're going to
22 Big Stone, Big Stone to Brookings, Brookings to the
23 Cities.

24 **HENRY FORD:** That's correct.

25 **DAVE NILSSON:** So we're trying to get

1 renewable fuel to the Cities, is that what we're
2 really trying to do? And if wind power is part of
3 that, why are you trying to put a power line
4 through the lowest ground in South Dakota to try to
5 say that you're trying to put wind towers on it?
6 And it's also the best ground. You've heard that
7 how many times, the best ground maybe in the state,
8 and you're going through the lowest ground in the
9 state and you're talking wind towers?

10 **HENRY FORD:** Yeah, I can't comment on
11 where the wind farms might be. I don't know where
12 the wind farms might be. But from this overall
13 grid transmission loading analysis, a line between
14 those two points is what's necessary. So whether
15 or not a wind farm necessarily connects directly to
16 this particular line, this line is a benefit to
17 that wind farm.

18 **DAVE NILSSON:** You told me that at one of
19 the other meetings that this was an 85-year line.
20 Why are you worried about the easements longer than
21 85 years, when you said that this was 85-year line?

22 **HENRY FORD:** I think when we started out
23 very early in the public open house meetings, we
24 had not yet concluded that this was going to be a
25 steel monopole line and we were talking about wood

1 poles.

2 **DAVE NILSSON:** This was at the last
3 meeting that you were talking about you said it was
4 an 85-year deal.

5 **HENRY FORD:** Yeah, I don't believe I said
6 that for a steel monopole line.

7 **DAVE NILSSON:** You don't have any idea
8 where the pole placements or if you're going to be
9 putting corner posts in or not?

10 **HENRY FORD:** Corner posts?

11 **DAVE NILSSON:** You know, you've got to
12 have, anchor them in some way when you're turning.
13 Are you going to put those corners in, yes or no?
14 Because we've heard it both ways. We've heard
15 you're going to just put one pole in the corners,
16 turn and go. Next time you say you're going to put
17 corners in and you're going to anchor them.

18 **HENRY FORD:** What we're looking at doing
19 is, the corner will be the corner. And it can be
20 built so that it's unguyed or it can be built with
21 guy-wires. We are committed to not having any
22 guy-wires in any cultivated ground. Now, if a
23 landowner is agreeable, we can put down guys in
24 pasture land, and there would be an extra payment
25 for that.

1 **DAVE NILSSON:** Okay. I guess I've just
2 got a couple more things here. You're talking that
3 these aren't going to affect -- Do they know how
4 the transmission lines are going to affect like the
5 robots and the drones and those things in the
6 future? Does he have any idea what the effect of
7 those are going to be?

8 **JON LEMAN:** Can you -- This is Jon Leman,
9 Power Engineers. Can you repeat that question,
10 please?

11 **DAVE NILSSON:** The robots and the drones
12 that are shortly in our future. We've already got
13 robot tractors out there, and they're already
14 flying drones. Is that affecting this anywhere in
15 any amount?

16 **JON LEMAN:** Well, I can't comment on any
17 future technologies. But when you say robot
18 tractors, you mean the automated systems that
19 they're using now based on GPS technology?

20 **DAVE NILSSON:** No. We're talking about
21 tractors that are out in fields all by themselves
22 where you run them with a computer at home.

23 **JON LEMAN:** Okay. So you're running them
24 from a computer at home via what type of
25 communication link?

1 **DAVE NILSSON:** Well, I don't know what
2 they're going to do. This is all future stuff.
3 What are we going to affect? I mean, that's what
4 the whole problem is here. You're coming through
5 the best kept ground in the country, the most
6 technological part of the state. We are cutting
7 edge on a lot of the stuff that we do, and you're
8 going to take this ground and you're going to put
9 poles on it, and now we're not going to be able to
10 use it. So now we got robots beyond six, eight,
11 ten quarters that we've got. Now we've got to go
12 back and do the conventional stuff on these two or
13 three quarters with poles because we can't use them
14 on that.

15 **JON LEMAN:** I can't comment on future
16 technologies and how they might interact with this.
17 What I can say is that the behavior of the
18 transmission lines electromagnetically and their
19 radiofrequency spectrum is very well understood.
20 And so it's certainly feasible for designers to be
21 able to accommodate that, and that's as far as I
22 can comment there.

23 **DAVE NILSSON:** Well, at least you guys
24 understand what we're going through here. We got
25 too much technology coming through here, and they

1 can't answer our questions about what it's -- or
2 how it's going to affect us down the road. So how
3 are we supposed to know if we use this technology
4 or not when we don't -- not even sure what's coming
5 in at us.

6 And I guess the other thing that -- I've
7 heard so many comments of the people that are
8 coming and talking on the easements and doing that
9 stuff, the people out there, it seems like there is
10 no, no con- -- no reason for them not to tell, to
11 tell stories and tell lies and be -- and just say
12 whatever they want to say. Their main purpose is
13 to get that option signed, and they will do
14 anything or they will say anything to try to get
15 that option signed.

16 I heard stories about a guy telling me, he
17 said, I was told that I was getting paid more than
18 anybody else in the state. I know that was a lie,
19 because I knew I was getting paid more than him.
20 There has got to be some ramification of some sort
21 when they come out and started talking to us to be
22 honest with us, to be upfront with us, and not to
23 tell a story just to get this paper signed so they
24 can get their 60 percent up there. Thank you.

25 **(Applause.)**

1 **CHAIRMAN HANSON:** Yes, ma'am.

2 **GWEN ANDERSON:** Hi. My name is

3 Gwen Anderson. And I notice a lot of females in
4 the crowd, and I'm sorry that I'm the first one to
5 get up and say something but I feel the need. And
6 I tend to get a little feelie, emotional, and that
7 kind of thing, because I'm a fifth generation
8 farmer, farmer's daughter. My parents have farmed
9 for over 53 years. They've worked the land.

10 They've fed the -- They're feeding the world off
11 the land. They've taken care of South Dakota land.
12 All of us have been born and raised. My dad, my
13 grandfather, my great-grandfather, his father and
14 my great-great-great-grandmother started. So it's
15 kind of funny that I'm up here talking right now, a
16 female.

17 But with that, I'm just going to leave
18 that at that. Everybody in this room has brought
19 us facts, stories, opinions, feelings, strong
20 South Dakota roots right here. And I'm here to say
21 to our elected officials, our commissioners here,
22 that we need to take a look at this as a business,
23 and that all of our businesses are affected by this
24 transmission project. If I were to go to town to a
25 banker and say, I need a loan for a business, a

1 small business loan, they're going to ask me to
2 have my Ps and Qs and my dots done. I need to have
3 my homework done before I go there and ask for that
4 loan, or they'll refuse me and send me back to the
5 drawing board. That's what I think needs to be
6 looked at here strongly. This project needs to be
7 looked at strongly in that area, having their
8 homework done. And they haven't done that. They
9 haven't shown my family that. Thank you.

10 (Applause.)

11 CHAIRMAN HANSON: Thank you, Gwen. Good
12 evening again.

13 PAUL DULITZ: Good evening again.
14 Paul Dulitz. D-U-L-I-T-Z. Let me address
15 something that your engineer on the power line
16 mentioned earlier. He is a -- You said you had the
17 degrees in power engineering. Correct? Okay. I
18 have the Extra Class ticket on ham radio. I
19 understand the ham radio, and I understand that
20 even if this power line is -- radiates at 1, you
21 said, 1 Megahertz. Okay. That 1 Megahertz of
22 radiation is the direct radiation, but the energy
23 that it radiates will desensitize radio receivers.
24 And that's what Mr. Erdmann is -- the problem he
25 has with the GPS units, and that's the potential

1 we're going to see with, let's say, a quad copter
2 drone. If that's flying -- you know, a little more
3 about eBay. If that's flying near the power line,
4 he could lose communication between that drone and
5 the transmitter, the handheld transmitter, because
6 of an overload, overloading the receiver. It would
7 be, let's see -- What would it be akin to? Well,
8 it would be akin to what our court reporter has
9 here. She is listening and when we had this
10 conversation over here, you asked them to move away
11 from her. That was essentially the same thing as a
12 receiver overload. She couldn't discern between
13 the two conversations. That's what we're going to
14 have with this power line when things are close
15 enough.

16 I have grave concerns about what I can
17 receive on HF, which is approximately the same
18 frequency he's talking about. It's above broadcast
19 standard. The State of South Dakota has decided,
20 the Department of Health has decided that they're
21 best served for emergency communication between
22 hospitals, is to use ham radio. I'm between
23 Watertown and Aberdeen. The power line comes in, I
24 might -- I can't say definitively yet, but if I
25 can't communicate with my fellow hams in Watertown

1 to relay information under poor conditions, oh,
2 well, somebody's life may be lost. Won't be
3 Mr. Ford's. Won't be our esteemed colleague here
4 with the engineering degree, but it could cost
5 somebody their life. Is it worth it? Nope. Do I
6 have any -- Do you have any questions for me?

7 **JON LEMAN:** Jon Leman again,
8 Power Engineers. I don't have any questions, but
9 if I could comment on that as well. I also happen
10 to be an Extra Class ham operator, 87GC.

11 **PAUL DULITZ:** N0TPW.

12 **JON LEMAN:** Nice to make your
13 acquaintance.

14 **PAUL DULITZ:** Nice to make your
15 acquaintance.

16 **JON LEMAN:** One thing I will say is, in
17 general I agree with your statement that if there
18 is a broad spectrum noise signal, then that can
19 affect a receiver. But where, I guess the
20 difference lies, is the frequency of the GPS units
21 that we're discussing are so much higher than the
22 radio interference that would be broadcast by the
23 transmission line, that the, you know, analogy that
24 you drew here between the conversation taking place
25 here interfering with our court reporter, it would

1 be like if they were having a conversation and
2 using dog whistles over here, if that was taking
3 place, she wouldn't be interfered with, because the
4 difference in the frequency is so high.

5 Now, your comment on HF, certainly, if
6 your HF receiver was near the transmission line,
7 you might experience some interference. But if
8 you're a distance away from the transmission line
9 trying to communicate with a ham operator on the
10 other side of the transmission line, I wouldn't
11 expect any interference there. It's only going to
12 be interference to a receiver that's within the
13 sphere of influence of the radio broadcast.

14 **PAUL DULITZ:** The electromagnetic
15 envelope.

16 **JON LEMAN:** That's correct. That
17 electromagnetic envelope drops off very quickly as
18 you move away from the conductor. So the line is
19 designed with that in mind. So, again, any
20 interference you might experience on HF would be
21 only if your receiver is right next to the
22 transmission line. But it's not going to interrupt
23 communications from point A to point B when those
24 two points are not near, right near the
25 transmission line.

1 **PAUL DULITZ:** Uh-huh (Yes). What I'm
2 wrapping around this is that, see, I'll be
3 approximately -- depending on where it's actually
4 routed, the work -- the farthest away I probably
5 will be is approximately three-quarters of a mile.
6 And the way I see it is, you know, you've got the
7 sphere of influence. You've got the ground wire
8 over the top. You've got the grounding, earth
9 ground underneath, which is, you know, more or
10 less, we get what we get. We don't get a very good
11 ground there all the time. But -- On skywave, I
12 can understand. That's going to bounce over the
13 tower, over the power line. But on a direct wave,
14 which is approximately 30 miles of, 25 to 30 miles,
15 unless I use the high-incident antenna system,
16 which would cause the wave to essentially,
17 practically go straight up, and then hit the
18 ionosphere and bounce right back down to that
19 30-mile skip, that 30-mile hop. I don't know, I'm
20 going to be looking line of sight right to that
21 power line. And, you know, if you're going to come
22 on -- you know, if we can arrange a time to
23 demonstrate on a different location where there is
24 345 kVA line, you know, I'll look at it. But at
25 this point, you know, we've got to admit that my

1 conditions, your conditions of the demonstration
2 may be a lot different. But where do we want to go
3 with that?

4 **JON LEMAN:** Yeah, and I'll just simply
5 clarify. When I say there is a sphere of influence
6 of radiofrequency noise being broadcast by the
7 transmission line, that is a broadcast. That is
8 not a solid wall that your signal cannot then pass
9 through. So the cross section of your conductor is
10 actually very, very small. So if you're using two
11 meter, for example, line of sight with someone
12 else, I wouldn't expect any problems with that,
13 again, unless the receiver is very near the
14 transmission line.

15 **PAUL DULITZ:** And two meters I would. But
16 I'm talking about 38.60.

17 **JON LEMAN:** Even then.

18 **PAUL DULITZ:** 38.60. And I do have 160
19 capability. And 160 meters, that would be
20 approximately 1.4, is it? Yeah.

21 **JON LEMAN:** Yeah. Even at that frequency,
22 line of sight shouldn't be blocked by these
23 conductors which are quite thin and signals can
24 pass through that corridor.

25 **PAUL DULITZ:** Okay.

1 **CHAIRMAN HANSON:** Gentlemen, I'm going to
2 ask that -- This is an intriguing conversation.

3 (LAUGHTER.)

4 **PAUL DULITZ:** It's intriguing to me, I'll
5 tell you that, but I understand your point.

6 **CHAIRMAN HANSON:** I'll ask that -- I think
7 the asked and answered has taken place considerably
8 here, and it sounds like the two of you should get
9 on your ham radios --

10 (LAUGHTER.)

11 **CHAIRMAN HANSON:** -- and have some
12 chitchat. But we very much appreciate the
13 conversation, and I'm sure that we'll hear more of
14 it later.

15 **PAUL DULITZ:** All right. Thank you.

16 **CHAIRMAN HANSON:** Thank you very much.
17 Yes, we have another -- Randy Schuring, welcome
18 back.

19 **RANDY SCHURING:** We moved our conversation
20 out in the hallway and Terry admitted that it
21 doesn't say exactly what he thought it said. Okay.
22 And one other thing I think that they need to,
23 their team needs to get together on, because we've
24 been told here, tonight, you know, what the
25 easement price would be, and you said that 2015

1 prices you'd be looking at it. Well, I just happen
2 to have this copy of the option here, and this is
3 Exhibit C, Compensation. The easement purchase
4 price shall be equal payment of \$4,000 per acre,
5 signed and dated when you sign the option. It
6 doesn't say it would be the price in 2015 or 2020
7 or whatever. It says, right here, the blank is
8 already filled in.

9 So just for clarification purposes, you
10 know, it's good PR to tell us that, yeah, we'll
11 look at it. But if people are signing, they're
12 locking themselves into an easement price if you
13 want to take -- if you want to take and pursue
14 that. So this is an actual, like I said, this is
15 right off the option. And Terry and I had a nice
16 conversation and he was very, you know, gracious
17 about -- you know, well, admitted. It doesn't say
18 exactly what he thought it said.

19 **CHAIRMAN HANSON:** Thank you.

20 **RANDY SCHURING:** One other question, the
21 meeting June 10, 11, and 12 in Pierre, do these
22 reroutes have to be completed before then?

23 **CHAIRMAN HANSON:** Do the reroutes have to
24 be completed by --

25 **RANDY SCHURING:** Well, we don't know for

1 sure what the final route is going to be. Does
2 that have to be determined before the June 10, 11,
3 and 12 meeting?

4 **CHAIRMAN HANSON:** I don't know that it
5 does, but I'm going to ask -- Oh, I think --

6 **COMMISSIONER FIEGEN:** And, John, do you
7 mind, or, Chairman Hanson, if Mr. Smith gives an
8 overview of the timing for everything on the permit
9 process so everybody understands that in public?

10 **CHAIRMAN HANSON:** I believe if a
11 commissioner asks him, then he has to.

12 **RANDY SCHURING:** And that's what we need
13 for clarification purposes. We're never going to
14 get all this done.

15 **CHAIRMAN HANSON:** Thank you, Mr. Schuring.

16 **RANDY SCHURING:** Okay. Thank you.

17 **CHAIRMAN HANSON:** Thank you very much.
18 And prior to Mr. Smith answering, I would like to
19 ask Terry -- Get on the microphone, please. You
20 had a conversation with Mr. Schuring in which he
21 just alluded to. Do you have any exception to the
22 remarks that he just made?

23 **TERRY FASTEN:** No. It's -- I made a
24 mistake like Randy pointed out. It has a specific
25 dollar amount in there. I know when we started we

1 had 80 percent and 40 percent, but, apparently, we
2 made a switch and we put the specific dollar amount
3 per land use. So it's 4,015.

4 **CHAIRMAN HANSON:** Thank you very much.
5 Thank you very much. That's been a very valuable
6 conversation that you had there then. Mr. Smith.

7 **JOHN SMITH:** Thank you. Nothing you say
8 would preclude us from -- This isn't going to be a
9 meeting. Now we're moving to formal trial-type
10 hearing. We're talking just like you see a court
11 case on TV. It works just like that. It's totally
12 different than this. People don't -- Not everybody
13 is going to get up and talk. Okay?

14 Nothing per se says that the line has to
15 be 100 percent finalized at the time we hear the
16 case. Now that said, when we address a case like
17 this, I mean, one key facet of it, you know, I
18 mean, that's why they kind of call it a siting
19 case. We don't call it in this state that. It's
20 called a permit, a construction permit case. But
21 in most areas, they call them siting cases because,
22 basically, one of the key issues that the
23 Commission considers is where the thing is going to
24 be. So I would say there is -- You know, I'd say
25 it makes their case a lot harder the more uncertain

1 the line location is.

2 And there was a point at which the
3 Commission quite a few years ago used to require
4 extreme precision on the location of things like,
5 you know, either electric transmission or
6 pipelines, which we call transmission, too, but
7 it's pipeline transmission. But we, in reality,
8 with a tremendous increase in the amount of things
9 we've had to deal with over the years recently,
10 about I'm going to say 90 to 95 percent of all the
11 siting cases that have been heard by this
12 Commission have been since I went to work for the
13 Commission and that was in 2002. That's throughout
14 the whole history of the state of South Dakota.
15 And almost all of those have happened within the
16 last ten years. That's a fact.

17 And by the practical level, we just can't
18 get down to that level of micromanagement, you
19 know. We really can't. So like with Keystone, we
20 approved a general project route, and basically
21 what we do then is we require that any, what we
22 call, a material deviation from the approved route,
23 and the approved route will be an exact route, or
24 at least relatively. But as with Keystone, when
25 Keystone underwent construction, actually, a great

1 many relatively minor changes on the route
2 occurred, and almost all of those were done to
3 accommodate landowners. That's the truth.

4 We had a whole bunch of people who were
5 very negative about the project, and testified at
6 hearing against it and were very negative and evil
7 is evil. And after the fact, I've had two or three
8 of them come in to me in my office and tell me,
9 after all was said and done, that they were
10 extremely actually pleased with the way they were
11 treated during the construction process by the
12 Keystone Company. Keystone made deviations, minor
13 deviations, many of them, with many people,
14 actually, to accommodate landowner desires, you
15 know. That happened a lot. And actually one of
16 the strongest opponents of the project came in and
17 said after it was all over, he realized that in a
18 way, he was wrong about being that paranoid about
19 it.

20 So that's the deal is, no. Does every
21 little tiny dot have to be -- or *i* have to be
22 dotted before we can hold the hearing? The answer
23 is no. If there is too much uncertainty, I think
24 the Commission may have trouble making the
25 requisite findings to issue a permit, you know.

1 There is a certain level of certainty that has to
2 happen. And I'm sorry for the ambiguous answer
3 there.

4 But now I'm going to just take one second
5 and address the business about why we have to hold
6 the hearing now. And do we have to hold it on
7 June 10th and through the 12th? The answer is no.
8 Except that we have to do scheduling quite a ways
9 in advance because both -- because the Commission
10 has so much stuff going on, it's our own schedule,
11 but we're also dealing with a whole lot of other
12 people's schedules. So there isn't -- It's more
13 difficult than you might think to reschedule. Now,
14 do we -- do we have discretion to just say, "Well,
15 we can put it off for six months"? And the answer
16 is no. The Application was filed on August 14 is
17 my recollection, Tom; is that correct?
18 August 14th?

19 **THOMAS WELK:** 13th.

20 **JOHN SMITH:** 13th. One of those, okay.

21 **THOMAS WELK:** One of those.

22 **JOHN SMITH:** The law gives us one year by
23 which we must render a decision. We have one year.
24 That's by statute. We are not allowed to go beyond
25 that. So we are breaking the law if that decision

1 is not -- We must have that decision, then, issued
2 by August 12th. That's one year later. And so
3 we're going to have to have that -- that's going to
4 be the case. And so we have no choice on that.

5 Now, why then do we move it forward to
6 June 10th through 12th? Because, normally, in
7 these cases -- Again, if they're a settlement case
8 it's one thing, but where we've got contested --
9 We've now got a contested case, we've got six
10 intervenors in the case, and it's probably not
11 going to be resolved through settlement
12 stipulation.

13 So we schedule them, we usually try to
14 schedule about 60 days in advance of our mandatory
15 decision date. And the reason for that is so that,
16 first of all, I have to write these orders and
17 these things and I'll tell you, it's a
18 60-to-80-hour-a-week, two-to-three-week process to
19 write one of those orders and I'm not kidding you.
20 It really is. So it takes me a couple of those
21 weeks to just do that.

22 And then what we like to do is have time,
23 following the hearing -- we've got to get a
24 transcript and so on -- and then we usually like to
25 do briefing by the parties, because the issues are

1 usually relatively complicated. You know, we've
2 got, at this point, we've just got Bob Pesall in
3 there, attorneys for the Applicants and our
4 attorneys, staff attorneys. But we usually do
5 briefing. And the reason we do that is then it
6 gives the attorneys and the parties the opportunity
7 after we've heard all the hard -- You know, in here
8 we hear a lot of philosophical stuff and emotional
9 stuff and questioning and that kind of thing. But
10 when we get down to the actual hearing, we're
11 talking chop-chop. You know, facts. What's
12 provable fact. And that's what we're going to be
13 talking about.

14 And then we like to have a cycle of time
15 after that where each attorney can have, or side,
16 can have roughly, you know, at least two weeks,
17 three weeks or so to present the Commission with
18 briefs, and then responsive briefs to that. At
19 least one round of briefing and responsive
20 briefing. And that provides us with the analysis
21 of what the evidence presented at the hearing
22 shows. And it makes a huge difference in the
23 quality of decision making that the Commission can
24 make to have that kind of an organized analytical
25 process.

1 And I apologize for my voice. I've had a
2 long day. I went to work at 6:00 o'clock this
3 morning so I'm wearing out here so I apologize for
4 the tone of my voice. Thank you, Mr. Chairman.

5 **CHAIRMAN HANSON:** Thank you for the
6 explanation. I believe Commissioner Fiegen has
7 something further; is that correct? Would you wait
8 just a moment, please? My sincere apologies,
9 Ms. McClanahan, we've been going for
10 three-and-a-half hours here. Would you like to
11 take a break?

12 **THE COURT REPORTER:** If we're not real
13 close to being done, I would, yeah.

14 **CHAIRMAN HANSON:** Okay. Why don't you
15 take a break right now. With the understanding
16 that it is getting late here, we want everyone to
17 have an opportunity to speak. When we come back --
18 This is off the record.

19 **(RECESS TAKEN AT 10:02 P.M. TO 10:14 P.M.)**

20 **CHAIRMAN HANSON:** We'll bring the meeting
21 of the Public Utilities Commission back to order
22 again. And we are in the process of hearing
23 testimony. I believe fellow Commissioners may have
24 a question or two that they would like to ask. Is
25 that correct, right now?

1 **COMMISSIONER FIEGEN:** Can you just clarify
2 one thing?

3 **CHAIRMAN HANSON:** All right. Please.
4 Commissioner Fiegen would like Mr. Smith to clarify
5 something.

6 **COMMISSIONER FIEGEN:** And the parties.

7 **JOHN SMITH:** Yeah, I guess one other thing
8 too. At the formal hearing, that will only involve
9 in terms of the actual hearing itself, people who
10 have filed for actual intervention in the case as
11 parties. Okay. Now, a lot of times I will say
12 this, that the Commission has in the past also
13 scheduled yet another, and this -- we've already
14 had three of these, you know. One last comment
15 period in connection with the formal hearing.

16 Now, we did not do that this time. We
17 thought about doing this, this one we're having
18 tonight, like that. That's what we did with both
19 the Keystones. We had the final hearing like that
20 at the time of the formal hearing. We chose not to
21 do that in this case, because here we were talking
22 about corridor shifts that implicated new people
23 within the half-mile line, and so we thought that
24 that had to be, we had to hear from and give those
25 people a chance to express their views to us prior

1 to the hearing, rather than what we a lot of times
2 do and just have one last comment period at the
3 hearing.

4 So as of now, at least, we haven't
5 scheduled another comment period, so. At the
6 hearing itself, presentation of evidence, and now
7 we're talking evidence when we get to the hearing.
8 That will be just by persons who have sought
9 admission as parties through intervention. Okay?

10 **CHAIRMAN HANSON:** And the last comment
11 period is always held in Pierre, and that's another
12 reason why we're holding this one, so that we can
13 come out and make it more accessible to you folks.
14 Commissioner Nelson, you asked to --

15 **COMMISSIONER NELSON:** Just a couple quick
16 questions for the Applicant. On Route Change
17 No. 1, you indicated that it had been accepted, but
18 then you followed by saying that not all the
19 options had been signed. So how do you consider it
20 to be an accepted change? What's your criteria?

21 **HENRY FORD:** Accepted change means that
22 within the owner's team, we have -- you know, it's
23 met all the criteria.

24 **COMMISSIONER NELSON:** It's met your
25 criteria, but maybe not everybody's signed off on

1 it; is that correct?

2 **HENRY FORD:** Right. Right.

3 **COMMISSIONER NELSON:** Okay. The second
4 question, in your data response to Staff's Question
5 2-25, and this is dealing with moving poles along
6 the fence line rather than out in the field, and we
7 had one really good question on that tonight. And
8 in your response, you indicated that one of the
9 things that would drive you to require the poles
10 out in the field would be zoning restrictions. But
11 then I thought I heard you say that in Brown County
12 you don't have those. Could you just clarify for
13 me what those zoning restrictions are in the three
14 counties, so far as whether there are any of those
15 restrictions that would prevent you from moving the
16 poles to the section line?

17 **THOMAS WELK:** Commissioner, the answer on
18 the setbacks is in another data response.

19 **COMMISSIONER NELSON:** You know, and I
20 thought that was the case, but my recollection was
21 that it indicated there was a Brown County setback,
22 but I heard testimony tonight that that's not the
23 case and so that's what I want to get clear in my
24 mind.

25 And while you're looking for that, I'll

1 just go on to my third question. Did I also read,
2 is there going to be a fiberoptic component to
3 this? And if so, is that buried or overhead?

4 **HENRY FORD:** No, transmission lines today,
5 you know, all transmission lines have what's called
6 shield wire on the very top which are not
7 conductors. Their sole purpose is to deflect
8 lightning. And what's happened, technologically,
9 we were talking about all the advancements in
10 technology, we, utilities will put a special type
11 of shield wire on these transmission lines that is
12 a fiberoptic cable. And the purpose of that
13 fiberoptic cable is to be used for the protective
14 relaying systems at the substations, so it's a
15 method of these relays being able to communicate
16 with each other.

17 **COMMISSIONER NELSON:** Okay. So to answer
18 my question, then, it is going to be part of the
19 overhead structure.

20 **HENRY FORD:** Correct.

21 **COMMISSIONER NELSON:** And I guess the last
22 question on that line is, Will that only be use for
23 your purposes, or is there capacity on that that
24 you might lease out for other purposes?

25 **HENRY FORD:** No. This -- It's called

1 OPGW, optical ground wire, is only to be used for
2 this system protection purpose.

3 **COMMISSIONER NELSON:** Okay. Thank you.
4 Mr. Welk, did you find the --

5 **THOMAS WELK:** Yes. Commissioner Nelson,
6 it's in Data Response 2-14 that stated, Please
7 provide a description of the setback requirements
8 for each township road, county road, state road,
9 the preliminary route parallels, no setback
10 requirements a factor, please identify such. And
11 then it goes on to talk about those in that data
12 response.

13 **COMMISSIONER NELSON:** Does that indicate
14 that for Brown County if there is a setback
15 requirement?

16 **THOMAS WELK:** Now I have to read what it
17 says here. (Pauses.)

18 It says, and I'll try to find the Brown.
19 Each of the counties through which the preliminary
20 route is located employs county ordinances relating
21 to zoning and certain use regulations. The setback
22 requirements vary by county and also to a lesser
23 degree by zoning districts with each county.
24 Roads, the preferred route is anticipated to
25 parallel in Brown County are located in ag

1 preservation and many ag zoning districts which
2 have a 100-foot setback requirement as required by
3 Sections 4.0606 and 4.0706 of the Brown County
4 Zoning Ordinances. Then it goes on to talk about
5 the other counties.

6 **COMMISSIONER NELSON:** So would it be
7 correct that if a landowner wanted the line moved
8 to the section line, you'd have to get a county
9 variance? Is that accurate?

10 **THOMAS WELK:** I don't know. I'll ask our
11 real estate lawyers. I don't know the answer to
12 your question. And I didn't draft this. One of
13 our real estate lawyers looked into all this, and I
14 would be -- I'll take it upon myself to answer your
15 question, but I don't know the answer.

16 **COMMISSIONER NELSON:** Thank you. And I
17 appreciate that, and I appreciate you looking that
18 up, because that's what I remembered but I heard
19 different testimony tonight so I appreciate your
20 clarifying that. And I will tell you this is an
21 issue that I am very sensitive to. If it were my
22 crop ground, I would want that thing on the section
23 line and not out in the middle of the field. So I
24 wanted to see exactly what the restrictions are in
25 that area that would prevent you from doing that,

1 if any.

2 **THOMAS WELK:** Do you want this in writing,
3 or do you want it orally at the hearing,
4 Commissioner Nelson?

5 **COMMISSIONER NELSON:** You know, in writing
6 would be great. Yeah, and that way we can put it
7 out and everybody can see it.

8 **THOMAS WELK:** All right. Thank you.

9 **COMMISSIONER NELSON:** Yep, thank you.
10 No further questions. Thank you.

11 **CHAIRMAN HANSON:** This -- We will try to
12 take another 15, 20 minutes for anyone who has not
13 had an opportunity to address us at this juncture.

14 **LELAND STAUCH:** Lee Stauch, S-T-A-U-C-H,
15 Brown County, Henry Township. I would like a
16 question answered so everybody knows upfront. Is
17 everybody being paid the same of money to get an
18 option? Either A thousand bucks, 2,000 bucks or
19 three? Is everybody being paid the same figure for
20 that option?

21 **CHAIRMAN HANSON:** Yes or no.

22 **HENRY FORD:** Yes. Did we shut off? Yes.
23 Each landowner is paid \$2,000 per parcel per
24 option.

25 **LELAND STAUCH:** Okay. That answers that

1 question. Thank you.

2 Then the next one. Now, they were talking
3 about, Mr. Schuring mentioned that when he signed
4 that option, in my interpretation, when you sign an
5 option, that is an option for you to purchase the
6 property, but when you sign that option, you're not
7 having had agreed to the price of it so the price
8 is yet to be negotiated. Now, if somebody signed
9 an option and thinking that is only an option to
10 negotiate the price, he should be informed that
11 this option you're signing is your agreed-upon
12 price. In essence, you're already signing the
13 easement.

14 Have people been informed of that? If
15 they haven't been, your sales representatives have
16 been misrepresenting your company. That's what we
17 need to have brought out and on the file. If that
18 is being so, you need to go back to every one of
19 those people who signed those options, in error,
20 because you have sales people pressuring to sign
21 options, when they didn't agree on the price for
22 that crop lease.

23 And I know one thing, I was taught you
24 treat people fair. You don't try to misinterpret
25 something to get them to sign that option. And I

1 appreciate your listening to and I want the people
2 to check into it and provide the deal. If options
3 have been signed, with a price on there, and the
4 price has not being agreed, that option is null and
5 void. That's the way I look at it. Thank you.

6 **CHAIRMAN HANSON:** Further questions? Is
7 there anyone in the audience? Good evening, ma'am.

8 **LaDONNA SUMPTION:** Good evening. I'm
9 LaDonna Sumption. S-U-M-P-T-I-O-N. I just had a
10 rep at my house today so I know all about
11 threatening and intimidating nature of it. We were
12 told three things. We've had someone come twice.
13 Both times they told us you don't want to be like
14 so and so, because we don't have to go around you.
15 We were told you don't want to have to take this to
16 court, because it's going to cost you a lot of
17 money. And then we were told that eminent domain
18 is going to come into play and they're going to
19 condemn you land. So those are the three things
20 that we were told today. Three of us were told.

21 In fact, I told the person he shouldn't
22 threaten us. So this is happening everywhere. I'm
23 an educated person. I could understand somebody
24 who is 80 years old being taken advantage of. It
25 would be easy to do. So that's what happened to

1 me.

2 I do have one question for the Commission.
3 Can you consider a 99-year lease, or is that out of
4 your range?

5 **COMMISSIONER FIEGEN:** (Nods
6 affirmatively.)

7 **LaDONNA SUMPTION:** No. Mr. Smith, we've
8 had a lot of emotions tonight but he said we're
9 going to -- you're going to conclude the facts.
10 Are you going to consider the fact of the economic
11 value that is provided by this versus the cost to
12 all the people, who are going to lose the value of
13 their land?

14 **JOHN SMITH:** Well, the Commission is
15 restricted to some extent on what we can consider.
16 I will tell you that. I mean, we've had a lot of
17 discussion about easements here. And in reality,
18 the Commission has no direct authority whatsoever
19 over the easement process. We really don't.
20 That's a private landowner process. We have no
21 authority whatsoever legally over the eminent
22 domain issue. That's been ruled by the courts to
23 be purely a court process, the courts and private
24 citizens and, again, the easement process.

25 And the reason for that is that process at

1 this point is viewed as, it's strictly a
2 landowner -- it's a transaction, you know. It's
3 like we have no authority to prevent anyone here
4 from selling any interest in your land. You know
5 what I mean? You know, we just don't. And,
6 really, the issue of whether you want to deed over
7 your land, you know, an interest in it to the
8 Applicants here, the owners, they call themselves,
9 we don't have any direct authority over that.

10 Now, is there one facet in which we could
11 consider that? And I think the answer is yes. And
12 that is, one of the findings and I don't have it
13 right in front of me now and I'm tired, (Chuckles)
14 but one of the factors the Commission does consider
15 and one of the criteria the Applicant has to prove,
16 is that the -- is that the project, and if we can
17 consider the whole, the whole land acquisition
18 process as part of the quote, "project," In a very
19 general sense, the Commission may be, that if the
20 process they deem is harmful enough, that they
21 might be able to decide that it doesn't meet the
22 one standard about not being harmful to persons
23 living in the project area. You know, that's, I
24 think -- I think if it went that far, they could
25 probably do that. And they could deny the permit

1 on the grounds that the process was detrimental to
2 people in the project area. That's as close as we
3 could get, and it's a little bit of a long shot.
4 Okay.

5 **CHAIRMAN HANSON:** I believe the verbiage
6 is that it will not pose a threat of serious injury
7 to the environment or to the social and economic
8 condition of inhabitants or the expected
9 inhabitants in the siting area.

10 **LaDONNA SUMPTION:** So the economic value
11 comes into play when we're perpetual and
12 generations after us?

13 **CHAIRMAN HANSON:** Will not affect -- It
14 will not pose a serious threat to the economic
15 condition of the inhabitants or future inhabitants.

16 **LaDONNA SUMPTION:** So the definition is
17 serious comes into play.

18 **CHAIRMAN HANSON:** Yes.

19 **COMMISSIONER FIEGEN:** Ms. Sumption, I
20 nodded at the wrong time, I think. You said could
21 we consider a 99-year lease, and what I thought you
22 had said could we require a 99-year. So when I was
23 nodding my head, I meant we could not require or
24 mandate it. It doesn't mean that if it comes to
25 us, that would be a different point, but we can't

1 require or mandate according to the law.

2 **LaDONNA SUMPTION:** So when you consider
3 the facts and the money talk about versus the
4 short-term effect of the money that's coming in
5 from the project, versus the long-term effect,
6 long-term effect of how it impacts our income, that
7 would be considered.

8 **CHAIRMAN HANSON:** Yes. We're nodding our
9 heads here. Yes. Since we're on the record.

10 (LAUGHTER.)

11 **LaDONNA SUMPTION:** I'm done. Thank you.

12 **CHAIRMAN HANSON:** Thank you,
13 Mrs. Sumption.

14 **PAUL DENNERT:** Good evening. Paul
15 Dennert. D-E-N-N-E-R-T. That's a name before
16 tonight.

17 **CHAIRMAN HANSON:** You're going to run for
18 office again so you can change the law; right?

19 (LAUGHTER.)

20 **PAUL DENNERT:** I wasn't going to get up,
21 Commission, but the easement talk just created me
22 to get up. I was a member of the legislature for a
23 lot of years. It's kind of interesting, we hear
24 the talk easements work both ways, you know. I
25 mean, do you want them or don't you want them, I

1 guess? I'm not going to say that we looked at
2 perpetual easements in South Dakota five times or
3 six times in my tenure there, but they looked at it
4 this last session when I wasn't there again. And I
5 think, for your information, and I could stand to
6 be corrected, I don't think the legislation has
7 ever got out of committee to go to a 99-year
8 easement. I think it's always been killed in
9 committee, to my recollection. I don't think it
10 was ever voted on the floor.

11 Kind of interesting, I think a couple
12 years ago they talked about 30-year or something
13 like that, but it's real interesting when that
14 topic came up to any committee discussion on the
15 opposition to go away from perpetual easements. So
16 in South Dakota, if you want to change that, as you
17 stated many times, it's out of your hands. It's in
18 the legislators' hands, and if I would guess, I
19 would say there would be less than 30 percent of
20 the legislators today that would look at anything
21 less than, you know, a perpetual easement, so.

22 And just the other information, I guess I
23 sold the wrong land to my son. (Chuckles.) The
24 only land I got left in my name happens to be in
25 the new boundary change. We've been visited once.

1 I'm going to request another visit. It could
2 affect a mile of my land, and I think it's
3 propositioned to be on -- fully on my side of the
4 quarter line. Not a section line. But I haven't
5 signed anything yet. And my son probably would be
6 here but it's Dad's land yet. So it's the only
7 land that is mine. The new route change would be a
8 mile from my buildings. It's closer to some other
9 buildings, but I would say that barring nothing, I
10 haven't signed anything, but as of the present
11 time, it does not affect me either way.

12 I live a little east and north of
13 Mr. Podoll, and I really appreciate his concern,
14 though, because of where it has to come through
15 there, you know, on that particular. If you change
16 it to his proposal, I won't see it. I mean, it's
17 totally away from me then, so. We'll talk later.
18 Thank you.

19 **CHAIRMAN HANSON:** Thank you very much.

20 **PAUL DENNERT:** Just thought I'd bring up
21 the easement deal. Talk to your local legislators
22 if you want to change it.

23 **CHAIRMAN HANSON:** Thanks for the history
24 lesson. Appreciate it.

25 **LYLE PODOLL:** Just brief, Gary, can I have

1 one minute yet?

2 **CHAIRMAN HANSON:** Absolutely.

3 **LYLE PODOLL:** Lyle Podoll, P-O-D-O-L-L. I
4 just want to set the record straight that the
5 proposal on No. 2 that they came, the reroute
6 proposal, I've not told them no to that proposal.
7 It is only slightly better, very, very slightly
8 better than the original proposal, because it puts
9 it closer to two other residences' houses. Also,
10 there would be less land involved in regards to
11 going out onto the property.

12 For Paul's information, I have the map
13 right here that tells where it's going to go on
14 your property. That brings, like everyone else's
15 concern is, even though I knew this reroute was
16 last November, I have not received any
17 notification. I had to request a meeting and
18 request hard copy, and it looks like that a lot of
19 that's going on here, because we met today or
20 yesterday or last week.

21 Where was this information the last six
22 months? That was my question. The frustration,
23 that we had to dig up this information and now
24 we're back up against this decision next month. A
25 lot of this could have been ironed out for

1 everyone's benefit three months ago, four months
2 ago, five months ago. The verbal thing that they
3 presented last November, there was no followup at
4 all on that as to how I felt about it. Send me
5 something in writing. I guess that's my
6 frustration. It looks like a lot of the
7 frustration here. But I appreciate the opportunity
8 to speak again. Thank you.

9 **CHAIRMAN HANSON:** Thank you, Lyle. Any
10 one further who is compelled to address the
11 Commission at this time?

12 **LELAND STAUCH:** Excuse me, I'm back again.
13 But anybody when he writes these easements on the
14 property, can write in there 99 years, when he
15 signs that easement. He does not have to accept
16 wide open. Nobody has to accept a wide open
17 easement forever and ever. You can write in,
18 90 years, 99 years, and if everybody agrees, it's a
19 done deal.

20 **CHAIRMAN HANSON:** Thank you. Anyone else
21 wishing to address the Commission at this time?

22 **RON RINGGENBERG:** Ron Ringgenberg. That's
23 spelled just the way it sounds. Ringgenberg. I
24 got a question. I guess I wouldn't -- Are you
25 trying to stay away a half a mile from buildings?

1 Is that -- I live in Cambria Township and I'm going
2 to be within half a mile. Plus, does the
3 East River Electric, if they decide to come out of
4 that substation a couple miles south of our place,
5 they've been doing some surveying right two blocks
6 east of our house. We're going to be sandwiched
7 between two power lines. Do they go through the
8 PUC?

9 **COMMISSIONER NELSON:** It depends on the
10 size of their power line. If it's over 115 kV,
11 then they have to go through this same process. I
12 don't know what size that line is.

13 **RON RINGGENBERG:** Yeah, I didn't even know
14 they were going to do it until last fall when WEB
15 water come and started marking, you know, where the
16 WEB water line was, and I said, "What are you doing
17 that for?" He said, "Well, they're going to put a
18 power line through here." "That's news to me."

19 **HENRY FORD:** Just to answer your question
20 about how far from buildings. The only routing
21 rule that we're trying to follow is to stay a
22 minimum of 500 feet away from occupied residences.
23 So if it's an unoccupied residence or, you know,
24 outbuildings, we don't -- we're not saying that we
25 should try to stay 500 feet away from that.

1 **RON RINGGENBERG:** There was something else
2 that I was going to ask you and I forgot.

3 **CHAIRMAN HANSON:** Well, we'll still be
4 open for business, so you can contact the PUC.

5 (LAUGHTER.)

6 **CHAIRMAN HANSON:** That's another thing, as
7 I said, you can contact the PUC with your concerns.
8 Yes, sir.

9 **LLOYD BUNTROCK:** Lloyd Buntrock. I just
10 had another question, too, on the valuating of this
11 land, you're paying less for pastures than
12 cropland. When I get my little tax slip, it goes
13 by soil deal so, in other words, my pasture I still
14 got cattle on, but tomorrow I might break it up and
15 I could farm it. It's as good as some of the farm
16 ground on the farm. So I don't think, you know,
17 that would be true either, because if they're
18 taxing us according to what it can produce, that's
19 what we should get paid for, whether it's pasture
20 or not. And in the past year, it's been a lot of
21 pasture broke up and stuff like that, so they're
22 going to actually benefit better than us that are
23 trying to stay in the cattle business yet.

24 **CHAIRMAN HANSON:** Thank you, sir. One
25 last shot at the microphone. Good evening.

1 **ELLEN LEONHARDT:** Good evening. I'm a
2 farmer's daughter. I'm a farmer's wife and I'm a
3 landowner now. This second one is going right
4 straight through my land. I agreed to it because I
5 knew the need. A lot them are saying here, "I
6 don't get no benefit from the line. So why should
7 I let it go through?" I know, because I have a
8 family member in the Cities and I know the
9 electricity will go to the Cities, that work for a
10 printing press that had to close down for several
11 days because of brownouts, because of lack of
12 electricity. So I knew the need. I did not object
13 to it going through my land, and it would have been
14 farm ground on both sides, it would have been a
15 nuisance.

16 Now, on the change, it won't come through
17 there anymore, but it's still coming through the
18 river bottom, and they're going on the quarter
19 line, and I'm fine with that.

20 And I would like to give a little history
21 of some other land that I had that was south of
22 Groton and north of Ferney, in between. That was
23 when REA and stuff was coming through. I grew up
24 in my growing-up years in Spink County, and we were
25 the last ones to get electricity. I knew what it

1 was like to grow up without running water, without
2 electricity. We were the old-fashioned people with
3 the old-fashioned outhouse. And we learned to live
4 with it. And when this transmission line, is a
5 two-pole one, and the wooden poles are a lot closer
6 than these are. It was going to go through on my
7 father's land. They wanted to put it on the
8 quarter line, and the other landowner wouldn't have
9 anything to do with it. And he was going to stop
10 the power line from going through. So my father
11 stepped up and said, "Put it all on my land" and
12 they did.

13 It's a bearcat to drive around and farm
14 around, but we did it because we was not going to
15 deny people that needed electricity. We knew what
16 it was like to live without electricity. And how
17 many of us here grew up without electricity? How
18 many of you would like to have a brownout where you
19 didn't have electricity and couldn't do your
20 business? There is a need and we can't be dogs in
21 the manger. Thank you.

22 **CHAIRMAN HANSON:** Ma'am, would you please
23 give us your name, please.

24 **ELLEN LEONHARDT:** My name is
25 Ellen Leonhardt. L-E-O-N-H-A-R-D-T.

1 **CHAIRMAN HANSON:** Thank you. Anyone
2 further at this time?

3 **DAVE NILSSON:** I've got a quick question
4 about the noise. Dave Nilsson. Can you tell me
5 how far the noise from these go out from the poles,
6 like, if it's calm and it's still and it's quiet,
7 how far away can you hear the lines?

8 **HENRY FORD:** I can't, but I think Jon can.

9 **JON LEMAN:** Yeah, Jon Leman, Power
10 Engineers. Yeah, one of the calculations we have
11 done is to predict the audible noise severity, and
12 it depends on the weather conditions. If it's foul
13 weather, it tends to be a little bit noisier, but
14 as an example, a typical 345 kV transmission line
15 produces about 40 to 45 decibels on the noisiest
16 points of the transmission line. Trying to give
17 you a gauge, but if we were all to be perfectly
18 silent in this room, the air conditioning going
19 back behind us would probably be about 40, 50. And
20 so that would be during foul weather conditions.

21 And then during fair weather conditions
22 when it's nice, it's much, much quieter, and it
23 would be around a 20-decibel noise limit, which is
24 actually very, very difficult to hear unless all
25 the other conditions around you are very quiet.

1 **DAVE NILSSON:** Are these lines insulated?
2 I mean, is there insulation around them to quiet
3 them down?

4 **JON LEMAN:** I'm not sure I understand the
5 question.

6 **DAVE NILSSON:** Is there insulation around
7 the wires to quiet them down? Is there something
8 around the wires so they're not as loud, not as
9 noisy.

10 **JON LEMAN:** Oh, okay. No, it's bare, bare
11 conductor. All transmission lines and distribution
12 lines are typically bare conductor. But the
13 design, the number of conductors that's used for
14 each phase and the spacing between phases is
15 specifically designed to keep noise limits within
16 recommendations.

17 **DAVE NILSSON:** So if you're a quarter of a
18 mile away, you're not going hear it? If you're
19 50 feet away, you're not going to hear it? What
20 would you say is the distance?

21 **JON LEMAN:** Yeah, for fair weather
22 conditions, you're certainly not going to hear it a
23 quarter mile away. I would say in fair weather
24 conditions, it would be very difficult to hear it
25 if you were right next to the -- right next to the

1 line.

2 **DAVE NILSSON:** What I'm thinking about is
3 a 500-feet limit.

4 **JON LEMAN:** For a 500-feet limit for fair
5 weather conditions, it would be very difficult to
6 hear.

7 **DAVE NILSSON:** Worst-case scenario.

8 **JON LEMAN:** Worst-case scenario, for foul
9 weather conditions, again, it's difficult to gauge
10 because foul weather conditions, you got rain,
11 there is other noise that's kind of drowning that
12 out. But if you could silence out all the other
13 noise, 500 feet away, you would be able to hear it.
14 But by 500 feet away, it's tapered off quite a bit.
15 Does that answer your question?

16 **DAVE NILSSON:** Yeah, because they love to
17 sit out on the deck and listen to the nature, and
18 this will definitely interfere with that.

19 **JON LEMAN:** If you're sitting out on the
20 deck in rainy conditions 500 feet away, you might
21 be able to hear something.

22 **COMMISSIONER NELSON:** Thank you.

23 **JON LEMAN:** Maybe.

24 **JIM MCKANE:** Yeah, Jim McKane.

25 M-C-K-A-N-E. Andover. We're affected by route

1 four change. First time around, we were on one
2 quarter. Now we got three quarters affected. And
3 when you come up with you want to take 80 percent,
4 how do you come up with 80 percent of the land
5 value?

6 **HENRY FORD:** I'm not sure I understand the
7 question. 80 percent -- How did we pick the
8 80 percent?

9 **JIM MCKANE:** Right.

10 **HENRY FORD:** Essentially, we kind of
11 through our consultant here, we looked at what is
12 being done kind of in the industry in the area, and
13 the 80 percent number sounds like it's kind of a
14 common number. So it's not, you know, just a
15 general rule of, you know, encumbrance, 80 percent.
16 It's kind of an arbitrary number, but 80 percent is
17 what is being done in the industry.

18 **JIM MCKANE:** You should be paying at least
19 a hundred percent with what the land value is. I
20 mean --

21 **HENRY FORD:** Well, I guess our feeling is
22 we're not -- we shouldn't have to pay a hundred
23 percent because you're still able to use that land.
24 You're still farming that land and you still own
25 that land. So we're not -- We don't feel we're

1 encumbering the land to the total value of the
2 property.

3 **JIM MCKANE:** Thank you. I understand.

4 **HENRY FORD:** Okay.

5 **CHAIRMAN HANSON:** Thank you, sir.

6 If that is all the comment, then, I'd like
7 to say thank you very, very much for all of you who
8 attended this evening and your perseverance for
9 staying the entire hearing. Usually we dwindle
10 down to just about 5 or 10 percent of the people
11 but it looks like nearly everyone has stayed. So I
12 want to remind you that you can contact the Public
13 Utilities Commission through the www.puc.sd.gov.
14 And if you forget that, just look us up on the
15 internet. Just look up South Dakota Public
16 Utilities Commission and you can follow this docket
17 as it transpires. You can follow the information
18 that takes place.

19 If you happen to send us a letter, that
20 letter, whether it's written or e-mail, will be
21 placed in the docket itself so you're comments will
22 remain there. And if we respond, which we always
23 do, then that response that is sent to you will
24 also be part of the docket.

25 Are there any questions of the PUC at this

1 juncture? If not, I will call -- I will ask for
2 adjournment and appreciate all of you being here.
3 Please drive safe. Drive home safely. Is there a
4 motion to adjourn?

5 **COMMISSIONER NELSON:** Move to adjourn.

6 **CHAIRMAN HANSON:** I have a motion.

7 Commissioner Nelson?

8 **COMMISSIONER NELSON:** Aye.

9 **CHAIRMAN HANSON:** Commissioner Fiegen?

10 **COMMISSIONER FIEGEN:** Fiegen votes aye.

11 **CHAIRMAN HANSON:** Hanson votes aye. The
12 meeting is adjourned. Thank you all very much for
13 your attendance.

14 **(HEARING CONCLUDED AT 10:48 P.M.)**

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1 STATE OF SOUTH DAKOTA)
 :SS **CERTIFICATE**
 2 COUNTY OF CODINGTON)

3 BE IT KNOWN that the foregoing record was
 4 stenographically reported by me, NANCY McCLANAHAN, a
 5 court reporter; and that the foregoing 2 - 189 pages
 6 are a true and correct transcript of all the
 7 proceedings had upon the taking of said proceeding,
 8 all done to the best of my skill and ability.

9 DATED at Watertown, South Dakota, Codington
 10 County, on this 30th day of May, 2014.

11 *Nancy McClanahan*
 12 Nancy McClanahan, RPR/RMR/NP

13 * * *

16	EXHIBITS:	MARKED	OFFERED
17	50. BSSE Public Hearing 5/20/2014	2	9
18	PowerPoint printout		
19	50A. Revised Potential Route	2	9
20	Changes 3 and 4 pages		

\$	150-foot-wide [2] 86/8 86/16 155 feet [1] 26/24 16 [1] 13/16 160 [3] 14/15 152/18 152/19 160 miles [3] 3/20 14/17 82/11 17 [3] 13/16 95/8 98/1 17 projects [1] 13/18 170 [1] 14/15 18 years [1] 61/3 183 feet [1] 136/23 189 [1] 190/5 1960 [1] 93/21	440 acres [2] 97/7 97/8 45 decibels [1] 184/15 450 Megahertz [1] 128/3 48 [1] 12/5
\$10,000 [1] 84/18 \$2,000 [1] 169/23 \$25,000 [1] 54/15 \$290 [1] 14/10 \$3 [1] 14/24 \$3.50 [2] 90/10 90/10 \$300 [1] 111/12 \$370 [1] 14/10 \$370 million [1] 14/10 \$4,000 [1] 154/4 \$400 [2] 57/10 111/12 \$400 million [1] 57/10 \$500,000 [1] 51/19 \$6 [1] 90/8 \$7 [1] 14/25 \$7 million [1] 14/25 \$80 [1] 100/16 \$80 million [1] 100/16 \$90,000 [1] 115/2	2	5 5.5 [1] 15/5 5/20/2014 [1] 190/17 50 [9] 2/2 8/24 9/11 9/13 9/21 78/1 87/9 184/19 190/17 50 feet [2] 136/9 185/19 50 percent [12] 45/7 86/4 86/18 112/8 112/19 115/3 116/10 116/17 117/8 118/23 122/12 122/17 50,000 [1] 49/14 500 [6] 23/25 114/20 120/17 180/25 186/13 186/14 500 feet [3] 120/2 180/22 186/20 500-feet [2] 186/3 186/4 500-foot [5] 114/15 114/25 117/13 120/9 120/16 500-foot-wide [1] 114/12 50A [6] 2/2 9/6 9/10 9/13 9/21 190/18 53 [1] 146/9 57201 [1] 1/23
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