

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA**

**IN THE MATTER OF THE APPLICATION BY OTTER TAIL POWER
COMPANY AND WESTERN MINNESOTA MUNICIPAL POWER AGENCY
FOR A FACILITY PERMIT FOR A 345-KV TRANSMISSION FACILITY AND
ASSOCIATED FACILITIES IN GRANT COUNTY, SOUTH DAKOTA**

SD PUC DOCKET EL24-015

**PRE-FILED SUPPLEMENTAL DIRECT TESTIMONY OF JASON WEIERS
ON BEHALF OF OTTER TAIL POWER COMPANY
AND WESTERN MINNESOTA MUNICIPAL POWER AGENCY**

October 25, 2024

1 **I. INTRODUCTION**

2
3 **Q. Please state your name, employer, and business address.**

4 A. My name is Jason Weiers. I am employed by Otter Tail Power Company (“Otter
5 Tail”). My business address is 215 South Cascade Street, Fergus Falls, MN 56537.
6

7 **Q. Did you provide Direct Testimony in this docket on April 15, 2024?**

8 A. Yes.
9

10 **Q. What is the purpose of your Supplemental Direct Testimony?**

11 A. The purpose of my Supplemental Direct Testimony is to:

- 12 • Provide corrections to statements in the Application and direct testimony;
13 • Discuss four adjustments to the South Dakota portion of the Big Stone South
14 to Alexandria 345 kilovolt (“kV”) Transmission Line Project (the “Project”):
15 (1) an adjustment to the centerline of the Project’s 345 kV transmission
16 line (“Route”) in proximity to the Big Stone South Substation, with
17 corresponding adjustments to the 150-foot-wide area centered on the
18 Route (the “Right-of-Way” or “ROW”) and the Flexibility Area¹;
19 (2) an adjustment to the Route on the parcel owned by Otter Tail,
20 Montana-Dakota Utilities Co., and NorthWestern Energy (together, the
21 “Big Stone Power Plant Owners”) just south of U.S. Highway 12, with a
22 corresponding adjustment to the ROW;
23 (3) an adjustment to the Route along 146th Street, with corresponding
24 adjustments to the ROW and the Flexibility Area; and
25 (4) an adjustment to the Route right before the Project crosses the South
26 Dakota – Minnesota border, with a corresponding adjustment to the ROW.
27 • Discuss a request for approval to shift the location of the existing 345 kV Big
28 Stone South to Brookings Transmission Line (“BSSB Transmission Line”) in
29 order to accommodate the Project’s 345 kV transmission line termination into
30 the Big Stone South Substation; and
31 • Provide an update on the status of the Grant County Conditional Use Permit
32 (“CUP”).

¹ The Figure 4 series of updated Appendix A (Exhibit B to my testimony) depicts an area within which Otter Tail and Western Minnesota Municipal Power Agency (“Western Minnesota”), through its agent, Missouri River Energy Services (“MRES”) (collectively, “Applicants”) request the ability to make adjustments to the ROW and/or structure locations (the “Flexibility Area”). See Section 9.2 of the Application.

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Q. What exhibits are attached to your Supplemental Direct Testimony?

- A. The following exhibits are attached to my Supplemental Direct Testimony:
- Exhibit A: Summary of Route Adjustments, with accompanying figures;
 - Exhibit B: Updated Application Appendix A (Figures);
 - Exhibit C: Additional Landowner Notice Documentation (Proof of Mailing, landowner notice letter, public input meeting notice (for the May 29, 2024 meeting), and current Project map);
 - Exhibit C-1: Additional Landowner Mailing List (CONFIDENTIAL);
 - Exhibit D: Xcel Energy Affidavit; and
 - Exhibit E: Grant County CUP Letter of Assurance.

II. CORRECTIONS TO APPLICATION AND DIRECT TESTIMONY

Q. Do you have any corrections to the Application and Direct Testimony?

A. Yes. In the Application and my Direct Testimony, we stated that the Project would involve the “initial installation of a single-circuit, 345 kV transmission line and associated communication lines (referred to as an optical ground wire (OPGW)[)], with a second 345 kV circuit and associated overhead ground wire (OHGW) added when conditions warrant.” The initial construction will also include installation of the OHGW. Accordingly, the correct statement is that the Applicants propose to initially construct a single-circuit, 345 kV transmission line with an OPGW and OHGW. The second 345 kV circuit will be installed in the future when conditions warrant.

The parcels along the proposed Route (other than the Big Stone South Substation parcel) referred to in the Application and my Direct Testimony as being “Otter Tail-owned lands” are actually co-owned by the Big Stone Power Plant Owners. This clarification is also reflected on updated Appendix A Figure A6 in **Exhibit B**.

III. ROUTE ADJUSTMENT NEAR BIG STONE SOUTH SUBSTATION

Q. Since the Application was filed in April 2024, have the Applicants made an adjustment to the Route near the Big Stone South Substation?

A. Yes. The Applicants are proposing an adjustment to the Project’s Route (with corresponding adjustments to the 150-foot-wide ROW and the Flexibility Area)

69 near the Big Stone South Substation. The Route proposed in the Application exited
70 the Big Stone South Substation east and then went north between the Big Stone
71 South Substation and the Crowned Ridge Substation. The current Route exits east
72 out of the Big Stone South Substation along the south side of the Crowned Ridge
73 Substation and then turns north towards 145th Street on the east side of the
74 Crowned Ridge Substation. A redline comparison showing this Route adjustment
75 compared to what was filed with the Application is included as Figure 1 in **Exhibit**
76 **A**.

77

78 **Q. Why are the Applicants proposing this Route adjustment?**

79 A. The owner of the Crowned Ridge Substation requested this change to the original
80 Route in order to avoid conflicts with future facility expansion plans that are being
81 contemplated in this area.

82

83 **Q. Please describe the adjustments to the Flexibility Area related to this**
84 **Route adjustment.**

85 A. The original Flexibility Area has been expanded from only including the northeast
86 corner of the Crowned Ridge Substation parcel to now including a 250-foot-wide
87 strip of land along the entire eastern boundary of the Crowned Ridge Substation
88 parcel. A redline comparison showing this Flexibility Area adjustment compared
89 to what was filed with the Application is included as Figure 1 in **Exhibit A**.

90

91 **Q. As a result of this Route adjustment, are there any new landowners**
92 **within ½-mile of the Project?**

93 A. No.

94

95 **IV. ROUTE ADJUSTMENT ON BIG STONE POWER PLANT OWNERS'**
96 **PARCEL JUST SOUTH OF U.S. HIGHWAY 12**

97

98 **Q. Since the Application was filed in April 2024, have the Applicants made**
99 **a minor adjustment to the Route on the Big Stone Power Plant Owners'**
100 **parcel just south of U.S. Highway 12?**

101 A. Yes. The Applicants are proposing a minor adjustment to the Project's Route (with
102 corresponding adjustments to the 150-foot-wide ROW) on the Big Stone Power
103 Plant Owners' parcel just south of U.S. Highway 12. After the line crosses U.S.
104 Highway 12, the current proposed Route jogs east at a slight angle rather than
105 jogging east at a sharper angle, thereby resulting in a reduction in the line angle.

106 A redline comparison showing this Route adjustment compared to what was filed
107 with the Application is included as Figure 2 in **Exhibit A**.

108

109 **Q. Why are the Applicants proposing this Route adjustment?**

110 A. The tenant of the Big Stone Power Plant Owners' parcel (also the adjacent
111 landowner) has requested that the new structures associated with the Project are
112 placed "in line" with the existing structures that already exist on this parcel to
113 minimize impacts on farming this parcel and the adjacent parcel.

114

115 **Q. Was an adjustment to the Flexibility Area required in relation to this
116 Route adjustment.**

117 A. No.

118

119 **Q. As a result of this Route adjustment, are there any new landowners
120 within ½-mile of the Project?**

121 A. No.

122

123 **V. ROUTE ADJUSTMENT ALONG 146TH STREET**

124

125 **Q. Since the Application was filed in April 2024, have the Applicants made
126 an adjustment to the Route near 146th Street?**

127 A. Yes. The Applicants are proposing an adjustment to the Project's Route (with
128 corresponding adjustments to the 150-foot-wide ROW and the Flexibility Area)
129 along 146th Street. More specifically, the current Route represents a shift of the
130 original Route from the south side of 146th Street to the north side of 146th Street
131 for approximately 0.9 mile, before crossing to the south side of 146th Street and
132 continuing to the South Dakota – Minnesota border. A redline comparison
133 showing this Route adjustment compared to what was filed with the Application is
134 included as Figures 3A and 3B in **Exhibit A**.

135

136 Only two new parcels (owned by the same landowner) are crossed by this Route
137 adjustment, and no new landowners are crossed by this Route adjustment. The
138 Applicants have discussed the current Route and proposed structure locations with
139 the landowners. While we are still in the process of securing an easement, the
140 landowners have indicated support for the proposal.

141

142 **Q. Why are the Applicants proposing this Route adjustment?**

143 A. The primary reason for proposing this Route adjustment is to address landowner
144 concerns. The original Route on the south side of 146th Street crossed a parcel
145 owned by Daniel and Tamra Jurgens. Mr. Jurgens voiced concerns regarding the
146 proposed Route at the May 29, 2024, public input meeting, and the Jurgenses
147 subsequently petitioned for, and were granted, party status in this proceeding.

148
149 Since the May 29, 2024, public input meeting, the Applicants met with Mr. Jurgens
150 and Commission Staff on June 6 and August 1, 2024, and with Mr. Jurgens and
151 his attorney once on October 4, 2024, to discuss the Jurgenses' concerns and
152 potential options for addressing those concerns. During the second and third
153 meetings, the Applicants explained why the Project could not be co-located and
154 consolidated on the same structures as the existing third-party utility-owned
155 transmission lines located on Big Stone Power Plant Owners' land immediately
156 north of the Jurgenses' parcel.

157
158 Based on the discussions during the meeting held on October 4, 2024, it became
159 evident that Mr. Jurgens' concerns could not be addressed by the Applicants
160 because his concerns did not involve transmission lines associated with the
161 Project. Instead, Mr. Jurgens requested that the Applicants make changes to the
162 existing third-party utility-owned transmission lines located on the 300-foot-wide
163 parcel owned by the Big Stone Power Plant Owners immediately north of the
164 Jurgenses' parcel. Along with changes to existing third-party owned transmission
165 lines, Mr. Jurgens also had specific requests related to a land use agreement for his
166 continued use of the Big Stone Power Plant Owners' parcel that were unreasonable.
167 While the Applicants explored options to address the concerns raised by Mr.
168 Jurgens, they explained to Mr. Jurgens that any changes to existing lines owned by
169 third-parties were outside of the Applicants' control, would result in unnecessary
170 cost impacts and reliability issues, and were not supported by the third-party
171 owners of these transmission lines.

172
173 As a result of the unfruitful discussions with Mr. Jurgens, the Applicants have
174 identified this Route adjustment to address Mr. Jurgens' concerns through our
175 coordination with other landowners willing to host the Project. The current Route
176 continues to avoid potential impacts to existing infrastructure and minimizes
177 potential impacts to resources and land use in and along the route by paralleling

178 an existing roadway (146th Street). Additionally, there are a number of engineering
179 benefits associated with the current Route, such as:

- 180 • The current Route does not cross the NorthWestern Energy (“NWE”) 230 kV
181 line as it turns east near 146th Street and continues to the South Dakota-
182 Minnesota border (whereas the original Route presented in the Application
183 crossed the 230 kV line twice on the south side of 146th Street);
- 184 • The current Route allows for a more consistent distance between Project
185 structures rather than the inconsistent distances that were previously needed
186 to match the structure locations of the existing, adjacent transmission lines,
187 which allows for a more standardized design of the Project;
- 188 • The current Route is more easily accessible for construction and maintenance
189 activities since it is located directly off 146th Street; and
- 190 • The current Route reduces Project costs as compared to the original Route by
191 allowing for a more efficient structure design.

192
193 **Q. Why can’t the Applicants co-locate the Project with the existing**
194 **transmission lines south of 146th Street?**

195 A. As the Applicants discussed briefly at the public input meeting, and have shared
196 more extensively with Mr. Jurgens, his attorney, and Commission Staff, co-
197 locating and consolidating the Project on the same structures as the existing
198 transmission lines on the south side of 146th Street is not feasible for a number of
199 reasons.

200
201 As an initial matter, the Applicants do not own or control these existing
202 transmission lines, nor are these lines part of the Project. Great River Energy
203 (“GRE”) owns the existing 115 kV transmission line and NWE owns the existing
204 230 kV transmission line.

205
206 Additionally, co-locating and consolidating the Project on the same structures as
207 the existing transmission lines would result in unnecessary costs to customers due
208 to: (1) modifying these existing transmission lines without a corresponding
209 reliability benefit; and (2) removing equipment from these existing transmission
210 lines that are not fully depreciated. Furthermore, co-locating or consolidating the
211 Project on the same structures as the existing transmission lines also results in
212 reliability impacts due to: (1) longer 230 kV and 115 kV line outages during
213 construction of the Project; (2) simultaneous 230 kV and 115 kV outages during

214 planned outages (i.e. maintenance activities); and (3) simultaneous 230 kV and
215 115 kV outages during unplanned outages (i.e. structure failures).

216
217 Beyond these cost impacts and reliability issues, the Applicants have also identified
218 that co-locating or consolidating the Project on the same structures as the existing
219 transmission lines also results in complexity between GRE and NWE regarding
220 ownership, maintenance procedures and design standards, plus introduces
221 coordination challenges between the two separate utilities (GRE/NWE) that
222 belong to two different regional transmission organizations (GRE is a transmission
223 owning member of the Midcontinent Independent System Operator while NWE is
224 a transmission owning member of Southwest Power Pool).

225
226 **Q. Please describe the adjustments to the Flexibility Area related to this**
227 **Route adjustment.**

228 A. The original Flexibility Area on the south side of 146th Street has been shifted north
229 approximately 500 feet and has been reduced from 400 feet wide to 250 feet wide.
230 The new Flexibility Area extends 200 feet north and 50 feet south of the centerline
231 of 146th Street for a total width of 250 feet from the point where the current Route
232 turns east to a point where it angles back to the original alignment on the Big Stone
233 Power Plant Owners' parcel south of 146th Street after approximately 0.9 mile. A
234 redline comparison showing these adjustments to the Flexibility Area compared to
235 what was filed with the Application is included as Figures 3A and 3B in **Exhibit**
236 **A.**

237
238 **Q. Does this Route adjustment affect the 1/2-mile notice area?**

239 A. Yes. This Route adjustment extends the 1/2-mile notice area further north and
240 includes three new parcels and two new landowners (i.e., landowners not within
241 the 1/2-mile notice area based on the original Route filed with the Application). The
242 updated notice area is depicted on updated Appendix A Figure A6 in **Exhibit B.**

243
244 **Q. Have the two new landowners within 1/2 mile of the updated Project**
245 **Route been mailed notice of the Project?**

246 A. Yes. The Applicants have provided certified mailed notice to each of these two
247 landowners. Documentation of the certified mail notice is included as **Exhibits C**
248 **and C-1** to my testimony.

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250 **VI. ROUTE ADJUSTMENT RIGHT BEFORE SOUTH DAKOTA –**
251 **MINNESOTA BORDER**

252

253 **Q. Since the Application was filed in April 2024, have the Applicants made**
254 **a minor adjustment to the Route right before the Project crosses the**
255 **South Dakota – Minnesota border?**

256 A. Yes. The Applicants are proposing a minor adjustment to the Project’s Route (with
257 a corresponding adjustment to the 150-foot-wide ROW) just prior to where the
258 Project crosses the South Dakota – Minnesota border. The Applicants shifted a
259 transmission structure approximately 90 feet further west of the South Dakota –
260 Minnesota border. A redline comparison showing this minor Route adjustment
261 compared to what was filed with the Application is included as Figure 4 in **Exhibit**
262 **A.**

263

264 **Q. Why are the Applicants proposing this Route adjustment?**

265 A. The Applicants made this adjustment to the Route to accommodate the
266 landowner’s request so that the landowner can maneuver farming equipment more
267 easily between the Project and the north-south road representing the South Dakota
268 – Minnesota border.

269

270 **Q. Was an adjustment to the Flexibility Area required in relation to this**
271 **Route adjustment.**

272 A. No.

273

274 **Q. As a result of this Route adjustment, are there any new landowners**
275 **within ½-mile of the Project?**

276 A. No.

277

278 **Q. Did the four Route adjustments affect resource impact estimates in the**
279 **Application?**

280 A. Yes, but only slightly. The analysis of existing resources and potential impacts and
281 avoidance, minimization, and mitigation measures in Sections 11.0 through 22.0
282 of the Application remain accurate for the current Project (including the Route
283 adjustments), with a few minor updates. These updates are provided in **Exhibit**
284 **A** to my testimony.

285

286 The Project's current Route (including the Route adjustments) is depicted on the
287 updated Appendix A figures (included as **Exhibit B** to my testimony).
288

289 **VII. REQUEST FOR APPROVAL TO SHIFT THE LOCATION OF THE**
290 **EXISTING 345 KV BSSB TRANSMISSION LINE EXITING THE BIG**
291 **STONE SOUTH SUBSTATION**

292
293 **Q. As described in the Application, the Project will include expansion of**
294 **and modifications to the existing Big Stone South Substation. Will**
295 **these changes, and the construction of the Project's 345 kV**
296 **transmission line, also require changes to the existing 345 kV BSSB**
297 **Transmission Line that interconnects to the Big Stone South**
298 **Substation?**

299 A. Yes. In order to facilitate interconnection of the Project and avoid 345 kV line
300 crossings at the Big Stone South Substation, the Applicants propose to shift the
301 location of the BSSB Transmission Line interconnection south of its current
302 location within the Big Stone South Substation. The current and proposed
303 locations of the BSSB Transmission Line are depicted on the figures included with
304 the affidavit provided as **Exhibit D** to my testimony. The shift in the location of
305 the BSSB Transmission Line would occur wholly on the Big Stone South Substation
306 parcel owned by Otter Tail.
307

308 **Q. Have Xcel Energy and Otter Tail, as joint owners of the BSSB**
309 **Transmission Line, authorized the shift of the BSSB Transmission**
310 **Line?**

311 A. Yes. Please refer to the affidavit included as **Exhibit D** to my testimony.
312

313 **VIII. GRANT COUNTY CUP**

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315 **Q. In the Application, the Applicants stated they were planning to submit**
316 **a CUP application to Grant County in April 2024. Please provide a**
317 **status update on the CUP.**

318 A. The Applicants submitted the CUP application to the Grant County Planning
319 Commission Officer for Grant County on April 26, 2024. Grant County's Board of
320 Adjustments approved the Applicants' request for a CUP on June 24, 2024. A copy
321 of the CUP Letter of Assurance is attached as **Exhibit E** to my testimony.

322

323 **IX. CONCLUSION**

324

325 **Q. Does this conclude your Supplemental Direct Testimony?**

326 A. Yes.

327

328

329 Dated this 25th day of October, 2024.

330

331



332 Jason Weiers

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334