

1 BEFORE THE SOUTH DAKOTA
2 PUBLIC UTILITIES COMMISSION
3
4 * * * * *
5 In the Matter of the Application * EL13-020
6 of Northern States Power Company, *
7 dba Excel Energy and Otter Tail * PUBLIC HEARING
8 Power Company for a Permit to *
9 Construct the Big Stone South to *
10 Brookings County 345 kV *
11 Transmission Line. *
12 * * * * *

11 BEFORE: Chairperson Gary Hanson
12 Commissioner Chris Nelson
13 Commissioner Kristie Fiegen

14 APPEARANCES: Mr. Brett M. Koenecke
15 May, Adams, Gerdes & Thompson
16 Pierre, South Dakota
17 Attorney for Northern States Power and
18 Otter Tail Power Company.

19 PROCEEDINGS: The above-entitled proceedings were held
20 on the 31st day of July, 2013, commencing
21 at the hour of 6:30 p.m. at McCrory
22 Gardens, Brookings, South Dakota.

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1 CHAIRMAN HANSON: My name is Gary Hanson. I'm the
2 Chairman of the South Dakota Public Utilities Commission,
3 and I call this meeting of the South Dakota PUC to order.
4 It's 6:30 p.m., Wednesday, July 31st, 2013. We are
5 in Meeting Room 110 A and B of McCrory Gardens Education
6 and Visitors Center at 631 22nd Avenue in Brookings,
7 South Dakota.
8 With me this evening are my fellow commissioners,
9 Chris Nelson and Kristie Fiegen.
10 There is some information that I am required to read,
11 and so bear with me, to go through from an official
12 standpoint to make sure that we have everything on
13 record.
14 Our purpose here tonight is to hold a public hearing
15 on Docket Number EL13-020 titled In The Matter of the
16 Application of Northern States Power Company, doing
17 business as Xcel Energy, and Otter Tail Power Company,
18 for a Permit to Construct the Big Stone South to
19 Brookings County 345 kV Transmission Line. The
20 application submitted by Xcel and Otter Tail is for
21 approval of a permit to construct the southern portion of
22 the Big Stone south to Brookings County substation
23 transmission line in Deuel and Brookings Counties, and
24 make modifications to the existing Brookings County
25 substation.

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1 In 2007, in Docket EL06-002, the Commission approved
2 the northern portion of the line in Grant and Deuel
3 Counties which was originally designed to turn east in
4 Deuel County and cross the border into Minnesota. In
5 2012, in Docket EL12-045, we approved the transfer of the
6 permit for the northern portion from the Big Stone II
7 Partners to Otter Tail. In May of this year, in Docket
8 EL12-063, the Commission approved a certification that
9 provides that the northern portion of the project --
10 I have this in writing, by the way. And my
11 apologies. I will admonish myself at this juncture,
12 because we have a court reporter, and we always ask
13 people to speak slowly so the court reporter can get
14 everything down. This is off the record.
15 (Off the record discussion.)
16 CHAIRMAN HANSON: Back on the record.
17 The purpose of this hearing tonight is to provide
18 information to the public about the proposed project, and
19 to hear public comments about the project. Interested
20 persons have the right to present their views and
21 comments regarding the application. And we do want to
22 hear from you. We want to encourage you to speak to the
23 Commission if you have any information at all that you
24 want to share with us.
25 A copy of the application is on file with the

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1 Brookings County Finance Office and Deuel County Auditor.
2 You may also access the application and all other
3 non-confidential documents in the official file on the
4 Commission's website at www.puc.sd.gov under Commission
5 Actions, Commission Dockets, 2013 Electric Dockets, and
6 then scroll down to EL13-020, or simply by phoning or
7 sending a letter or stopping by the Commission.

8 The parties to this proceeding at this time are Xcel,
9 Otter Tail, and the Commission. Under South Dakota law,
10 each municipality, county, and governmental agency in the
11 area where the facility is proposed to be constructed, or
12 any interested person or organization, may be granted
13 party status in this proceeding by making a written
14 application to the Commission on or before August 2nd,
15 2013.

16 We have applications available here this evening if
17 you would like to apply for party status. I would like
18 to emphasize to everyone, however, that you do not need
19 to become a party in the case to make your voice heard by
20 the Commission. The reason we are here tonight is to
21 hear from -- your comments and what you have to say, and
22 your concerns about the project. We will also be
23 accepting comments in writing from anyone, either by
24 mail, personal delivery, or e-mail, right up until the
25 time of the decision.

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1 And please use the microphone and introduce yourself,
2 spell your name when you speak so we have it on the
3 record.

4 I would also like to point out that we have a number
5 of members of the Commission Staff here tonight, and we
6 want you to feel free to seek them out if you have
7 questions or need help with anything, either here tonight
8 or as we go through the process. And I'd appreciate,
9 Commission Staff, just raise your hand at this juncture.
10 We have a Commission Staffer towards the back, and
11 Mr. Rislov is here as well.

12 We will begin the hearing by having the Xcel and
13 Otter Tail folks make a presentation to explain their
14 proposed project. Following that presentation, we will
15 take comments from any interested persons or
16 organizations. And we want to strongly encourage members
17 of the public to present your views.

18 Before we get started, I would also ask all of you to
19 make sure your -- to put your information on the sign-in
20 sheet so we have a record of who attended the hearing.
21 And if you would place your telephones on vibrate, we
22 would appreciate that as well.

23 Brett Koenecke will be the spokesman here tonight for
24 Otter Tail and Xcel. Brett, would you introduce your
25 folks and you have --

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1 So you only need to apply for party status if you
2 want to participate formally in the case by presenting
3 testimony and other factual evidence, conducting
4 discovery, cross examining witnesses, making legal
5 arguments, et cetera, and to preserve your right to
6 appeal to the courts if you object to our decision.

7 For the permit to be approved, South Dakota law
8 states that Xcel and Otter Tail must show that the
9 proposed transmission facility will comply with all
10 applicable laws and rules, it will not oppose -- excuse
11 me -- it will not pose a threat of serious injury to the
12 environment or to the social and economic condition of
13 inhabitants or expected inhabitants in the siting area,
14 will not substantially impair the health, safety or
15 welfare of the inhabitants, and will not unduly interfere
16 with orderly development of the region, with due
17 consideration to the views of governing bodies of
18 affected local units of government.

19 Based on these factors, the Commission will decide
20 whether the permit for the project should be granted,
21 denied, or granted upon such terms, conditions or
22 modifications of the construction, operation or
23 maintenance of the facilities as the Commission finds
24 appropriate.

25 Kerry Lange, our court reporter, is here tonight.

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1 MR. KOENECKE: I will. Thank you, Commissioner.
2 Good evening, Commissioners, Staff, and members of the
3 public. I'm Brett Koenecke. I'm a lawyer from Pierre,
4 and I'm representing the applicants in this matter.

5 We do have a short PowerPoint presentation tonight.
6 And we've got an assembled team here I would like to
7 introduce to you. It will be our pleasure to try and
8 answer any questions you've got about the project, listen
9 to your concerns, and engage in dialogue, both during the
10 meeting and after as appropriate. So without any further
11 ado, I will --

12 CHAIRMAN HANSON: I'm sorry. There is going to one
13 more ado. Forgive me. I see a number of people
14 standing. I'm going to ask -- Karen, if you see anyone
15 that needs a seat, please direct them to chairs. We have
16 several chairs up here. I don't want to have people
17 having to stand in the hall trying to look around the
18 corner. Thank you. Excuse me, Brett.

19 MR. KOENECKE: With that, has everybody gotten a
20 chair at this point? Very good.

21 First off, I would like to introduce Joe Samuel, the
22 project manager from Xcel Energy, sitting up here in
23 front. To my right, Tom Hillstrom, also from Xcel
24 Energy. I've got in the back, Doni Murphy, a consultant.
25 She's working for ERM. She is on routing and agency

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1 coordination. Tony Moore is the principal engineer for
2 the project, in the doorway back there. Sarah Saeger is
3 communications and media relations for Xcel in the back
4 row. I've got Bob Wenger from Ulteig. Oh, Bob is over
5 there. He's -- he is a consultant on the project working
6 on land rights. Matt Eklo, also from Ulteig, working on
7 land rights in the blue shirt. Matt Teichert from ERM is
8 sitting up in front manning our GIS map and coordination.
9 Chris Rogers from Xcel, land rights, in the back row.
10 There's Chris. I've got Dean Pawlowski from Otter Tail
11 Power in the yellow shirt. Welcome, Dean. And Jason
12 Weiers from Otter Tail is over there.

13 So that is our group of assembled experts. We're
14 going to give a very short presentation. We don't want
15 to dominate the conversation, but we do want to give some
16 context and describe the project just briefly. We look
17 forward to hearing your concerns and answering your
18 questions and doing the best we can to engage in a
19 productive dialogue. So with that, Commissioners, shall
20 I start?

21 CHAIRMAN HANSON: Please.

22 MR. KOENECKE: Very well. I've got a copy of the
23 PowerPoint. Did everybody get a copy? We should have
24 had enough for everybody. If anybody needs one, let us
25 know, and we'll do what we can to get additional -- you

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1 need some up front?

2 CHAIRMAN HANSON: Kristie is taking good care of us
3 up here.

4 MR. KOENECKE: Give you a couple. The first slide we
5 put up there tonight describes the entire project. This
6 is a bit of a hybrid project from a permitting
7 standpoint. As Commissioner Hanson told you in his
8 opening remarks, the northern portion of this line has
9 been previously permitted as a result of the Big Stone II
10 project that was proposed back in 2006. That line that
11 is showing coming straight south from Big Stone
12 substation, right to the point where it gets to the
13 dashed line north of Gary and east of Altamont, that
14 portion of the line has already been permitted. And as
15 Commissioner Hanson told you, that was part of another
16 docket proceeding, and not under consideration here
17 tonight.

18 From the point where that line heads west and then
19 starts on the -- on the line going south to Brookings
20 County, that land area is the part of this proceeding
21 that we're in right now here tonight. That's where
22 the -- this project or this permit will start there. The
23 entire route is one project from a construction
24 standpoint, but the permitting was just -- it's being
25 done in that hybrid fashion. And so you can see that

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1 outline there. The relatively straight purple line is
2 already permitted. When we get to the blue line coming
3 down here towards the south, that's what we're talking
4 about here tonight. So I wanted to draw that
5 distinction.

6 We're talking about a 345 kilovolt line, almost
7 70 miles in total; 43 miles are the subject of this
8 permit proceeding. So to give you an idea of the
9 difference in the two lengths.

10 Flipping over to our next slide, the map that you see
11 there describes the different system operators, different
12 ways in which parts of the nation manage the electrical
13 grid. And we will focus on MISO in the gold in the
14 middle. Midwest Independent System Operator manages the
15 electrical grid in those areas which are in gold. As you
16 can see, it's a number of states -- some extremely large
17 states -- in the midwestern part of the nation. MISO is
18 made up of a number then of electric companies who are
19 members of MISO, and the electric companies in our region
20 are certainly, most of them, members of MISO.

21 That group got together and decided that in order to
22 build the grid for the 21st century, that we needed 17
23 multi-value projects, MVP. You will hear that term
24 thrown around over the course of the night. Multi-value
25 projects, meaning projects that build out the grid that

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1 will be of value to people in the entire MISO footprint.
2 And if you see on the left-hand side of the screen, the
3 MVP Portfolio, the goals were, in part, to enable
4 development of future generation, provide regional
5 economic value, and increase regional reliability.

6 So these are a number of -- there are a number of
7 projects out right now, 17 as you can see, this one being
8 one of the 17. Also there is a proposed, or soon to be
9 proposed, Big Stone to Ellendale, North Dakota project,
10 also one of the multi-value projects. But the build-out
11 of the grid is going on all across that footprint. This
12 is one small part of that. So we wanted to describe that
13 to you, and let you take a look at how large the
14 footprint is and where the grid is going to be built out.

15 Turning the page then to the next, I'll turn the
16 microphone over to Tom Hillstrom. He'll probably carry
17 you through the remainder of the PowerPoint presentation,
18 starting with the discussion of who the proposed
19 applicants are.

20 MR. HILLSTROM: Thank you, Brett. And thank you to
21 the Commission for having us here tonight, and thank you
22 all for showing up.

23 The project proposers are Otter Tail Power and Xcel
24 Energy. I work for Xcel Energy. Both Otter Tail and
25 Xcel are companies that are established utilities. They

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1 have been around for a hundred years or more. Both
2 companies have electric generating facilities, power
3 plants. Both companies have the transmission lines that
4 get that power from the power plants to the areas where
5 it's used, and both companies have the distribution
6 systems that provide that power to homes and businesses.

7 On the map here, it shows the areas in which the
8 companies do business. On the left-hand side, you can
9 see Otter Tail Power operates in the western part of
10 Minnesota and in the Dakotas. And then on the right-hand
11 side, you see the -- the map of the United States. Xcel
12 Energy operates in three different areas. You can see in
13 the northern part of the country, Northern States Power
14 is a part of Xcel Energy, and the green and yellow areas
15 in the Dakotas, Minnesota, and Wisconsin are Xcel Energy,
16 also known as Northern States Power. I wanted to make
17 sure that we had that clear because people hear NSP and
18 they hear Xcel. It's basically the same company.

19 Next slide. Tonight we're going to be talking about
20 the route. And the picture here just shows a big broad
21 overview of the route on the southern area that Brett
22 described. I want to note here that this is a map
23 without a whole lot of detail, but as we get into
24 questions, if we want to focus on a specific area, Matt
25 here has some software that can zoom in and show us any

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1 don't want to put the lines near homes. There is natural
2 resources that we need to stay away from, there are
3 cultural resources that we have to consider. So there is
4 a lot of criteria that we develop to characterize
5 different routes, different segments, and compare them
6 amongst each other. And that's how we do it. We start
7 with identifying all the different ways to get from one
8 end point to another. We characterize them with all the
9 different kinds of criteria; for example, how many homes
10 are next to a segment, how many natural resources,
11 wetlands and avoidance areas that we need to stay away
12 from. And then we can compare them.

13 And as we compare the routes, it's clear that some
14 are not as good as others, and those fall out of the
15 process. And then there are some that remain, and we
16 compare those again. And through that systematic
17 approach of comparing route segments, we can end up with
18 a route that has the least impact on people and the
19 environment. And that -- that's the route that we
20 proposed.

21 I'll go to the next slide. I talk about the criteria
22 that we use to compare the route segments. We -- we
23 sometimes aren't smart enough to know what's important as
24 far as all those criteria go, so we reach out to the
25 public, to agencies, to officials, and we meet with

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1 specific area if there's questions on it.

2 I just want to point out the two end points. On the
3 north side, it's where the northern part of the line that
4 has been certified already veers off to the east into
5 Minnesota. That is our northern end point. The southern
6 end point is the Brookings County substation.

7 And the route that we're proposing isn't just a line
8 that we have drawn on a map and just in a haphazard
9 fashion. The route we're proposing has been developed
10 based on a very careful and systematic analysis. And
11 that's what I want to talk about next on the next slide.

12 The way we -- the way we developed transmission line
13 routes that we propose in the permit, it starts with an
14 identification of end points that I just talked about,
15 and then we look at how do we get between those two end
16 points. The first thing we look for is opportunities.
17 And those opportunities are following existing linear
18 features. And those can be roads, they can be property
19 boundaries, they can be existing utilities. Usually we
20 follow an existing feature as a way to minimize the
21 impact rather than going through the middle of open
22 fields.

23 We also look at what the constraints are; where can't
24 we go through and where do we want to stay away from.
25 And those kind of things include homes. We understand we

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1 officials, we have public meetings, we get feedback to
2 help us understand how to do that comparison, what is
3 more important, in that comparative process.

4 So just to highlight some of the things that we have
5 done on this project as we have come out and met with
6 local officials, the county officials, the state
7 officials, we have had public meetings. There was a
8 series of eight public meetings, four held in June and
9 four held in October of 2012, where we presented the maps
10 and got feedback on the routes we were considering.

11 Another thing that we did is we advanced these routes
12 into the process of talking with individual landowners
13 one-on-one. Our right-of-way agents have approached all
14 the landowners on the route that we're proposing, and in
15 some cases where that individual one-on-one contact
16 brings to light there may be a difference -- there may be
17 a preference from a landowner that they might like the
18 route moved a little bit here or there. So we have
19 accommodated that in many cases, too.

20 I'm standing too close to that speaker.

21 MR. SMITH: Tom, could you maybe keep the mike a
22 little closer to your mouth.

23 MR. HILLSTROM: Sure.

24 MR. SMITH: If you're going to move around, it's kind
25 of hard to hear.

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1 MR. HILLSTROM: Okay. We'll go to the next slide.
 2 This is a slide that tells about our schedule. And
 3 I'll just simplify this. We have a permit process now
 4 that's going on through next spring or summer. And then
 5 we have about one year of getting the rest of our
 6 permits, more of a local permit, finishing up the
 7 easement discussions, and doing our final design. And
 8 that brings us to summer of 2015. And that's the point
 9 at which we start construction.

10 So basically permitting through the State process
 11 through next summer, a year of finalizing our design, and
 12 after that, two years of construction from the summer of
 13 2015 to the summer of 2017.

14 And we'll go to the next one. And now I'd just like
 15 to talk a little bit about what happens when we build a
 16 project. It gets built in phases. And those -- the
 17 phases that we have on here, the foundation installation,
 18 placement of the structure, stringing of the wires, and
 19 then finally restoration.

20 And I want to point out this picture here, it shows a
 21 structure that's very similar to the one that we are
 22 proposing. It's a single steel pole. And this is a
 23 typical structure. There may be some specialized
 24 locations where it will be different than this one. But
 25 it's a single steel pole. And you see at the top those

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1 one. There is a reinforced steel cage that is put into
 2 that hole, and the hole is filled with concrete. And you
 3 see what ends up being the finished product at the bottom
 4 right there. It's a concrete cylinder. It sticks out of
 5 the ground just a little bit, a set of bolts on the top
 6 of it, and that's what the structure is bolted on to.

7 After the -- after the foundation is installed,
 8 another crew will come along, and they will haul
 9 materials out to the site and lay them down next to the
 10 foundation. And these are big steel pole segments. Some
 11 assembly is done on the site. They attach the insulators
 12 to the arms, and then they bring a crane out, and they
 13 lift the structures up and place them on -- and bolt them
 14 down onto the foundation.

15 And we'll go to the next one. And then once the
 16 structures are up, the wire has to be strung from
 17 structure to structure. And the way that's done is you
 18 can faintly see here that on the bottom of each insulator
 19 there's a pulley. And what they do is they string a lead
 20 rope through those pulleys, and then pull the conductor
 21 end using big hydraulic drums at the end. And that's
 22 done usually at about a four-mile segment. They pull
 23 about four miles at a time.

24 And that can be done -- the way they can pull those
 25 in is they may have a heavy piece of equipment that just

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1 two long arms? Those two long arms hold the shield wire.
 2 That is just a steel cable that protects the conductors
 3 from lightning strikes. And then below that you see the
 4 three arms. Those are the arms that hold the insulators
 5 that hang down. And at the bottom of the insulator, it's
 6 the actual conducting wire that's held in place there.
 7 And the typical height of these structures range from 120
 8 to 140 feet. And they're typically placed about 900 feet
 9 apart.

10 I did want to point out the single pole structure, we
 11 use that because it has a smaller footprint at the
 12 bottom. In agricultural land, it's -- we have heard from
 13 the farmers a lot that we want to minimize the impact to
 14 the use of the land. And having just one pole versus
 15 two, or some lattice towers have four, the one pole
 16 structure really minimizes that area that's taken up on
 17 the bottom.

18 Go to the next one. So the first step after the
 19 structure locations are determined is to install the
 20 foundation. And this is a concrete foundation. And the
 21 typical way to install these is using a drill rig. And
 22 you just -- you auger a big hole. The hole is -- ranges
 23 usually from six to nine feet in diameter. They run
 24 25 feet deep or more.

25 And once that hole is drilled -- we'll go to the next

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1 pulls the rope and the wire along the right-of-way.
 2 Another way that it can be done is using helicopters, and
 3 the helicopters can fly the conductor or the lead rope
 4 through and just very delicately flip that rope into each
 5 of the poles. And it's a really interesting process.
 6 And we have a website, FX2020.com. On that website there
 7 is a little link to construction videos. And if you want
 8 to see a really interesting way that they can work on
 9 these structures using helicopters, there's some really
 10 cool videos of working on the lines with helicopters.

11 And, finally, when the foundations are in, the
 12 structures are installed, the wire is strung, we go back
 13 and make all the -- we fix up all the land. We do
 14 restoration. And the picture here shows kind of a steep
 15 slope where the ground has been smoothed. They have
 16 seeded the earth there, and they're covering it now with
 17 an erosion control fabric.

18 There is a -- in more agricultural land, what is
 19 normally done is the ground is smoothed. If there has
 20 been ruts, ruts have been made, we disk those smooth.
 21 And in some cases, if there's compaction, we will do some
 22 plowing to eliminate that compaction. And if there are
 23 damage to crops while we're working, the landowners get
 24 paid for those damages.

25 About the -- about the impact to crops and the

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1 potential impact to agricultural land use, we try to
2 minimize that through the route selection process. And
3 the route that we're proposing now, it follows linear
4 features. About a quarter of it follows roads, and about
5 half of it follows existing property boundaries. And the
6 idea there is if you can follow roads and property
7 boundaries, you can have avoid having poles out in the
8 middle of a field where a farmer would have to work
9 around them. So getting them to the edge of the field is
10 a way we can minimize the impact to agricultural lands.

11 And, now, finally -- oh, I forgot about this slide.
12 After the construction is done, the land is restored.
13 The land use in the easement that we purchase can be used
14 for the normal -- for what it was used for. And
15 that's -- in agricultural areas, crops are allowed.
16 Pasture is perfectly fine. The only restrictions are --
17 in our easement is we can't allow structures to be built
18 in there because there's a clearance requirement for the
19 conductors. And we can't allow tall growing trees to
20 grow in the easements. So, again, because -- we don't
21 want those things near our conductors. But other than
22 those restrictions, the land is used as it always has
23 been.

24 And my final slide is just the contacts, who we are.
25 I'm Tom Hillstrom. Joe Samuel is the project manager.

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1 CHAIRMAN HANSON: And would someone from either Xcel
2 or Otter Tail please respond to the comments. Thank you.

3 MR. HILLSTROM: Thank you for the comment. We
4 certainly do work with landowners on placement of the
5 poles. Regarding fences, if there is any impact to the
6 fence, we fix it. You know, if we break something, we
7 fix it. And the pole -- pole locations are staked in the
8 field, and then they are gone over with the landowner.
9 So that is part of our process.

10 MR. JUENKE: I don't think I need that. Pretty sure
11 you'll be able to hear me.

12 CHAIRMAN HANSON: I think we're recording this, so
13 it's best to do that. Thank you, sir.

14 MR. JUENKE: My name is LoWayne Juenke, J-u-e-n-k-e.
15 I'm Carl's neighbor. Number one, on your map here, we
16 live in Oak Lake Township, not Oakdale.

17 COMMISSIONER FIEGEN: LoWayne, do you mean -- mind if
18 you put --

19 MR. JUENKE: Did you hear what I said? We live in
20 Oak Lake Township, not Oakdale.

21 Looking at your handout that you give here on the
22 pole construction itself, if you look at the pages and go
23 through, you have three different kinds of poles. Which
24 one are you planning on using and how many lines are
25 going to be ran off each pole? And what is the legal

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1 Dean Pawlowski is our Otter Tail contact. And then at
2 the bottom is our capx2020.com website. And, again, I
3 want to urge you to take a look at that. There is lot of
4 really good information on there. And that wraps up our
5 presentation.

6 CHAIRMAN HANSON: Thank you very much. Ladies and
7 gentlemen, this is your hearing, your opportunity to ask
8 questions or to make comments. That is why we're here.
9 And so I truly want to encourage you to state your name
10 for the record, and tell us what your concerns are. Dean
11 Karsky with our office has a microphone for you. And I
12 know you folks aren't shy, so someone break the ice.

13 MR. WEISS: Carl Weiss, Oak Lake Township. Mainly I
14 was wondering, basically I ask -- my land is mostly
15 pasture. I got a lot of brand new fence already put up
16 around it. The only thing I would ask is that the poles
17 could be like not set directly in the fence line. I have
18 seen it done before that way before, and I really don't
19 like the idea of putting poles so you have to dodge
20 around it. I would just as soon move it over five feet
21 one direction or five feet the other. So that is really
22 all I ask, I guess.

23 CHAIRMAN HANSON: Would you spell your last name for
24 us, please.

25 MR. WEISS: W-e-i-s-s.

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1 limit you can come -- and I do appreciate you calling our
2 houses homes, because they are our homes. What is the
3 legal limit? How close can you be to a home?

4 CHAIRMAN HANSON: Don't look for me to let you
5 answer. Go ahead. We want to have a conversation.

6 MR. HILLSTROM: Matt, could you go back to the slide
7 that shows that single pole, single circuit. This is the
8 kind of pole we are proposing. And you're right. I put
9 this PowerPoint together. And I struggled to find enough
10 pictures of the activities that I was describing that
11 show just this one kind of pole. And so I did want to
12 point out that this single circuit steel pole is the
13 structure that we're proposing. So that is -- that's I
14 think the answer to your first question.

15 And then the second question is -- the easement width
16 that we propose to purchase is 150 feet wide. It's
17 75 feet on either side of the centerline. That -- that
18 is a limit -- a home can be built closer than that.

19 MR. JUENKE: 75 feet when they're 120 feet tall?

20 MR. HILLSTROM: That's right. But like I said in the
21 beginning, part of our criteria is to keep the line away
22 from homes. And we do our best to avoid homes. We
23 certainly do our best to avoid that kind of proximity to
24 homes.

25 CHAIRMAN HANSON: Commissioner Nelson, go ahead.

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1 COMMISSIONER NELSON: A follow-up. So if I am
2 understanding you correctly, the edge of your 150-foot
3 easement could literally be at someone's doorstep. Is
4 that correct?

5 MR. HILLSTROM: Theoretically that is possible. Yes.

6 COMMISSIONER NELSON: For what -- and I know you
7 don't have the exact location of the line at this point,
8 but are there any places along the route where you're
9 going to be close to that?

10 MR. HILLSTROM: Yes, sir. There is one home that is
11 within 150 feet of the proposed route. We have talked to
12 that landowner, and we -- we have suggested a way to bow
13 the line out to keep it farther from the home because in
14 this case, there are some trees that have to be removed
15 that are next to that house. The landowner said he would
16 rather not have the line in the field. We inquired
17 further. That home is vacant, and it's a rental
18 property. And the landowner is -- would rather have us
19 where we proposed than farther out in the field. But
20 it's just one home within 150 feet.

21 COMMISSIONER NELSON: Thank you.

22 CHAIRMAN HANSON: These are excellent questions.
23 Appreciate it very much. Further questions, please.

24 MS. LEWIS: My name is Kelly Lewis, L-e-w-i-s, from
25 Gary, South Dakota, even though I don't sound like it.

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1 to minimize the impact to that type of a view?

2 MR. HILLSTROM: It's a general consideration,
3 aesthetics are. It's a difficult one to quantify,
4 though, because wherever you put it, it will be visible
5 from somewhere. And we have the end points. We have to
6 get from one end point to another. And the idea of
7 staying away from populated areas is really the best we
8 can do to limit that aesthetic kind of impact.

9 MS. LEWIS: And just one other clarification, just to
10 make sure I understood. On the post-construction slide,
11 there's a picture where it's only on one side of the
12 pole. Is that just the different look or is this a
13 possibility in some of the places or are they going to be
14 on both sides?

15 MR. HILLSTROM: Normally what you're going to see is
16 the arms on both sides. That's a specific structure. It
17 looks to me like it's a sharp angle, and it's a specific
18 structure just to accommodate that sharp turn in the
19 power line. And the typical line where it's straight or
20 at a small angle will -- will be arms on both sides.

21 MS. LEWIS: Thank you.

22 MR. LARSON: My name is Russ Larson, L-a-r-s-o-n.
23 I'm really representing Gilley's Grove Association, which
24 is a landowners partnership. Historical place east of
25 White, South Dakota. And our argument, of course, is

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1 This -- did I understand correctly that these will be 900
2 feet apart, the distance between each pole?

3 MR. HILLSTROM: (Indicating in the affirmative.)

4 MS. LEWIS: Are there any lights on the poles?

5 MR. HILLSTROM: Yes, ma'am. That is the right span
6 distance. The typical distance between the poles is
7 900 feet. And none of them will be lit. Some of the
8 towers that you see that have lights on them are because
9 of FAA requirements. None of the towers that we're
10 proposing are tall enough to have that lighting
11 requirement.

12 MS. LEWIS: One other question. I know that these
13 will pass at least between where my property is and the
14 Coteau Hills. Is that part of the plan? I don't know
15 how the terrain goes that they will not be obstructed to
16 the view of the Coteau Hills. They will be lower down in
17 the valley, so to speak?

18 MR. HILLSTROM: Yeah. The terrain -- obviously the
19 terrain varies, and so I can't really answer your
20 specific question. There are areas along the route where
21 the line is proposed in a low -- in the valley
22 environment, and there are also areas where it is kind of
23 high. So each individual area is -- is specific to, you
24 know, how far they will be visible.

25 MS. LEWIS: But is that -- was that a consideration

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1 that they are running diagonally across our property and
2 across field ground. We have argued unsuccessfully to
3 get that route changed. Realizing, of course, my family
4 farm is three miles south of there, and within a mile of
5 Basin Electric. And in the last three years I have had
6 Basin gas line go across my line, I have rural power
7 poles across my land. You can't look anywhere east of
8 White without having a power pole or something to look
9 at. Now we are going to get another set.

10 My argument, of course, is how many are we going to
11 continue to build, and why, you know, why we can't run
12 along property lines instead of diagonally across
13 Gilley's Grove. Gilley's Grove is a historic site, by
14 the way. You can see it's a natural -- it's somewhat
15 similar to Sica Hollow up by Sisseton.

16 Obviously I have dealt with easements and stuff.
17 Construction of the Basin Electric plant, had hundreds of
18 cars going by every day for several years. So, like I
19 say, we're not obviously very excited about another
20 construction project in our area.

21 But the main thing I need to addresses is why we
22 can't straighten that line out and go across -- go along
23 property lines.

24 MR. HILLSTROM: This is an area that we have talked
25 about, too, and we -- we, in the process of developing

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1 this route, we did study ways to get around Gilley's
2 Grove. And what we ended up with, you can see the
3 alignment, does avoid the wooded area. And I know that
4 doesn't make you happy because it still does go across
5 the property.

6 Like I said earlier, we have a long track record of
7 working with the landowners to do adjustments where they
8 work. And this is an area that we can certainly look at.
9 I think there are some engineering constraints here. I
10 don't know all the answers tonight, but we're -- we're
11 happy to work with you to figure out the best place for
12 this power line. But understanding the constraints of --
13 you know, we did study ways to get around this area, and
14 found that there are -- there are constraints everywhere
15 you go. So this, to us, seemed like the least impactful
16 route. But, again, we're open-minded. We're happy to
17 continue that dialogue.

18 COMMISSIONER NELSON: Tom, before this is all done,
19 we are going to have to talk about those constraints and
20 know exactly what they are. I mean that answer is pretty
21 broad to me; you've got constraints, but we don't know
22 what they are. And so I would want to know what those
23 are.

24 Obviously, looking at the map, if you bring it all
25 the way to the section line, you're getting pretty close

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1 to an existing 345 line, so I understand there is going
2 to have to be some space there, but it looks to me like
3 you could come a lot closer to that section corner than
4 what you have. And so at some point we're going to need
5 a response to that, as to what the constraint is and why
6 it can't be -- why that -- it can't follow that section
7 line a little bit closer.

8 MR. MEYER: Barron Meyer, M-e-y-e-r. And you might
9 as well leave that up there. I am a quarter section just
10 south of Gilley's Grove there where the line goes
11 diagonally across. There you go. The green to the right
12 is a grassland easement, which I understand you guys
13 don't like to go anywhere near. But as you can see, it
14 goes diagonally across my quarter. So I'm -- just like
15 Russell stated about the grove up there, we would like
16 you to make some square corners out there.

17 MR. HILLSTROM: I think that's an area that we need
18 to look at and get back to you on. And the way -- the
19 way I understood your comment was, if I can maybe just
20 point at the map, is this the -- to go straight east
21 along the southern property boundary of Gilley's Grove
22 and then south of the eastern boundary of Gilley's Grove,
23 is that --

24 MR. MEYER: Yes. Yeah, that would work.

25 CHAIRMAN HANSON: Please, further -- further

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1 concerns. We have the folks here, and it's an excellent
2 opportunity to see if we can straighten out some future
3 challenges.

4 MR. LARSON: Again, Russ Larson. I would like to
5 make one additional comment. Back in 1965, '6 or '7, we
6 had a WAPA line go through our pasture. To this day you
7 can tell where the Cat scarred the hills and everything
8 else. The same with the poles that were put in three
9 years ago. Those hillsides and those native pastures are
10 never going to come back. They have got mats and
11 everything down. And, you know, it didn't rain last
12 summer. They have all blown away and that sort of thing.
13 So we're going to insist that you guys stay on your
14 right-of-way and restore those pastures the way they
15 were.

16 COMMISSIONER NELSON: I appreciate your bringing that
17 up because during the initial presentation, that is one
18 the notes I made. I wanted you to talk a little bit more
19 about grassland restoration. I have got some personal
20 experience with that that's not positive, and so I really
21 want you to talk about what do you consider fully
22 restored and what do you commit to these folks to get to.
23 The experience I've got, the company I dealt with, said
24 that 70 percent was good enough. Well, I don't think
25 70 percent is good enough. And I want to know what your

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1 standard is and what you consider fully restored.

2 MR. HILLSTROM: Well, we're committed to work with
3 the landowners to get it back to where it was before we
4 started our construction. And I believe the 70 percent
5 figure is out of a storm water pollution prevention plan
6 requirement where the companies are required to get
7 vegetation restored to a 70 percent coverage level before
8 we can stop monitoring it. But the -- what we need to do
9 is restore to the preconstruction conditions, and that's
10 on an individual basis. Whatever the seed mix is we need
11 to put down, we will put down. We need to get it back to
12 where it was before we started.

13 COMMISSIONER NELSON: And does that include
14 population density? Are you committed to restoring a
15 hundred percent population density or do you fall back on
16 the 70 percent basis?

17 MR. HILLSTROM: I guess I'm struggling there. The 70
18 percent allows us to stop monitoring every week for the
19 storm water permit. But we're committed to get it back
20 to whatever it was before we started. So the 70 percent
21 is an answer for the permit technicality, but we're
22 committed to get it back to where it was before we
23 started construction.

24 COMMISSIONER NELSON: Thank you.

25 CHAIRMAN HANSON: If you have a question, please

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1 raise your hand or comment. Please.

2 MS. LEWIS: This is Kelly Lewis again. Out of
3 ignorance of this process, why are these not underground?

4 MR. HILLSTROM: That's a good question. We get that
5 question a lot. And the main answer is cost. There are
6 a lot of lines that are built underground, but those are
7 the lower voltage lines that bring the electricity to
8 your house. Those are pretty easy to bury.

9 To bury a transmission line of this high voltage, you
10 need very specialized cable. And it turns the cost from
11 2 million dollars a mile, multiplies that by a factor of
12 maybe 10. So instead of 2 million a mile, it's 20
13 million. So the main reason is cost. And we just can't
14 justify that extra cost unless there is a very specific
15 constraint there.

16 So there are places where we do build underground
17 transmission, but those places are very limited; say, at
18 the end of a runway or downtown in a big city where you
19 physically can't possibly build a line overhead. So it's
20 cost, and there is an element of reliability; where you
21 think it might be more reliable if it's underground and
22 not subject to the weather, but if an underground line
23 goes out, it's very difficult to locate the problem, and
24 then it's very -- it's a much more lengthy process to fix
25 it because we need to get the specialized cable in, and

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1 MR. HILLSTROM: Is he pointing at the right gravel
2 road?

3 MR. JUENKE: Yes.

4 MR. HILLSTROM: Can you do that measurement, Matt?

5 MR. TEICHERT: Quarter mile at this location.

6 MR. HILLSTROM: Yeah. So I can answer your question
7 in general. We talked about the stand of poles being
8 about 900 feet apart. And where we do go across a water
9 body, as long as that water body is less than 900 feet or
10 so, we can completely span it. So we don't need to put a
11 pole in there. We don't need to disturb it. Where we
12 cross water bodies, that's how we minimize the impact.

13 MR. JUENKE: Still have to get your equipment down
14 there.

15 MR. HILLSTROM: Well, we can approach it from both
16 sides. The pole can be worked on from one side, and then
17 come at it from the other side as well.

18 UNIDENTIFIED SPEAKER: That is all my land, too.

19 MS. MEYER: Nila Meyer.

20 CHAIRMAN HANSON: Hope that's not your heart beat.

21 MS. MEYER: I just have a question about if there is
22 any long-term or -- any long-term studies regarding the
23 health effects of these high power electrical lines on
24 individuals that live within the vicinity or drive under
25 them on a regular basis back and forth to work.

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1 it takes a lot longer to fix when you're going under.
2 But mainly it's the cost.

3 CHAIRMAN HANSON: Great questions. I feel like an
4 auctioneer here when I ask if there are any additional
5 ones here.

6 MR. JUENKE: Can you bring up Oak Lake on your GPS.
7 And can you address how you are going to handle crossing
8 the inlet to Oak Lake.

9 MR. HILLSTROM: I need to see the area before I can
10 take a stab at that one. Is Oak Lake a water body kind
11 of in the middle of the picture? Oak Lake is not a lake?
12 Is it -- are you talking about a specific lake or the
13 township in general?

14 MR. JUENKE: There's a -- it's a lake.

15 CHAIRMAN HANSON: There's a lake and a township.

16 MR. JUENKE: Yes. That's it right there. Yeah. As
17 you can see, your projected line goes right -- I can't
18 understand why it jags into the lake. You go to the
19 road, from the way that I understand it. That's right
20 where the inlet to the lake is.

21 MR. HILLSTROM: Matt, can you turn on the -- there we
22 go.

23 MR. JUENKE: So I guess really how far is your
24 projected line from the gravel road there? It is so
25 difficult to tell. At least it is for me.

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1 MR. HILLSTROM: That is a concern that -- the concern
2 is with electromagnetic fields. And there's been many,
3 many studies about electromagnetic studies over the past
4 30 years or so. And you can go on the internet and find
5 them yourself. And what -- what these studies do is they
6 look at associations, and they try to figure out the
7 incidence of disease and -- versus -- associated with the
8 exposure to electromagnetic fields.

9 That is a difficult thing to do because every
10 electrical appliance you have in your house puts out
11 electromagnetic field. So people's exposure to
12 electromagnetic field is difficult to pinpoint. So the
13 statistical studies that they do have lots of room for
14 errors in them. And that's the concern, the associations
15 that people think might be occurring from these
16 statistical studies.

17 But the next step in science is to bring studies into
18 a clinical setting where you can do studies on animals
19 and sort of determine what -- what is a mechanism that
20 EMF might have on the incidence of disease. And those
21 kind of studies have shown no causal effect between EMF
22 and any kind of health concerns. So there is some
23 statistics out there that give people a little bit of
24 worry, but the next step in science has not shown any
25 kind of causal effect of EMF in the incidence of disease.

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1 I can tell you, though, is we have meters that we can
2 measure EMF. And what we find is that the normal
3 envelope of elevated EMF is within about 300 feet of a
4 line. And after that it goes down to about background
5 levels.

6 MS. MEYER: So if it's -- so if it's 300 feet, then
7 if you have a house that is within 75 feet, wouldn't that
8 be a concern that you would try to avoid? I mean, really
9 try to avoid.

10 MR. HILLSTROM: We do -- we do try to avoid homes.
11 We try to -- we try to avoid homes that are near our
12 line. And that's because it's -- EMF is one reason. But
13 the main reason is people just don't like poles near
14 their home. We understand that very clearly. And,
15 again, the studies don't show any kind of a causal
16 relationship. So there's a lot of people living that
17 close to power lines and don't think twice about it.

18 MR. LARSON: Russ Larson. I would add to that, we
19 have already got a 345 on Gilley's or a quarter mile from
20 Gilley's. This is going to be right next to it. So
21 that -- do the math.

22 MR. MEYER: Barron Meyer again. If we don't come to
23 an agreement with your land acquisition specialist, then
24 what's the course of things? What happens next?

25 MR. HILLSTROM: Well, I'm optimistic that we can come

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1 to an agreement. I think that we -- what we have done
2 with our routing is we know that this is the place where
3 we're pretty sure that -- the line has to get through
4 here somewhere. Every other place we have looked at has
5 a serious problem. I think that we can adjust it. The
6 comments that I have heard tonight seem reasonable. I
7 think that we can explore those property line routes. I
8 think that makes a lot of sense.

9 MS. FROMM: Sheryl Fromm. Did you say that you had
10 contacted all the property owners? This letter is the
11 first notice that we have had of any of this.

12 MR. HILLSTROM: Yes. What we have done is we've sent
13 out mailings throughout our process. It goes back a
14 couple of years now. And the way we do this is we have
15 to go to the counties to get taxpayer identification, the
16 names. That's the only way we can get property owners'
17 names. And we develop a list of landowners based on
18 those county databases. And it happens almost on every
19 project that there is a mistake in that database, and
20 somebody doesn't get the mailing. And that is why we go
21 to the extra effort of putting ads in newspapers and
22 collecting names of people who didn't get the mailing so
23 we can fix those mistakes.

24 But I can tell you this; that all of the -- all the
25 landowners along the route that we're proposing have been

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1 contacted by our right-of-way agents individually. So if
2 you own land that is crossed by the route that we're
3 proposing, we have reached out to you.

4 MS. FROMM: Well, that looks like that is ours, and
5 nobody has contacted us. My mother owns it. She lives
6 in Colorado. She didn't know anything about it.

7 MR. HILLSTROM: Well, we should talk one-on-one
8 because that's -- I think there is big problem there
9 because we have had agents out digging up contact
10 information and making individual contacts for every
11 landowner out there.

12 MS. FROMM: You actually have this addressed to my
13 father who has been dead since 1993.

14 MR. HILLSTROM: Well, if that's the case, we want to
15 fix that right now. So I would appreciate it if you
16 could talk to Chris Rogers. He's our right-of-way
17 specialist there, and he can -- he can fix that.

18 CHAIRMAN HANSON: Well, it appears that we're solving
19 some challenges this evening. That's good. That is the
20 purpose of having this hearing, along with the fact that
21 it gives the Commission an opportunity to meet some of
22 the folks that are -- and some of the challenges that
23 you're confronted with. At the same time, it's an
24 opportunity for you to get to know the folks from Otter
25 Tail, and specifically those people that you can work

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1 with. I -- I'm guessing that the reason they have that
2 particular address is that that's what is on the tax
3 receipt at the county.

4 MS. FROMM: Actually my mother got remarried. It's
5 not correct.

6 CHAIRMAN HANSON: Oh, really.

7 MS. FROMM: So I don't know. It looks like that line
8 right through our property.

9 CHAIRMAN HANSON: Thank you. I'm glad you brought
10 that up. Any other concerns or questions or comments?

11 MR. SMITH: I just want to know, on the list of
12 people they did mail to, there is a Theodore Fromm. Is
13 that --

14 MS. FROMM: That would be my father.

15 MR. SMITH: Okay. That is who got served.

16 MS. FROMM: Like I said, he's not been with us for
17 many years.

18 MR. SMITH: He is probably just listed on the
19 county's role I guess.

20 MS. FROMM: I think it's under my mother's name.

21 CHAIRMAN HANSON: Thank you. Commissioner, did you
22 have a question?

23 COMMISSIONER NELSON: I just had one other question.
24 Tom, you talked about the fact that you can't plant trees
25 under the power line obviously. Are there any places

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1 where you are going to have to clear cut through
2 shelterbelts on the proposed route?

3 MR. HILLSTROM: The one -- the one house that I
4 mentioned that is within 100 feet of the route, that will
5 require moving trees -- removing trees next to that home.
6 But, like I said, it's a vacant rental property. There
7 may be other places. We -- we did our best to avoid
8 that. Not only do we want to avoid proximity to homes,
9 but especially we try to avoid the proximity that would
10 require us to move that shelterbelt. We understand the
11 importance of shelterbelts. I can't think of another
12 place on the route where we need to remove a shelterbelt.
13 That doesn't mean there isn't another place. I just
14 can't think of another one.

15 COMMISSIONER NELSON: Thank you.

16 MR. MEYER: Barron Meyer again. Commissioner Nelson,
17 I'm one of those that they would go through a
18 shelterbelt. In fact, I got two of them out there I
19 planted, and they are doing very well.

20 COMMISSIONER NELSON: Thank you.

21 MR. WEISS: I kind of hate to make this comment. But
22 a dear friend of mine, he lives down by Flandreau -- Carl
23 Weiss again. Anyhow, a good friend of mine down at
24 Flandreau, South Dakota, he lives underneath a big steel
25 high line. I don't know how many years it went through,

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1 that everyone is treated fairly. And so if -- you can
2 help us out in that because no one in this room knows,
3 even if you have lived in this area, don't know every
4 foot of where that transmission line is being proposed to
5 go. At least I don't think you do. And so we really
6 need to all work together. We're all smarter than any
7 one of us, so please help us out from that respect, and
8 contact us if you have any type of concern.

9 I'll ask one last time for any comments. If anyone
10 has any comments and -- this is your opportunity. This
11 is not your last opportunity. You can certainly contact
12 us.

13 If not, on behalf of all the Commissioners, I would
14 like to say thank you very, very much for attending, and
15 thank you, Otter Tail and Xcel, for the presentation and
16 information you have provided. And we'll look forward as
17 Commissioners to going through the docket and the hearing
18 processes in Pierre.

19 Is there a motion to adjourn the hearing?

20 COMMISSIONER NELSON: So moved.

21 CHAIRMAN HANSON: All those in favor signify by
22 saying aye.

23 (All respond aye.)

24 CHAIRMAN HANSON: Motion carried. We are adjourned.
25 (End of proceedings at 7:35 p.m.)

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1 but it's one line there someplace.

2 But anyhow, here is what he told me when you guys
3 first started the project. I was kind of undecided about
4 having it go through, too. He told me -- he just asked
5 me a quick question; do you use electricity. Well, as
6 far as I know, anybody in here, I think we all use
7 electricity. One way or another, it's got to go.

8 That's about all I can tell you. I mean it's plain
9 and simple unless we want to go back to the Amish. So
10 that's all I want to say, I guess.

11 CHAIRMAN HANSON: Ladies and gentlemen, I'm going to
12 call it here in a second. But I hope you all have the
13 information that was shown on the last slide of the
14 presentation, and also have the information on how you
15 can talk -- contact the Public Utilities Commission.

16 The Commission is not an advocate in this hearing, in
17 this process. What we do, and what we are required to by
18 South Dakota law, is to protect both the consumer and the
19 utility companies' interests and make sure that what is
20 done is fair and proper. And so from that standpoint, we
21 truly do want to listen and understand what your concerns
22 are, what your challenges are, and make sure that if
23 those can be overcome, that they are overcome.

24 The fact is, obviously, we -- yes, we do all use
25 electricity. At the same time, we want to make certain

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1 STATE OF SOUTH DAKOTA)
2 :SS CERTIFICATE
3 COUNTY OF MINNEHAHA)

4 I, Kerry Lange, Court Reporter and Notary Public in
5 the above-named County and State, certify that the
6 above-entitled proceedings were reported by me, and the
7 foregoing Pages 1 - 43, inclusive, are a true and correct
8 transcript of my stenotype notes.

9 Dated at Sioux Falls, South Dakota, this 26th day
10 of August, 2013.

11 _____
12 Kerry Lange
13
14 Commission Expires: 7/12/17

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