

No CapX 2020!

Carol A. Overland, Attorney at Law

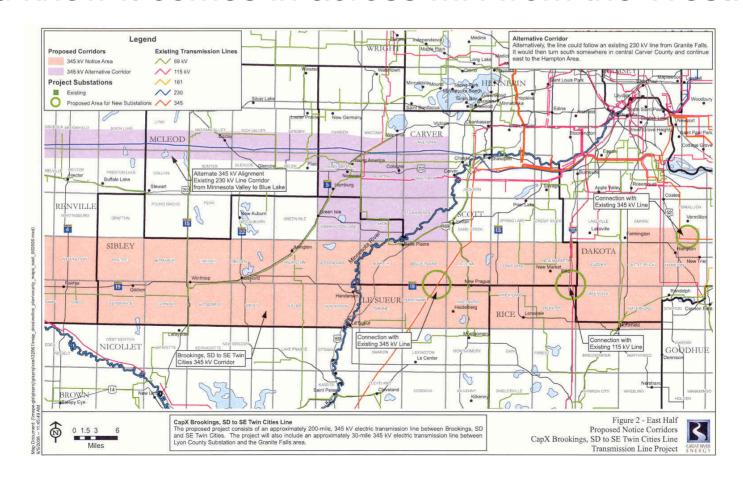
Representing NoCapX 2020 & U-CAN

www.nocapx2020.info

www.u-canmn.org

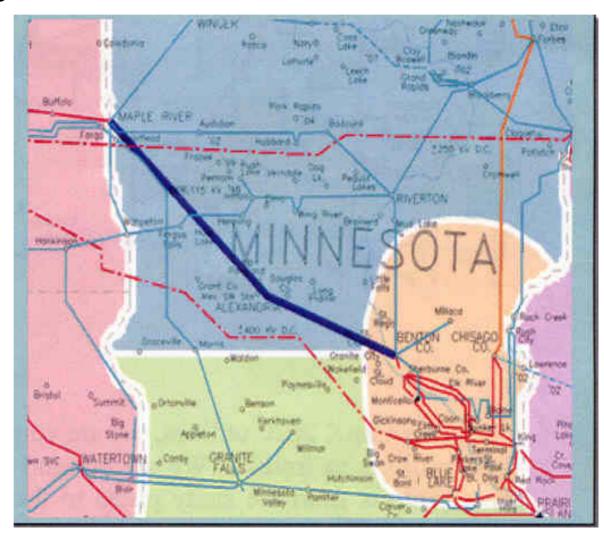
CapX 2020 & LaCrosse

What does this have to do with LaCrosse?
You know it comes in across MN from the West:



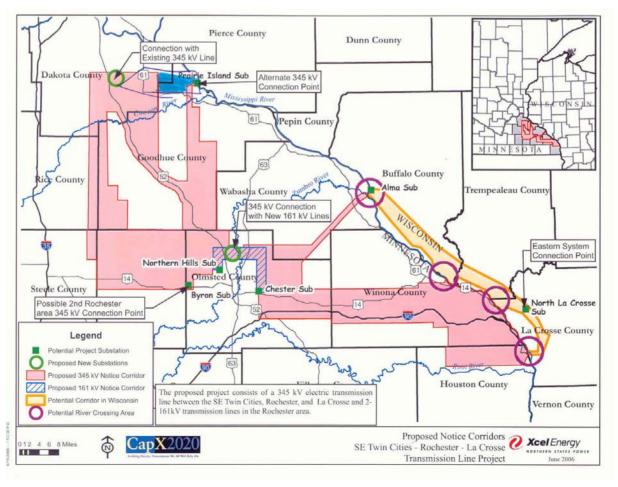
CapX 2020 – pass through

And through Fargo from the coal fields of the Dakotas:



CapX 2020 - pass through

From there it goes SE through Rochester and LaCrosse into Wisconsin headed east:



CapX 2020 is not for wind

It's <u>NOT</u> for wind... it's for whatever generation is positioned to interconnect – they can't pick and choose generation

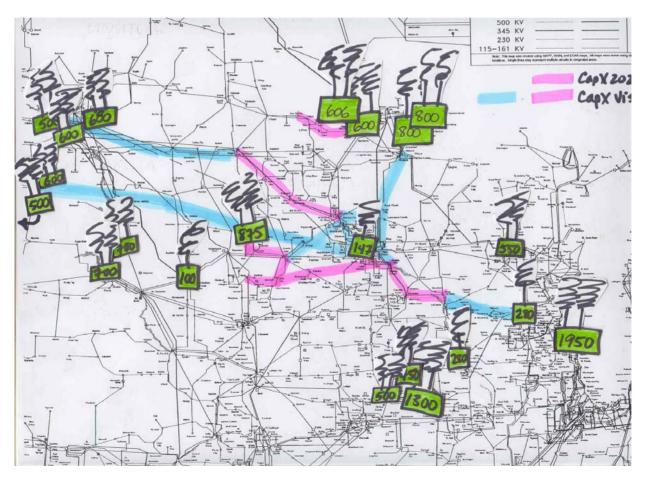
Again, it starts in the coal fields of the Dakotas... where there's coal waiting, and goes to Wisconsin and beyond

CapX presents that it's Minnesota only, but we can see the truth on their own maps – here's one from 8K SEC filing!



CapX 2020 will serve coal

Look at the coal waiting, xmsn studies complete and in progress for transmission interconnection:



Source: Overland submission for Annual Power Plant Siting Act Hearing, 2005

CapX 2020 claims need

- CapX 2020 claims three types of "need"
 - Local load need in several specific areas
 - Regional reliability
 - Generation Interconnection (SW Minnesota)
- CapX 2020 claims that because of these specific needs, there are no alternatives
- Guess again there are many ways to meet their claimed needs!

CapX 2020 – not for local load

- CapX 2020 claims it's needed for local load, little drips and drabs in various cities along Fargo and LaCrosse routes
- Need claimed is very small, and can be addressed by conservation, local generation
- Small need is a tiny percentage of the large capacity of lines (2050-2485MVA)
- No justification for a xmsn superhighway
- No justification for double circuting CapX

CapX 2020 not for local load

Rochester need claim is good example:

- Claim of small need
- Modeling <u>all local generation</u> off line
- ... therefore "needed" transmission
- Didn't disclose 4 new 161kV lines planned
- Didn't disclose RPU's Westside substation is site for new gas generation
- Didn't disclose RPU consultant's advice that RPU participate more in market!
- Bottom line? It's not needed for local load in Rochester, or in any of the communities

CapX 2020's "regional reliability" = market sales

CapX claims need of 6,300MW by 2020 in the REGION – "REGION" is not Minnesota

- Xcel, MN's largest, "needs" only 375MW by 2015... but wait... Xcel has filed at PUC – don't need ANY!
- So who needs it and where are they?
- Driver? Transmission owners want CapX 2020 to wholesale market transactions in the MISO Midwest Market – but where's the market?
- RES Market? There's 10,000 MW of wind in queue in Illinois!!! Illinois doesn't need wind, they've got their own.
- Where's the market?

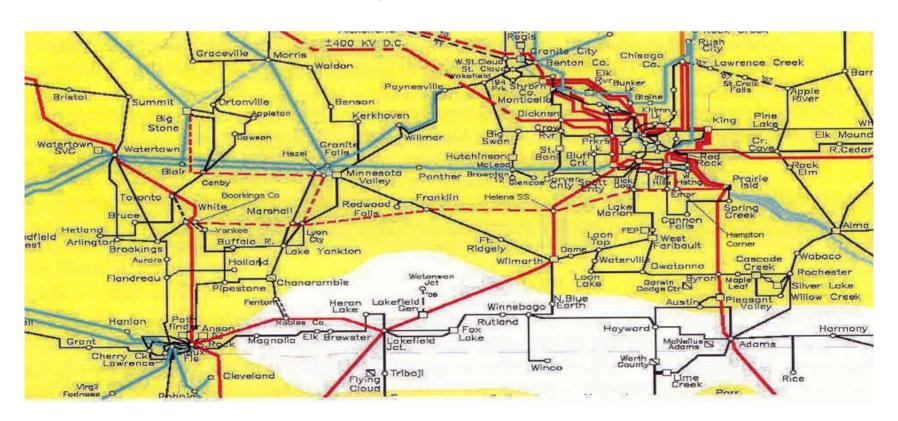
"Regional reliability" is market based, not electric reliability

Generally speaking, a higher voltage transmission grid provides the backbone necessary for regional reliability. Regional reliability is related to the efficient transfer of bulk power across regions and between regions. By constructing additional 345 kV transmission lines, the regional system is benefited as a whole because those additional connections provide for a more robust transmission system that is able to better withstand system contingencies. A more robust bulk power system also enhances efficient transfer of power across and between regions, which promotes and supports fair and competitive wholesale electric markets to meet the needs of all regional market participants, rather than just those of the individual utility's customers or a specific generation resource type.

Jared Alholinna, Direct Testimony, p. 7

CapX 2020 for generation outlet

- CapX 2020 claims the "Brookings" line, and only Brookings line, is for generation outlet
- The "Brookings" line interties with the Big Stone II coal plant's transmission
- Sept. 6, 2005 letter ID'd Big Stone xmsn as first step of CapX



CapX 2020 is market driven

It's all about desire for unregulated wholesale sales that will support new and existing coal:

- Minnesota is a regulated utility market, where utilities serve native load and are allowed rate recovery. But utilities can sell wholesale
- CapX is for unregulated export and sales
- MISO Midwest Market goal displace natural gas with coal generation

www.nocapx2020.info/?p=312

CapX 2020 notice issues

- 80,000+ landowners got notice could be affected
- Many other landowners, several thousand, received notice long after:
 - March, 2008 just before intervention deadline
 - April, 2008 just after intervention deadline
 - July, 2008 AFTER INTERVENTION DEADLINE AND JUST PRIOR TO EVIDENTIARY HEARING
- Several thousand received notice after it was too late to intervene, after public hearings were over
- Comment time extended, but not intervention!
- U-CAN pipeline appeal: Improper notice not issue.
 No right to intervene, just right to be heard!

www.nocapx2020.info/?p=277

CapX – "Buy the Farm" applies

In Minnesota, there's a way out:

Minn. Stat. § 216E.12, Subd. 4

- When you've received notice of condemnation, you can force the utility to "Buy the Farm."
- Must give notice within 60 days of service of condemnation, you snooze, you lose
- Valuation will be an issue to fight about
- Intent of the law is to allow people a way to get out from under a transmission line

CapX 2020 PUC Docket

Evidentiary hearing for CoN is over. For Public Utilities Commission filings thus far:

- go to <u>www.puc.state.mn.us</u> ,
- then to "eDockets"
- then "Search Documents" search docket 06-1115

The formal siting docket has not begun.

Email <u>robin.benson@state.mn.us</u> to be put on docket email list for notice of application

How to say NO to CapX 2020?

- Write Letters to the Editor
- Keep on Minnesota legislators they need to say NO to <u>ALL</u> of CapX, not just LaX line
- MN/WI Legis Energy Committees testify!
- Participate in WI docket <u>www.psc.wi.gov</u>, "ERF" and sign up for "subscriptions" to be notified when CapX application comes in
- Attend & testify at PPSA Annual Hearing (for notice, email bob.cupit@state.mn.us)

NO CAPX 2020!

Questions?

Continuing work refines the plan, but the first project group is ready for implementation



Carol A. Overland Attorney at Law Legalectric

www.nocapx2020.info www.u-canmn.org