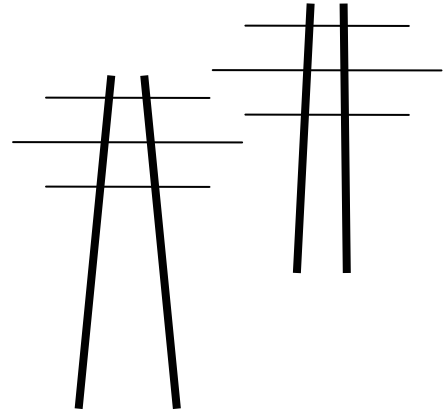


Legalelectric, Inc.

Carol Overland Attorney at Law, MN #254617
Energy Consultant—Transmission, Power Plants, Nuclear Waste
overland@legalelectric.org

P. O. Box 176
Red Wing, Minnesota 55066
612.227.8638

P.O. Box 69
Port Penn, Delaware 19731
302.834.3466



May 5, 2009

Richard C. Luis
Administrative Law Judge
Office of Administrative Hearings
P.O. Box 64620
St. Paul, MN 55164-0620

RE: Schedule – Revised Proposed
I/M/O Application of the Route Permit Application by Great River Energy and
Xcel Energy for a 345kV Transmission Line from Brookings County, South
Dakota to Hampton, Minnesota
PUC Docket No.: ET-2/TL-08-1474

Dear Judge Luis:

As I noted today, I wish to offer the attached revised schedule for discussion.

I was disturbed to learn that OES and the applicant had met and agreed in part on a schedule to present, and more so to learn that Ms. Hammil, OES, had contacted you privately about their plans. I appreciate your disclosure of that discussion. NoCapX 2020 and United Citizens Action Network are known intervenors, there were no objections to our intervention. We should have been included in any discussion and should not have been excluded from conversations with you about the schedule. This does not bode well for this proceeding, and I hope this behavior does not continue. Much time would have been saved, and much confusion would have been avoided had these discussions been inclusive. For example, I had no way of knowing that they applicants had agreed to a three month extension of the time limitation, and had I known, would have presented a very different proposal. Had we all sat down ahead of time, we likely could have had a simple proposal for you with sticking points eliminated.

Logistically, NoCapX and U-CAN support outstate hearings to the fullest extent possible, similar to the “travelling road show” for the SW MN 345kV line. I have heard from groups in Marshall and Redwood Falls and expect there is significant interest in those communities. In LeSueur and Henderson, there is also strong interest and they are organizing, although they have not yet

intervened. In New Prague, the scoping meeting had over 450 people in attendance. We agree with Scott Ek's assessment that interest will increase as this project moves forward.

Thank you for your consideration.

Very truly yours,



Carol A. Overland MN 254617
Attorney for NoCapX 2020 and United Citizens Action Network (U-CAN)
Legalelectric
P.O. Box 176
Red Wing, MN 55066
(612) 227-8638 and (302) 834-3466
overland@legalelectric.org

cc: Service List & one hard copy to ALJ Luis

**GRE and Xcel 345 kV Transmission Line from Brookings County to Hampton
PUC Docket No. ET-2/TL-08-1474**

Proposed Schedule of Events

OES SHOULD HAVE CONSULTED KNOWN PARTIES, SHOULD NOT HAVE HAD EX PARTE CONTACT WITH ALJ. HAD THIS BEEN DONE, WE COULD HAVE SAVED A LOT OF TIME AND EFFORT.

6/22/2009	Environmental Impact Statement ("EIS") Scoping Document released
08/03/09	DIRECT TESTIMONY – APPLICANT – typically have at least a month between Applicant Direct & Intervenor
09/01/09	SECOND PREHEARING CONFERENCE
10/01/09	INTERVENTION DEADLINE
10/1/09	Draft EIS available
10/07/09	DIRECT TESTIMONY - INTERVENORS
10/26 – 11/2	Draft EIS public meetings
11/09/09	REBUTTAL TESTIMONY (all parties)
11/16/09	Draft EIS Comment Period deadline for written public comments
11/23/09	SURREBUTTAL Prefiled testimony due (all parties)
11/30 – 12/17	Public Hearings – evenings during evidentiary EVIDENTIARY HEARING so the witnesses are available PUBLIC CAN PARTICIPATE, QUESTION WITNESSES 7849.5710, Subp. 3(C) PREFER OUTSTATE TO THE EXTENT POSSIBLE
12/17/09	Intervention- LITE Deadline for directly affected parties
1/8/2010	Final EIS available – THIS IS LONG AFTER HEARINGS ARE OVER

- 1/22/10 Deadline for written public comments to ALJ – **(SAME DAY AS EIS IS AVAILABLE – NO!!!)**
- 1/22/10 Initial briefs of **ALL PARTIES and applicant FOF** (may address adequacy of EIS)
- ~~2/12/10 Response briefs of other parties and OES comments~~
- 2/26/10 Reply briefs – **AND PROPOSED FINDINGS**
- 3/26/10 ALJ report and recommendation to PUC **(WILL NEED MORE TIME)**
- + 15 days Exceptions deadline
- ~+ 30 days Commission Meeting/Final PUC decision

REQUEST eFiling FOR PARTIES & EMAIL SERVICE, PAPER TO ALJ ONLY