

### STATE OF MINNESOTA PUBLIC UTILITIES COMMISSION

•	Date: 5/12/2011		
Public Comments Received Commission for week endir	· · · · · · · · · · · · · · · · · · ·	Docket Number 09-1056	

# 09-1056

#### Rice, Robin (PUC)

From:

Eknes, Bret (PUC)

Sent:

Tuesday, May 10, 2011 11:21 AM

To:

**#PUC Public Comments** 

Subject:

FW: Exception Letter Re: Judge's Report to the PUC

Attachments:

PUC Letter p1.JPG; PUC Letter p2.JPG; PUC Letter p3.JPG; Certified Mail Receipt.JPG

Importance:

High

From: Rob Undersander [mailto:robu@clearwire.net]

Sent: Tuesday, May 10, 2011 9:46 AM

**To:** Eknes, Bret (PUC)

Cc: Kenny And Linda Eikmeier; terra o'neil

Subject: Exception Letter Re: Judge's Report to the PUC

Importance: High

Mr. Eknes,

Attached is a copy of the certified mail receipt with date stamp (May 9) and the letter stating seven exceptions to the administrative law judge's FINDINGS OF FACT, CONCLUSIONS, AND RECOMMENDATIONS, signed by 23 residents along route E-5 in the Option 12 area. Per your recommendation, I sent the original to the Commission at 121 7th Place E., Suite 350, Saint Paul, MN 55101-2147. It should arrive today or tomorrow. You indicated on the phone that it had to be postmarked by today.

Thanks again for your help.

### Rob Undersander

320-260-1331 cell

8497 Old Hwy Rd N St. Cloud, MN 56301 <<...>> <<...>> 

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May 8, 2011 Letter Regarding the Matter of the Application for a HVTL Route Permit for the Fargo to St. Cloud 345 kV Transmission Line Project

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Dout land	8754 Old Huy Rd N St. Cloud Mn
James 2/Brown	9489 Co Rd 138 St Clark 14 56361
Del Brown	4409 Co Mil 138 St. Claud, Mr. 56301
from Cikmin	9697 CORD 138 ST. CLOUD MN 56301
Mary Er Kmein	9697 Co. Rd 138 St. Cloud MN 56301
Barbarat Bakensur	8895 N. Old Huy. Rd, Schoud, MN
Lingo H. Eikenein	8825 M. Old Huy. Rd. H. Claud Mrs. 56301
	88 25 N Old Hwy Rd St. Cloud MN
Rob Underrander	8487 old Hwy Rd N, St Cloud MN 56301

compensation. The signers of this letter are opposed to Route E-5. There are only 6 residences along Route AS-5, including two within the right of way. None of them attended either of the two public hearings in this area.

#### Other Comments

We feel that a mistake was made putting the Quarry sub station in before the final decision was made on the St. Cloud to Fargo line. As did many, we are sure that Xcel thought the line would follow the preferred route and go north out of the sub station. Due to the decision of the administrative law judge, not only is the line costing everyone more due to back tracking, it is making our neighborhood live with the burden of Xcel's mistake. We feel that a corrective measure would be to use AS-5 which was mentioned as an alternative method for the last region of route E to connect to the Quarry substation.

The residents along Route E-5 request 5 minutes time for public comment with the commission prior to their deliberation.

Signatures	Address
Gol Committee	8705 ald by N SY Llavel, MN 56301
Patricia R. Undervender	9705 Old Hay N, St. Cloub, MN
Browne Hargeley	9702 012 Huy Rd W St. (1004, MN 56321
Thicky Haggery	8702 Old Howy Rd N St-Cloud MN 56301 S6301
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	8601 Old Huy Rd N St. Clark 14N 5630,

May 8, 2011

To: State of Minnesota Public Utilities Commission

From: Route E-5 Impacted Residents

Re: In the Matter of the Application for a HVTL Route Permit for the Fargo to St. Cloud 345 kV Transmission Line Project

This letter states exceptions to the Administrative Law Judge's FINDINGS OF FACT, CONCLUSIONS AND RECOMMENDATIONS IN THIS CASE, herein referred to as FFCR.

#### Specific Findings of the FFCR in Error

- 1. Route E-5 runs immediately adjacent to over 100 acres of residentially zoned land. The FFCR only looks at residences within 500 feet <sup>184</sup>. Towers up to 170 feet high have a visual impact far exceeding 500 feet in this area.
- 2. The Table in paragraph 390 of the FFCR is misleading. There are 13 residences visually impacted by Route E-5. Two are in the right of way, and five more are just over 500 feet from the route center.
- 3. Route E-5 was not evaluated separately in paragraphs 383 and 384 of the FFCR, and, therefore, inadequately evaluated, despite appearances and written comments opposing Route E-5 by 17 residents at two public hearings.
- 4. Route E-5 was inadequately evaluated under the flora and fauna section, paragraphs 446 to 469. Preliminary pole placement would require removal of a stand of old cottonwood trees, (one exceeding 15 feet in circumference) and are home to red-tail hawks and constant visits from hald eagles.
- 5. Route AS-5, also labeled as Applicant's Proposed New Route, was inadequately evaluated anywhere in the FFCR. THE RESIDENTS ALONG ROUTE E-5 RECOMMEND ROUTE AS-5. AS-5, with a very small connector added, would be shorter, more direct, and less costly than Route E-5.
- 6. The FFCR does not recognize a significant recreation area, a toboggan hill, visible on satellite imagry, used by many residents along Route E-5<sup>415</sup>. Preliminary pole placement shows a pole located immediately adjacent, and directly in line with the toboggan run.
- 7. The logic used in the FFCR is flawed because it places too much importance on statistics, too much on input from formal parties (represented by attorneys) and too little on input from residents who spoke, made appearances and submitted written comments. The FFCR's logic also assumes opposition equally from all parties. In fact, some are opposed, some are ambivalent, and some prefer the HVTL on their land for financial

May 8th, 2011

**Public Utilities Commission** 

Attention: Burl Haar

121 7th Place East

Suite 350

St. Paul, MN 55101



To whom it may concern:

I am writing in regards to the Docket #09-1056 CapX2020 project through Stearns County. I have done some research into the future plans for going through our area. After checking into this, I realized that your plans will be running directly through my landing strip within my property. We were told that the line will be traveling along Interstate 94 and therefore we had no concerns with the plans. However, we found out recently that Route G, which goes past our property, will now be affected. Any projects running through this area will not allow me to use my land as I have planned.

I would be willing to meet with you or your representatives to discuss this in further detail. I appreciate your consideration into finding another plan to go forth with your project through our area.

Sincerely,

Stanley (Butch) Thull & Joyce Thull

Thull Excavating - Owner

Pull thus

THULL EXCHUATING

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FREFRORT MN

56331

OAK TOWNSHIP SEC 27

May 9, 2011 Public Utilities Commission Attention Burl Haar 121 7th Place East Suite 350 St Paul, MN 55101



Attention Burl Haar:

This letter is in reference to docket #09-1056.

We are Jay and Joan Schoolmeesters residing at 27038 County Rd 177, Albany, MN. That is in St. Martin township, section 23, along route G. In our opinion we think that route E would be a better route with option AS-4 and option 11.

Route E has less residences within 1000 feet of the power line then route G has, according to the administrative law judges route recommendation. In our opinion the route chosen should have less impact on residences than environmental and wetland issues. Option AS-4 will let Wells Concrete have future growth and option 11 would skirt many other residences. Route E affects fewer number of homes and is more economical.

Sincerely,

Jay and Joan Schoolmeesters

Joan Schoolneesters



PC-09-1056

Dear Sir,

I am writing you today in regards to Docket# 09-1056 and how it is going to affect all the residents that live on County Road 11 south of Freeport. I have two small children and I am very concerned about the health risks (EMF) related to these high voltage lines running through our yard.

We already have power lines running past the side and the front of our home near the road, so I can only assume that the high voltage lines would have to run closer to our home making them more dangerous to my children and it would take out all of the trees we planted when we bought the property 10 years ago. We planted not only to develop a windbreak for our home, but to help the environment and nature. A lot of the evergreens are over 5 feet tall and some of the other trees are even taller. Would these trees be cut down or would they be dug out and moved?

With the way the housing market is already, what is going to happen to our property values when there are big dangerous high voltage power lines running through them?

One thing that really bothers me is that the lines are not even for us. We have Stearns Electric not Xcel out here. Yet we are the ones that have to sacrifice our land and our health, rather than having the lines follow I-94 where there wouldn't be so many people and homes effected. Not to mention all the additional cost that will be incurred because of the detour.

If 150 foot easement is needed for these lines you will take out all of our trees and be right up to our house if not in it. I have neighbors that are even closer to the road than we are. How is that going to work, are you going to put a pole right in the middle of their house?

We are trying to raise our families happy, healthy and naturally out in the country, away from the pollution and other health risks that there are in the city. But, now with the dangers of the high voltage lines we might as well be living in the city. We just keep losing more and more rural and agricultural land throughout the state.

The first route that was chosen, ended up not being a recommended route because of the effects it would have on the wildlife in the area. With this route you are talking about not only effecting wildlife, but human life, agricultural and the dairy industry.

I think that the better solution would be for the high voltage lines to follow I-94 or at least a highway, not somewhere so many people as well as animals are affected. Please find an alternate route.

Thank you for your time.

Sincerely, Michael and Jennifer Garding 28252 290th Street Freeport, MN 56331 May 8, 2011

Public Utilities Commission Attn: Burl Haar 127 7<sup>th</sup> Place East, Suite 350

St. Paul, MN 55101



Dear Mr. Haar:

We are writing in regards to the latest recommended route of the Fargo to St. Cloud CapX2020 high-voltage transmission line (Route G), Docket No.09-1056.

We were very surprised to learn this was the judge's recommendation. From what we had believed route G was added much later and not a real possibility until the other routes were fully investigated. Original documents produced at the beginning of this project showed the area south of Freeport not to be included in the areas affected. What happened to change this? If this was not a possible/viable area, why was this area now recommended by the judge?

Stearns County is the number one dairy producing county in the state of Minnesota and number 16 in the United States; it concerns us to have these power lines run through the heart of Stearns County. The dairy industry has an economic impact on the state and to destroy this industry seems to be a dangerous mistake.

We know there has been some research done to investigate the effects of emf on dairy cattle and there is evidence showing the emf causes biological responses in the cattle. There is the possibility of decreased milk production in these cattle. With the new regulations of lower somatic cell counts in milk being implemented in 2012 these power lines could make it impossible for local dairy farmers to meet this regulation forcing them out of the dairy industry. These power lines must not be installed too close to dairy farms.

No one wants these lines on their land as they will take up much needed land to produce crops when at a time the world doesn't have enough land to keep up already. It seems running the power lines through multiple farms all along route G could take numerous valuable acres out of production. The construction process with large construction equipment will cause soil compaction and will cause reduced yields in these areas for years to come. These lines will also interfere with our ability to spray our crops from the air, there are times when ground spraying is not an option (crops too large, ground too wet or to reduce soil compaction further).

Please consider running these lines in areas along the I-94 corridor (Modified Preferred Route). This route would take less farmland out of production and reduce the impact on the local economy. There are fewer dairy farms along the I-94 corridor and more non-agricultural land. It seems like using an existing corridor makes the most sense and it is just plain practical to use the shortest route!

Sincerely,

William and Georgine Nathe 32548 County Road 11 Freeport, MN 56331 May 8, 2011

To: State of Minnesota Public Utilities Commission

From: Route E-5 Impacted Residents

Re: In the Matter of the Application for a HVTL Route Permit for the Fargo to St.

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hod fings	8754012 Huyhd N ST cloud MN 56301
Paul lana	0754 old Huy Rd N St. Cloud Mr 56301
Janes 3/Brown	9409 Co Rd 138 St Clark Mar 5-6301
Del Brown	9409 Cb Rd 138 St. Claud Mr 56301
Fon Gikmein	9697 CO RD 138 ST. CLOUD MN 56301
Mary Er Kmein	9697 Co. Rd 138 St. Cloud MN 56301
Barbara BElkinger	8895 N. Old Huy. Rd, Schoud, MN,
Linga K. Eikmeier	8825 M. Old Huy. Rd. H. Claus mr.
Tenneth a. E. Someier	88 25 N Old Hwy Rd St, Cloud, MN 56301
	8497 Old Huy Rd N, St Cloud MN 56301

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#### **Other Comments**

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Signatures	Address
Sport John Small	8705 Old lary N St. Lland, Mil 56301
Latricia R. Underson	lev 9705 Old Hury N, St. Cloud, MN
Bruse Hazberg	8702 012 Hwy Rd W St. Cloud, MN
Hicky Happeng	870201d Hwy Rd N St-Cloud MN 56351 8667 Old Hwy LdW Steland 56301
Mary Junes	8667 Old Hunghell Steland 572301
Cindulouverles	Blob Dld Awy Rd n Stiloud 56301
Burda Wenderis	8601 Old Hwy Rd N, St Cloud MN 56301
1-went	8601 060 HWY RAN. ST. Cloud, MN 56301
L With	8601 Old Huy Rd N St. Clard MN 56301

PC 09-1056

Dear David Birkholz and all concerned:

We are writing to you concerning the power line that is supposed to run through our area. As a farmer on this line, we are worried about the impact it might have on our livlihood Milking cows is our way of life and our income. If stray voltage runs through our farm, that may be the end of our farming career and maybe for our neighbors as well. Roger has 2 brothers on this route that will also be affected. That's 3 in one family. Also there are lots of children on our route, including ours-5 young girls. We are worried about the impact it might have on their health in the future. We do not want to move, but if we were forced to, it may not even be an option, for no one wants to buy a farm under a power line. We know personally of a farmer that lost his farm to stray voltage and another that had to sell their whole herd. Our farm is located *right next* to the road where the power line is supposed to go. There is a very good chance it could harm our animals, or worse, our health.

Included in this letter are a few ideas for options you might try.

1)Stay on I-94 Eliminate route E & G from Freeport to Albany and continue on I-94. Then get off the freeway after Albany onto that route E around the Avon Hills and Lakes.

Stay on I-94. By crisscrossing the interstate through Freeport, it looks like there would be enough space for placing power lines without impacting any farmers. We have heard that the community center might be a problem, but have also heard that you tear down buildings and reconstruct them elsewhere. Couldn't that be one way to solve the problem through Freeport? It certainly would be more cost effective for you considering what you pay each farmer to construct a pole on his land and it would shorten the route and save you time as well. The town would still have a community center and we could keep our farms also. Note of interest: the clerk that stopped the line from going through Freeport has resigned and moved.

Stay on I-94. We don't know if you have talked to any homeowners, but maybe during this recession, they might be willing to sell their homes - still cheaper for you than paying all these farmers for power poles on their land.. There couldn't be more than 3 houses in the path of construction. We actually didn't see a need to tear down any if we calculated the 1000ft needed between poles.

Stay on I-94. Maybe you could go underground through Freeport. Again, it may be more cost effective for you, considering how many poles would have to be constructed for farmers on the route all the way out to Cold Spring and back to I-94.

If Avon and that area are a problem, stay on I-94 until then. Don't go off already by us unnecessarily.

- 2) Take route past new Munich. There are only 3 farmers affected along that route and less corners to contend with compared with Freeport's Route E.
- 3) If you must go off by Freeport, there is a way to <u>protect 8 places</u> by cutting through the field and connecting onto county road 11 (route G.) If all landowners agree, it would shorten your route. We have attached a map for that option. Please reconsider this route for the power lines as an option without so many farms. It will impact 8 places on our road, when there are alternatives that wont affect so many. Thank you for your time and consideration. Feel free to copy and send this letter to anyone else you think may help our situation. Roger Funk and Art Salzer have already contacted you by phone about this idea. We think it is a good option.

Again .. THANK YOU for considering our request.

Respectfully yours,
Sue and Roger Funk Family. (Route E) Freeport

Enclosed is A Route Change Idea This whould Impact for Less People 7 Fewer Farm 4 Dairys & I hog Farm & 2 Residentials 2

Their are also 12 children Living on this road. The other option their is only one Place close to the road no-Amimal Farms and no childred Please take this into consideration Thank you take this into consideration Thank you



10-125-32

July 01, 2004

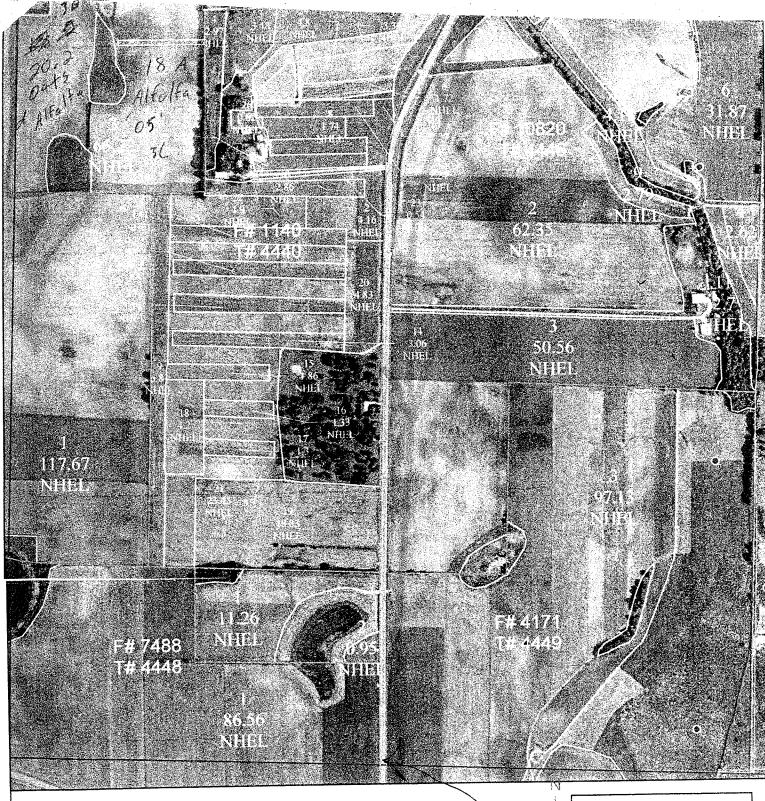
United States Department of Agriculture Farm Service Agency

**Stearns County** 

Tract Boundaries Wetlands Field Boundaries

Section Lines

2003 Digital Orthophotography - Not To Scale



USDA U.S. Dept. of Agriculture Farm Service Agency

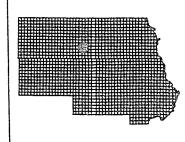
Wetlands

CLU Field Boundary

Tract Boundary

Section Lines

# Minnesota Stearns Count 15-125-32



March 24, 2006

USDA FSA maps are for FSA Program administration only. This map does not represent a legal survey or reflect actual ownership, rather it depicts the information provided directly from the producer and/or the 2003 ortho rectified imagery for Minnesota. The producer accepts the data 'as is' and assumes all risks associated with its use. The USDA Farm Service Agency assumes no responsibility for actual or consequential damage incurred as a result of any user's reliance on this data outside of FSA Programs.



PC 09-1056

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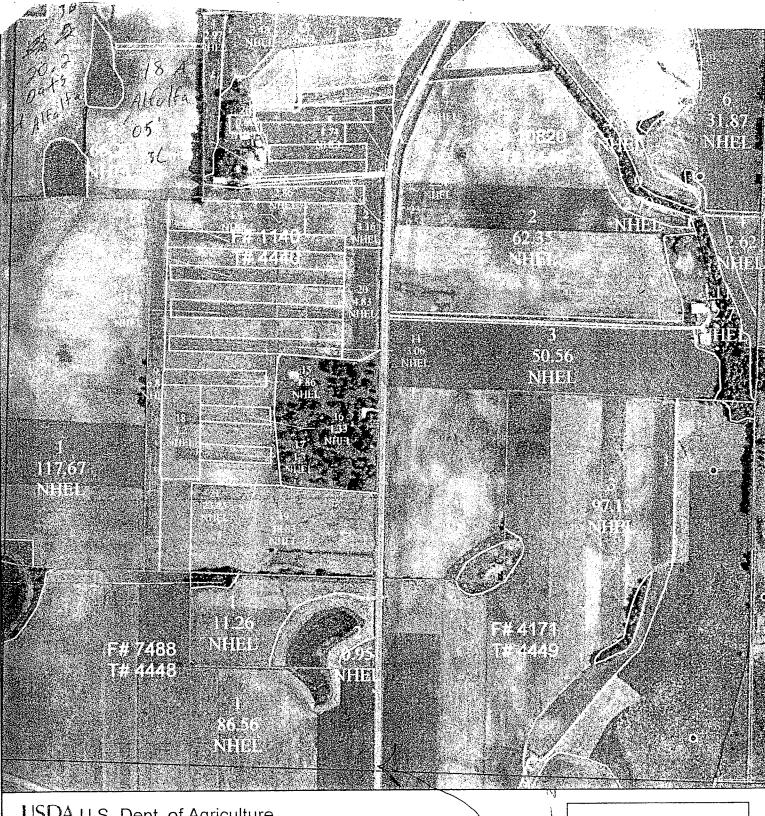
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# USDA U.S. Dept. of Agriculture Farm Service Agency

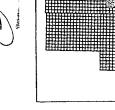
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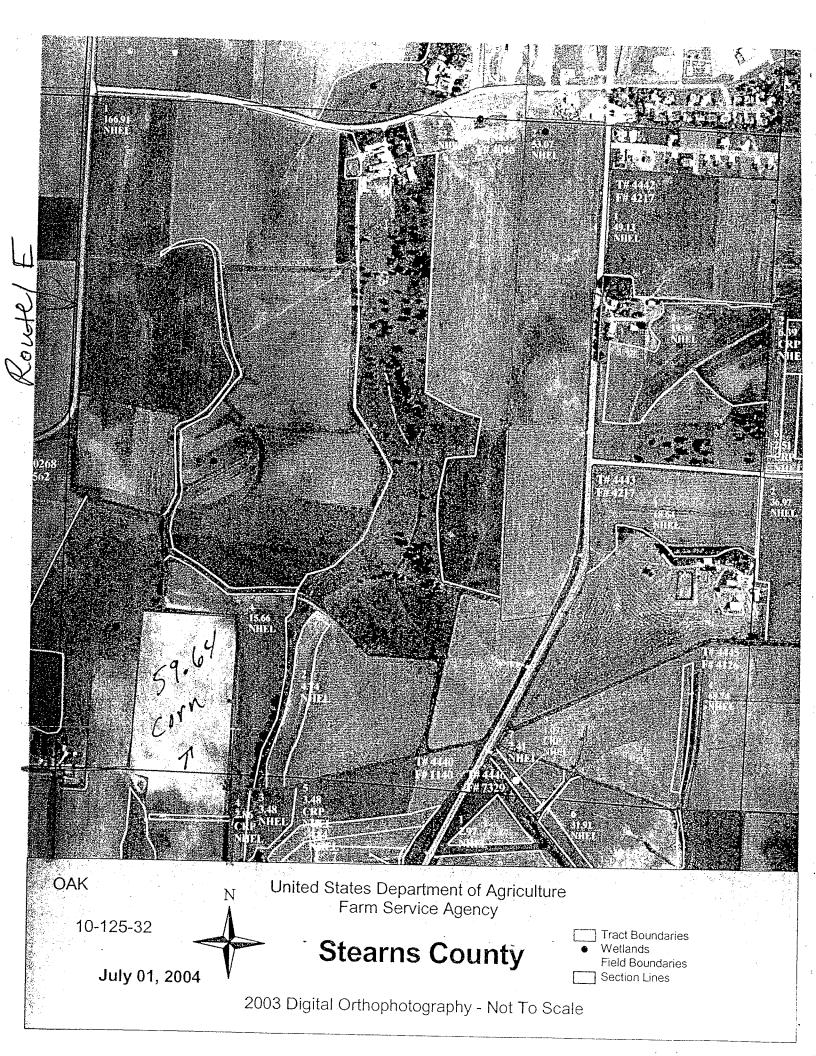
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## Minnesota Stearns Count 15-125-32



March 24, 2006

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PC 09-1056

To whom it may concern:

Regarding Docket #09-1056



My family and I have lived at our residence at 26721 Co Rd 177, Albany, MN since 1987. We have been fortunate to have a major river of Minnesota in our back yard and three natural creeks that run into the Sauk River crossing County Road 177. With this river and river bottom, we have many species of wildlife, from deer, ducks, geese, several varieties of birds, wild turkeys and many more. This is a breeding area for the Canada Geese, Wood ducks, Bald Eagle, Whitetail Deer, Mallard Ducks, Orioles, Bluebirds, Scarlet Tanagers, Indigo Bunting, several woodpeckers, Rose-Breasted Grosbeak, along with Yellow Finch and countless other species. Each year we take pictures of the birds and find a new species in our area. We watch as the new Eagles grow, change colors, learn to fly and get food on their own. Being able to witness a bird that was once on the endangered list is truly an awe inspiring experience.

We believe putting the power line along this route will disrupt the natural habitat and order of these and many more animals. The majestic Oak trees that run the length of the river and waterways are a symbol of how natures preserved here. A deer management program has been established in this immediate area, which has become very successful in the short length of time the program has been underway. We have several small farming operations along County Road 177, and the entire proposed G route. Taking away from their farmland will bring hardship to them and their families. Farming is the backbone of our society without the farmers we as a society lose so very much. Staying along the freeway will disrupt fewer homes and less farmland. We do have to ask why this route is a better choice, than staying along the freeway, which is more of a straight path. The proposed G route takes several turns in and out of heavily wooded and populated areas. Driving along the freeway one could not help but notice, the numbers of homes the power line will disrupt to be exact a total of five homes and three businesses along the freeway itself from Sauk Centre to Avon. The towns can also be routed around following the existing pole route. Following the freeways disrupts the few and route G disrupts the masses.

We were not given adequate notification of the up and coming power line proposed route change. During these economical challenging times, why would extending the route be a good choice? Our money could be spent in better ways. Using the route along the freeway keeps this project at less disruption of personal and nature's property.

Concerns with this power line are the high voltage given off by these lines. What will the long-term effects to our health be? Some studies have indicated cancer, leukemia, and brain tumors. That is not okay for our family. What type of stray voltage can we expect and will my family be able to enjoy sporting activities near our home ever again. Scientists have reported standing near these lines with that amount of voltage holding a light bulb in your hand will actually light it up. That is too much for anyone to have near them every day. These are also concerns of my neighbors and people along the proposed G route. We understood the desire to stay away from water was a big interest of this project. Well, route G runs parallel with the Sauk River for the 2½-mile length of the road that is not staying

away from water. In fact, along County Road 177 the river is as close to the road as it will be other than when it is crossed.

We do understand the need to improve the power within our state is an important issue. We also understand conservation of energy, time, money, water, and our land. Protecting what we currently have is important to us. As a family, we have tried to do our part. This is a very difficult decision and we ask that the route along the freeway be relooked at for this project. In addition, consider removing route G from the route of interest. Thank you for your time.

Sincerely,

Geenay Roll
Leenay Doll

Resident of County Road 177

Albany, MN

pe 09-1056

Craig & Laura Reitmeier 26673 Ranch Road Richmond, MN 56368

May 8, 2011

Public Utilities Commission Attn: Burl Harr 121 7<sup>th</sup> Place E Suite 350 St. Paul, MN 55101



RE: In the Matter of the Application for a Route for the Fargo to St. Cloud 345 kV Transmission Line, Sauk Centre to St. Cloud portion of the line.

MPUC Docket No. 09-1056

Dear Mr. Harr

Routing the transmission line south of the I-94 corridor does not comply with the non-proliferation established by People for Environmental Enlightenment and Responsibility (PEER) Inc. v Minnesota Environmental Quality Council, 266 N.W. 2d 858 (Minn. 1978). The south routes are not more suitable for the transmission line that the north routes. There will be many people impacted no matter which way it goes. That is why we believe the best route would be to follow the I-94 corridor and go underground in the areas that are needed.

There will be many farms and farmland disturbed by running the line south of the I-94 corridor. We alone will have approximately 1000 feet of woods and swamp land and 1000 feet of tillable land that would be affected. This is not just a one-time deal. This is something we would have to deal with for the rest of the time that we decide to live on this land. Depending on which side of the road that the line runs, we have a center pivot that would also be affected. We also have an irrigation well on the west side of country road 9 that would be in the way of the line.

The wooded land that would be destroyed is used by family for hunting and enjoying the wildlife and nature. The farmland that would be affected is used to generate income for us to live on and for food for all to eat. This line does not just affect us, but a lot of people. Stearns County is still known for its dairy and agricultural business, running this transmission line through Stearns County takes away from the aesthetics of the land and the usefulness it was intended for. This is why we believe the I-94 corridor is the best route for the transmission line.

There is a reason why it is said to be rural. We live in a rural area, and people do not associate HVTL in a rural area. We do not live out here and work our butts off to make food for all to eat so we can have a lovely view of HVTL every day. When I drive to work on I-94 everyday to Albany, I expect to see such lines. I understand we have a need for electricity, but there is a reason why the law was written: to utilize the existing corridors, non-proliferation and to minimize the effect on the environment and aesthesis of our land. The south route of I-94 does not follow this law. Following I-94 does, and that is what the law was intended for.

Please take our comments and concerns into consideration when deciding on a route for the Fargo to St. Cloud 345 kV transmission line project. For all purposes and concerns, we believe following the I-94 corridor would be the best route option as it follows an existing corridor. Please keep this in mind when you have your next steak, chocolate chip cookie and a cold glass of milk, we are all affected by this transmission line, we just hope the best and least harmful is picked in the end.

Thank you for your time,

**Craig Reitmeier** 

Laura Reitmeier

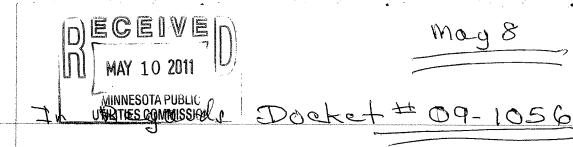
PC-09-10507 report, Mn. 5633) DEGETVED MAY 10 2011 pose 1 27829-300th Street may 8, 2011 Dear PHILITIES COMMISSION Lanes. Would you please at this late date docket ? Consider over letter part of the appeal 09-1056? My husband alen burgman and myself own a farm along the H-route, on County Road 11" about 5 mules norther It. Werlin We have a conservation contract with U. 3. Dept of agriculture. It a fifty you contract. The trees in the woods, have never been howested now the ground telled. The term, they use for the woods we Sovanah - It will have the grane grass, that grew there more than a century ago. Thu is the place my great grandparent ethomesticeded, (e) planted trees, prairie grassestwildflower on a large to of acres that border the woods of had the creek damed so we have a wonderfood area to attract ducke, gerse, whooping craves, to many other four and down, we are concerned with the power line their will disript everything we had trued to preserve for the next generation We are very conceined becaused when we were dainjing, we til have a problem with stray weltage + we suffered a huge financial loss

Eyears agod listed with the precautions was be advised to remain a sertain distance from the power lines?

Thouls you for taking tender someidention and someone.

Sensetely Allen Dingmon Athleen Dingmo 27829-308th St Freeport, Mmi56331

320-548-3468



not think your power be put Lot of house hast Formed on this 35, years - got along vay things Sout River Lieu Just South of co RD 177 - Lots of wild Geere - Duckrete Spring and bagles Starting to Few Bold WHY don tho the Line not the ALL Way Along I-94 oming way South - Sure cost more monyof no Concern = would be Glad to Show

I would be Glad to Show the Area out Here - wild Life - Good farmers - Good People - please don't Let the power Line Come Hong Co RD MM -

DUANE M. EUTENEUER 26642 CO. RD. 177 ALBANY, MN. 56307

Oceans Citareur