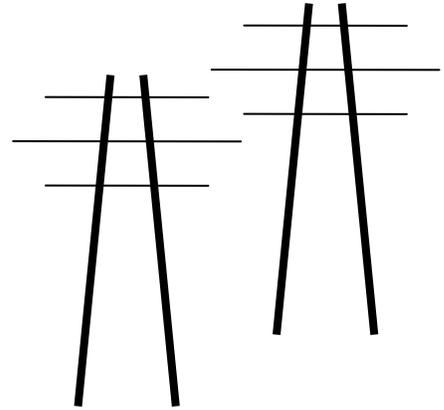


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DATA PRACTICES ACT REQUEST

June 18, 2015

Kathy Brockway
Planning and Zoning Administrator
and Planning Commission members
Le Sueur County Gov't Center
88 South Park Avenue
Le Center, Minnesota 56057

RE: Request for Presentation Time at July 7, 2015 Planning Commission Meeting
Minnesota Data Practices Act Request and Request for File Review
Related to Tyrone Transmission Project Conditional Use Permit
GRE 69 kV "MV-TYT" Transmission Line

Dear Ms. Brockway and members of the Le Sueur County Planning Commission:

I have been recently retained to represent Emily Pollack in the above-entitled docket and to assist in her Intervention in the County Conditional Use Permit proceeding and development of the record regarding this Application. Over the last 20 years, I've been working on utility infrastructure permitting, and for at least 8 years, I've been representing clients in the CapX 2020 transmission Certificate of Need and Routing dockets. From that, I have extensive knowledge of the CapX Brookings route and the Myrick alternative, which was successfully challenged and on remand another route was chosen.

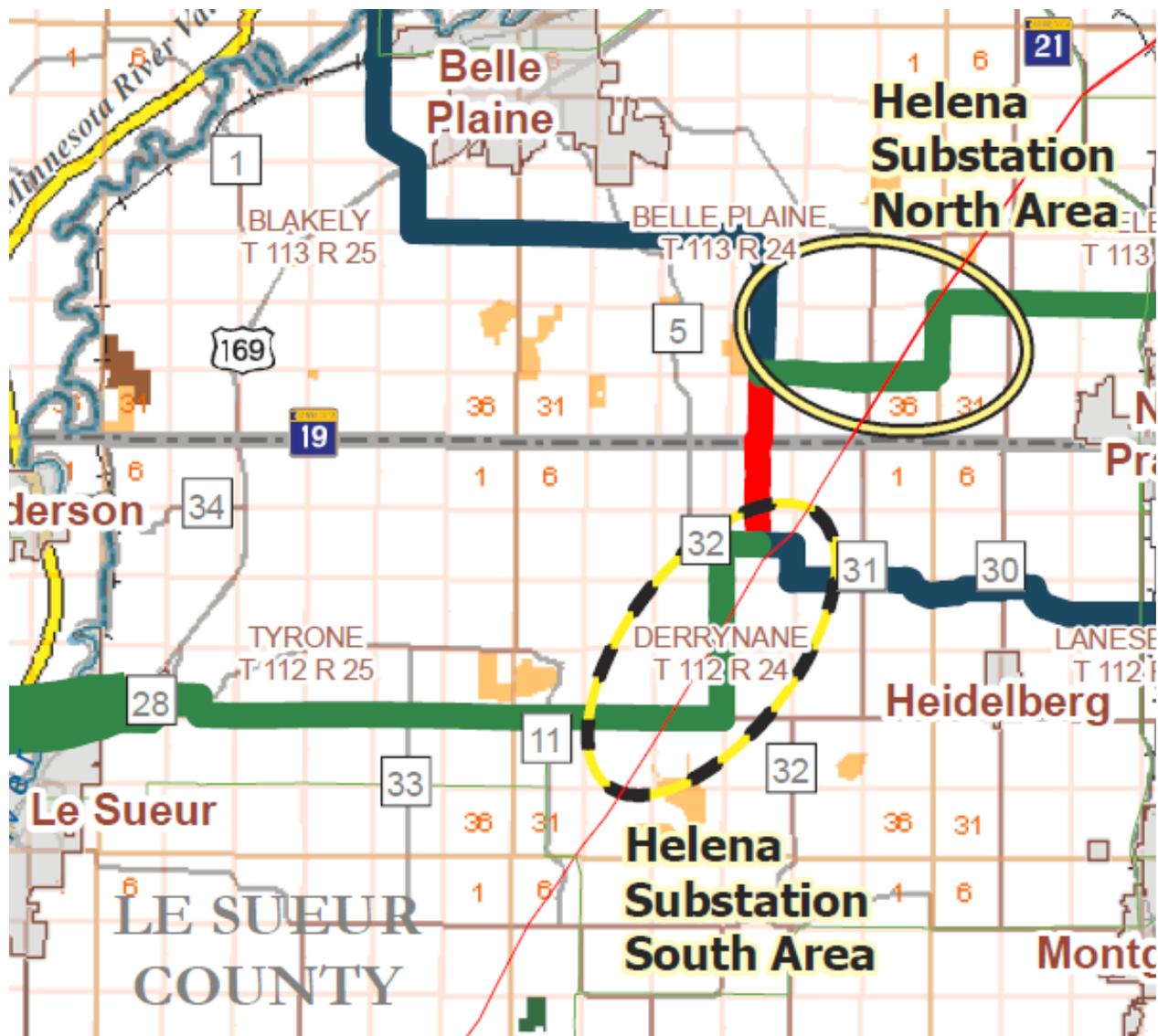
Please forward this packet to Planning Commission members.

First, I would like to formally request 10 minutes time for an Intervenor presentation to the Planning and Zoning Commission, with additional time for questions, at the meeting scheduled for July 7, 2015.

Second, there is a lot of information that should be in the record to support any recommendation by the Planning and Zoning Commission and ultimately by the County Board. At this point, I

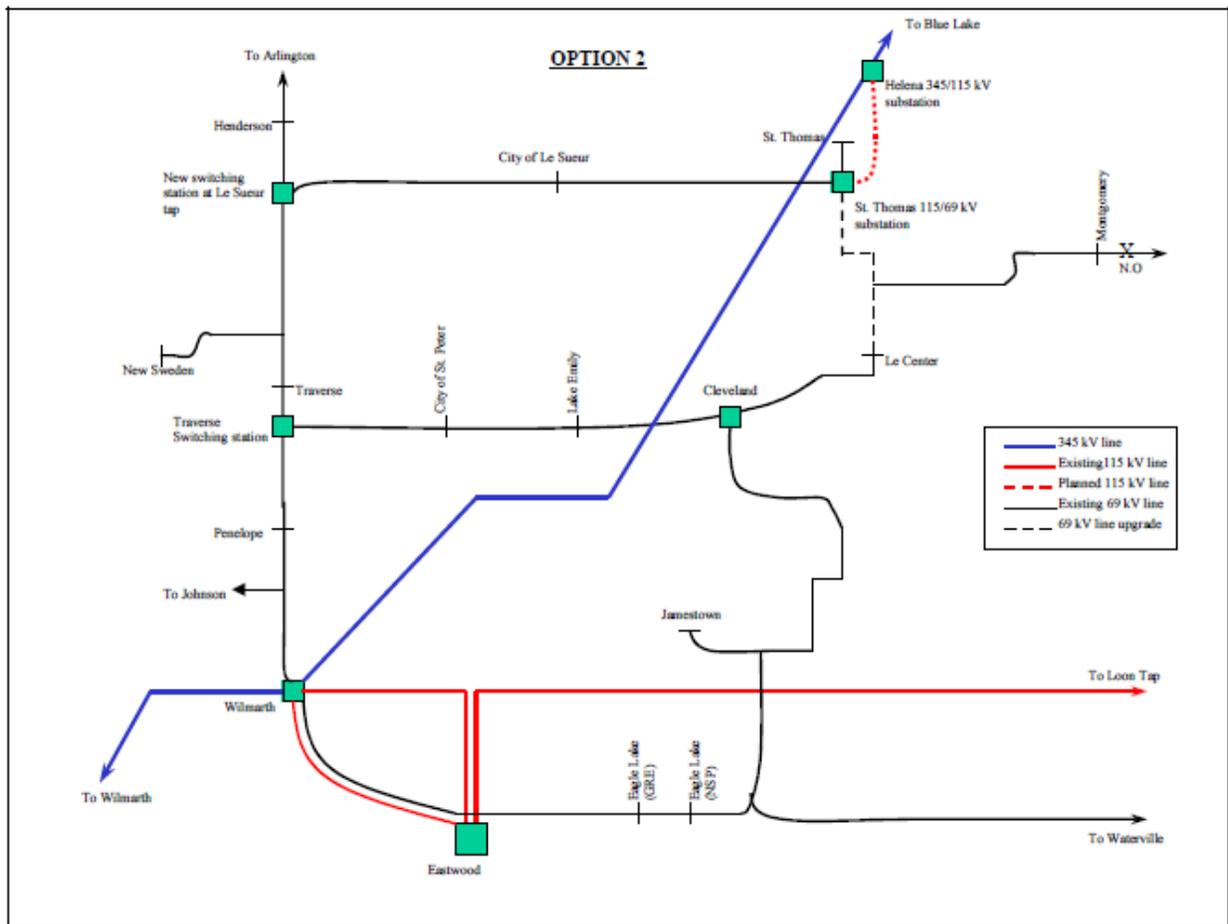
have no idea what all is included in the County file for consideration. Based on that, I'm wanting to do a file review – please contact me to schedule a convenient time. In addition, enclosed is some information I've found, followed by a few Data Requests.

This area has been the subject of transmission and distribution studies for nearly ten years, and I've found some information, I'm quite sure there is more. From my review of available information, all the plans show intent to build the Helena substation as part of the CapX Brookings project, which links the CapX 2020 line with the existing Wilmarth 345 kV line, and then to connect the Helena substation to the St. Thomas substation. Despite these plans, the Helena substation was built, but it was not connected to the St. Thomas substation. Instead, a second large substation was built slightly to the southwest at Shea's Lake, and from there, it was connected to the St. Thomas substation. The Shea's Lake substation appears to have been built in the CapX 2020 "preferred" substation location, and the Helena substation built in the alternate substation location.



See Attachment A, CapX 2020 Helena substations Preferred and Alternate.

Supporting studies were not provided in the County Application as justification for the Tyrone project, and without those, there is no obvious basis for this project, or its approval. On the other hand, looking at the studies readily available, there is support for a determination that the utilities should use the substation they have built to handle local load needs, and that they have already taken action on these local issues. Review of electrical need for transmission and distribution infrastructure was reported in the North Mankato Load Serving Study (Attachment B), MTEP 2009 (Attachment C), GRE's 2008 Long-Range Transmission Plan (Attachment D) and the Biennial Transmission Reports (Attachment E), all concluding that the CapX 2020 Helena substation should be connected to the Wilmarth line, and then a line built between the Helena Substation and St. Thomas for serving local load in the Le Sueur and Le Center area.

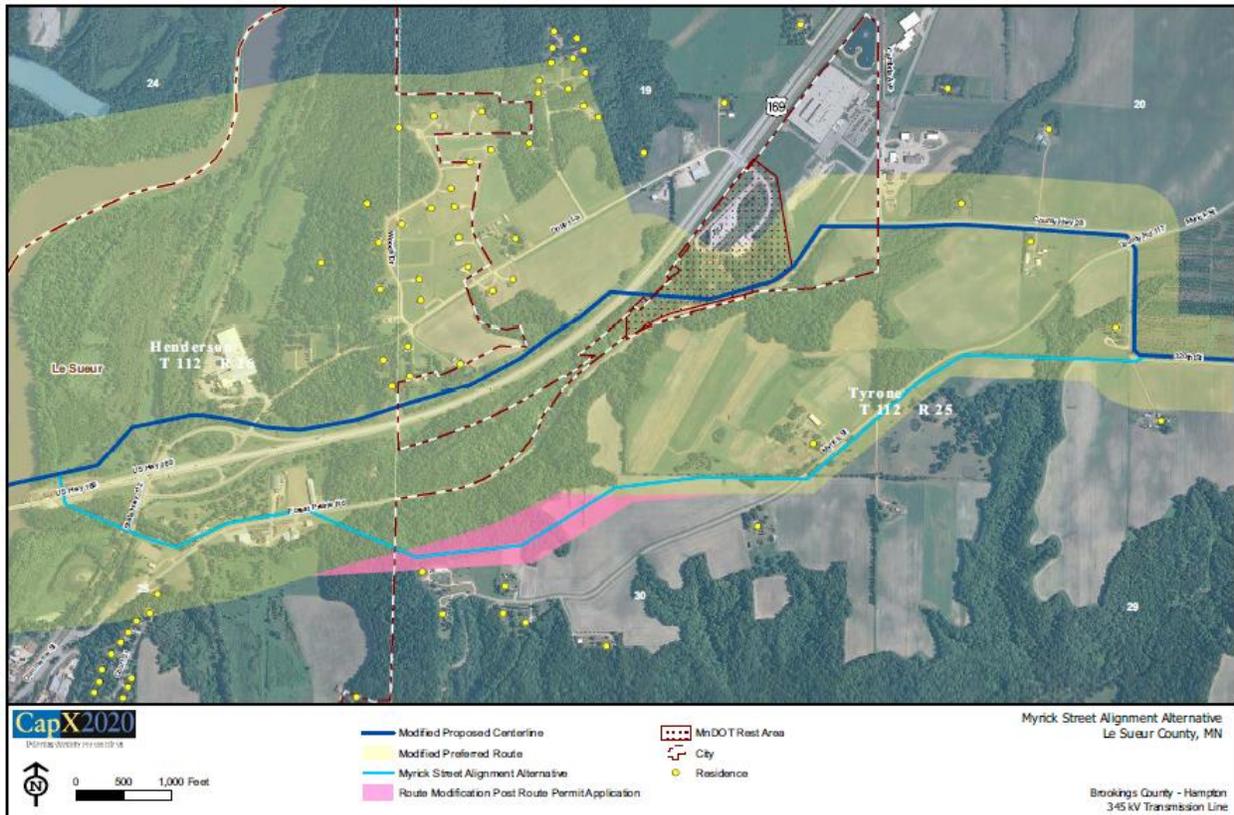


However, the utilities instead built the Shea's Lake substation connecting to the Wilmarth 345 kV line, and extended a line from Shea's Lake to St. Thomas for load serving in this area.

What has been already been built at great expense for this local load serving purpose should continue to be utilized as planned – it makes sense electrically, economically, and ecologically.¹

¹ It is not clear why the CapX Helena substation was not used to connect to the St. Thomas substation as planned, and why this second substation, Shea's Lake, was built and connected to the Wilmarth line at tremendous cost so close to Helena which also connects to Wilmarth. It seems to be duplication rather than redundancy.

Further, there were reasons the CapX 2020 Myrick route was not used. It was proposed as a last minute attempt to cross the Minnesota River at Le Sueur, yet get around the DOT scenic easements along Highway 169, and was sprung by the applicants on the parties at the very last minute, during the evidentiary hearing.



Environmental information for the Myrick route was provided, which, though not complete, should be considered here. Additional information specifically related to the Tyrone Project should be obtained, particularly regarding the crossing of the MCBS moderate biodiversity area. In the Brookings CapX docket, according to testimony of Xcel’s Poorker, shifting to the Myrick route added numbers of homes affected, acres of cropland and prime ag land affected and slightly increased impacts on farmland of statewide importance. See Attachment E. “Additionally there are 10 threatened and endangered species, five archaeological sites and three historical sites within one mile of the Myrick Alternative centerline.”²

Due to the lack of information presented in the Application, the wealth of information showing planning for load serving in the area, and duplicative construction of the Shea’s Lake substation closer to Le Sueur and Le Center and Shea’s Lake’s connection to St. Thomas substation, more information is required. As an Intervenor, Ms. Pollack now has several Data Practices Act Requests, focused on learning what information the County does and does not have regarding

² Applicants’ Initial Brief, citing Applicants January 19, 2010 Letter at Route Impacts Table, filed 1/19/2010, eDockets 20101-46155-01.

transmission and distribution infrastructure and need in the area. If you do not have the information requested, please so state.

At this time, we request the following specific information under the **Minnesota Data Practices Act**:

- It's my understanding that the Applicants were to provide a list of information a week or so after the first Planning Commission meeting. Please provide a list of that information, and when it is produced, please provide it to myself and Intervenor Emily Pollack.
- Please provide all documents related to the North Mankato Load Serving Study, particularly the study itself (Attachment B, North Mankato Load Serving Study power point).
- Please provide all documents related to the Shea's Lake substation, including but not limited to electrical studies, supporting its construction.
- Please provide all documents related to the Shea's Lake substation, including but not limited to electrical studies, that its construction rather than use of the Helena substation at the intersection of CapX 2020 Brookings line and the Wilmarth line.
- Please provide all documentation regarding Shea's Lake substation and its connection to the St. Thomas substation.
- Please provide all documentation regarding MTEP Appendix C project 2651 North Mankato Area Load Serving – Le Seuer (sic) St. Thomas; Appendix B 2626 Eagle Lake-Jamestown Rebuild; Appendix A 1545 Mankato 115 kV loop. (Attachment C, selected pages of 2009 MTEP Appendices C, B & A attached)
- Please provide all documentation regarding MTEP 2009 New Appendix A Project 2156, North Mankato 115 kV project (Attachment C, MTEP Table 7.1-1 and its Appendix A attached) including:
 - New 345/115kV TR at the proposed Helena 345 kV switching station;
 - New 115 kV line from Helena-St. Thomas
 - New 115/69kV substation near St. Thomas
 - New 69 kV switching station at Le Sueur Tap.
- Please provide all Great River Energy Long-Range Transmission Plans that address area needs (selected pages of 2008 GRE Long-Range Transmission Plan attached, see p. J-8-J-12.).
- Please provide all Minnesota Valley Electric Cooperative (MVEC) Transmission and/or Distribution Plans that address area needs.

- Please provide any and all other documentation the County may have in its possession regarding the Shea's Lake substation and its connection to the St. Thomas substation.
- Please provide any and all other documentation the County may have in its possession regarding Conditional Use Permitting for the Shea's Lake substation, the St. Thomas substation, and the transmission connection from Shea's Lake substation to the St. Thomas substation.
- Please provide any and all other documentation the County may have in its possession regarding the Helena substation and its planned connection to the St. Thomas substation.
- Please provide any and all documentation the County may have in its possession regarding the substation alternative locations proposed for the CapX 2020 Brookings transmission project.
- Please provide any and all documentation the County may have in its possession regarding the Myrick Road alternative route for the CapX 2020 transmission project, including but not limited to routing and environmental information.
- Please provide any and all documentation regarding environmental impacts of the proposed Tyrone transmission project and substation and any alternatives.
- Please provide any and all documentation regarding alternatives to the Tyrone 69 kV transmission project as proposed, both considered by the Applicants, and offered for consideration by the County.
- Please provide any and all documentation of County comments regarding CapX 2020 Brookings transmission project and of County meetings with CapX 2020 utilities regarding transmission and substation infrastructure in Le Sueur County.
- Please provide a county map showing substations, transmission lines, and distribution lines identified by kV.
- Please provide all information regarding substation coincident and non-coincident peak demand for the last 10 years.

Thank you for your attention to these requests.

As the representative of an Intervenor in this proceeding, I'm mindful of the need to serve parties with all information, and thus am sending a copy of this, and am sending similar requests to Great River Energy and Minnesota Valley Electric Cooperative. The Applicants and the County will be sent copies of all correspondence sent to both.

Further, as an Intervenor, please provide a “place at the table,” and notice regarding meetings between the County and Applicants going forward. Scheduling consideration would be much appreciated.

Please let me know if you have any questions or require anything further. I look forward to your responses to our Data Practices Requests.

Very truly yours,

A handwritten signature in cursive script that reads "Carol A. Overland".

Carol A. Overland
Attorney at Law

Enclosures:

- Attachment A: Map of CapX 2020 Preferred & Alternate Helena substation locations
- Attachment B: North Mankato Load Serving Study (NM SPG powerpoint)
- Attachment C: MTEP 2009 (selected)
- Attachment D: 2008 GRE Long-Range Transmission Plan
- Attachment E: Biennial Transmission Plans (selected) 2007, 2009, 2011, 2013
- Attachment F: CapX Myrick Information and Charts – 1/19/2010 Letter (selected)
- Attachment G: CapX Applicants’ Poorker Supplemental Testimony (selected)

cc: Emily Pollack, Intervenor in Tyrone 69 kV Transmission Project at Le Sueur County