

STATE OF NORTH DAKOTA  
PUBLIC SERVICE COMMISSION

Basin Electric Power Cooperative :  
345-kV Transmission Line : Case No. PU-23-338  
Project - Williams County :  
Siting Application :

TRANSCRIPT OF  
HEARING

Taken At  
Williston City Hall  
22 East Broadway  
Williston, North Dakota  
February 1, 2024

BEFORE TIMOTHY J. DAWSON  
-- ADMINISTRATIVE LAW JUDGE --

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A P P E A R A N C E S

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FOR THE APPLICANT.

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COMMISSION.

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6	<p>1 (The following proceedings were had and                  2 made of record herein, commencing at 9:00 a.m.,                  3 Thursday, the 1st day of February, 2024:)                  4 JUDGE DAWSON: Good morning, everyone. I                  5 am Timothy Dawson, an administrative law judge                  6 designated by the Office of Administrative Hearings                  7 upon the request of the Public Service Commission                  8 to serve as hearing officer for this hearing.                  9 I will be issuing a recommended findings                  10 of fact, conclusions of law and a recommended order                  11 to the Public Service Commission. This is North                  12 Dakota Public Service Commission Case Number                  13 PU-23-338.                  14 Before we begin today, there are a couple                  15 of sign-in sheets going around. Please sign in on                  16 them. There's one going around the audience and                  17 there's one up here at the witness table. Also,                  18 please silence or mute your phones.                  19 This is a hearing on the application of                  20 Basin Power Cooperative regarding an electric                  21 transmission line project for a certificate of                  22 corridor compatibility and route permit. The                  23 electric transmission line project is for a 14.6                  24 345-kV transmission line located in Williams                  25 County, North Dakota. The project will originate</p>	8	<p>1 and appearances are introductions, and we will                  2 begin with Ms. Merkens. Please make your                  3 appearance for the record and tell me who will be                  4 testifying for you today.                  5 MS. MERKENS: Your Honor, my name is Anine                  6 Merkens, staff counsel for Basin Electric.                  7 SOUND TECHNICIAN: Turn on your mike.                  8 MS. MERKENS: Your Honor, my name is Anine                  9 Merkens, staff counsel for Basin Electric. Today                  10 we'll call four witnesses: Mr. Bobby Nasset,                  11 Mr. Philip Westby, Ms. Erin Dukart and Mr. Mike                  12 Murray.                  13 JUDGE DAWSON: Mr. Johnson, would you make                  14 your appearance.                  15 MR. JOHNSON: Brian Johnson, advisory                  16 counsel for the PSC. With me today is Chris                  17 Hanson, and I would ask that Mr. Hanson be able to                  18 ask questions if necessary.                  19 MS. MERKENS: No objection, Your Honor.                  20 JUDGE DAWSON: Hearing no objection, that                  21 will be allowed.                  22 I am here today sitting for the PSC, and                  23 I'm sent here for efficiency reasons and to save                  24 the State a little money, but everything you tell                  25 me gets back to the Public Service Commission in my</p>
7	<p>1 at the Pioneer Switchyard located within the                  2 Pioneer Generation Station and will terminate at                  3 the Judson Switchyard.                  4 Let the record show that it is February 1,                  5 2024, at 9 a.m., Central time, at the Williston                  6 City Hall, Williston, North Dakota. This is the                  7 time, date and place set by the notice of filings                  8 and notice of public hearing issued by the North                  9 Dakota Public Service Commission on December 13,                  10 2023.                  11 That notice contained the issues for this                  12 hearing, and those issues are: Will the location                  13 and operation of the proposed facilities produce                  14 minimal adverse effects on the environment and upon                  15 the welfare of the citizens of North Dakota?                  16 Number 2, are the proposed facilities                  17 compatible with the environmental preservation and                  18 efficient use of resources?                  19 And, number 3, will the proposed facility                  20 locations minimize adverse human and environment                  21 impact while ensuring continuing system reliability                  22 and integrity and ensuring that the energy needs                  23 are met and fulfilled in an orderly and timely                  24 manner?                  25 First thing we do is have appearances now</p>	9	<p>1 recommended decision, so that is why I am here                  2 today.                  3 What's going to happen today is we are                  4 going to have Basin Electric explain the project,                  5 and then when they're done, we're going to allow                  6 for public testimony, if there is any. And at that                  7 time if you'd like to testify, you may come                  8 forward.                  9 Is there anyone here that thinks that they                  10 might testify? One, two, three, four -- so we                  11 have -- we have three or four people out in the                  12 audience and that's great, and that's why we come                  13 out here is so we can get that testimony from the                  14 people that are here. If we had it in Bismarck,                  15 all of you would have to drive down there and some                  16 of you might not drive down there and then we                  17 wouldn't get the testimony. So thank you for                  18 coming to the hearing today.                  19 Are there any preliminary opening remarks,                  20 matters or motions, Ms. Merkens?                  21 MS. MERKENS: No, Your Honor.                  22 JUDGE DAWSON: And we do have Exhibits 1                  23 through 9?                  24 MS. MERKENS: Yes, sir. That's correct by                  25 my count.</p>

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<p>1 JUDGE DAWSON: Yep. And, Mr. Johnson, do</p> <p>2 we have a stipulation to those?</p> <p>3 MR. JOHNSON: I would stipulate.</p> <p>4 JUDGE DAWSON: Okay. So I'm going to mark</p> <p>5 those Exhibits 1 through 9 and admit them at this</p> <p>6 time.</p> <p>7 If there's nothing else, you may call your</p> <p>8 first witness.</p> <p>9 MS. MERKENS: Thank you, Your Honor. I</p> <p>10 would like to please call Mr. Bobby Nasset to the</p> <p>11 stand.</p> <p>12 JUDGE DAWSON: Mr. Nasset, I'm required by</p> <p>13 law to tell you the penalties for perjury in this</p> <p>14 state. Perjury is a Class C felony, punishable by</p> <p>15 a fine of up to \$10,000 or a term of imprisonment</p> <p>16 of up to five years, or both. Do you understand</p> <p>17 what perjury is and the penalties for it?</p> <p>18 THE WITNESS: Yes, Your Honor.</p> <p>19 (Witness sworn.)</p> <p>20 JUDGE DAWSON: With that, you may begin.</p> <p>21 MS. MERKENS: Thank you, Your Honor.</p> <p>22 <b>BOBBY NASSET,</b></p> <p>23 being first duly sworn, was examined and testified</p> <p>24 as follows:</p> <p>25</p>	<p>1 coordination and a member of the design team. So</p> <p>2 responsible for coordinating budget -- budgeting,</p> <p>3 scheduling, as well as working on the routing,</p> <p>4 right-of-way acquisition, engineering, permitting</p> <p>5 and construction.</p> <p>6 Q. Before we discuss the project, would you</p> <p>7 please describe Basin Electric?</p> <p>8 A. Basin Electric is a regional wholesale</p> <p>9 electric generation and transmission cooperative</p> <p>10 organized under the laws of the State of North</p> <p>11 Dakota and headquartered in Bismarck. We provide</p> <p>12 power to 141 member cooperatives serving 3 million</p> <p>13 consumers.</p> <p>14 Q. Okay. And moving to question 9, what will</p> <p>15 you be discussing in your testimony today?</p> <p>16 A. I will describe the project design and</p> <p>17 plans for construction as well as the work that</p> <p>18 Basin Electric has performed to comply with the</p> <p>19 Commission's policy criteria.</p> <p>20 Q. Would you please provide a general</p> <p>21 description of the project?</p> <p>22 A. So this project is approximately</p> <p>23 14.6 miles of new 345-kV transmission line. It's</p> <p>24 all built within a 100-footwide easement. We have</p> <p>25 a single-circuit connection that will run from the</p>

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<p>1 <b>DIRECT EXAMINATION</b></p> <p>2 <b>BY MS. MERKENS:</b></p> <p>3 Q. Mr. Nasset, for the record would you</p> <p>4 please state your name, business address and</p> <p>5 occupation?</p> <p>6 A. My name is Bobby Nasset. I'm a civil</p> <p>7 engineer employed at Basin Electric Power</p> <p>8 Cooperative, and our address is 1717 East</p> <p>9 Interstate Avenue in Bismarck, North Dakota.</p> <p>10 Q. Would you please describe your educational</p> <p>11 and professional background as well as your</p> <p>12 employment history with Basin Electric?</p> <p>13 A. I have a bachelor's degree in civil</p> <p>14 engineering from North Dakota State University in</p> <p>15 2005, and I'm a licensed professional engineer in</p> <p>16 North Dakota.</p> <p>17 My experience at Basin Electric, I've</p> <p>18 worked there for 8 years, and I have 18 total years</p> <p>19 of experience as a civil engineer. The majority of</p> <p>20 my experience is in the routing, design and</p> <p>21 construction administration of high-voltage</p> <p>22 transmission projects.</p> <p>23 Q. What have been your responsibilities in</p> <p>24 connection to this project?</p> <p>25 A. I have assisted with the project</p>	<p>1 Pioneer Generation Station Switchyard, which is</p> <p>2 currently under construction, to the existing</p> <p>3 Judson Substation.</p> <p>4 Within the Pioneer Generation Station</p> <p>5 property, approximately a half mile of that</p> <p>6 transmission line will be double-circuit</p> <p>7 constructed to run a separate circuit from the</p> <p>8 proposed recip engines become to the Pioneer</p> <p>9 Switchyard.</p> <p>10 In addition, the Pioneer Station will be</p> <p>11 constructing two new combustion turbine generators</p> <p>12 and they'll be connected via 345-kV circuits to the</p> <p>13 new switchyard. The Pioneer Switchyard, the</p> <p>14 combustion turbines and the reciprocating engines</p> <p>15 were all previously certified by the Commission as</p> <p>16 part of Basin Electric's Pioneer Phase IV</p> <p>17 expansion. The case number is PU-22-380. And no</p> <p>18 other facilities will be constructed as part of</p> <p>19 this project.</p> <p>20 Q. Thank you. Would you please describe the</p> <p>21 general location of the project?</p> <p>22 A. The project is entirely located within --</p> <p>23 within Williams County. As I mentioned, it runs</p> <p>24 from the Pioneer Station generally south and east</p> <p>25 to the Judson Substation, which is approximately</p>

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1 three miles west of Williston. So the route, the  
 2 corridor and the entire study area are all within  
 3 Williams County.

4 Q. Thank you. Moving to question 14, what is  
 5 the schedule for the project?

6 A. We intend to begin construction this  
 7 spring upon receipt of all our permits. We  
 8 anticipate the construction will be complete  
 9 sometime this fall with the bulk of the  
 10 construction taking place this summer. Upon  
 11 completion of the construction, we'll start on the  
 12 reclamation which may go into next year as well.

13 Q. Thank you. And, Mr. Nasset, would you  
 14 please provide an estimated cost of the project?

15 A. The estimate is 31 million.

16 Q. Okay. Thank you. Would you please  
 17 describe the proposed transmission structure  
 18 design?

19 A. So for this project we have approximately  
 20 81 transmission line structures. We're using  
 21 galvanized steel monopoles, and so these poles will  
 22 have three steel davit arms for the conductor  
 23 phases and then two steel davit arms for the  
 24 overhead ground wire and the optical ground wire.  
 25 For that small segment that's

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1 double-circuit within our property, that structure  
 2 will have six davit arms for both electric  
 3 circuits. And we have some exhibits -- or  
 4 Exhibit 2 shows each of those structure diagrams  
 5 and we also have detailed structure configurations  
 6 in Appendix B of the application.

7 Q. Thank you. Would you please describe the  
 8 Pioneer Switchyard -- or the Pioneer Generating  
 9 Station Switchyard as well as the Judson  
 10 Substation?

11 A. So as I mentioned, the Pioneer Switchyard  
 12 is currently under construction. It will be a new  
 13 four-terminal switchyard and it's part of the  
 14 previously approved Pioneer Phase IV project.  
 15 It'll provide connections for the two new  
 16 combustion turbines, for the reciprocating engines,  
 17 as well as the circuit that will go to Judson. The  
 18 Judson Substation is existing including the  
 19 terminal that will be used for this circuit. So  
 20 the only work that will be required at Judson will  
 21 be updates to the existing relays there.

22 Q. Thank you. Moving to question 21, what  
 23 standards did Basin Electric use to design the  
 24 project?

25 A. So we designed the project, as we do all

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1 our projects, to be in full compliance with the  
 2 requirements of the National Electric Safety Code  
 3 for the heavy-loading district, and we also used  
 4 the design criteria from the USDA Rural Utilities  
 5 Service and along with other applicable industry  
 6 standards and building codes.

7 Q. Mr. Nasset, were there other -- in  
 8 addition to the standards you just mentioned, were  
 9 there other factors that Basin Electric considered  
 10 when designing this project?

11 A. We now -- for our 345-kV circuits because  
 12 of Southwest Power Pool, our regional transmission  
 13 organization, has a minimum standard at this  
 14 voltage for 3,000 amps, so we design all those  
 15 circuits to meet that minimum threshold.

16 Q. And what are the minimum clearances over  
 17 cultivated land, pasture, roads and other utility  
 18 lines?

19 A. For these we meet all of the NESC  
 20 requirements for clearances. And, for example, the  
 21 minimal clearances for all ground surfaces on this  
 22 project are 30 feet under all the operating  
 23 conditions for the transmission line.

24 Q. Thank you. Would you please describe how  
 25 landowner concerns have influenced the structural

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1 design of the project?

2 A. Yeah. Feedback from the landowners has  
 3 helped us route the project. We've made several  
 4 changes to the proposed alignment based on feedback  
 5 that we got from landowners. And then also within  
 6 the alignment, we are able to move the structures  
 7 up and down along the line to accommodate landowner  
 8 requests where it's feasible for us.

9 In general we try to select structure  
 10 locations to minimize impacts to cultivated areas,  
 11 such as placing the structures at the edge of a  
 12 field or on property lines, so it's not always  
 13 feasible. The other thing we do is use  
 14 self-supporting steel pole structures on  
 15 foundations so there are no guy wires which limits  
 16 the structure footprint and the impact to their  
 17 land use.

18 Q. Has Basin Electric filed the structure  
 19 locations for the project?

20 A. Yes. The structure locations were filed  
 21 with our application.

22 Q. Thank you. Would you please generally  
 23 describe the construction sequence, workforce and  
 24 equipment required to construct the project?

25 A. Transmission projects are generally built

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<p>1 sequentially in four major phases. We have the                  2 foundation installation, structure delivery and                  3 assembly which might overlap with the foundations,                  4 and then the structure setting and erection,                  5 followed by the ground wire and conductor                  6 stringing. At that time we'll start the                  7 reclamation at the end of the project.</p> <p>8         So each of those crew sizes are really                  9 dependent on contractor means and methods, but                  10 generally 6 to 8 personnel for each of those                  11 phases, with the exception of the stringing which                  12 would be approximately 20 people. They may elect                  13 to use multiple crews depending on how they want to                  14 manage their -- their schedule.</p> <p>15         Q. Thank you. Mr. Nasset, would you please                  16 describe the steps Basin Electric will take when                  17 construction is complete?</p> <p>18         A. When the -- the conductor stringing is                  19 complete, we'll do a final inspection of the                  20 project and identify any areas of corrective                  21 action. Once we have verification that everything                  22 is complete, the contractor will be released from                  23 further responsibility and then we'll begin the                  24 reclamation process, which will be regrading any                  25 disturbed areas, and in grassland or pasture --</p>	<p>1 vegetation growth that may pose a clearance or                  2 safety problem for the transmission line in                  3 accordance with our requirements for the National                  4 Electric Reliability Council.</p> <p>5         Q. When does Basin Electric plan to commence                  6 reclamation?</p> <p>7         A. Generally, the optimal timing for                  8 revegetation is in spring or the fall. So for this                  9 project we plan to start that in fall of '24.                  10 Follow-up inspections will be carried out in the                  11 next growing season, and for any areas that did not                  12 become revegetated, they'll be reseeded again as                  13 needed.</p> <p>14         Q. Thank you. Would you please describe the                  15 benefits that Basin Electric expects the project                  16 will provide to the local economy?</p> <p>17         A. So this project is -- kind of along with                  18 the Pioneer Phase IV generation, it resulted in                  19 increased demand for electric services for Basin                  20 Electric's member owners and due to regional                  21 economic development in the area. By completing                  22 the project, the wages and salaries paid to local                  23 contractors and workers will provide income for                  24 residents here, and also Basin Electric's business                  25 expenditures for equipment, fuel and operating</p>
19	21
<p>1 pasture areas we'll reseed those with native                  2 species as recommended by the County Ag Extension                  3 Service unless a different landowner -- a different                  4 mix is requested by the landowner. Cultivated land                  5 will be tilled and returned to its production.</p> <p>6         Those activities, weather permitting, will                  7 be ongoing throughout the construction and possibly                  8 into the following construction season.</p> <p>9         Q. Thank you. Would you please generally                  10 describe the maintenance on a transmission line                  11 like this?</p> <p>12         A. So for our preventive maintenance                  13 programs, that includes both aerial and ground                  14 inspection. The aerial inspections will be                  15 conducted two to three times per year. We will be                  16 doing ground patrols annually for the first three                  17 or four years of the project and then it goes on to                  18 a two-year cycle. And then on a five-year cycle                  19 our linemen will climb every tower for an                  20 inspection.</p> <p>21         The maintenance activities may include                  22 repairing damaged conductor, inspecting and                  23 repairing structures, repairing and replacing                  24 damaged insulators and tightening any hardware.                  25         They'll also continue to monitor any</p>	<p>1 supplies and other products and services will                  2 benefit local businesses as well.</p> <p>3         Q. Thank you. Moving to question 36, what                  4 steps has Basin Electric taken or will take to                  5 prepare for an emergency that might occur during or                  6 after construction?</p> <p>7         A. So the line route is submitted to local                  8 emergency agencies prior to construction. That                  9 includes GPS coordinates to each of the structure                  10 locations that can facilitate prompt navigation to                  11 the site, and then both the Judson Substation and                  12 the Pioneer site have 911 addresses.</p> <p>13         Q. Okay. What efforts has Basin Electric                  14 undertaken or will undertake to ensure the safety                  15 of the workforce?</p> <p>16         A. So all of our construction and maintenance                  17 activities will be carried out in compliance with                  18 applicable federal and state laws as defined under                  19 the OSHA laws. Worker safety and health                  20 administration is by Basin Electric's transmission                  21 system maintenance division, which is a member of                  22 the National Safety Council. Basin Electric also                  23 has an OSHA-based safety program supported by the                  24 Energy Coalition for Contractor Safety, so that                  25 program has requirements for the contractors, their</p>

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1 employees and their subcontractors. And all of our  
 2 potential contractors are evaluated against the  
 3 safety program through that prequalification  
 4 process.  
 5 Q. Thank you. Now just a few questions about  
 6 the policy criteria. What is Basin Electric's  
 7 policy with respect to maximizing potential  
 8 benefits through location of its facilities?  
 9 A. So my colleague Phil Westby will testify  
 10 on the need for the location in this specific area  
 11 of the region, but he is -- with respect to the  
 12 actual location, the transmission line for this,  
 13 it's really based on -- on landowner feedback that  
 14 we get through their participation and then guided  
 15 by our field surveys -- biological, archeological  
 16 surveys -- as well as adherence to the Commission's  
 17 transmission line requirements.  
 18 Q. Thank you. Would you please describe  
 19 Basin Electric's general policy regarding labor  
 20 relations?  
 21 A. Basin Electric uses both union and  
 22 nonunion contractors throughout our region and at  
 23 our facilities, and we maintain an equitable and  
 24 fair relationship with labor unions.  
 25 Q. What efforts has Basin Electric made to

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1 economize the costs of construction and operation  
 2 of the project?  
 3 A. So we have an obligation to our member  
 4 cooperatives to construct the facilities to manage  
 5 costs while maintaining reliability and safety. So  
 6 all of our materials and services are competitively  
 7 bid by qualified suppliers. We also combine a lot  
 8 of our purchases with our other ongoing projects to  
 9 take advantage of volume pricing.  
 10 Basin Electric also maintains all of its  
 11 own facilities, which minimizes the cost for  
 12 contracted services.  
 13 Q. Will you please describe Basin Electric's  
 14 policy and what efforts have been made to  
 15 coordinate facilities?  
 16 A. On this project we've had extensive  
 17 coordination with Mountrail-Williams Electric  
 18 Cooperative on distribution and transmission line  
 19 crossings as well as other area overhead and  
 20 underground utility companies along the planned  
 21 route. So we have to meet any of their clearance  
 22 requirements as well as any other operational  
 23 requirements they have for their crossing permits.  
 24 Q. Thank you. Mr. Nasset, based on your  
 25 knowledge of the project, do you believe the

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1 location, construction and operation of the  
 2 proposed facilities will produce minimal adverse  
 3 effects on the environment and upon the welfare of  
 4 the citizens of North Dakota?  
 5 A. Yes.  
 6 Q. Will the proposed facility locations  
 7 ensure continuing system reliability and integrity  
 8 that energy needs are met and fulfilled in an  
 9 orderly and timely fashion?  
 10 A. Yes.  
 11 MS. MERKENS: Thank you. No further  
 12 questions.  
 13 JUDGE DAWSON: Mr. Johnson.  
 14 **EXAMINATION**  
 15 **BY MR. JOHNSON:**  
 16 Q. Would it be appropriate to ask you if all  
 17 state agencies have weighed in and all permits are  
 18 obtained yet or would that be a better question for  
 19 somebody else?  
 20 A. That's correct. But my colleague Erin  
 21 Dukart will address that in her testimony as well.  
 22 Q. Okay. The only other question I had is do  
 23 these structures -- are they able to in the future  
 24 accommodate additional lines, if necessary, for  
 25 future growth, or are they maxed out after this

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1 project is completed?  
 2 A. It'll be a single circuit so we can't add  
 3 additional circuits to it, but the -- a 3,000-amp  
 4 current carrying capacity exceeds what is currently  
 5 planned out of the Pioneer Generation Station.  
 6 MR. JOHNSON: Okay. Thank you.  
 7 JUDGE DAWSON: Mr. Hanson.  
 8 MR. HANSON: No questions, Your Honor.  
 9 **EXAMINATION**  
 10 **BY JUDGE DAWSON:**  
 11 Q. I saw in the application that there --  
 12 there would be allowed for winter construction, but  
 13 you're saying there's going to be no winter  
 14 construction?  
 15 A. Yeah. Unless some unforeseen delays come,  
 16 we plan to complete the project this fall. But,  
 17 yeah, if we would have to, we've done winter  
 18 construction before.  
 19 Q. Okay. And most of that construction is  
 20 digging a glorified post hole or is there more to  
 21 it than that?  
 22 A. Basically that, yes, sir.  
 23 JUDGE DAWSON: Okay. I have no further  
 24 questions. Since there's -- do you have anything  
 25 else you'd like to add?

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1 MS. MERKENS: No, Your Honor.  
 2 JUDGE DAWSON: Well, you may step down.  
 3 THE WITNESS: Thank you, Your Honor.  
 4 JUDGE DAWSON: And you may call your next  
 5 witness.  
 6 MS. MERKENS: Your Honor, for my next  
 7 witness I'd like to call Mr. Philip Westby.  
 8 JUDGE DAWSON: Mr. Westby, you were here  
 9 for my previous warnings as to perjury so you  
 10 understand what perjury is and the penalties for  
 11 it?  
 12 THE WITNESS: Yes, Your Honor.  
 13 (Witness sworn.)  
 14 JUDGE DAWSON: You may begin.  
 15 MS. MERKENS: Thank you, Your Honor.  
 16 **PHILIP WESTBY,**  
 17 being first duly sworn, was examined and testified  
 18 as follows:  
 19 **DIRECT EXAMINATION**  
 20 **BY MS. MERKENS:**  
 21 Q. Would you please state your name, business  
 22 address and occupation?  
 23 A. My name is Philip Westby. I am employed  
 24 as the manager of transmission services at Basin  
 25 Electric Power Cooperative. And my business

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1 address is 1717 East Interstate Avenue, Bismarck,  
 2 North Dakota.  
 3 Q. Thank you. And would you please describe  
 4 your educational background, employment history and  
 5 work experience?  
 6 A. Sure. I earned a bachelor of science  
 7 degree in computer engineering from North Dakota  
 8 State University in 2008, and I am a licensed  
 9 professional engineer in North Dakota. I have been  
 10 employed by Basin Electric since 2009 in the  
 11 transmission planning division. I was hired as an  
 12 electrical engineer and was promoted to manager of  
 13 transmission services in April of 2023.  
 14 My responsibilities include the  
 15 supervision of Basin Electric's transmission  
 16 studies. This includes completing and reviewing  
 17 studies that would affect existing and new electric  
 18 transmission facilities for Basin Electric and its  
 19 members.  
 20 Q. Mr. Westby, what have been your  
 21 responsibilities in connection with the Pioneer  
 22 Generation Station to Judson Substation  
 23 transmission line project?  
 24 A. Yeah. I've been involved in siting the  
 25 generation and determining the ideal way to

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1 interconnect the Pioneer Phase IV project to the  
 2 regional transmission system. I'm also responsible  
 3 for reviewing transmission studies applicable to  
 4 this generation interconnection.  
 5 Q. And what information will you be providing  
 6 today in your testimony?  
 7 A. The purpose of my testimony is to provide  
 8 information related to the need for the project.  
 9 Q. Thank you. Mr. Westby, why is this  
 10 345-kilovolt transmission line needed?  
 11 A. The project is needed to interconnect  
 12 Pioneer -- Pioneer Phase IV facilities to the  
 13 electrical grid that serves Basin Electric member  
 14 cooperatives in the area. Basin Electric  
 15 identified the need for Pioneer Phase IV and  
 16 subsequently the project through its power supply  
 17 planning process. As a result of that process, it  
 18 became apparent that there was a need for  
 19 additional capacity in the region to meet the  
 20 growing demand and provide adequate supply of  
 21 electrical power to the Williston Basin area. The  
 22 project will transmit power from the new Pioneer  
 23 Phase IV units.  
 24 The Pioneer Phase IV project is  
 25 approximately 583 megawatts and the existing 115-kV

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1 infrastructure in the area of the Pioneer Station  
 2 is not able to handle this amount of power  
 3 injection. Upgrading or rebuilding those existing  
 4 facilities would create more negative impacts and  
 5 be more costly than simply building a direct line  
 6 at a higher voltage from Pioneer Phase IV to the  
 7 Judson Substation.  
 8 Q. Mr. Westby, would you please describe the  
 9 alternatives that Basin Electric considered besides  
 10 the proposed project?  
 11 A. Sure. Basin Electric considered a  
 12 no-action alternative and a transmission system  
 13 alternative. A no-action alternative would leave  
 14 the region constrained by limited generation  
 15 capacity and does not serve the load growth or the  
 16 membership needs in the area and jeopardizes  
 17 reliability. For these reasons, Basin Electric  
 18 rejected the no-action alternative.  
 19 Basin Electric also considered  
 20 interconnecting into the existing 115-kV  
 21 transmission lines in the vicinity of Pioneer.  
 22 These lines can only handle roughly 200 megawatts  
 23 of power injection. The existing infrastructure is  
 24 undersized and is already being utilized by  
 25 existing electric generation.

30

1 Expanding the 115-kV system to accommodate  
 2 the additional generation from Pioneer Phase IV is  
 3 not cost effective, practical or safe due to the  
 4 number of existing lines and substations that would  
 5 need to be upgraded on the 115-kV system.  
 6 Basin Electric concluded that the only  
 7 feasible option to interconnect the new generation  
 8 from Pioneer Phase IV to serve the area is to build  
 9 a direct line from the Pioneer Phase IV site to the  
 10 Judson 345-kV Substation.  
 11 Q. Thank you. I'd now like to discuss the  
 12 transmission planning process. Mr. Westby, would  
 13 you please describe the studies that Basin Electric  
 14 has conducted to determine the need for this  
 15 project?  
 16 A. Per requirements from the Federal Energy  
 17 Regulatory Commission, Basin Electric conducts  
 18 annual NERC TPL-001-5 assessments on its  
 19 transmission system. The TPL-001-5 is a required  
 20 reliability assessment in which transmission  
 21 planners review their system over a broad spectrum  
 22 of system conditions and potential contingencies.  
 23 Basin Electric also conducts two annual  
 24 summer -- two annual operating studies in summer  
 25 and winter specifically related to reliability in

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1 the Bakken region. In addition to these compliance  
 2 and operating studies, Basin Electric works closely  
 3 with the Southwest Power Pool on their Definitive  
 4 Interconnection System Impact Study processes.  
 5 Q. Have Basin Electric's studies shown  
 6 reliability issues in the Bakken area?  
 7 A. Yes. Through the annual NERC TPL-001-5  
 8 assessments process, Basin Electric has identified  
 9 the Bakken area as a potential weak spot for  
 10 reliability. The recent load forecasts continue to  
 11 show growth in this region which will continue to  
 12 stress the existing generation and transmission  
 13 infrastructure in the region.  
 14 Q. Mr. Westby, would you please describe the  
 15 expected schedule for SPP approval of the project?  
 16 A. Basin Electric submitted three separate  
 17 SPP generator interconnection requests as part of  
 18 the 2022 Definitive Interconnection System Impact  
 19 Study process. Basin Electric submitted an interim  
 20 generator interconnection application to SPP for  
 21 the Pioneer Phase IV generation facilities in  
 22 September of 2023 and expects approval in 2024.  
 23 The official generation interconnection agreement  
 24 is expected to be signed in 2025 after the  
 25 completion of the 2022 DISIS cycle.

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1 Q. Thank you. Will this project be a part of  
 2 the SPP tariff?  
 3 A. No. The project is a radial transmission  
 4 addition required for the outlet of Pioneer Phase  
 5 IV Generation Station to meet customer demand. It  
 6 will not be operated under functional control of  
 7 the SPP tariff.  
 8 Q. Thank you. Would you please describe how  
 9 this project affects the reliability of the  
 10 transmission system in northwestern North Dakota?  
 11 A. A dispatchable resource such as Pioneer  
 12 Phase IV allows Basin Electric to continue to meet  
 13 its forecasted resource obligations as well as  
 14 during unexpected system events, such as  
 15 transmission or generation outages.  
 16 Pioneer Phase IV and this project provide  
 17 additional flexibility to take planned maintenance  
 18 outages on the existing generation and transmission  
 19 system in the local area. SPP market congestion  
 20 has been high in the area and this project will  
 21 provide relief to the congestion in the area,  
 22 especially when it's not windy, ensuring reliable,  
 23 low-cost energy for Basin Electric's membership.  
 24 Q. If the project is not built, what will  
 25 happen to the electrical transmission system in

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1 northwestern North Dakota?  
 2 A. The existing transmission and generation  
 3 capacity in this region is insufficient, and unless  
 4 the project is constructed, future load growth will  
 5 be restricted. Without the project, Basin Electric  
 6 will not be able to meet its obligation to serve  
 7 electric load to its membership.  
 8 Q. Is the proposed location, construction and  
 9 operation of the project such that it will ensure  
 10 continued system reliability and integrity?  
 11 A. Yes. The project will support existing  
 12 system needs and increase transmission system  
 13 capacity while meeting NERC reliability criteria.  
 14 Q. Moving to question 17, will this  
 15 transmission line benefit the area through which  
 16 Basin Electric is proposing to construct?  
 17 A. Yes. This transmission line will provide  
 18 a direct benefit for service into the area by  
 19 continuing reliable service to all area consumers.  
 20 Specifically, dispatchable resources such as  
 21 Pioneer Phase IV allows for the system to be better  
 22 positioned to maintain reliable service for  
 23 unexpected system events such as outages or  
 24 maintenance activities on the existing transmission  
 25 system.

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1 Q. Mr. Westby, is there any -- does Basin  
 2 Electric have any plans to expand this line?  
 3 A. There is no plan to expand the  
 4 transmission line beyond this project, but  
 5 additional transmission may be needed in the area  
 6 if electrical load requirements continue to grow or  
 7 the generation station is expanded further.  
 8 MS. MERKENS: Thank you, Mr. Westby. I  
 9 have no further questions.  
 10 JUDGE DAWSON: Mr. Johnson.  
 11 MR. JOHNSON: Thank you.

**EXAMINATION**

12 **BY MR. JOHNSON:**  
 13 Q. You stated this is going to help increase  
 14 reliability in the transmission up here. Does it  
 15 create any redundancy or pathways to help shift  
 16 load around if needed to -- to keep kind of as a  
 17 backup or alternate path if needed if there's an  
 18 outage somewhere else?  
 19 A. This project is not going to allow for the  
 20 shifting of load or anything. It's really just if  
 21 you have a transmission outage, now you have a  
 22 generation kind of up here that -- that can be  
 23 turned on or dispatched on demand to support the  
 24 transmission -- transmission system.  
 25

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1 Q. Okay. And does it help with congestion at  
 2 all in the area as well?  
 3 A. Yes, it will. I mean, the Pioneer Phase  
 4 IV is powered by the natural gas which is created  
 5 in the Bakken region which is very inexpensive,  
 6 so --  
 7 MR. JOHNSON: Okay. I don't have any  
 8 other questions, Your Honor.  
 9 JUDGE DAWSON: Mr. Hanson.

**EXAMINATION**

10 **BY MR. HANSON:**  
 11 Q. Yes. Two questions. First, you were  
 12 talking about the current system can accommodate  
 13 approximate -- the 115-kV line's going to  
 14 accommodate approximately 200 megawatts of capacity  
 15 and that the -- the 345-kV will be able to  
 16 accommodate the Phase IV which is 584 megawatts,  
 17 but you noted that it had been built to SPP  
 18 specifications so there would be some additional  
 19 load. So if -- if you were to add generation to  
 20 the -- to the Pioneer facility, approximately how  
 21 much additional capacity would you have on the line  
 22 if you had to roughly estimate it from that 583?  
 23 A. So I think from a straight loading  
 24 standpoint, you could probably get another  
 25

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1 1500 megawatts based on --  
 2 Q. Oh.  
 3 A. But I think there's other aspects that  
 4 would need to be considered before you would just  
 5 put that on a radial line because that would become  
 6 the largest -- one of the largest generation  
 7 outages -- single-line-minus-one outages in the SPP  
 8 region.  
 9 Q. So roughly about three times what's  
 10 currently at the facility. Okay.  
 11 A. And there would likely be other upgrades  
 12 needed --  
 13 Q. Sure.  
 14 A. -- downstream on the system.  
 15 Q. Okay. And then the second thing is you  
 16 noted that this was in the process of SPP approval  
 17 in 2024. Is that normal operating procedure that  
 18 you will be proceeding with construction prior to  
 19 having all the approvals and is there any risk  
 20 involved with that?  
 21 A. The SPP definitive -- SPP generator  
 22 interconnection process has been delayed, so  
 23 there's -- I would say it's not typical to build a  
 24 generation station prior to having a final  
 25 generator interconnection agreement. So there

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1 certainly is risk. If that SPP study determines  
 2 that other system upgrades are needed, Basin will  
 3 be on the hook to pay for those upgrades.  
 4 MR. HANSON: Okay. Thank you. No further  
 5 questions.

**EXAMINATION**

6 **BY JUDGE DAWSON:**  
 7 Q. To feed off of Mr. Johnson a little bit,  
 8 so this is a feeder line to the Judson Switchyard.  
 9 Can you tell me a little about the Judson  
 10 Switchyard? What's coming into it now and where  
 11 does -- what comes from it?  
 12 A. There's three lines. One comes from -- a  
 13 345 line capacity from the Patent Gate Substation,  
 14 which is to the south which is just north of  
 15 Watford City a little bit. And then there's one  
 16 that comes from the east, which is the Tande  
 17 Substation over by Tioga. So those two 345 lines  
 18 come in, and then there's a 345 to 230-kV  
 19 transformer that goes to the 230-kV yard at Judson.  
 20 And then that has a 230-kV transmission line that  
 21 goes over to the Williston 230-kV substation. So  
 22 that's how it's all connected, and this will --  
 23 JUDGE DAWSON: Thank you. I have no  
 24 further questions.  
 25

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1 Do you have any questions, Ms. Merkens?  
 2 MS. MERKENS: No, Your Honor.  
 3 JUDGE DAWSON: With that, you may step  
 4 down.  
 5 THE WITNESS: Thank you.  
 6 JUDGE DAWSON: And, Ms. Merkens, you may  
 7 call your next witness.  
 8 MS. MERKENS: Thank you, Your Honor. I  
 9 would like to call Ms. Erin Dukart to the stand,  
 10 please.  
 11 JUDGE DAWSON: You were here for my  
 12 previous admonitions as to perjury so you  
 13 understand what perjury is and the penalties for  
 14 it?  
 15 THE WITNESS: Yes, Your Honor.  
 16 (Witness sworn.)  
 17 JUDGE DAWSON: You may begin.  
 18 MS. MERKENS: Thank you.  
 19 **ERIN DUKART,**  
 20 being first duly sworn, was examined and testified  
 21 as follows:  
 22 **DIRECT EXAMINATION**  
 23 **BY MS. MERKENS:**  
 24 Q. Ms. Dukart, would you please provide your  
 25 name, address and occupation?

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1 **A.** My name is Erin Dukart. My business  
 2 address is 1717 East Interstate Avenue, Bismarck,  
 3 North Dakota. I'm employed by Basin Electric Power  
 4 Cooperative as the director of environmental  
 5 services.  
 6 Q. Would you please generally describe your  
 7 educational background, professional experience?  
 8 **A.** I earned a bachelor of science degree from  
 9 the University of North Dakota in Grand Forks in  
 10 2002 with a major in biology. From 2002 to 2008 I  
 11 worked as an epidemiologist for the North Dakota  
 12 State Department of Health, Division of Disease  
 13 Control.  
 14 I was hired by Basin Electric in  
 15 October 2008 and have worked on a variety of  
 16 transmission and energy conversion facility siting  
 17 applications.  
 18 Q. Would you please describe your  
 19 responsibilities in connection with this project?  
 20 **A.** I am responsible for the overall  
 21 preparation and coordination of the environmental  
 22 analysis of this project. This involved working  
 23 with an interdisciplinary consultant team,  
 24 contacting and meeting with public officials,  
 25 coordinating activities with other Basin Electric

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1 departments, as well as reviewing and coordinating  
 2 reports supporting the Public Service Commission  
 3 application.  
 4 Q. And would you please describe the purpose  
 5 of your testimony in this proceeding today?  
 6 **A.** I will describe the environmental  
 7 considerations that Basin Electric addressed in  
 8 selecting the proposed project route in accordance  
 9 with the North Dakota Energy Conversion and  
 10 Transmission Facility Siting Act and the  
 11 Commission's rules and regulations.  
 12 Q. The North Dakota Energy Conversion and  
 13 Transmission Facility Siting Act discusses  
 14 corridors and routes for transmission lines. Would  
 15 you please describe what a corridor and a route is?  
 16 **A.** The Act defines a corridor as the area of  
 17 land where a designated route may be established  
 18 for an electric transmission facility, and a route  
 19 is the location of an electric transmission  
 20 facility within a designated corridor.  
 21 Q. Thank you. And what is the size of the  
 22 corridor for this project?  
 23 **A.** The corridor is 14.6 miles long and  
 24 150 feet wide. This is also the easement width  
 25 that will be used for construction and maintenance

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1 for the life of the project. As the corridor  
 2 encompasses the route, throughout the rest of my  
 3 testimony when referring to the corridor, I will be  
 4 referring to the route and corridor.  
 5 Q. Thank you. Why is it appropriate for the  
 6 Commission to approve the proposed 150-foot  
 7 corridor width?  
 8 **A.** Basin Electric proposed a one-mile-wide  
 9 study area with a 150-foot-wide project corridor,  
 10 the combination of which provides sufficient  
 11 information for the Commission to evaluate the  
 12 factors addressed in the Act. Utilizing a corridor  
 13 width equal to the width of the right-of-way also  
 14 helps avoid the confusion or uncertainty for  
 15 landowners, agencies and governmental  
 16 representatives that could occur with a wider  
 17 corridor. Thus, under the circumstances presented,  
 18 it's appropriate for the Commission to approve the  
 19 150-foot corridor width.  
 20 Q. Thank you. Would you please provide a  
 21 general description of the terrain along the route?  
 22 **A.** The route lies entirely within Williams  
 23 County, North Dakota. Starting at Pioneer  
 24 Generation Station, the route proceeds from  
 25 northwest to southeast. The project area crosses

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1 gently rolling uplands north of the Missouri River  
 2 and the Painted Woods Creek towards the southern  
 3 end. About three-quarters of the area is comprised  
 4 of cultivated fields and the remainder is primarily  
 5 prairie grasslands. There are very few, if any,  
 6 significant topographic changes.

7 The corridor crosses lands owned by  
 8 private entities and individuals. Approximately --  
 9 approximately one mile of the route crosses mineral  
 10 trust lands which are managed by the North Dakota  
 11 Department of Trust Lands. There are no federally  
 12 owned or managed land segments crossed by the  
 13 project.

14 Q. Thank you. Moving to question 12, did  
 15 Basin Electric incorporate public input in the  
 16 route selection process?

17 A. Yes. Basin Electric and its  
 18 representatives contacted all required local, state  
 19 and federal agencies for assistance in identifying  
 20 concerns or issues within the study area. Basin  
 21 Electric has maintained close coordination with  
 22 landowners throughout the process via in-person  
 23 meetings, mailers and phone calls. Each landowner  
 24 received a pamphlet that detailed specific  
 25 information about the project.

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1 Q. Thank you. And moving to the discussion  
 2 about exclusion and avoidance areas, would you  
 3 please describe what an exclusion area is?

4 A. An exclusion area is a geographical area  
 5 that must be excluded in the consideration of a  
 6 route for a transmission facility.

7 Q. And would you please describe what an  
 8 avoidance area is?

9 A. An avoidance area is a geographical area  
 10 that may not be considered in the routing of a  
 11 transmission facility unless the applicant shows  
 12 that under the circumstances there is no reasonable  
 13 alternative.

14 Q. Thank you. Does the corridor contain any  
 15 exclusion areas?

16 A. No.

17 Q. Does the corridor contain any avoidance  
 18 areas?

19 A. Yes. One homestead is located within  
 20 500 feet of the project corridor but is greater  
 21 than 500 feet from the route. Basin Electric has  
 22 obtained a landowner waiver for this property.  
 23 That waiver was admitted into evidence this  
 24 morning.

25 Q. Thank you. Has the entire route been

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1 surveyed for cultural resources?

2 A. Yes. Since the application was submitted,  
 3 the entire route has been surveyed for cultural  
 4 resources. Basin Electric will submit an addendum  
 5 to the cultural resources survey once it is  
 6 finalized.

7 Q. Ms. Dukart, has the State Historical  
 8 Preservation Office reviewed the cultural resources  
 9 report and provided comment or concurrence?

10 A. The SHPO has reviewed and provided  
 11 concurrence on the original cultural resources  
 12 report. A second addendum cultural resources  
 13 report has been prepared and submitted to the State  
 14 Historical Society of North Dakota for review and  
 15 concurrence. The addendum report and future  
 16 correspondence with the SHPO will be filed with the  
 17 Commission to document that the project will not  
 18 adversely affect cultural resources.

19 Q. Thank you. Does Basin Electric anticipate  
 20 visual impacts caused by the project?

21 A. No. The project will be visible to  
 22 landowners and travelers along roadways. There are  
 23 existing transmission lines, oil and gas well pads  
 24 and roads already present in the viewshed.

25 Q. Thank you. Did Basin Electric evaluate

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1 the irreversible and irretrievable commitment of  
 2 natural resource?

3 A. Yes. There are few commitments of  
 4 resources associated with this project that are  
 5 irreversible and irretrievable, but these include  
 6 resources primarily related to construction.

7 Q. Does the project impact existing  
 8 development plans of state, local, government or  
 9 private entities in the vicinity of the route?

10 A. No conflicts are anticipated with existing  
 11 state, local government or private entities'  
 12 development plans. Basin Electric and its  
 13 representatives contacted key local, state and  
 14 federal agencies for assistance in identifying  
 15 concerns or issues within the study area.

16 Public and agency correspondence received  
 17 as of September 2023 are included in the  
 18 application. Basin Electric will continue to meet  
 19 with various state and county officials as the  
 20 project moves forward.

21 Q. Do you expect the project will have  
 22 significant effects on scenic areas, historic sites  
 23 and structures, paleontological or archeological  
 24 sites?

25 A. There are no designated scenic areas that

46	<p>1 will be affected by the project. Basin Electric's                  2 consultant, Metcalf Archeological Consultants,                  3 Inc., conducted a Class I literature review and a                  4 Class III cultural resources inventory and                  5 determined that any archeological sites are outside                  6 the project corridor or are found to be not                  7 significant. Once received, the final addendum                  8 will be submitted to the Commission's docket.                  9 Q. Thank you. Did the environmental studies                  10 performed for the project address any concerns for                  11 threatened or endangered species?                  12 A. WEST Associates conducted a natural                  13 resource inventory of a 530-acre area which                  14 included an evaluation of habitat for federally                  15 listed species. Assessments for federally listed                  16 threatened and endangered species were conducted by                  17 evaluating historic accounts and reported                  18 occurrences of listed species within the area of                  19 the proposed project.                  20 A desktop evaluation was conducted which                  21 was augmented with a field evaluation to confirm                  22 the presence or absence of potentially suitable                  23 habitat for federally listed species within the                  24 survey area.                  25 Prior to field surveys, the United States</p>	48	<p>1 agriculture production, family farms or ranches?                  2 A. No. There are no anticipated effects to                  3 agricultural production, family farms or ranches.                  4 Basin Electric will schedule construction                  5 activities during periods when agricultural                  6 activities are minimal or, alternatively, the                  7 landowner will be compensated. Landowners would be                  8 compensated for crop and forage loss that occurs as                  9 a result of construction and maintenance                  10 activities, and damage to soils will be redressed.                  11 Transmission lines are generally                  12 compatible with existing family farms and ranches,                  13 and the project will not displace any farms or                  14 ranches.                  15 Q. Thank you. Moving to question 32, do you                  16 anticipate the project will have any significant                  17 adverse effects on noise-sensitive lands or                  18 visually -- or visual impacts?                  19 A. No. Upon operation there may be a minimal                  20 amount of sound if air molecules near a conducting                  21 wire are ionized due to changes in the electric                  22 field intensity at the conductor surface. The                  23 sound would be most noticeable when a conductor is                  24 wet as a result of precipitation.                  25 The project will be visible to landowners</p>
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47	<p>1 Fish and Wildlife Service Information for Planning                  2 and Conservation tool was reviewed and indicated                  3 that six threatened, endangered and candidate                  4 species could potentially occur within the survey                  5 area and Williams County. These species include                  6 the northern long-eared bat, the piping plover, red                  7 knot, whooping crane, Dakota skipper and monarch                  8 butterfly.                  9 WEST Associates conducted surveys for bald                  10 eagle and raptor nests. After consultation, the                  11 North Dakota Parks and Recreation Department                  12 determined that there are no plant species or other                  13 significant ecological communities known to occur                  14 within a mile of the project.                  15 Q. Thank you. Ms. Dukart, has Basin Electric                  16 addressed issues raised by agencies?                  17 A. Yes. Basin Electric contacted                  18 jurisdictional federal, state and local agencies                  19 for comment. No agency raised any specific                  20 problems with the project. Basin Electric believes                  21 that this route is a balance between a viable,                  22 cost-effective project and one that satisfactorily                  23 minimizes impacts.                  24 Q. Thank you. Have there been any -- any                  25 concerns raised about potential impacts to</p>	49	<p>1 and travelers along roadways, but no significant                  2 visual effects are anticipated. There are existing                  3 transmission lines, oil and gas well pads and roads                  4 present in the viewshed.                  5 Q. Does Basin Electric anticipate any                  6 significant impacts on areas of extractive or                  7 storage resources?                  8 A. No. Basin Electric designed the project                  9 corridor and route to avoid extractive and storage                  10 resources or provide for sufficient clearance for                  11 well maintenance and operation.                  12 Q. Do you anticipate any significant impacts                  13 on wetlands, woodlands or wooded areas?                  14 A. No. Basin Electric designed the project                  15 to avoid all wetlands. Trees and shrubs will be                  16 replaced in accordance with the Commission's tree                  17 and shrub mitigation specifications.                  18 Q. Will the project affect radio or trans --                  19 radio and television reception or other                  20 communication facilities?                  21 A. The project is not anticipated to affect                  22 radio, television, communication or other                  23 electronic control facilities.                  24 Q. Do you expect the project may affect human                  25 health and safety, animal health and safety or</p>
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1 plant life?  
 2 **A.** No. Basin Electric will comply with or  
 3 exceed the National Electric Safety Code standards  
 4 and inspect the lines throughout the life of the  
 5 project to maintain integrity, avoiding impacts to  
 6 human health and safety. Construction work will be  
 7 coordinated with landowners to avoid impacts to  
 8 livestock.  
 9 Basin Electric is committed to mitigating  
 10 potential impacts to wildlife as described in the  
 11 application. Damage to plant life is anticipated  
 12 to be negligible. The transmission line structures  
 13 will result in less than one acre of permanent  
 14 ground disturbance. Any temporarily disturbed  
 15 areas will be restored as practicable. Basin  
 16 Electric will replace trees and shrubs consistent  
 17 with the Commission's tree and shrub mitigation  
 18 specifications.  
 19 **Q.** Thank you. Will the project violate any  
 20 city or county zoning ordinances?  
 21 **A.** No. Transmission lines are a permitted  
 22 use for all zoning districts within Williams  
 23 County.  
 24 **Q.** Are there any additional permits that  
 25 Basin Electric needs to obtain prior to

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1 construction?  
 2 **A.** No.  
 3 **Q.** In your opinion, are the proposed  
 4 facilities compatible with environmental  
 5 preservation and efficient use of resources?  
 6 **A.** Yes, they are.  
 7 **MS. MERKENS:** Thank you. I have no  
 8 further questions, Your Honor.  
 9 **JUDGE DAWSON:** Mr. Johnson.  
 10 **EXAMINATION**  
 11 **BY MR. JOHNSON:**  
 12 **Q.** I have no doubt that you guys are  
 13 continuing to work with SHPO to get the  
 14 concurrence, but can you just kind of tell me what  
 15 happened there, why there was two different  
 16 segments that needed to be submitted? Was it an  
 17 oversight or --  
 18 **A.** No. The -- the archeologist can't observe  
 19 the ground when there is crop cover. So we had to  
 20 wait until the cultivated land -- all the crops had  
 21 been removed.  
 22 **Q.** Okay. That's good. So I noticed part of  
 23 the report indicates there's some noxious weeds in  
 24 the area. Is there a -- is there a weed -- weed  
 25 board in --

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1 **A.** There is a weed board in Williams County.  
 2 We have not visited with them directly. We do have  
 3 a weed mitigation plan for Basin Electric and this  
 4 project has a specific part to that. So prior to  
 5 any reclamation we will be visiting with them.  
 6 There is one additional noxious weed in Williams  
 7 County beyond the state list as well.  
 8 **Q.** Okay. Yeah. I appreciate that you're  
 9 willing to work with them and work on that.  
 10 You said that all the agency approvals are  
 11 in. So I noticed there were some landslide areas  
 12 mentioned by the state geological survey. Are all  
 13 those avoided?  
 14 **A.** They are.  
 15 **Q.** Okay. And you talked about the noise from  
 16 the line. There's only one residence that's --  
 17 **A.** Within the 500 feet, yes.  
 18 **Q.** Okay. Is there any that are within, say,  
 19 1500 feet?  
 20 **A.** I think I would defer that question to  
 21 my colleague who will discuss the right-of-way and  
 22 the landowner --  
 23 **Q.** Okay. And do you know, have -- was --  
 24 when the waiver was obtained, did they talk to the  
 25 landowner about the potential for some noise when

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1 ionization occurs?  
 2 **A.** Again, I would defer to Mr. Murray on  
 3 that.  
 4 **MR. JOHNSON:** Okay. Perfect. I will ask  
 5 him. That is all the questions I have.  
 6 **THE WITNESS:** Thank you.  
 7 **JUDGE DAWSON:** Mr. Hanson.  
 8 **MR. HANSON:** No -- no further questions.  
 9 **MR. JOHNSON:** Oh, I do have one more.  
 10 **JUDGE DAWSON:** Mr. Johnson.  
 11 **Q.** (MR. JOHNSON CONTINUING) You guys said  
 12 that you would meet the tree and shrub mitigation  
 13 plan. Prior to the hearing, I was speaking with  
 14 Ms. Merkens. There's a 50-foot clearing in that  
 15 requirement. Is there a need to go -- to clear  
 16 more than the 50 feet?  
 17 **A.** At times there is within this project,  
 18 particularly at landowner request.  
 19 **Q.** Okay. Is there -- besides landowner  
 20 request, is there any other reason to -- to clear  
 21 beyond what's in the tree and shrub mitigation  
 22 plan?  
 23 **A.** Beyond the 50 feet?  
 24 **Q.** Yes.  
 25 **A.** I would have to look at the construction

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1 plan.

2 Q. Okay. And would that -- would that be a

3 requirement just for, like, National Electric

4 Safety Code clearing distances and things like

5 that, or is it just for construction purposes,

6 laydown areas like that?

7 A. I believe it would be primarily for

8 construction purposes.

9 MR. JOHNSON: Okay. Thank you.

10 **EXAMINATION**

11 **BY JUDGE DAWSON:**

12 Q. In looking through the application, it

13 seems that the only noxious weeds that were found

14 were Canada thistle and groups of it. There was

15 big patches of Canada thistle?

16 A. Yes.

17 Q. You didn't find any other noxious weeds?

18 A. Not that I recall.

19 JUDGE DAWSON: Okay. I have no further

20 questions.

21 THE WITNESS: I would just say the land is

22 primarily cultivated, so typically there would not

23 be.

24 JUDGE DAWSON: Ms. Merkens?

25 MS. MERKENS: No further questions, Your

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1 Honor.

2 JUDGE DAWSON: Seeing no further

3 questions, you may step down.

4 THE WITNESS: Thank you.

5 JUDGE DAWSON: You may call your next

6 witness.

7 MS. MERKENS: Thank you. For my next

8 witness, I'd like to call Mr. Mike Murray, please.

9 JUDGE DAWSON: Mr. Murray, you were here

10 for my previous admonitions as to perjury, so you

11 understand what perjury is and the penalties for

12 it?

13 THE WITNESS: Yes, I do, Your Honor.

14 (Witness sworn.)

15 JUDGE DAWSON: You may begin.

16 MS. MERKENS: Thank you, Your Honor.

17 **MIKE MURRAY,**

18 being first duly sworn, was examined and testified

19 as follows:

20 **DIRECT EXAMINATION**

21 **BY MS. MERKENS:**

22 Q. Would you please provide your name and

23 business address?

24 A. My name is Mike Murray, and my business

25 address is 1717 East Interstate Avenue in Bismarck,

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1 North Dakota.

2 Q. Mr. Murray, would you please describe your

3 educational background and work experience?

4 A. So I did earn my associate's degree in

5 business administration from Bismarck State College

6 and a bachelor's degree in management from Minot

7 State University. I have been employed by Basin

8 Electric since 1990, and I have worked in the

9 right-of-way department since 2000.

10 I am currently the director of property

11 and right-of-way for Basin Electric and have

12 personally acquired and/or overseen the acquisition

13 of almost 600 miles of transmission lines.

14 Q. Thank you. Moving to question 4, would

15 you please describe your role in connection with

16 the project?

17 A. My role is to oversee the activity and

18 progress of these Basin Electric -- the contracted

19 agents as well as our own staff agents and provide

20 assistance where necessary. I also have

21 participated in our weekly project status meetings

22 and am regularly communicating with our project

23 manager, our routing engineer and other team

24 members to stay informed so I can provide guidance

25 to achieve a successful outcome of acquiring all

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1 the necessary land rights.

2 Q. As far as contacts with landowners, would

3 you please summarize the extent of contacts that

4 Basin Electric's right-of-way department team has

5 made with the landowners along the proposed route?

6 A. Sure. So there are a total of 22 private

7 landowners within the project corridor. All the

8 land within the project corridor is privately

9 owned. The Judson Substation parcel is jointly

10 owned between Basin Electric and Mountrail-Williams

11 Electric Cooperative.

12 In September of 2022, Basin Electric began

13 contacting landowners along the route to introduce

14 the project and seek survey permissions. Basin

15 Electric began acquiring easements for the project

16 in May of 2023, and by December of 2023 we had

17 acquired 100 percent of the easements.

18 Q. Thank you. Are the easements that Basin

19 Electric has obtained for the project limited to a

20 specific purpose?

21 A. Yes. The easements only allow Basin

22 Electric the right to install, repair, replace and

23 maintain a single-circuit transmission line and no

24 other purposes are included or allowed within that

25 easement.

58	<p>1 Q. Would you please describe activities that 2 will be restricted within the easement area? 3 A. Basin Electric restricts the placement of 4 permanent structures under the transmission lines, 5 such as planting trees, stockpiling materials under 6 the line or any activity that would present a 7 safety concern for the landowner or make operating 8 the line a safety hazard. 9 Q. Okay. 10 A. There are numerous compatible uses of the 11 corridor that do not interfere with the safe or 12 reliable operation of the transmission line 13 facilities, so Basin Electric does not require 14 approval for uses like farming or ranching. 15 Q. Thank you. Mr. Murray, would you please 16 generally describe the route for the project, some 17 of the alternate route segments that were 18 considered? 19 A. Sure, I can. And I'm going to -- I'm 20 going to break it down into like four segments so I 21 can better explain this, and it might be easier if 22 staff wants to follow the exhibits if you want to 23 know what I'm talking through here. 24 So for Segment 1 -- so the line in total 25 is roughly 14 and a half miles long, and Segment 1</p>	60	<p>1 North, Range 103 West. This slight angle was 2 necessary to accommodate landowner preference and 3 keep the structures out of cropland to align with 4 the property line and two landowners willing to 5 share the same route. 6 So from this point the line heads due 7 south along the property line for a half a mile to 8 angle point 7 located in the southeast quarter of 9 Section 29. 10 Additional route options were looked at 11 along this segment, but ultimately this route was 12 selected in order to keep as much of the segment on 13 Basin Electric's property and accommodate landowner 14 preference. 15 Segment 2 will be from angle point 7 to 16 angle point 11. This segment of the line is 17 approximately 3.7 miles in length. From angle 18 point 7 the route heads due east for approximately 19 three-quarters of a mile to angle point 8, which is 20 located along the half section line in the south 21 half of Section 28, Township 155 North, Range 103 22 West. This was to accommodate landowner requests 23 to stay on the property lines. 24 The route then heads due south for 25 approximately .9 miles to angle point 9 located on</p>
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59	<p>1 is from the Pioneer Generation Station takeoff 2 structure to angle point 7. This is a 3 single-circuit line with a 150-foot right-of-way 4 from the takeoff structure to angle point 7, and 5 that is approximately -- this segment is 1.5 miles 6 in length. 7 The new 345-kV Pioneer Substation is the 8 point of beginning for this segment. The Pioneer 9 Substation is located adjacent to Basin Electric's 10 Pioneer Generation Station which is located 11 approximately 11 miles northwest of Williston in 12 the northeast quarter of Section 20, Township 155 13 North, Range 103 West, in Williams County. 14 Segment 1 begins at the takeoff structure 15 at the Pioneer Substation and heads south for 16 450 feet and then east for 380 feet to angle point 17 3 to align with Basin Electric's property line 18 which is still located within that northeast 19 quarter of Section 20. 20 The route then proceeds south for a half a 21 mile on Basin Electric's property to angle point 5 22 located in the southeast quarter of Section 20. 23 The route then angles slightly southeast for 24 approximately .3 miles to angle point 6 located in 25 the northeast quarter of Section 29, Township 155</p>	61	<p>1 the half section line in Section -- in the south 2 half of Section 33, Township 155 North, Range 103 3 West. This route was also selected to accommodate 4 landowner requests to route the line along the 5 property boundaries. 6 The route then angles to the southeast for 7 approximately seven-tenths of a mile to angle point 8 10 located in the northeast quarter of Section 4, 9 Township 154 North, Range 103 West. This angle was 10 selected to accommodate landowner requests to avoid 11 displacing cropland. To accommodate these 12 landowners' requests, the selected route ended up 13 being within approximately 300 feet of an occupied 14 residence, but the homeowner signed a waiver as 15 this was also their preferred route. This is where 16 they wanted it. 17 The route then heads due south for 18 approximately 1.35 miles to angle point 11 located 19 in -- on the half section line in the east half of 20 Section 9, Township 154 North, Range 103 West. An 21 alternate to this line segment a half a mile 22 further west was considered but was less favorable 23 for the landowners. 24 Section 3 will be from angle point 11 to 25 angle point 12. This segment was a longer</p>
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1 5.3 miles in length. From angle point 10, the  
 2 route heads due east for approximately 5.3 miles to  
 3 angle point 11 located in the northwest quarter of  
 4 Section 9, Township 154 North, Range 102 West.  
 5 This segment is a clean route utilizing a half  
 6 section line and property lines of consenting  
 7 landowners.  
 8 An alternate route a half a mile south of  
 9 the selected route was reviewed but was not  
 10 selected due to the high number of well pads, some  
 11 occupied residences -- and some occupied  
 12 residences. And another alternate route one mile  
 13 south of the selected route was also reviewed but  
 14 not selected due to landowner resistance on several  
 15 parcels.  
 16 Segment 4 is from angle point 12 to angle  
 17 point 21 which is also the Judson Substation  
 18 takeoff structure. This segment is approximately  
 19 3.8 miles in length. From angle point 12, the  
 20 route heads due south for approximately a half a  
 21 mile to angle point 13 located in the northwest  
 22 quarter of Section 16, Township 154 North, Range  
 23 102 West.  
 24 The route then turns due east for  
 25 approximately one mile to angle point 14 located in

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1 the northwest quarter of Section 15, Township 154  
 2 North, Range 102 West.  
 3 The route then heads due south for  
 4 approximately one mile to angle point 15 located in  
 5 the northwest quarter of Section 22, Township 154  
 6 North, Range 102 West.  
 7 The route then heads due east for  
 8 approximately a half a mile to angle point 16  
 9 located in the northeast quarter of Section 22,  
 10 Township 154 North, Range 102 West.  
 11 The route then angles slightly to the  
 12 southeast for approximately 730 feet to angle point  
 13 17 located in the northeast quarter of Section 22,  
 14 Township 154 North, Range 102 West.  
 15 Then the route takes a sharp angle to the  
 16 southeast for approximately 960 feet to angle point  
 17 18 located in the northwest quarter of Section 23,  
 18 Township 154 North, Range 102 West.  
 19 The route then heads due south for  
 20 approximately three-tenths of a mile to angle point  
 21 19 located in the northwest quarter of Section 23,  
 22 Township 154 North, Range 103 West.  
 23 The route then heads due east for  
 24 approximately 600 feet to angle point 20 located in  
 25 the northwest quarter of Section 23, Township 154

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1 North, Range 102 West.  
 2 And then, lastly, the route heads due  
 3 north for approximately 235 feet to angle point 21,  
 4 which is also the takeoff structure in the Judson  
 5 Substation.  
 6 This segment was largely selected due to  
 7 the fact that it avoids residences and we had a  
 8 participating landowner that wanted a majority of  
 9 the line on his property. An alternate route  
 10 heading due east out of the substation was  
 11 evaluated but was not well received with those  
 12 landowners.  
 13 Q. Thank you, Mr. Murray. Would you please  
 14 describe the role of the property and right-of-way  
 15 department in reclaiming the corridor at the  
 16 completion of construction?  
 17 A. Yes. So the property and right-of-way  
 18 department will oversee the entire reclamation  
 19 process. A licensed and certified reclamation  
 20 contractor will report directly to our property and  
 21 right-of-way team, and we will be on site to  
 22 monitor the progress and make sure that the  
 23 reclamation is completed to the landowners' and  
 24 Basin Electric's satisfaction.  
 25 MS. MERKENS: Thank you. I have no

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1 further questions, Your Honor.  
 2 JUDGE DAWSON: Mr. Johnson.  
 3 MR. JOHNSON: Thank you.  
 4 **EXAMINATION**  
 5 **BY MR. JOHNSON:**  
 6 Q. Sounds like you guys were able to  
 7 accommodate quite a few landowners?  
 8 A. Yes, we did a lot of coordination with the  
 9 landowners.  
 10 Q. And they all seem to be happy with where  
 11 the line is at at this point?  
 12 A. Yes. It's primarily where they preferred  
 13 it to be.  
 14 Q. Okay. Was there any areas that you guys  
 15 couldn't accommodate for certain reasons?  
 16 A. Not along the final selected route. We  
 17 were able to adjust structure locations and the  
 18 route itself to accommodate the landowners'  
 19 requests, but there were other alternate routes  
 20 where we were not able to accommodate, so --  
 21 Q. Okay. And there's just the one residence  
 22 that's within the 500 feet?  
 23 A. Yes.  
 24 Q. And that's 500 feet of the route or the  
 25 corridor?

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1 A. Of the route.  
 2 Q. Of the route.  
 3 And you got a waiver?  
 4 A. We got a waiver and it's where that  
 5 landowner wanted the route.  
 6 Q. Okay. And was the discussion had with  
 7 them about the potential for noise when -- when you  
 8 were discussing that with them?  
 9 A. I don't believe the potential for noise  
 10 came up. It was more of where they wanted the  
 11 structures located and the route to accommodate  
 12 their farming practices.  
 13 MR. JOHNSON: Okay. That's all the  
 14 questions I have.  
 15 JUDGE DAWSON: Mr. Hanson.  
 16 MR. HANSON: Yes. A couple questions.  
 17 **EXAMINATION**  
 18 **BY MR. HANSON:**  
 19 Q. Based upon your years of experience, how  
 20 would you describe the rerouting that occurred with  
 21 this? Would you consider that it had a significant  
 22 financial impact or would you say it was rather  
 23 minimal or extensive?  
 24 A. I would say it did have a -- I would have  
 25 to defer to Bobby on the total cost as far as the

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1 construction, but when you add additional line  
 2 mileage and angle points, it does add additional  
 3 costs, but we were willing to do that to have  
 4 satisfactory landowner settlements.  
 5 Q. Okay. And you mentioned that you had a  
 6 hundred percent participation. Just curious  
 7 whether the -- I mean, was there any sort of  
 8 litigation or any sort of eminent domain? Have any  
 9 sort of actions been taken at all on this or was  
 10 it -- nothing proceeded to that point?  
 11 A. Nothing proceeded to that point. It was a  
 12 hundred percent voluntary.  
 13 MR. HANSON: Okay. Thank you. No further  
 14 questions.  
 15 JUDGE DAWSON: I have no questions. Any  
 16 questions?  
 17 MS. MERKENS: No further questions, Your  
 18 Honor.  
 19 JUDGE DAWSON: You may step down.  
 20 THE WITNESS: Thank you, Your Honor.  
 21 JUDGE DAWSON: Do you have any further  
 22 witnesses?  
 23 MS. MERKENS: No, Your Honor, but I would  
 24 like to recall Bobby Nasset, if I may.  
 25 JUDGE DAWSON: Okay. Mr. Nasset, please

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1 come forward and be reminded that you're still  
 2 under oath.  
 3 **BOBBY NASSET,**  
 4 having been previously duly sworn, was examined and  
 5 testified further as follows:  
 6 **REDIRECT EXAMINATION**  
 7 **BY MS. MERKENS:**  
 8 Q. Mr. Nasset, my question for you is  
 9 regarding the tree and shrub mitigation  
 10 specifications and how the maximum width of tree  
 11 and shrub removal is 50 unless otherwise approved  
 12 by the Commission. Can you please describe why  
 13 Basin is using a 75-to-80-foot width?  
 14 A. Yeah. So in this case we have a  
 15 150-foot-wide right-of-way and the right-of-way is  
 16 really selected to contain conductor blowout. So  
 17 we analyze for our structure range and spans that  
 18 we have how far the conductor can move under  
 19 extreme wind conditions, and we have to make sure  
 20 that we maintain electrical clearances under all  
 21 those conditions.  
 22 So generally we would remove any hazardous  
 23 trees within the right-of-way, so that would be  
 24 75 feet on either side of the line for a total of  
 25 150 feet in this case. So we would be asking for

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1 removal of up to that -- that width for this  
 2 project.  
 3 In addition to that, as part of our  
 4 landowner negotiations, a landowner has requested  
 5 the removal of an entire tree row for the project.  
 6 MS. MERKENS: Thank you. No further  
 7 questions, Your Honor.  
 8 JUDGE DAWSON: Mr. Johnson.  
 9 **FURTHER EXAMINATION**  
 10 **BY MR. JOHNSON:**  
 11 Q. Would you be requesting just 75 feet for  
 12 the entire route then?  
 13 A. 150 feet total.  
 14 Q. Correct. 75 on each side, 150 total?  
 15 A. Correct.  
 16 Q. Okay. And the -- just out of curiosity,  
 17 the tree row that they wanted removed, are those  
 18 trees still viable or -- I know there's a lot of  
 19 sometimes dead shelterbelts around, so --  
 20 A. I think that's part of it as well.  
 21 Q. Okay. And as far as tree replacements,  
 22 have you worked with landowners to determine if  
 23 you're going to replant where they're at or have  
 24 they requested them to go other places?  
 25 A. Yeah. Our right-of-way consultant and

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1 right-of-way department are negotiating with each  
 2 landowner on their preferences for that, and some  
 3 would prefer it planted on their land and others  
 4 are having us plant it as part of our own  
 5 mitigation.  
 6 MR. JOHNSON: Okay. Thank you.  
 7 JUDGE DAWSON: Mr. Hanson?  
 8 MR. HANSON: No further questions.  
 9 **FURTHER EXAMINATION**  
 10 **BY JUDGE DAWSON:**  
 11 Q. How do you make that request? You said  
 12 you're going to request 75 feet on either side, and  
 13 how is that technically done?  
 14 A. To the landowner or the Commission, Your  
 15 Honor?  
 16 Q. To the Commission. Just now verbally?  
 17 A. Yes.  
 18 Q. Okay.  
 19 A. It's -- it first came up -- this is in the  
 20 new tree mitigation plan. So previously we've  
 21 cleared always the corridor width. That 345-kV,  
 22 that's our highest right-of-way width, so at the  
 23 lower voltage it's shorter. So I'm not sure where  
 24 the 50 feet was derived. That's a common pipeline  
 25 right-of-way width, but typically for the

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1 high-voltage transmission projects we'll need wider  
 2 for that just to be in compliance with federal law  
 3 for our clearances to vegetation.  
 4 Q. And you said that's as wide as it gets  
 5 because of the size of the power line?  
 6 A. Correct. So in this case for this  
 7 project, 150 feet is our maximum right-of-way  
 8 width.  
 9 Q. Someone else had mentioned part of the  
 10 construction plan, and that's why I asked the  
 11 question if that was your request in that or if it  
 12 was here and now, so --  
 13 A. In some cases we need it for construction  
 14 access on -- on other projects that will be -- come  
 15 into play, but for this one we really just need it  
 16 for the clearance -- the electrical clearance to  
 17 the trees. Yep.  
 18 JUDGE DAWSON: Thank you. Any questions?  
 19 MS. MERKENS: No further questions, Your  
 20 Honor.  
 21 JUDGE DAWSON: You may step down.  
 22 THE WITNESS: Thank you.  
 23 JUDGE DAWSON: Any further witnesses?  
 24 MS. MERKENS: No, Your Honor.  
 25 JUDGE DAWSON: Okay. I think we can move

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1 to the public testimony portion of this meeting.  
 2 If you want to testify, I just need you to  
 3 come forward and sit in the chair, and make sure  
 4 you've signed in somewhere so I can get the correct  
 5 spelling of your name.  
 6 What we'll do is we'll swear you in, and  
 7 then you'll tell me and the Commission what you  
 8 want them to hear. You'll be subject to  
 9 questioning when you're done by the people sitting  
 10 up here, so stay seated and answer the questions,  
 11 and when you're done, then sit down.  
 12 So is there anybody from the audience who  
 13 wishes to testify? Please come forward.  
 14 Your name, sir?  
 15 MR. MAHOWALD: Your Honor, my name is  
 16 Jeremy Mahowald.  
 17 JUDGE DAWSON: Can you spell that for me?  
 18 MR. MAHOWALD: M-a-h-o-w-a-l-d.  
 19 JUDGE DAWSON: And you were here for my  
 20 previous warnings as to perjury, so you understand  
 21 what perjury is and the penalties for it?  
 22 MR. MAHOWALD: Yes, Your Honor.  
 23 (Witness sworn.)  
 24 JUDGE DAWSON: You may begin.  
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1 **JEREMY MAHOWALD,**  
 2 being first duly sworn, was examined and testified  
 3 as follows:  
 4 **STATEMENT**  
 5 **BY MR. MAHOWALD:**  
 6 MR. MAHOWALD: Thank you. Again, my name  
 7 is Jeremy Mahowald. I'm general manager of Upper  
 8 Missouri G. & T. Electric in Sidney, Montana.  
 9 We're also known as Upper Missouri Power  
 10 Cooperative. I'm here in support of Basin's 345  
 11 transmission line between the Pioneer Generation  
 12 Station and the Judson Switchyard.  
 13 Just a little background, we were the  
 14 Class A member of Basin that serves the 11  
 15 distribution cooperatives in western North Dakota  
 16 and eastern Montana, and we've had, you know, year  
 17 after year of just extraordinary load growth in our  
 18 region, and this line will help with the electric  
 19 load we have in our region and the growth we know  
 20 we have coming in future years.  
 21 So this line is very important and will  
 22 help us in our regional reliability. It will also  
 23 help relieve the congestion and lower the market  
 24 prices that are pretty high now in this region.  
 25 So that's all I had.

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1 JUDGE DAWSON: Mr. Johnson.  
 2 **EXAMINATION**  
 3 **BY MR. JOHNSON:**  
 4 Q. You said that this not only just meets  
 5 current needs but it will have the capacity to aid  
 6 with future load development as well?  
 7 A. I can't speak to that as -- from an  
 8 engineering standpoint, but my understanding is,  
 9 yes, this is -- I mean, with the future growth we  
 10 have coming, this line is going -- this line along  
 11 with the Pioneer IV Generation Station is going to  
 12 help a lot in our load growth, future power needs.  
 13 MR. JOHNSON: Thank you. That's all the  
 14 questions I have.  
 15 JUDGE DAWSON: Mr. Hanson.  
 16 MR. HANSON: No further questions.  
 17 JUDGE DAWSON: I have no questions either.  
 18 Any from you?  
 19 MS. MERKENS: No, Your Honor.  
 20 JUDGE DAWSON: With that, you may step  
 21 down.  
 22 MR. MAHOWALD: Thank you.  
 23 JUDGE DAWSON: Is there any other member  
 24 from the public that wishes to come forward and  
 25 testify? Please do.

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1 State your name for me and spell it.  
 2 MR. VOURNAS: Alex Vournas, V-o-u-r-n-a-s.  
 3 JUDGE DAWSON: And you were here for my  
 4 previous warnings as to perjury so you understand  
 5 what perjury is and the penalties for it?  
 6 MR. VOURNAS: Yes, Your Honor.  
 7 (Witness sworn.)  
 8 JUDGE DAWSON: You may begin.  
 9 **ALEX VOURNAS,**  
 10 being first duly sworn, was examined and testified  
 11 as follows:  
 12 **STATEMENT**  
 13 **BY MR. VOURNAS:**  
 14 MR. VOURNAS: My name is Alex Vournas.  
 15 I'm the general manager of Mountrail-Williams  
 16 Electric Cooperative.  
 17 Mountrail-Williams Electric Cooperative is  
 18 a not-for-profit, member-owned electric  
 19 distribution cooperative. We provide electric  
 20 service to 8,445 member owners in northwestern  
 21 North Dakota. Mountrail-Williams sources most --  
 22 or almost all of its power needs from Basin  
 23 Electric.  
 24 The 345-kV line that Basin Electric is  
 25 presenting here today will ensure continued system

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1 reliability for our members. Mountrail-Williams  
 2 Electric Cooperative supports the Basin Electric  
 3 Pioneer to Judson 345-kV project.  
 4 JUDGE DAWSON: Mr. Johnson.  
 5 MR. JOHNSON: No questions, Your Honor.  
 6 JUDGE DAWSON: Mr. Hanson.  
 7 MR. HANSON: No questions, Your Honor.  
 8 JUDGE DAWSON: Ms. Merkens.  
 9 MS. MERKENS: No questions, Your Honor.  
 10 JUDGE DAWSON: There are no questions.  
 11 MR. VOURNAS: Thank you.  
 12 JUDGE DAWSON: Is there any other  
 13 testimony from the public? Does anyone from the  
 14 public wish to come forward? Please do.  
 15 MS. WALTON: Hi.  
 16 JUDGE DAWSON: Your name, ma'am?  
 17 MS. WALTON: Kathy Walton.  
 18 JUDGE DAWSON: Kathy with a Y and a K?  
 19 MS. WALTON: Yes. Yes.  
 20 JUDGE DAWSON: Okay. And Walton?  
 21 MS. WALTON: W-a-l-t-o-n. Not related to  
 22 Walton's Mountain.  
 23 JUDGE DAWSON: Okay. And you were here  
 24 for my previous warnings as to perjury so you  
 25 understand what perjury is and the penalties for

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1 it?  
 2 MS. WALTON: Yes, I do.  
 3 (Witness sworn.)  
 4 JUDGE DAWSON: You may begin.  
 5 **KATHY WALTON,**  
 6 being first duly sworn, was examined and testified  
 7 as follows:  
 8 **STATEMENT**  
 9 **BY MS. WALTON:**  
 10 MS. WALTON: Okay. I live -- I live in  
 11 Judson Township. And Mountrail-Williams Electric,  
 12 we believe, has sold their electric power to  
 13 entities that -- I know that -- that Basin Electric  
 14 has seemed to have covered all the bases, all the  
 15 landowners, but the end projects -- I want to share  
 16 with you -- I wasn't planning to do this. Okay. I  
 17 don't live very far -- this is on my front porch,  
 18 about a mile away from Atlas Power.  
 19 (Witness played audio from her cell phone.  
 20 MS. WALTON: This is one of the quieter  
 21 days. This is what our electric cooperatives are  
 22 using their power for is to fund these economic  
 23 developments which is disturbing a lot of people in  
 24 Judson Township. It was worse this morning, but I  
 25 didn't tape it.

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1 JUDGE DAWSON: And could you -- could you  
 2 tell us what -- what that was just because --  
 3 MS. WALTON: That was noise from a data  
 4 collection center called Atlas.  
 5 JUDGE DAWSON: Okay.  
 6 MS. WALTON: It's our understanding they  
 7 expect to expand and that's what some of this power  
 8 might be used for. I think that our power would be  
 9 sufficient if it wasn't for Atlas.  
 10 There are other people here, some of my  
 11 neighbors, who can't testify because there's an  
 12 ongoing lawsuit and they're involved. I'm not.  
 13 JUDGE DAWSON: Well, thank you.  
 14 Mr. Johnson, do you have any questions?  
 15 **EXAMINATION**  
 16 **BY MR. JOHNSON:**  
 17 Q. So that -- that's not from a generation  
 18 source or transmission. It's from the data -- data  
 19 center; is that correct?  
 20 A. Right.  
 21 Q. Okay.  
 22 A. Built in our neighborhood.  
 23 Q. Okay. How far do you live from that, did  
 24 you say?  
 25 A. About a mile.

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1 MR. JOHNSON: Okay. Thank you. I don't  
 2 have any further questions, Your Honor.  
 3 JUDGE DAWSON: Mr. Hanson.  
 4 MR. HANSON: No further questions.  
 5 JUDGE DAWSON: Ms. Merkens.  
 6 MS. MERKENS: No questions, Your Honor.  
 7 JUDGE DAWSON: Okay. I don't either.  
 8 MS. WALTON: Okay. I could send you all  
 9 the noise every day if you want it.  
 10 JUDGE DAWSON: No, thank you.  
 11 MS. WALTON: Okay.  
 12 JUDGE DAWSON: But thank you for coming  
 13 forward today.  
 14 MS. WALTON: You're welcome.  
 15 JUDGE DAWSON: Is there anyone else from  
 16 the public who wishes to testify? Anyone else?  
 17 I'm not seeing anybody moving. This is going to be  
 18 the final request. Is there anyone else from the  
 19 public who wishes to testify?  
 20 Seeing no one, we can move on to closing  
 21 this hearing. Does anybody have any closing  
 22 remarks?  
 23 Ms. Merkens, is there anything else that  
 24 needs to be brought before me and the Commission?  
 25 MS. MERKENS: No, Your Honor.

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1 JUDGE DAWSON: Okay. Well, I'd like to  
 2 thank everybody for coming out today. I didn't  
 3 expect this many people, and so it was refreshing  
 4 to see this many people show up for this siting.  
 5 What do we want to do with proposed  
 6 findings of fact, conclusions of law and order?  
 7 Two weeks or is that sufficient, 15 days or --  
 8 MS. MERKENS: Yes.  
 9 JUDGE DAWSON: Okay. So we'll go with  
 10 15 days. And then you can provide those to me and  
 11 hopefully in Word format as well.  
 12 Okay. I think there's nothing else to be  
 13 brought before me. So it is 10:21 a.m. on  
 14 January 31, 2024, and the hearing for PU-23-338 on  
 15 the application of Basin Electric Power Cooperative  
 16 for a certificate of corridor compatibility and  
 17 route permit is closed. And the record is closed  
 18 subject to the filing of the proposed findings.  
 19 This hearing's closed. Thank you for  
 20 coming.  
 21 (Concluded at 10:22 a.m., the same day.)  
 22 -----  
 23  
 24  
 25

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1 CERTIFICATE OF COURT REPORTER  
 2  
 3 I, Stephanie A. Smith, a Registered  
 4 Professional Reporter,  
 5 DO HEREBY CERTIFY that I recorded in  
 6 shorthand the foregoing proceedings had and made of  
 7 record at the time and place hereinbefore  
 8 indicated.  
 9 I DO HEREBY FURTHER CERTIFY that the  
 10 foregoing typewritten pages contain an accurate  
 11 transcript of my shorthand notes then and there  
 12 taken.  
 13 Dated at Bismarck, North Dakota, this 23rd  
 14 day of February, 2024.  
 15  
 16  
 17 \_\_\_\_\_  
 18 Stephanie A. Smith  
 19 Registered Professional Reporter  
 20  
 21  
 22  
 23  
 24  
 25

<p style="text-align: center;"><b>\$</b></p>	<p style="text-align: center;"><b>2</b></p>	<p style="text-align: center;"><b>4</b></p>	<p style="text-align: center;"><b>9</b></p>
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