

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

Case No. PU-24-361

Basin Electric Power Cooperative :
345kV Mercer-McLean-Ward-Mountrail-Williams Cty :
Siting Application :

TRANSCRIPT OF
HEARING
VOLUME II - (Pages 147-202)

Taken At
88 Lincoln Avenue
Underwood, North Dakota
March 31, 2025

BEFORE HOPE L. HOGAN
-- ADMINISTRATIVE LAW JUDGE --

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1 A P P E A R A N C E S

2 COMMISSIONERS PRESENT:

3 MR. RANDY CHRISTMANN, Chair
4 MS. SHERI HAUGEN-HOFFART
5 MS. JILL KRINGSTAD

5 -----

6 MS. MARGARET I. OLSON
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9 FOR THE APPLICANT.

10 -----

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16 PUBLIC SERVICE
17 COMMISSION.16 -----
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24
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14 -----

15 CERTIFICATE

16 Certificate of Court Reporter..... Page 202

17 -----

18 APPLICANT'S WITNESS

19 BOBBY NASSET

| | | | |
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APPLICANT'S EXHIBITS

| <u>Exhibit No.</u> | <u>Offered</u> | <u>Received</u> |
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1 (The following proceedings were had and
2 made of record herein, commencing at 1:00 p.m.,
3 Monday, the 31st day of March, 2025:)
4 JUDGE HOGAN: All right. Good afternoon.
5 It is 1 p.m. on March 31, 2025. This is the first
6 of two hearings set by the notice of public hearing
7 issued by the North Dakota Public Service
8 Commission on March 5, 2025, for Case Number
9 PU-24-361.
10 My name is Hope Hogan, and I am the
11 hearing officer that has been designated for
12 today's hearing. I'm an administrative law judge
13 designated by the Office of Administrative Hearings
14 upon the request of the Public Service Commission.
15 Our hearing today is being held at the
16 Carl Bader Hall at the Underwood City Hall in
17 Underwood, North Dakota.
18 As we begin our hearing, I'd ask that
19 everybody please check your cell phones to make
20 sure they're either turned off or silenced so that
21 we don't have cell phone interruptions as we move
22 forward with our hearing today.
23 There is an attendance sheet or sign-in
24 sheet by the front door. The Commission would ask
25 that everybody please sign that sheet so that we

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1 have -- they have a record of all who attended our
2 hearing today.
3 A hearing in this case was previously held
4 on February 26, 2025, at which time the Commission
5 heard testimony from four Basin Electric witnesses
6 and heard public testimony. Following the hearing,
7 the Commission determined that insufficient notice
8 was given for that hearing and chose to schedule a
9 second hearing to be held in Underwood.
10 I would also note that a third hearing
11 regarding this case will be heard this Friday on
12 April 4 in Stanley, North Dakota, pursuant to the
13 March 5, 2025, notice of public hearing.
14 This hearing concerns an application of
15 Basin Electric Power Cooperative for a certificate
16 of corridor compatibility and route permit for a
17 162-mile 345-kilovolt electric transmission located
18 in Mercer, McLean, Ward, Mountrail and Williams
19 County, North Dakota. The project will originate
20 from the Leland Olds Station 345-kilovolt
21 substation located near Stanton, North Dakota, and
22 will terminate at the Tande 345-kilovolt substation
23 near Tioga, North Dakota.
24 The notice of filing and notice of public
25 hearing specified the following issues to be

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1 considered and determined in this matter:
2 Number 1, will the construction, operation
3 and maintenance of the facility at the proposed
4 location produce minimal adverse effects on the
5 environment and upon the welfare of the citizens of
6 North Dakota?
7 Is the proposed facility compatible with
8 the environmental preservation and the efficient
9 use of resources?
10 And, number 3, will the construction,
11 operation and maintenance of the facility at the
12 proposed location minimize adverse human and
13 environmental impact while ensuring continuing
14 system reliability and integrity and ensuring that
15 energy needs are met and fulfilled in an orderly
16 and timely fashion?
17 I'm now going to ask the parties to state
18 their appearance for the record. Ms. Olson, do you
19 want to introduce yourself and introduce any
20 witnesses you intend to call today?
21 MS. OLSON: Yes. Good afternoon. I am
22 Maggie Olson, senior staff counsel, for Basin
23 Electric Power Cooperative.
24 Today I have one witness with me,
25 Mr. Bobby Nasset. He is the project manager and

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1 will give an overview of the project.
2 JUDGE HOGAN: All right. Thank you.
3 And, Mr. Johnson, do you want to state
4 your appearance for the record and introduce
5 Commission staff that's appearing with you.
6 MR. JOHNSON: Sure. Brian Johnson, legal
7 counsel for the Public Service Commission.
8 With me is Chris Hanson. He's one of our
9 analysts. I do not have any witnesses today.
10 JUDGE HOGAN: All right. Thank you.
11 And just so I'm aware, by a show of hands,
12 can I ask who attended the last hearing and -- if
13 you attended the last hearing, maybe you could
14 raise your hand.
15 All right. Great. Thank you. That's
16 helpful.
17 Testimony from the public will be taken
18 today at the completion of the testimony from
19 Basin's witness. Even if you testified at the last
20 hearing, you may testify at this hearing as well.
21 The testimony from the last hearing will be
22 considered still part of the record for this case.
23 And I encourage you to take the
24 opportunity to testify today and tell the
25 commissioners anything you think they need to know

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1 about this proposed project. I can assure you that
 2 what you have to say is important to the Commission
 3 and will be considered by the Commission.
 4 So now I'll ask if the -- if there's any
 5 opening comments from the commissioners, and I'll
 6 start with Commissioner Kringstad.
 7 COMMISSIONER KRINGSTAD: Thank you.
 8 I think Judge Hogan did a pretty good job
 9 of explaining sort of why we're here again for --
 10 it doesn't sound like any of you were at our
 11 initial hearing that was held at the end of
 12 February, but thank you for being here again today.
 13 At that February hearing, we heard from
 14 four different witnesses from the company, asked a
 15 lot of questions, the hearing went on for several
 16 hours, and we -- and we heard public input at the
 17 end.
 18 So I don't think -- in regards to being
 19 cognizant of your guys' time, we're not going to
 20 redo all that testimony again so you shouldn't be
 21 here for -- for hours on end. But what we are here
 22 to do is briefly hear from -- a project overview
 23 from the company, and then if you have any public
 24 input to share with us, we'd certainly like to hear
 25 that.

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1 So thank you again for being here.
 2 JUDGE HOGAN: Commissioner Christmann.
 3 COMMISSIONER CHRISTMANN: Well, and to
 4 emphasize, that is why we come out and do these
 5 things, and even if it does not get properly
 6 noticed in the news -- in one of the five
 7 newspapers, we come out again to make sure that
 8 people had a chance to testify because we're not --
 9 our role in this is not to see that a project gets
 10 built or try to get in the way of a project. Our
 11 role is to make the best decision possible based on
 12 what the law requires, whether they meet the
 13 standard or not.
 14 And we can make the best decision when we
 15 have as much information as possible, so we are
 16 really out here to not only hear from the company
 17 and ask our questions, but to hear from the people.
 18 Many times people have information that maybe the
 19 company doesn't know about and that we certainly
 20 don't know about that ends up being useful in
 21 making sure that if something is built, that it's
 22 sited appropriately. So we value your opinions.
 23 The other thing I want to point out that
 24 is unique about this, after the company's done with
 25 their -- their summary or presentation, if it seems

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1 like the Commission is not very inquisitive and
 2 doesn't have very many questions, it's because we
 3 just went through this whole thing the last time,
 4 and as for me, I know, I asked my questions. I
 5 have a few more that I want to inquire about when
 6 we're in Stanley that are more specific to that
 7 area, and I might have a couple today -- a couple
 8 of updates that I asked for that were going to be
 9 provided at the Stanley hearing. Maybe they have
 10 them now already. But I know speaking for myself,
 11 I am certainly not going to have very many
 12 questions because we just did this recently.
 13 So just so you understand if it seems like
 14 we don't ask very many questions, it's because we
 15 already asked them.
 16 JUDGE HOGAN: Thank you.
 17 Commissioner Haugen-Hoffart.
 18 COMMISSIONER HAUGEN-HOFFART: Thank you.
 19 Good afternoon, everyone. As Hope said,
 20 I'm Commissioner Sheri Haugen-Hoffart.
 21 Everything's been covered regarding the
 22 formalities from the judge and from the other two
 23 commissioners. So all I can say is welcome, and
 24 I'm glad you're here and willing to participate.
 25 JUDGE HOGAN: All right. Thank you.

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1 And I will note that the audio from the
 2 first hearing is available on the Commission
 3 website under the -- the hearing docket if you want
 4 further information or to listen to the testimony
 5 from the Basin witnesses at the last hearing.
 6 Likewise, all the exhibits will be
 7 available on the docket on the Commission's website
 8 as well.
 9 And with that in mind, at the last
 10 hearing -- well, I should say prior to that, Basin
 11 Electric prefled 14 exhibits. They have another
 12 exhibit that they passed out this mor -- or this
 13 afternoon, a certificate relating to order
 14 provisions, transmission facility siting. I'm
 15 going to mark that as Exhibit 15.
 16 At our prior hearing, we had an intervenor
 17 that wasn't prepared to stipulate to admission of
 18 the exhibits, so we left that issue open. That
 19 intervenor has voluntarily withdrawn from the
 20 hearing.
 21 So with that in mind, it's my
 22 understanding, Mr. Johnson, the Commission does not
 23 have any objection to Exhibits 1 through 14.
 24 Likewise, I assume you're not objecting to
 25 Exhibit 15.

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1 MR. JOHNSON: No -- no objection to any of
2 those.

3 JUDGE HOGAN: All right. So Exhibits 1
4 through 15 will be entered into the record then.

5 And I'll just ask if the parties have any
6 other preliminary matters that we need to discuss
7 before we move to testimony. Ms. Olson, did you
8 have anything?

9 MS. OLSON: No, Your Honor.

10 JUDGE HOGAN: Mr. Johnson?

11 MR. JOHNSON: No, Your Honor.

12 JUDGE HOGAN: All right. Then, Ms. Olson,
13 you can call your witness.

14 MS. OLSON: Okay. I'll call Mr. Bobby
15 Nasset.

16 THE WITNESS: Good morning.

17 JUDGE HOGAN: Good afternoon. I'll have
18 you start by stating your full name for the record
19 and spelling your last name.

20 THE WITNESS: Bobby Nasset, N-a-s-s-e-t.

21 JUDGE HOGAN: And, Mr. Nasset, before you
22 testify this afternoon, I'm required by law to
23 advise you on the penalties for perjury in the
24 state of North Dakota. Perjury is a Class C
25 felony, punishable by a maximum fine of \$10,000, a

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1 maximum five years' imprisonment or both.

2 Do you understand what perjury is?

3 THE WITNESS: I do, Your Honor.

4 (Witness sworn.)

5 JUDGE HOGAN: All right. Thank you.

6 Go ahead, Ms. Olson.

7 **BOBBY NASSET,**

8 being first duly sworn, was examined and testified
9 as follows:

10 **EXAMINATION**

11 **BY MS. OLSON:**

12 Q. Good afternoon. To start, please state
13 your name and employer.

14 A. My name is Bobby Nasset. I'm employed by
15 Basin Electric Power Cooperative. Our address is
16 1717 East Interstate Avenue in Bismarck, North
17 Dakota.

18 Q. Please describe your educational and
19 professional background.

20 A. I'm a licensed professional engineer in
21 the state of North Dakota. I received a bachelor's
22 degree in civil engineering from North Dakota State
23 in 2005.

24 And I've been employed with Basin Electric
25 for the last 9 years and for nearly 20 years as a

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1 civil engineer.

2 Q. What is your role with respect to this
3 transmission line project?

4 A. I'm the project manager and responsible
5 for managing the project's budget, schedule and
6 coordinating the various project design efforts,
7 routing, right-of-way acquisition, engineering,
8 procurement, permitting and construction.

9 Q. What is the purpose of your testimony
10 today?

11 A. Today I will define the project, describe
12 the design and routing and update the Commission on
13 permit status and right-of-way acquisition status
14 to date.

15 Q. Please describe Basin Electric.

16 A. Basin Electric is a regional wholesale
17 electric generation and transmission cooperative
18 organized under the laws of the State of North
19 Dakota and headquartered in Bismarck, North Dakota.

20 Q. Please provide a general description of
21 the project and its location.

22 A. The project is approximately 161 miles
23 long and it connects a 345-kV transmission line
24 from the Leland Olds Station near Stanton to Basin
25 Electric's existing substation near Tioga called

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1 the Tande substation. The project completes a
2 345-kV transmission loop throughout northwest and
3 north central North Dakota and is shown in
4 Exhibit 1, if you have your prefiled exhibits. It
5 provides an overview of the project map.

6 I'll go through a few of the key features
7 of the project. They include a new terminal
8 addition at the existing substation at Tande and
9 then a new greenfield 345/115-kV substation, which
10 will be called Crane Creek, within Mountrail
11 County, which will provide a new 115-kV delivery
12 point for Mountrail-Williams Electric Cooperative.

13 We'll have a new microwave tower
14 approximately four miles west of Douglas.

15 And then two other components of the
16 project I wanted to talk about is the first
17 40 miles north of the river in McLean County will
18 be reconstructed as a double-circuit line, so our
19 new circuit will be 345, and we'll be rebuilding an
20 existing Basin Electric transmission line, which is
21 called the Leland Olds to Logan transmission line.

22 So for the 40 miles that'll be constructed
23 as a double-circuit. And then also 11 miles west
24 of Crane Creek will be built as a double-circuit.
25 11 miles will be for Basin's circuit, and then the

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1 other part of that will be a new 115-kV line for
 2 Mountrail-Williams that will go from Crane Creek to
 3 the existing Satterthwaite substation.
 4 Q. Please describe the schedule for the
 5 project.
 6 A. Our goal is to start construction this
 7 spring or early summer, and pending approval of all
 8 the permits, we'd like to complete the work and
 9 energize it by November 30, 2026.
 10 Q. What is the estimated cost of the project?
 11 A. The current cost projection is 360
 12 million.
 13 Q. What was Basin Electric's philosophy when
 14 routing the project?
 15 A. In selecting the final route for the
 16 project, our goal has been to minimize impacts and
 17 to accommodate existing land uses while also
 18 managing material, construction and maintenance
 19 costs. We have our own standard criteria as well
 20 as the Commission's criteria and objectives when
 21 we're routing a transmission line.
 22 They're as follows: We want to comply
 23 with the Commission's avoidance and exclusion
 24 criteria.
 25 Minimize disturbance to cultivated

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1 croplands.
 2 Avoid areas with identified recreational
 3 significance when possible.
 4 Limit interference with oil and gas
 5 development and other utilities.
 6 Decrease construction and maintenance
 7 hazards.
 8 Span wetlands when possible.
 9 And avoid areas less suitable for
 10 construction and operation.
 11 And then as we select our routes, we
 12 adjust the alignments and structure locations
 13 pending landowner feedback to accommodate their
 14 preferences.
 15 So using these standards and county
 16 ordinances as well as the Commission criteria for
 17 this project, we have evaluated over 700 miles of
 18 different route options and have made numerous
 19 iterations based on landowner feedback.
 20 Q. Please describe the project need and how
 21 it was identified through the Southwest Power Pool,
 22 or SPP, regional study process?
 23 A. So Basin Electric participates in an
 24 annual transmission planning process called the
 25 integrated transmission planning process, or the

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1 ITP, and that is administered by Southwest Power
 2 Pool who is a regional transmission organization
 3 mandated by the Federal Energy Regulatory
 4 Commission to ensure reliable power supply and
 5 adequate transmission infrastructure.
 6 So the need for this specific project was
 7 identified through the 2021 ITP process to address
 8 growing power demand and electric reliability
 9 concerns in the region.
 10 The assessment found a need for an
 11 additional 345-kV transmission path north of Lake
 12 Sakakawea and to a new load delivery point into the
 13 115-kV system north of New Town. This project also
 14 completes a 345-kV transmission loop throughout
 15 North Dakota, and the 115-kV delivery point will be
 16 at that proposed Crane Creek substation.
 17 SPP issued a notice to construct to Basin
 18 directing us to construct the project in July of
 19 2022.
 20 Q. If the project is not built, what would
 21 happen to the electrical transmission system in
 22 northwestern North Dakota?
 23 A. Basin Electric's recent load forecasts
 24 continue to show growth in this region which is
 25 causing stress to the existing infrastructure. The

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1 existing transmission capacity in this region is
 2 insufficient, and unless the project is
 3 constructed, future load growth will be restricted.
 4 In addition, transmission congestion will
 5 be higher, and the transmission system will be less
 6 reliable because of the inability to perform
 7 planned maintenance on existing critical circuits.
 8 There is a concern as maintenance outages are a
 9 necessity and the inability to take those out can
 10 impact reliability to transmission customers.
 11 Q. Can you please explain Basin Electric's
 12 consultation with federal agencies to date.
 13 A. So Basin Electric submitted an application
 14 and received a special use permit from the United
 15 States Department of Interior's Bureau of
 16 Reclamation for crossing the McClusky Canal, and
 17 that was approved November 26, 2024.
 18 We also have several areas in the project
 19 where we cross U.S. Fish and Wildlife-managed
 20 grassland easements, so we submitted an
 21 application. They have completed their
 22 compatibility determination and now it has been
 23 submitted for a 30-day comment period which is set
 24 to expire on April 17 of 2025.
 25 We have worked with the U.S. Army Corps of

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1 Engineers for Section 10 and Section 404
 2 authorizations. These are for the crossing of the
 3 Missouri River and to place structures within a
 4 wetland. That authorization was received and
 5 approved on February 28, 2025.
 6 We've also consulted with the U.S. Air
 7 Force regarding structure placement in relation to
 8 their operations. They have concluded the project
 9 will have minimal impacts on military operations.
 10 We also resubmitted those structures to
 11 the Air Force two months ago with some minor
 12 structure changes and just today received their
 13 concurrence on those locations.
 14 We also consulted with the Federal
 15 Aviation Administration regarding structure
 16 locations and heights, and it was determined that
 17 all structures have a determination of no hazard to
 18 air navigation.
 19 Q. Can you please explain Basin Electric's
 20 consultation with local agencies to date?
 21 A. Transmission lines are permitted under
 22 conditional uses in McLean, Mercer, Mountrail and
 23 Ward Counties. In Williams County they are a
 24 permitted use.
 25 So we have submitted conditional use

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1 permit applications for the remaining four
 2 counties, and to date we have received approvals
 3 from McLean, Mercer and Ward County.
 4 The application had been submitted to
 5 Mountrail County and the conditional use permit for
 6 the substation has been approved, and the
 7 transmission line has been tabled pending final
 8 easement acquisition.
 9 Q. Please summarize the current right-of-way
 10 acquisition for this project.
 11 A. There are 269 landowners on the project
 12 and to date 255 of them have signed easements, or
 13 95 percent. The project is around 161 miles, and
 14 if we include the State land, 156 of the 161 miles
 15 have been acquired for a total of 97 percent.
 16 MS. OLSON: Thank you. I have no further
 17 questions for Mr. Nasset.
 18 JUDGE HOGAN: Mr. Johnson, any questions?
 19 MR. JOHNSON: No questions, Your Honor.
 20 JUDGE HOGAN: Mr. Hanson?
 21 MR. HANSON: No questions, Your Honor.
 22 JUDGE HOGAN: Commissioner Kringstad.
 23 **EXAMINATION**
 24 **BY COMMISSIONER KRINGSTAD:**
 25 Q. I know at the last hearing you had

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1 testified just where -- where we were at with
 2 easement acquisition. Are we still at 93 percent
 3 or do you have an update for us on that number?
 4 A. Yep. A slight increase in that. We're up
 5 to 95 percent now. Still working with a number of
 6 landowners.
 7 COMMISSIONER KRINGSTAD: That's all I
 8 have. Thank you.
 9 JUDGE HOGAN: Commissioner Christmann.
 10 **EXAMINATION**
 11 **BY COMMISSIONER CHRISTMANN:**
 12 Q. And I want to go -- I -- I couldn't write
 13 as quickly as you spoke. You say it was 255 of
 14 269 --
 15 A. Correct.
 16 Q. -- on the landowners?
 17 A. Yep.
 18 Q. Okay. And on the miles, 156 of 161?
 19 A. Correct.
 20 Q. And I could do the math, but it's easier
 21 to just ask. You said that's 97 percent?
 22 A. Right.
 23 Q. Okay. So then I was able to write as fast
 24 as you talked.
 25 A. And just -- sorry, to clarify on the

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1 mileage, five miles are on State trust land that
 2 we're including in that, so --
 3 Q. Okay. And then regarding the five county
 4 conditional use permits, Williams doesn't require
 5 that. The other four, you said you have three of
 6 them. Mountrail -- and it was pending, but I
 7 didn't understand what you said.
 8 A. Yeah. So Mountrail County has tabled the
 9 application -- so not denied that -- pending
 10 completion of all of the easement acquisition in
 11 that county. So we have 103 out of 113 landowners
 12 have signed easements in Mountrail County, and so,
 13 again, we're still working with those remaining
 14 landowners. And our plan would be to attend the
 15 Mountrail County hearing, I think it's in late
 16 April here, April 20, their planning and zoning
 17 hearing.
 18 Q. So do you think they're going to hold fast
 19 to that requirement of 100 percent because, I mean,
 20 one person could literally be impossible,
 21 potentially?
 22 A. Yeah. I think the county for sure wants
 23 assurance that this is the final route, and so
 24 we're in some active negotiations with -- with two
 25 landowners. And if that leads to moderate changes

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1 in the alignment, we would update that for the
 2 county. And then I think once we've selected our
 3 final route and can present it to the county, we're
 4 hoping that that will lead to approval for the
 5 project.

6 We understand there might be still some
 7 remaining landowners we need easements on, but we
 8 have -- almost 70 miles of the project is within
 9 Mountrail County and hoping to be able to start
 10 construction in the areas that we do have easements
 11 on, would be our hope.

12 Q. And when you say "landowners," if there's
 13 a parcel of land that, you know, maybe was
 14 inherited by a bunch of siblings and so there's
 15 five or six different landowners but it's a parcel,
 16 you count that as one; right?

17 A. Correct.

18 Q. You either have it or you don't.

19 A. Correct. Yeah.

20 Q. Okay. And a question that I had for
 21 Mr. King that he was going to answer in Stanley,
 22 but I'll throw it out now in case you know the
 23 answer. Do any counties along this path require
 24 the county approval of your weed management plan?
 25 I know you have submitted it to the counties. Do

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1 any require approval?

2 A. Yeah. My understanding is all the
 3 counties have approved that.

4 COMMISSIONER CHRISTMANN: Okay. No other
 5 questions. Thank you.

6 JUDGE HOGAN: Commissioner Haugen-Hoffart.

7 COMMISSIONER HAUGEN-HOFFART: Thank you.

8 **EXAMINATION**

9 **BY COMMISSIONER HAUGEN-HOFFART:**

10 Q. I know we talked about this at the last
 11 hearing and you just touched on it, but the need
 12 for this is due to load growth. Can you expand
 13 upon that because everyone here in the public
 14 wasn't here last time. So do you want to please
 15 expand upon what you mean by load growth and to
 16 meet that need?

17 A. Sure. And so Basin Electric has their own
 18 forecasting team that's looking at future load
 19 growth, and part of that is from inputs from our
 20 member electric rural cooperatives. So they are
 21 also forecasting additional load and also measuring
 22 load as it's coming up year to year.

23 And so this project was already on the
 24 radar in 2019 as a potential need, but it has to go
 25 through a pretty large study process with the ITP

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1 through Southwest Power Pool's regional
 2 transmission planning process.

3 So throughout 2021 that -- this project
 4 was evaluated against other potential solutions, as
 5 well, to address both reliability and the load
 6 growth needs here, and this was the project that
 7 was selected that could best meet those needs.

8 So in addition to the new load delivery
 9 point at Crane Creek, so just 345-kV injection of
 10 power into a specific area within Mountrail County
 11 that has specific benefits for that location, it
 12 also -- if you still have that Figure 1 from the
 13 prefilled exhibits, you can just see from this map,
 14 if you look at the red lines, it has a very helpful
 15 benefit in that it completes the 345-kV
 16 transmission loop.

17 So we have a circuit right now from the
 18 existing Judson substation near Williston that goes
 19 to the Tande substation. If we were to lose that
 20 circuit, for example, for an unforced outage or
 21 some other emergency, the Tande substation now no
 22 longer has any 345-kV delivery. And that system
 23 will have to be served completely on a 230-kV or
 24 115-kV voltage class, which might have been enough
 25 power 10 or 15 years ago but it isn't anymore.

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1 So we have a number of maintenance needs
 2 throughout the system. And Mr. Westby testified
 3 last time we need to replace breakers at the AVS
 4 station that are over 40 years old, and we just
 5 can't take an outage on that substation yet until
 6 we have another direct 345-kV path to the area.

7 So it's really two things. It's increased
 8 load delivery, but it's also a great enhancement in
 9 reliability and redundancy in the system.

10 Q. Do you see a large load growth in the oil
 11 and gas industry out in the western part of the
 12 state or is it pretty stable --

13 A. That's my --

14 Q. -- based on your --

15 A. -- understanding that that's been a large
 16 driver for this project is oil and gas.

17 Q. Okay. One more question just for the
 18 general public. When you look at this, do you ever
 19 look at going -- burying things underground? And
 20 how do you evaluate the cost benefit? Do you want
 21 to touch on that a little bit?

22 A. Yeah. The question comes up pretty much
 23 every project and so we look at that. And we did
 24 last year, Commissioner, a new study just to get
 25 up-to-date costs on underground for high voltage

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1 transmission lines. And pretty much across the
 2 country it's not feasible for this high of voltage
 3 and this high of amp capacity to bury it
 4 underground. You do see it sometimes in a city
 5 where it's physically impossible for overhead
 6 construction that might be for 3 or 4 hundred feet
 7 like that.

8 But I think the costs that we saw for --
 9 for this circuit for 3,000 amps capacity at 345
 10 would be in the 30- to 40-million-dollars-a-mile
 11 range for that kind of construction, so --

12 COMMISSIONER HAUGEN-HOFFART: Okay. I
 13 have no further questions. Thank you.

14 JUDGE HOGAN: Any redirect, Ms. Olson?
 15 MS. OLSON: No, Your Honor.

16 JUDGE HOGAN: Mr. Johnson?
 17 MR. JOHNSON: No, Your Honor.

18 JUDGE HOGAN: Mr. Hanson?
 19 MR. HANSON: No, Your Honor.

20 JUDGE HOGAN: Any other commissioner
 21 questions?

22 All right. Well, thank you, Mr. Nasset.
 23 THE WITNESS: Thanks much.

24 JUDGE HOGAN: We'll now move to public
 25 testimony. If you would like to provide any

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1 testimony this afternoon, I'd ask that you please
 2 come forward one at a time and sit in our witness
 3 stand.

4 Like Mr. Nasset, I will swear you in and
 5 then you can provide your testimony, and then we'll
 6 go around the room and see if there's any
 7 questions.

8 If you're representing a group or an
 9 entity, please identify who you are representing.
 10 Likewise, if you are a landowner, if you could
 11 provide a description of where your property is,
 12 that would be helpful for the commissioners as
 13 well.

14 This is your opportunity to make a
 15 statement and provide information to the
 16 Commission. It's not the time to ask the
 17 commissioners or the applicant any questions.
 18 Likewise, if you'd like to read something and you
 19 have a hard copy of it, you can certainly pass that
 20 out as well.

21 So with that in mind, I will ask if
 22 there's anybody that would like to provide public
 23 testimony this afternoon.

24 Good afternoon. I'll have you state your
 25 full name for the record and spell your last name.

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1 MR. HEGER: Steven Heger, H-e-g-e-r.
 2 JUDGE HOGAN: And, Mr. Heger, you were in
 3 the room earlier when I went through the penalties
 4 for perjury?

5 MR. HEGER: I was.

6 JUDGE HOGAN: And do you understand what
 7 perjury is?

8 MR. HEGER: Yes.
 9 (Witness sworn.)

10 JUDGE HOGAN: All right. Thank you. Go
 11 ahead.

STEVEN HEGER,

13 being first duly sworn, was examined and testified
 14 as follows:

STATEMENT

16 **BY MR. HEGER:**

17 MR. HEGER: Okay. First off, thank you
 18 guys for coming back. I was unable to attend the
 19 last meeting, so I guess it was just my luck and
 20 your unfortunate. So sorry for all that extra
 21 hassle.

22 You know, I -- first off, I just want to
 23 say I'm not opposed to this project. Right? Like
 24 I understand the need for the infrastructure. I
 25 really do.

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1 But I farm here in McLean County. My farm
 2 is a half mile west of Underwood and this power
 3 line cuts through three of my landlords' and my
 4 parents'. So it's a big effect on us. Right?

5 At the end of the day, I know these
 6 projects need to be here, but they have an
 7 increased liability of my operation and they have a
 8 decrease in efficiency, and that's just an
 9 emotional view of it. Right? Like if I hit one of
 10 these things, there's a lot of liability. At the
 11 same time, we have to go around towers.

12 Now, I understand they're going to tear
 13 down the old line, so that helps. Right? Like --
 14 and hopefully the pole placement's going to be good
 15 so hopefully we can get through that part of it.

16 So really what it comes down to is
 17 what's -- what's this worth to us? What's the
 18 negatives that impact us and what's the
 19 compensation worth? That -- that's a hard part.
 20 Right? Like -- like, I don't want more power
 21 lines, but I understand the need for them.

22 So I'd really like to see the Commission
 23 start to go in a little bit different direction how
 24 this process works. I -- growing up, my original
 25 farm was a mile west of the power plant, so this is

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1 kind of my world. Right? Like -- like, we're
 2 affected by the mine every day. We're in the
 3 middle of the CO₂ stuff. We're in the middle of
 4 wind turbines. You name it. Everything --
 5 bitcoin, everything, it's around us and we deal
 6 with this.

7 And every time these projects come, they
 8 come to our landlords, and they seem to come to our
 9 landlords first and then it's just -- mass chaos
 10 breaks out, and it all comes back to us as the
 11 local producers. So I'd really like to see the
 12 process start with some sort of public meeting with
 13 the people that are affected and the county
 14 commissioners or county -- whoever from the county
 15 wants to come, because the roads are a big deal
 16 too. Right? Like there's going to be a lot of
 17 concrete trucks. There's like 60 yards of concrete
 18 per pole, I think. It's a lot of infrastructure to
 19 build this project.

20 And what ends up happening is some of
 21 the -- some of our landowners are -- they don't
 22 know the worth. Right? Like they don't know what
 23 the inconvenience is worth. They just see a dollar
 24 amount so they just sign. And then all of a sudden
 25 that just takes some of our collective bargaining

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1 power away just because, for lack of better terms,
 2 they've kind of taken us out of the room one by one
 3 and people have signed. It just puts us -- the
 4 people that have to deal with the power line in a
 5 tougher position to help negotiate and bargain to
 6 get to the proper terms.

7 You know, just, for example, we went
 8 through this a few years ago when Apex was trying
 9 to build a wind turbine plant here and ultimately
 10 that project failed and went under. But that
 11 process -- they were going to run that power line
 12 through our place, a smaller power line. The worth
 13 was almost twice as much as the leases here. The
 14 only difference is eminent domain, right, when you
 15 get back to your 97 percent question. That's the
 16 difference. There was more bargaining power, so
 17 the worth was there.

18 Now, I'm not saying we need to pay the
 19 same because I understand this project needs to
 20 move forward and there's different rules, but at
 21 the end of the day, if we can have some more tools
 22 to be collectively aligned as a group of affected
 23 people, that would help.

24 So -- so, once again, I'm not -- I'm not
 25 opposed to the project. I just would like to see

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1 the policies and the direction how you guys proceed
 2 in the future be changed a little bit.

3 I'm sure I missed some stuff. You know,
 4 we're -- it's -- like I said, we're just -- we're
 5 just so affected here where we're at. I mean, our
 6 farm got moved. I've been through some of this
 7 process before. We're the first people ever to
 8 move back on reclamation ground, our farm is, so
 9 we're just -- we're in and around it every day, and
 10 when they come out of the gate with the process
 11 like they do, it just creates havoc.

12 So, yeah, that's -- I guess that's what I
 13 have. With that, I'll entertain -- if anybody has
 14 any questions, I'd be happy to take them or if
 15 anybody wants to visit or whatever.

16 JUDGE HOGAN: All right. Thank you.
 17 Ms. Olson, any questions?
 18 MS. OLSON: No, Your Honor.
 19 JUDGE HOGAN: Mr. Johnson?

EXAMINATION

20 **BY MR. JOHNSON:**

21 **Q.** It's been a long time since I ran any
 22 equipment, but I do understand what you're saying.
 23 Have you been able to speak with Basin
 24 about possible moving of the structure locations to
 25

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1 see if that would help at all address some of your
 2 concerns?

3 **A.** Yes. And I need to clarify one thing. I
 4 am not the actual landowner that -- it's my
 5 parents' land it goes through and my siblings and
 6 their estate, their portion of it.

7 So the pole placement question, yeah, so
 8 they come diagonally across one of our fields. And
 9 the first original pole placement in question came
 10 up, and they drew it out for me and I -- I
 11 suggested, okay, this is it, this is what -- this
 12 is what we need and we're still in that process.

13 My parents and my brothers have signed the
 14 lease so we're acting in good faith with them now
 15 on that. I also approached them about a couple of
 16 our landowners -- landlords saying, hey, can we
 17 talk to these guys about pole placement, and they
 18 have agreed to that. So that took a little bit
 19 more work.

20 Like I said, if we could have done some of
 21 that up front, it probably would have been a little
 22 bit easier process.

23 MR. JOHNSON: Thank you. No further
 24 questions.

25 JUDGE HOGAN: Mr. Hanson, any questions?

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1 MR. HANSON: No, Your Honor.

2 JUDGE HOGAN: Commissioner Kringstad?

3 **EXAMINATION**

4 **BY COMMISSIONER KRINGSTAD:**

5 Q. Just one follow-up. So just to clarify,

6 would these -- when we're talking about pole

7 placement, would these be new poles on these

8 sections of land or just -- or do you already

9 have -- is this part of the line that's already

10 existing that they're just replacing?

11 A. Yeah, there's existing line right now.

12 Currently I think there's three poles, and two of

13 them are on the edge of the field and one of them's

14 kind of out in the middle.

15 Q. Okay.

16 A. So they're new pole placement plan when

17 they first come actually had two poles out in the

18 middle of the field, you know, and so now we're

19 hoping to try to get those poles realigned, and I'm

20 pretty sure we can do it.

21 Q. I see.

22 A. It's just going to take a little bit of

23 work with them. I mean, we're -- you guys know

24 farming's changed. I mean, we're doing -- the

25 planter is 66 feet and I go 7-and-a-half miles an

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1 hour. My sprayer is 135 feet wide and it goes

2 18 miles an hour. And these poles aren't cheaper

3 than the ones that are out there, so liability's --

4 liability's huge, you know, and now we don't really

5 have a choice. That liability's coming, right, so

6 it's tough. But we can get through it.

7 Q. Do you happen to know off the top of your

8 head for any of these parcels that we're talking

9 about like the legal description just so we can

10 look them up in our book?

11 A. If you give me just a couple minutes, I

12 can provide that.

13 Q. Okay.

14 A. I believe it's Section 11-146 something.

15 I can get that for you, though.

16 COMMISSIONER KRINGSTAD: Okay. Thank you.

17 That's all the questions I had. Thanks for being

18 here.

19 THE WITNESS: Yep. Thank you.

20 JUDGE HOGAN: Commissioner Christmann.

21 **EXAMINATION**

22 **BY COMMISSIONER CHRISTMANN:**

23 Q. If you are able to stay till we're all the

24 way done, I wouldn't mind visiting with you about

25 your farm. I was involved at the Commission --

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1 A. I remember that.

2 Q. -- at that time already and, you know, you

3 always wonder how things turned out in retrospect,

4 and so --

5 But aside from that, as far as this goes,

6 I'm trying to think through what you're saying.

7 And, first of all, what I want you to know is we --

8 the siting laws are long and detailed and we follow

9 that process, and so to significantly change the

10 process is really more of a legislative thing for

11 you to potentially work on with legislators. But

12 I'm not sure how well that would be received to --

13 you know, it would be viewed as bypassing the

14 landowners and going to the operators as opposed --

15 I think there would be a strong pushback to that

16 saying, no, it's the landowner that the company

17 should approach first.

18 So I'm just providing that feedback. You

19 can respond to it if you like.

20 A. Okay. Yeah. I might have not stated it

21 as clear as I wanted to. I don't -- I think the

22 landowners need to be the ones brought into the

23 room, but the landowners -- to get the landowners

24 collectively together in some way, shape or --

25 Q. Oh.

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1 A. -- form or something -- some notice before

2 the lease. I want some sort of notice that, hey,

3 this project is coming, and if you guys want to

4 talk about it as a group, now is the time before

5 the leases come, before the whole project kind of

6 starts, just to get out ahead of it a little bit.

7 Because that's -- oh, this is kind of what

8 happens when we see a lot of the projects that kind

9 of get blown up this way around here. Right? Like

10 there's not some sort of alignment before it

11 happens. It just kind of shows up and then all of

12 a sudden just everybody gets -- it just gets crazy.

13 And that's kind of what we've dealt with,

14 especially when we went through the wind stuff.

15 That was -- the way they kind of came in and

16 managed that from the beginning is probably the

17 reason the whole project failed.

18 COMMISSIONER CHRISTMANN: Got it. Thank

19 you for being here, Jared [sic].

20 JUDGE HOGAN: Commissioner Haugen-Hoffart.

21 COMMISSIONER HAUGEN-HOFFART: Thank you,

22 but I have no further questions.

23 JUDGE HOGAN: All right. Thank you,

24 Mr. Heger.

25 MR. HEGER: Thank you.

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1 JUDGE HOGAN: Is there anybody else that
2 would like to provide public testimony?
3 COMMISSIONER CHRISTMANN: Your Honor?
4 JUDGE HOGAN: Mm-hmm.
5 COMMISSIONER CHRISTMANN: If I just called
6 you Jared -- I'm not sure if I did or not.
7 COMMISSIONER HAUGEN-HOFFART: Yeah, you
8 did. It's Steven.
9 COMMISSIONER CHRISTMANN: There's Jared
10 Hagert in the legislature that I've been working
11 with on some stuff, so sorry about that Steven.
12 JUDGE HOGAN: All right. Good afternoon.
13 I'll have you state your full name for the record
14 and if you'll spell your last name.
15 MR. SCHULZ: My name is Paul Schulz,
16 S-c-h-u-l-z.
17 JUDGE HOGAN: And, Mr. Schulz, were you in
18 the room earlier when I went through the penalties
19 for perjury?
20 MR. SCHULZ: (Nods head.)
21 JUDGE HOGAN: And do you understand what
22 perjury is?
23 MR. SCHULZ: Yes.
24 (Witness sworn.)
25 JUDGE HOGAN: All right. Thank you. Go

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1 ahead.
2 **PAUL SCHULZ,**
3 being first duly sworn, was examined and testified
4 as follows:
5 **STATEMENT**
6 **BY MR. SCHULZ:**
7 MR. SCHULZ: I had no idea what was going
8 on here. We just seen this in the paper and I'm
9 here.
10 Am I addressing the Public Service
11 Commission? Is that what this is all about?
12 JUDGE HOGAN: That's correct. Yep.
13 MR. SCHULZ: You're just what I'm looking
14 for.
15 There's a few things -- there's a few
16 things that I've experienced over my lifetime and
17 I'm 75 years old now. I -- I have property, about
18 790 acres, somewhere in that area, and I just
19 happen to have three separate companies with power
20 lines on my land. I'm blessed. Even if I have one
21 here, one there, it seems to be -- they seem to
22 come right through.
23 Anyway, my folks ended up in '51 or '52,
24 '53, somewhere in there, with the original line
25 that came out of -- out of the -- the dam, and it

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1 serves Washburn and Bismarck and, you know,
2 several -- it's called the WAPA line.
3 Anyway, the question that I've got about
4 that is I have an easement -- I have the original
5 easement that my folks signed and it's a 99-year
6 lease. And that's going to be due in '53. What do
7 we do with that?
8 JUDGE HOGAN: Well, Mr. Schulz, as I --
9 MR. SCHULZ: Because it's not going to
10 be -- it's legally not going to be there anymore.
11 JUDGE HOGAN: As I mentioned at the
12 beginning, it's not the time to ask questions to
13 the Commission.
14 MR. SCHULZ: I understand that.
15 JUDGE HOGAN: Yeah. So --
16 MR. SCHULZ: I understand.
17 JUDGE HOGAN: -- perhaps somebody --
18 MR. SCHULZ: Okay.
19 JUDGE HOGAN: Okay. Thank you.
20 MR. SCHULZ: It's something to keep in
21 mind because there's probably more people that have
22 the original easement because the one that came
23 through in '63, another one of the lines from
24 there, didn't have that agreement in it. So they'd
25 already ran into trouble. But the original line is

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1 going to have that problem somewhere along the
2 line.
3 The other thing that I'm concerned about
4 is that when you have -- when you sign an easement
5 with one of these companies, there should be --
6 I'm -- I -- I've thought about this a lot, and
7 every time they sell it and they -- these power
8 lines that I have have been sold. One of them --
9 two of them have been sold a couple times and one
10 of them has been sold three times, and that should
11 not be allowed.
12 They should have to come back and make a
13 new contract, the new owner, because for the simple
14 reason is that it ain't fair. It's not fair. It
15 just isn't fair to do that.
16 One line I got on mine comes from Rainbow
17 over here now and that used to belong -- my
18 original easement was with UPACPA. And then Great
19 River Energy come along and they bought the line.
20 It runs to Minnesota. And Rainbow bought this
21 place for a dollar, and now they are -- another
22 company bought the power line. Its name is Nexum,
23 I think. They own it, and nobody come and talked
24 to me about any of the -- of the easement, you
25 know. And I just don't think that's right.

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1 And what happens with these power lines
 2 is -- like that one in particular, it says in my
 3 easement that it's supposed to have 400 megawatts
 4 in it, and when they put that in, the plant was
 5 400 megawatts. But since then, it's turned into
 6 1100. Now, my easement says that they can't do
 7 that. They can't run that kind of power through
 8 there. My easement says 400 megawatts.
 9 So I just want you people to be aware of
 10 what's going on out there. When they -- when they
 11 tell you that -- you know, I mean, it should tell
 12 how much power they're going to put through it, and
 13 if we put more power through it than that, we're
 14 going to have to come back and renegotiate because
 15 you just -- you just took a line that was designed
 16 for 400 megawatts and you put 1100 in it.
 17 Now, that's a -- that's not -- that's not
 18 for the -- that's not safe for the public because
 19 we don't even know it. We don't even know that
 20 there's that kind of power in there.
 21 And then I'm just going to say it anyway.
 22 You -- you guys don't want me talking about it
 23 today, but I'm really sick and tired of these guys
 24 mining up perfectly well -- some of the best
 25 farmland in North Dakota and they're using the

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1 power to mine bitcoin. Now, I realize it's their
 2 deal and they can do what they want with it, but
 3 it's not in the public's best interest. It's not
 4 being used for what it was supposed to be used for
 5 by supplying people with power. They're using this
 6 stuff to mine bitcoin, and I just think that's
 7 wrong.
 8 That's all I've got to say. Is there any
 9 questions?
 10 JUDGE HOGAN: We'll go around the room and
 11 I'll ask.
 12 Ms. Olson, any questions?
 13 MS. OLSON: No, Your Honor.
 14 JUDGE HOGAN: Mr. Johnson?
 15 MR. JOHNSON: No questions, but as far
 16 as --
 17 MR. SCHULZ: You have to speak up a little
 18 bit. I'm hard of hearing.
 19 MR. JOHNSON: Sure. As far as easements
 20 go, that's private between the company and the
 21 landowner. We have nothing to do with those. We
 22 have no legal authority to do anything with them.
 23 I understand you're frustrated with it, but I'm
 24 just saying legally the Commission has no ability
 25 to address easements.

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1 MR. SCHULZ: Well, you can just think
 2 about that when you're going to give -- when you're
 3 going to approve something.
 4 MR. JOHNSON: No, we're not legally
 5 allowed to. They're outside of our jurisdiction.
 6 MR. SCHULZ: So then what's the purpose, I
 7 mean, if you can't decide what they do?
 8 MR. JOHNSON: Well, if they don't have the
 9 easements, they can't build the line, but that's
 10 out of our control. The State lawmakers -- I mean,
 11 you can go look it up online. There's nothing in
 12 the -- the law that governs the Public Service
 13 Commission that allows us to change or make
 14 mandates in easements. And I don't think anybody
 15 in here would want the government having control
 16 over the easements on their land. Just a
 17 statement.
 18 I'm just -- I'm just letting you know that
 19 I understand you're frustrated. I'm just saying
 20 there's nothing that we can do. That's -- that's
 21 between you and the company. If there's issues
 22 with that, it's between you and the company and --
 23 and that's -- it's just outside of the Public
 24 Service Commission. A lot of people think that we
 25 can deal with them, but we don't have any authority

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1 to. We have not been given the authority by the
 2 people and the lawmakers to deal with easements on
 3 these issues.
 4 JUDGE HOGAN: Mr. Hanson, any questions?
 5 MR. HANSON: Yeah. I was just going to
 6 make one comment about talking about the sale of
 7 the lines. And Brian Johnson can correct me if I'm
 8 wrong, but it's my understanding that a line that
 9 we site -- that we -- we sited initially, if -- if
 10 that line is bought or sold later on, then that has
 11 to come before us to approve and there would be a
 12 hearing at that point.
 13 So this line, for instance, if anybody
 14 would -- since we're siting the line, if they would
 15 try to sell this line later on, there would be a
 16 subsequent hearing to discuss the sale of the line
 17 as far as I'm aware.
 18 MR. JOHNSON: Sale of an easement would
 19 again be something that's --
 20 MR. HANSON: Not of an easement.
 21 MR. JOHNSON: -- in the -- it's in the
 22 easement, it's out of our control.
 23 MR. HANSON: Sure. But, I mean --
 24 JUDGE HOGAN: Commissioner Kringstad, any
 25 questions?

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1 EXAMINATION

2 BY COMMISSIONER KRINGSTAD:

3 Q. So just to clarify, does this -- does this

4 project in particular cross any of your land?

5 A. No, it does not.

6 COMMISSIONER KRINGSTAD: Okay. Thank you.

7 MR. SCHULZ: I just want you to -- I just

8 wanted other people to be -- somebody that's going

9 to sign one of these easements needs to know this

10 stuff, and I'm experienced at it. They come and

11 fix stuff and they -- they break the rules, and

12 I've had it happen on all three of them where the

13 easement says that you can do this, this, this,

14 this and this, and all of a sudden you catch them

15 out there and they're not following the rules.

16 You know, so I get frustrated after a

17 while. When you've got to -- when you've got to be

18 on the ball.

19 Just for example, the Fifty -- the line

20 that came through in '53, it says right in the

21 easement that they cannot construct on that -- on

22 their property, their 170 feet or whatever it is.

23 I don't remember. But they can't construct

24 anything on there. Only thing they're allowed to

25 do is maintenance. And they came through -- I

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1 caught them -- putting in fiberoptics on that line.

2 They took one top wire off and they put a

3 fiberoptic line on there. Now, that is not

4 maintenance. That is construction.

5 And it was easy to deal with them because

6 I'm the only one that caught them, and they just

7 went back to the pickup and wrote me a check.

8 But that's the kind of stuff they do.

9 They do that without -- if we get away with it, we

10 got away with it. And if we don't, we don't, you

11 know, but that stuff does happen.

12 Okay. I -- I guess I've said enough.

13 JUDGE HOGAN: Yeah, and hang on. Hang on.

14 We might have some more questions for you.

15 MR. SCHULZ: You've got more questions?

16 JUDGE HOGAN: Commissioner Christmann?

17 COMMISSIONER CHRISTMANN: I for sure do.

18 EXAMINATION

19 BY COMMISSIONER CHRISTMANN:

20 Q. First of all, I will -- well, they're

21 almost more comments but the second one's a

22 question.

23 First of all, I'm intrigued by what you

24 said about that WAPA line. First of all, I want

25 you to know that the WAPA line was never sited by

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1 the Public Service Commission.

2 A. Yeah, probably not.

3 Q. The siting laws only came in --

4 A. Yeah. It was a federal deal.

5 Q. -- in the mid-'70s, so --

6 A. Yeah.

7 Q. But that also -- not the one going to

8 Bismarck but the one going southwest over toward

9 Montana or Wyoming or wherever all it goes goes

10 right in front of our ranch in Hazen. And so my

11 grandpa did that and he and my dad are both gone.

12 I never knew that was only a 75-year lease, so I

13 might have to dig into that.

14 A. Well, yeah, you look -- well, the ones

15 that came through in the '60s, they'd already fixed

16 that. You know, if it came through in the '50s, it

17 might have that in there. It's a -- it's a 99-year

18 lease and it'll be due in '53.

19 Q. I might make it long enough to --

20 A. Well, I'm not --

21 Q. -- see that expire.

22 A. -- worried about it, but I have -- my

23 children own the land, so --

24 Q. But my other question is are you the

25 famous NASCAR -- or not NASCAR -- but stockcar

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1 racing legend, Paul Schulz?

2 A. Yes, I am. Yes, I am.

3 Q. Wow, pleasure to finally meet you. I used

4 to help a friend in the pit crews of his stockcar,

5 and you were our hero back in those days.

6 COMMISSIONER CHRISTMANN: Thanks for being

7 here.

8 JUDGE HOGAN: Commissioner Haugen-Hoffart.

9 COMMISSIONER HAUGEN-HOFFART: Well, Paul,

10 thank you for coming. Your concerns aren't the

11 first that we have heard about from landowners.

12 And the good thing about these hearings is

13 sometimes when the public comes up, we can inform

14 you what's in our jurisdiction and what's not.

15 MR. SCHULZ: Mm-hmm.

16 COMMISSIONER HAUGEN-HOFFART: But we do

17 listen and hopefully others out there are listening

18 too. So thank you for your -- your time and

19 expressing your concerns and understanding what we

20 can do and what's not in our jurisdiction.

21 MR. SCHULZ: One other thing that I just

22 thought of is a lot of the -- we ran into this when

23 we were -- they were working on a wind project in

24 this area. So many of the landowners don't live

25 here anymore in North Dakota, you know, and that's

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1 not really fair to the people that live here.

2 Because they're going to get a check and they don't

3 even have to look at nothing. They don't have to

4 deal with it.

5 Now, I've drove around I think 12 of these

6 things for 60 years, and one of the things that --

7 that comes to mind is that I don't know whether you

8 guys would have anything to do with this or not,

9 but they should be approved on a no-fault. If I

10 run into your tower, you fix your tower. I'll fix

11 my equipment.

12 Now, if you ever ran into one of these

13 towers and knocked it down, the -- the liability

14 would break you because not only, I think, the way

15 it was explained to me is that if the tower got

16 knocked down for a week before it got put back up

17 again, you'd be liable for all the electricity that

18 that thing would have -- would have traveled

19 through that line. Well, an average farmer could

20 never afford that. Could never afford that.

21 So it should be no-fault. If you run into

22 one of these things by accident, the farmer should

23 fix his piece of equipment himself and the power

24 line people should fix their power line themselves.

25 That's just the way it should be.

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1 COMMISSIONER HAUGEN-HOFFART: Thank you,

2 Paul.

3 JUDGE HOGAN: Thank you, Mr. Schulz.

4 Is there anybody else that would like to

5 provide public testimony?

6 All right. Seeing none, that will

7 conclude the public testimony portion of our

8 hearing.

9 And I'll just ask if there's any closing

10 remarks or any other matters we need to address

11 before we conclude. Ms. Olson, did you have

12 anything?

13 MS. OLSON: I don't have anything else,

14 Your Honor.

15 JUDGE HOGAN: Mr. Johnson?

16 MR. JOHNSON: Nothing further, Your Honor.

17 JUDGE HOGAN: Mr. Hanson?

18 MR. HANSON: Nothing.

19 JUDGE HOGAN: All right. I'll ask if

20 there's any closing remarks from the commissioners.

21 Commissioner Kringstad?

22 COMMISSIONER KRINGSTAD: No real closing

23 remarks, but just want to say thank you to

24 everybody for being here again today.

25 JUDGE HOGAN: Commissioner Christmann.

201

1 COMMISSIONER CHRISTMANN: Yeah. Ditto

2 that, and we'll be having our final hearing on this

3 project in Stanley on Friday.

4 JUDGE HOGAN: Commissioner Haugen-Hoffart.

5 COMMISSIONER HAUGEN-HOFFART: I want to

6 thank everybody for coming, but just a reminder, in

7 the docket you could go and listen to what occurred

8 in the end of February to hear from four Basin

9 representatives and the other public opinion.

10 So thanks again for coming.

11 JUDGE HOGAN: All right. Thank you.

12 And I will add on to that that the Friday

13 hearing in Stanley will be streamed online, so if

14 you want to listen to that hearing, you can log on

15 and access it through the Commission website as

16 well.

17 So with that, I will note that it's

18 1:59 p.m., and we will stand in recess in

19 Commission Case PU-24-361. Thank you.

20 (Recessed at 2:00 p.m. on Monday, the 31st

21 day March, 2025.)

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202

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 18th

14 day of April, 2025.

15

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17 _____

18 Stephanie A. Smith

18 Registered Professional Reporter

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