

OTP/MDU 345kV JETx Transmission Line, Case No. PU-25-236

January 16, 2026, Formal Hearing

ND PUBLIC SERVICE COMMISSION

1 STATE OF NORTH DAKOTA Public Service Commission Otter Tail Power Company/ Montana-Dakota Utilities Co. 345kV JETx Transmission Line Siting Application Case No. PU-25-236 TRANSCRIPT OF PUBLIC HEARING January 16, 2026 Jamestown, North Dakota APPEARANCES Commissioners Sheri Haugen-Hoffart and Jill Kringstad CASEY FUREY and ERIK EDISON, Crowley Fleck, PLLP, on behalf of Applicants Otter Tail Power Company and Montana-Dakota Utilities Co. ZACHARY PELHAM, Special Assistant Attorney General Advisory Counsel to the Public Service Commission	1 HEARING OFFICER HOGAN: All right. Good 2 morning. My clock says it's 9:00 so we are going to get 3 started. 4 Today is January 16, 2026. This is the time and 5 date set by a Notice of Filing and Notice of Public 6 Hearing issued by the North Dakota Public Service 7 Commission on November 19, 2025, for a hearing in Case 8 No. PU-25-236. This hearing is being held today at the 9 Baymont by Wyndham Jamestown Conference Center in 10 Jamestown, North Dakota. 11 My name is Hope Hogan and I have been designated 12 as the hearing officer for today's hearing. I will 13 ensure that our hearing runs in an orderly fashion, but 14 I am not a decision-maker in this case. 15 As we begin today, I'd ask that everybody please 16 check your cell phones to make sure they're either 17 silenced or turned off so that we don't have cell phone 18 interruptions throughout our hearing today. 19 There's an attendance sheet that's being passed 20 around. The Commission would ask that everybody sign in 21 so that there's a record of all who attended our hearing 22 this morning. If you do plan on offering public 23 testimony, if you want to indicate that on the 24 attendance sheet, I would appreciate that. That just 25 helps me get an idea of how many people intend to PAGE 3
2 C O N T E N T S APPLICANTS' WITNESS JASON WEIERS Direct Examination by MS. FUREY 12 Questions by Commission 30 ----- PUBLIC TESTIMONY WAYNE WALD 36 STEVE SCHWARZROCK 40 JODI HAUGLAND 48 CINDY BURKLE 58 CHARLENE JUNG 65 ALANA WAGNER 80, 262 LEVI TAYLOR 98 IAN GILLEY 106 DAN INMAN 111 LEON WESTERHAUSEN 123 LUCAS WALD 137 JAKE EMO 141 DARRON ORR 172 RICHARD SCHLOSSER 196 MIKE GRAALUM 211 THERESA HAAG 217 TIM LEPPERT 226 DEBRA WALD 257 -----	1 testify and to help plan our hearing today. But you're 2 not bound by whether or not you check yes or no on 3 there. If you later change your mind and decide you 4 want to testify, that's fine too. 5 This is the last of three public hearings 6 scheduled regarding the joint applications of Otter Tail 7 Power Company and Montana-Dakota Utilities Company for a 8 certificate of corridor compatibility and route permit 9 concerning approximately 92 miles of double circuit 10 capable 345kV electric transmission facility and 11 associated facilities in Dickey, LaMoure, and Stutsman 12 Counties, North Dakota. This hearing was scheduled to 13 focus primarily on the portions of the project in 14 Stutsman County. We previously had public hearings in 15 Ellendale on Monday, January 12, and Edgeley on 16 Wednesday, January 14. 17 The Notice of Filing and Notice of Public 18 Hearing specified the following issues to be considered 19 in this matter: 20 Number one. Will construction, operation, and 21 maintenance of the facility at the proposed location 22 produce minimal adverse effects on the environment and 23 upon the welfare of the citizens of North Dakota? 24 Number two. Is the proposed facility compatible 25 with environmental preservation and the efficient use of PAGE 4

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1 resources? 2 And number three. Will construction, operation, 3 and maintenance of the facility at the proposed location 4 minimize adverse human and environmental impact while 5 ensuring continuing system reliability and integrity and 6 ensuring that energy needs are met and fulfilled in an 7 orderly and timely fashion? 8 The Commission had held a technical hearing on 9 this application on January 8th and 9th, at which time 10 the Applicants thoroughly went through the proposed 11 project. Today we will start our hearing with a short 12 summary of the project from the Applicants and any 13 county-specific information. Then we will move to 14 public testimony. 15 I encourage you to take this opportunity to tell 16 the commissioners anything you think they should know 17 about this matter. I assure you that what you have to 18 say is important to the Commission and will be 19 considered by the Commission. 20 By a show of hands, could you please raise your 21 hand if you would like to testify today, just so I can 22 get an idea of how many people we have? 23 Great. Thank you. 24 I'd ask that you try to limit your testimony to 25 around five to 10 minutes today. The goal is to have a PAGE 5	1 for the record and introduce staff that's appearing with 2 you this morning? 3 MR. PELHAM: Thank you, Your Honor. Good 4 morning. Zachary Pelham, Special Assistant Attorney 5 General on behalf of the Public Service Commission. 6 Here at counsel table with me is PSC's Public Utilities 7 director, Victor Schock. Victor may have questions to 8 ask during today's hearing. Thank you. 9 HEARING OFFICER HOGAN: All right. Thank you. 10 We'll now hear opening comments from the 11 commissioners. And I'll start with Commissioner 12 Kringstad. 13 COMMISSIONER KRINGSTAD: Good morning, 14 everybody. Thank you for having us today. For some of 15 you, this is your third time hearing me talk, so I'll 16 try to keep it brief, but the first thing I want to 17 address is, for those who have been to some hearings, 18 you'll notice that typically there's three of us. And 19 if you count, it seems to be that we're missing somebody 20 today. And, no, we didn't leave him on the side of the 21 snowy road this morning. 22 Our colleague Randy Christmann apologizes that 23 he cannot be here today. He had a meeting for one of 24 the regional transmission organizations, SPP, this 25 morning that was in conflict with this and so he's PAGE 7
1 safe and orderly hearing and to hear as many voices and 2 give as many people opportunity to be heard today. I'd 3 also ask that you please don't repeat concerns that have 4 been previously stated this morning. It's sufficient to 5 say you agree with the prior testimony and that that 6 point has already been raised. Further instructions 7 regarding public testimony will be given when we get to 8 that portion of our hearing. 9 Now I'm going to ask the parties to state their 10 appearance for the record. 11 And I'll start with you, Ms. Furey. Do you want 12 to introduce yourself, your co-counsel, and any 13 witnesses you intend to call today? 14 MS. FUREY: Yes. Thank you. Good morning, Your 15 Honor, Commissioners. Casey Furey with Crowley Fleck, 16 local counsel for the joint Applicants, Otter Tail Power 17 Company and Montana-Dakota Utilities Company. 18 With me at counsel table today is my co-counsel, 19 Erik Edison with Crowley Fleck. We intend to call one 20 witness this morning, Mr. Jason Weiers with Otter Tail. 21 Similar as to how we've proceeded at the, you know, 22 prior public hearings this week, we do intend, as you 23 mentioned, to just provide a brief project overview. 24 HEARING OFFICER HOGAN: All right. Thank you. 25 Mr. Pelham, do you want to state your appearance PAGE 6	1 attending that meeting. But I wanted to assure you that 2 anything that is said here today, this is all recorded, 3 and so he is going to be reviewing and listening to 4 whatever is recorded. He just apologizes that he can't 5 be here to ask any questions that he has himself. 6 But as Judge Hogan said, we've had a technical 7 hearing on this case here in Bismarck. That took about 8 seven hours; heard from several company witnesses, asked 9 a lot of questions, asked a lot of questions there. In 10 Ellendale we took two and a half hours of public input. 11 And then on Wednesday, in Edgeley, that was about six 12 hours of public input. 13 And so today our focus, I would say, isn't -- 14 we've had a lot of opportunity to question the company. 15 And today, at least for me, my focus is hearing from you 16 in this room. That's why we're here. 17 During these hearings, you'll see the big 18 binders. We've gone through all the questions we've 19 already asked. This is always an opportunity that -- 20 something always comes out during these hearings that we 21 may not be aware of, the company may not be aware of. 22 And so I really encourage you, you don't have to have 23 anything written, you don't have to have anything 24 prepared. It's not that formal. Just come up. If 25 there's anything you think we need to know, please come PAGE 8

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1 tell us. What you tell us helps us make the best 2 decision that we can within the bounds of our 3 jurisdictional authority. 4 So that's all I have. Thank you again for 5 traveling, especially in the weather that we had today. 6 And I look forward to hearing from you. 7 HEARING OFFICER HOGAN: Thank you. 8 Commissioner Haugen-Hoffart. 9 COMMISSIONER HAUGEN-HOFFART: Good morning, 10 everyone. I'm glad to see a full room and not hear of 11 any accidents. So for those of you that were drivers, 12 God bless you. 13 When Judge Hogan asked who's going to testify, I 14 saw quite a few hands go up, but I just want to indicate 15 that if you didn't raise your hand, that doesn't mean 16 you can't testify. If something comes up and you feel 17 that you want to say it, please feel free to come up and 18 say what you need to say. 19 So, with that, that's all I have. 20 HEARING OFFICER HOGAN: All right. Thank you. 21 I would note that at our technical hearing the 22 Applicants presented 20 exhibits which were admitted 23 into the record. Copies of those are available on the 24 case docket, which is -- you can access through the 25 Commission's website. I will also note that the PAGE 9	1 HEARING OFFICER HOGAN: All right. Then, 2 Ms. Furey, you can call your witness. 3 MS. FUREY: Thank you, Your Honor. At this 4 time, we'd like to call Mr. Jason Weiers. 5 HEARING OFFICER HOGAN: Good morning. I'll have 6 you start by stating your full name for the record and 7 spelling your last name. 8 JASON WEIERS: My name is Jason Weiers. My last 9 name is spelled W-E-I-E-R-S. 10 HEARING OFFICER HOGAN: Mr. Weiers, before you 11 testify today, I'm required by law to advise you on the 12 penalties for perjury in the state of North Dakota. 13 Perjury is a class C felony punishable by 14 maximum fine of \$10,000, a maximum five years' 15 imprisonment, or both. 16 Do you understand what perjury is? 17 JASON WEIERS: Yes, Your Honor. 18 HEARING OFFICER HOGAN: And being advised of the 19 potential penalties for perjury, do you promise to tell 20 the truth in this case today? 21 JASON WEIERS: I do. 22 HEARING OFFICER HOGAN: All right. Thank you. 23 Go ahead, Ms. Furey. 24 MS. FUREY: Thank you. 25 PAGE 11
1 handouts that the Commission received at the public 2 hearings in Ellendale and Edgeley will as well be 3 available on the Commission's docket. It's my 4 understanding they're not on the docket yet. That might 5 take a day or two yet, just because I have to take them 6 back to my office and get them over to the Commission. 7 So that just takes a little bit of time, but be assured 8 they will be on the docket. 9 With that, I'll just ask if there's any other 10 preliminary matters we need to address before we move to 11 testimony. 12 Ms. Furey, did you have anything? 13 MS. FUREY: Just one thing to note for the 14 record, Your Honor. As I previously mentioned at the 15 prior hearings, there are two sets of project maps that 16 the Applicants have provided in this room. Each set 17 consists of four maps. They correspond to Exhibit Nos. 18 14, 15, 16, and 17. I did just want to clarify that 19 because there are other maps that have been put up in 20 the room by attendees today. Those have not been 21 provided by the Applicant. 22 HEARING OFFICER HOGAN: All right. Thank you. 23 Mr. Pelham, any other preliminary matters we 24 need to address? 25 MR. PELHAM: No, Your Honor. Thank you. PAGE 10	1 <u>JASON WEIERS,</u> 2 being first duly sworn, was examined and testified as 3 follows: 4 DIRECT EXAMINATION 5 BY MS. FUREY: 6 Q. Can you please state your name again for the 7 record, by whom you are employed, and your business 8 address? 9 A. My name is Jason Weiers. I'm employed by Otter 10 Tail Power Company. My business address is 215 South 11 Cascade Street in Fergus Falls, Minnesota. 12 Q. And what is your position with Otter Tail? 13 A. In November of 2025, I transitioned to the role 14 of manager of Transmission Policy and Contracts. I 15 previously held the position of manager of Transmission 16 Project Development at Otter Tail. 17 Over the past three years, as manager of 18 Transmission Project Development, I was responsible for 19 overseeing the permitting of transmission projects at 20 the local, state, and federal levels. In addition, I 21 was, and continue to be, responsible for developing 22 agreements that outline the business arrangements for 23 ownership, development, construction, operation, and 24 maintenance activities related to co-owned transmission 25 projects. PAGE 12

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1 Q. Can you please describe your educational and 2 professional background? 3 A. I graduated from North Dakota State University 4 with a bachelor's degree in electrical engineering. 5 I've been employed by Otter Tail since 2000 resulting in 6 over 25 years of experience in the electric utility 7 industry with more than 22 of those years in electric 8 transmission planning. I am also a registered 9 professional engineer in the state of Minnesota. 10 A copy of my resumé was submitted with my 11 prefiled testimony in this proceeding. 12 Q. What is your role with respect to the project 13 and are you familiar with the contents of the project 14 siting application? 15 A. I am responsible for leading the permitting 16 efforts for the project. Prior to my new role in 17 November of 2025, I was involved in coordinating the 18 various efforts related to routing, engineering, 19 procurement, and construction. 20 I am familiar with the project siting 21 application submitted in this proceeding and will 22 continue to be responsible for leading the permitting 23 efforts for the project as part of my current role 24 transition at Otter Tail. 25 Q. Does the application accurately describe the PAGE 13	1 overall project route that will be double circuited 2 during initial construction to minimize impacts. 3 Q. And what is the purpose of connecting Otter 4 Tail's existing Jamestown substation to Montana-Dakota's 5 existing Ellendale substation with a new 345kV 6 transmission line? 7 A. The connection has shown to be the most 8 effective -- to most effectively address the reliability 9 issues on the heavily-constrained 230kV system in 10 eastern North Dakota, eastern South Dakota, and west 11 central Minnesota that plays a key role in transporting 12 energy into, out of, and through a large geographic 13 area. The project creates a 345kV transmission loop by 14 tying two existing 345kV systems together to enable a 15 more reliable and economic delivery of throughout -- of 16 energy throughout North Dakota and the Midwest. 17 Q. Are there any other facility improvements that 18 are associated with the project? 19 A. Yes. The project as described in the 20 application includes a substation expansion at Otter 21 Tail's existing Jamestown 345kV substation and upgrades 22 within Montana-Dakota's existing Ellendale 345kV 23 substation. 24 In response to several of the comments during 25 this week's public hearings, I want to clarify that the PAGE 15
1 project? 2 A. Yes, along with the supplemental and supporting 3 information that has been filed with the Commission and 4 the Applicants' testimony provided to the Commission 5 during the January 8th and 9th technical hearings. 6 Q. Have any changes occurred to the project since 7 the application was filed with the Commission? 8 A. Yes. A proposed route adjustment was made to a 9 segment of the project that crosses the James River to 10 accommodate a landowner request. Documentation 11 reflecting this alignment shift has been filed with the 12 Commission and was discussed at the January 8 technical 13 hearing. 14 Q. Can you please describe the project? 15 A. The project will consist of approximately 92 16 miles of new double circuit 345-kilovolt transmission 17 from Otter Tail's existing Jamestown 345kV substation 18 approximately 5.4 miles north of the city of Jamestown 19 in Stutsman County to Montana-Dakota's existing 20 Ellendale 345kV substation located approximately 1.3 21 miles west of the city of Ellendale in Dickey County. 22 The transmission line will initially be 23 constructed with one circuit. As I discussed during the 24 project's technical hearings, there are four discrete 25 areas representing approximately 3 percent of the PAGE 14	1 project's application does not include any additional 2 substations along the transmission line. 3 Q. Can you please describe how the project's 4 location was generally selected? 5 A. The Applicants selected the project's location 6 based on a multifaceted approach that considered 7 federal, state, and local requirements, comments 8 received at public open-house meetings, landowner 9 preferences, and analysis of environmental and cultural 10 resource data from desktop and field surveys. 11 Using this information in combination with the 12 Commission siting criteria, the Applicants started with 13 an initial project routing area that encompassed both 14 endpoint substations that was first refined in the 15 proposed corridors and then proposed routes. 16 Through the route development process, the 17 Applicants hosted two rounds of public open-house 18 meetings in the summer and fall of 2023 to gather 19 initial input from landowners. 20 During the Commission's public hearings to date, 21 there have been questions and comments regarding our 22 landowner outreach. For additional background, the 23 Applicants mailed over 9,550 meeting invitations to 24 landowners listed in the counties' tax roll throughout 25 the project's initial project routing area, which, as PAGE 16

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1 you may recall, Commissioners, was 14 miles wide by 81 2 miles long. In addition, we published notices of the 3 meetings in local newspapers and updated the project's 4 website to provide notice of the open-house meetings. 5 Following the final round of public open-house meetings, 6 the Applicants evaluated the feedback received and 7 further refined potential routes for the project. 8 To further refine the route, the right-of-way 9 team's focus shifted to coordinating with individual 10 landowners crossed by the potential routes through 11 telephone calls, text messaging, in-person meetings, 12 virtual meetings, email, and mail. The Applicants have 13 considered feedback received from landowners willing to 14 engage in routing discussions and made adjustments to 15 the route where feasible. 16 Through this exhaustive route development 17 process in collaboration with landowners, the Applicants 18 have considered numerous route alternatives as outlined 19 in Appendix C of the application and refined the 20 project's route to what is reflected in the project's 21 application. 22 Additional information about coordination with 23 state and federal agencies and how environmental and 24 cultural considerations were considered by the 25 Applicants in the development of the project's route and PAGE 17	1 townships is summarized in Section 7 of the Application 2 with additional information included in Appendix M. 3 This coordination included an initial outreach 4 letter in March 2023, invitations to the project's open 5 houses, and the follow-up letter that was sent in 6 September of 2023. The letters sent to the counties and 7 townships provided project information, solicited their 8 feedback on routing considerations, and provided contact 9 information for the Applicants. 10 Following the September 2023 letters, the 11 Applicants have either voluntarily or by invitation 12 attended various county and township meetings along the 13 project route to request conditional use permits and 14 provide updates regarding the project. 15 Q. Can you describe the project's schedule? 16 A. Following the Commission's decision on the 17 application, the Applicants currently plan to start 18 construction of the project in the third quarter of 19 2026. All necessary land rights and easements will be 20 secured for parcels within the project corridor prior to 21 construction beginning on them. The Applicants plan to 22 complete construction and energize the line in the 23 fourth quarter of 2028 with final reclamation activities 24 to occur in 2029. 25 Q. Can you describe the benefits of the project to PAGE 19
1 corridor is contained in the application and the 2 prefiled and oral testimony of Kevin Scheidecker, a 3 principal environmental services employee of Otter Tail. 4 Q. Beyond the public open houses and the one-on-one 5 interactions, what other outreach efforts have been made 6 with landowners and interested stakeholders? 7 A. A public outreach program was developed and 8 implemented to provide education and comment 9 opportunities for landowners, agencies, and other 10 interested stakeholders. As part of this public 11 outreach program, the Applicants used several 12 communication channels. 13 More specifically, the Applicants developed and 14 hosted a project-specific website, set up and hosted a 15 project-specific information phone line, and created and 16 communicated through a project-specific email address. 17 Each of these communication channels allowed landowners 18 and other interested stakeholders to continue to have 19 two-way communication with the Applicants and will 20 continue to be used throughout the duration of this 21 project. 22 Q. Can you please describe the Applicants' efforts 23 to engage with counties and townships along the 24 project's route? 25 A. The Applicants' outreach to counties and PAGE 18	1 Otter Tail and Montana-Dakota's customers? 2 A. In addition to regional benefits, the project 3 offers significant reliability benefits to the local 4 area by introducing a new 345kV transmission source into 5 the 345kV substations at Jamestown and Ellendale. 6 With respect to Otter Tail's customers, the 7 project will result in a new transmission line to serve 8 the Jamestown area that will offer additional redundancy 9 and increased system capability. 10 Otter Tail experienced an extreme weather event 11 in the form of an ice storm in December 2023 that 12 resulted in the only two 345kV transmission lines 13 serving the Jamestown area both being out of service 14 simultaneously. At that time, the capability of the 15 transmission system was significantly reduced and 16 resulted in large-load customers in the Jamestown area 17 being forced to operate at reduced levels in order to 18 maintain grid reliability. Otter Tail experienced the 19 same exact situation twice during the summer of 2025 due 20 to two separate severe weather events that made it 21 challenging to maintain reliable service to the 22 Jamestown area. The project is designed to minimize 23 these types of similar reliability challenges in the 24 future. 25 As Robert Frank, director of Electric PAGE 20

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1 Transmission Engineering at Montana-Dakota, testified at 2 the Commission's technical hearing, the project also 3 benefits Montana-Dakota's electric customers by creating 4 a looped 345kV system. More specifically, the project 5 allows generation facilities from the west of Ellendale 6 to curtail less for contingencies with a second 345kV 7 transmission outlet at Ellendale. 8 Furthermore, power quality, specifically voltage 9 stability, is also improved for the area by 10 interconnecting the two 345kV transmission systems 11 together. 12 Q. Did the Applicants consider whether it would be 13 reasonable or feasible to install the transmission line 14 underground? 15 A. Yes, but the Applicants concluded that 16 underground installation is not feasible for this 17 project. While it is common for lower-voltage 18 distribution lines to be buried, it is rare for 19 high-voltage transmission lines to be constructed 20 underground. 21 Undergrounding high-voltage transmission is 22 generally not used in the industry except in 23 circumstances and locations where physical constraints 24 allow for no other option. 25 Underground transmission is substantially more PAGE 21	1 filled with concrete. Concrete will be delivered to the 2 structure location by ready-mix trucks and poured into 3 the foundation hole. Structure components will be 4 trucked to structure work pads for assembly and will 5 then be erected using a crane to place them on the 6 concrete foundation where they will be bolted on 7 embedded anchor bolts. 8 After structures are erected, the conductor will 9 be strung between the structures using bucket trucks or 10 helicopters. 11 Q. What steps will be taken to reclaim lands within 12 the project's corridor? 13 A. Following construction, disturbed areas will be 14 reclaimed, fertilized, and reseeded according to Natural 15 Resources Conservation Service, or NRCS, recommendations 16 unless otherwise specified by a specific landowner and 17 approved by the Commission. Post-construction 18 reclamation activities will also include employing 19 appropriate erosion controls and reseeded or otherwise 20 stabilizing areas disturbed by construction. Unless 21 otherwise agreed to by the landowner, all construction 22 materials and debris will also be removed from the site 23 once construction is complete. 24 Q. Is winter construction anticipated for the 25 project? PAGE 23
1 costly to construct than overhead transmission. Based 2 on the Applicants' estimates, the initial construction 3 costs for undergrounding high-voltage transmission lines 4 are estimated to be between five to 10 times higher than 5 overhead transmission lines. 6 In addition, underground transmission results in 7 greater environmental and land use impacts than overhead 8 transmission during construction due to the need to 9 excavate significantly more earth along the route to 10 install the underground cable, making it more difficult 11 to comply with the Commission siting criteria. 12 Therefore, no portion of the project is proposed to be 13 constructed as underground transmission. 14 Additional limitations confirming why it is not 15 feasible to construct this project underground can be 16 found in Section 2.3.1 of the application. 17 Q. What construction activities are associated with 18 the project? 19 A. Initial survey work and geotechnical soil 20 investigations will occur prior to construction. 21 Additionally, the corridor will be cleared of vegetation 22 as necessary to safely construct, operate, and maintain 23 the project. 24 Once the survey work and tree-clearing is 25 complete, structure foundation holes will be drilled and PAGE 22	1 A. Yes. Winter construction will be utilized, 2 which will minimize landowner impacts and impacts to 3 wetlands, sensitive soils, and vegetation. 4 The Applicants have provided additional 5 information about procedures that they will be following 6 when performing construction activities during winter 7 conditions in a winter construction plan and in the 8 technical hearings that were held on January 8. The 9 Applicants will be supplementing their winter 10 construction plan to address questions from the 11 Commission during the technical hearings. 12 Q. What maintenance activities are anticipated 13 after the project is operational? 14 A. Once the project is operational, access to the 15 project's right-of-way is required periodically to 16 perform inspections, conduct maintenance, and, if 17 required, repair damaged equipment. Regular maintenance 18 and inspections will be performed during the life of the 19 project in compliance with applicable reliability 20 standards established by the North American Electric 21 Reliability Corporation, or NERC. 22 Q. Can you please describe the steps the Applicants 23 will take to minimize impacts to roads and to traffic? 24 A. The Applicants are committed to minimize impacts 25 to roads. Consistent with the Applicants' past projects PAGE 24

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1 and the Commission's certification requirements, the 2 Applicants will take steps to ensure the condition of 3 roads impacted by the project is as good or better than 4 before construction of the project started. 5 The project is not expected to cause significant 6 or prolonged impacts on traffic in any one area because 7 project construction will be spread out across the 8 approximately 92-mile corridor and construction work 9 will be completed over two years. 10 Temporary impacts to the presence of 11 project-vehicle traffic are expected to be minimal 12 because slow-moving construction vehicles are expected 13 to be similar to the movement of farm equipment during 14 planting and harvest seasons and are not likely to cause 15 significant delays. 16 Temporary impacts to traffic are anticipated to 17 be minimal during construction when conductor is being 18 strung over existing roads. Where temporary road 19 closures are required, the disruptions to traffic are 20 anticipated to be short in duration. To the extent that 21 temporary road closures are necessary, the Applicants 22 will coordinate with the applicable road authorities and 23 take steps to minimize disruptions and ensure 24 alternative roads are available and clearly marked. 25 Q. Can you please describe the steps the Applicants PAGE 25	1 In addition, the Applicants will create and 2 maintain an online map to communicate the status of 3 construction and reclamation activities. 4 Furthermore, members of the Applicants' 5 right-of-way team will continue to communicate with 6 landowners crossed by the route during construction and 7 reclamation activities so that landowners are informed 8 as to when activities are planned on their individual 9 parcels. 10 The Applicants are committed to communicate with 11 the landowners crossed by the route for the duration of 12 the project's life. 13 Q. Do the Applicants have a process for handling 14 landowner concerns? 15 A. Yes. The Applicants will include contact 16 information for a project representative and all 17 applicable emergency services in an informational packet 18 that will be sent to all landowners crossed by the route 19 prior to construction. In addition, landowners have 20 contact information for the Applicants' right-of-way 21 team members if questions or concerns arise during the 22 course of the project. 23 Q. Can you please briefly describe the 24 environmental and cultural studies and surveys that the 25 Applicants have completed for the project? PAGE 27
1 will take to minimize dust during construction? 2 A. The Applicants will implement a dust mitigation 3 plan to minimize impacts during construction. The dust 4 mitigation plan may include enforcing speed limits on 5 gravel roads and/or the use of water or other dust 6 suppression methods. 7 Q. What steps will be taken by the Applicants to 8 minimize the spread of weeds during and after 9 construction? 10 A. The Applicants have developed a vegetation 11 management plan, which is included in Appendix F of the 12 application, to identify and establish procedures to 13 limit the introduction and spread of weeds during 14 construction and ongoing maintenance -- and ongoing 15 operations and maintenance. 16 Q. Thank you. 17 How do the Applicants plan to communicate with 18 landowners crossed by the route during construction and 19 reclamation? 20 A. Following the Commission's decision on the 21 application, the Applicants are planning to send 22 informational packets to all landowners crossed by the 23 route that will include a copy of the relevant documents 24 applicable to the project as well as contact information 25 for members of the project team. PAGE 26	1 A. As Kevin Scheidecker testified to at the 2 Commission's technical hearings, before the project 3 route was selected, environmental and land use data was 4 collected from various sources to conduct a desktop 5 analysis to identify exclusion and avoidance areas, as 6 well as analyze the Commission's selection and policy 7 considerations. 8 After the initial data collection and 9 evaluation, the Applicants performed field surveys to 10 delineate wetlands, identify biological resources such 11 as eagle stick nests, sharp-tailed grouse lekking areas, 12 and evaluate the presence of threatened and endangered 13 species and their associated habitat. 14 In addition, the Applicants have conducted a 15 literature review including associated field surveys for 16 cultural resources in coordination with the Sisseton 17 Wahpeton Oyate Tribe. 18 Through this extensive effort, the Applicants 19 have coordinated with numerous agencies such as the U.S. 20 Army Corps of Engineers, the U.S. Fish and Wildlife 21 Service, the North Dakota Game and Fish Department, and 22 the North Dakota State Historic Preservation Office on 23 the Applicants' approach to and the results from 24 environmental and cultural surveys. 25 The information collected from the surveys, in PAGE 28

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1 addition to the coordination with federal and state 2 agencies, were used to guide the development and 3 identification of the project's route. 4 Additional information regarding the 5 environmental and cultural studies and surveys completed 6 for the project, along with the status of environmental 7 permitting, is discussed in detail within the 8 application, the Applicants' supplemental filings, and 9 through the Applicants' testimony at the Commission's 10 technical hearings. 11 Q. Will the project's construction, operation, and 12 maintenance minimize adverse human and environmental 13 impacts while ensuring continuing system reliability and 14 integrity and ensuring that energy needs are met and 15 fulfilled in an orderly and timely fashion? 16 A. Yes. As shown in the application, other 17 filings, and through the Applicants' testimony at the 18 Commission's technical hearings, the project will be 19 constructed, operated, and maintained to minimize 20 adverse human and environmental impacts while serving as 21 a critical component in ensuring local and regional 22 electric reliability for the combined benefit of 23 customers and businesses in North Dakota. 24 Q. Does this conclude your direct testimony? 25 A. Yes. PAGE 29	1 activities and, as necessary, rebuild or maintain those 2 roads as damages may occur. And throughout the 3 construction process, we'll be monitoring that closely 4 and making sure that the roads continue to be safe for 5 operation. 6 After construction is complete, we will work 7 with the road authorities to ensure that the roads are 8 as good or better than -- we will be sure that the roads 9 that were impacted by the project are as good or better 10 than before construction started. 11 COMMISSIONER KRINGSTAD: And when you talk 12 about, like, rebuilding and maintaining, is that 13 something that the company would have to pay the cost 14 for or would that fall to the local entity? 15 THE WITNESS: Those are activities that the 16 project would be paying for throughout the construction 17 cycle or construction schedule for the project. 18 COMMISSIONER KRINGSTAD: Okay. Has any of that 19 coordination and discussions with the local entities on 20 road use, has that started yet? 21 THE WITNESS: We have not started those 22 conversations yet. In fact, the access plan that will 23 be used for construction of the project is still under 24 development. So we do not yet know which exact roads 25 within the counties and townships will be utilized as PAGE 31
1 Q. Thank you. 2 HEARING OFFICER HOGAN: Mr. Pelham, any 3 questions? 4 MR. PELHAM: No questions. 5 HEARING OFFICER HOGAN: Mr. Schock? 6 MR. SCHOCK: No questions, Your Honor. 7 HEARING OFFICER HOGAN: Commissioner Kringstad. 8 COMMISSIONER KRINGSTAD: I do. 9 You had mentioned, and I think we've -- we've 10 heard a lot this week, concerns about the roads, 11 specifically dust. And I know you touched on that a 12 little bit, but during your testimony you said that the 13 condition -- that the company is committing to keep the 14 condition of the roads the same or better. Can you give 15 me more detail on how the company's going to ensure that 16 that happens? 17 THE WITNESS: Certainly. So prior to 18 construction starting, we will be working with the 19 applicable road authorities to go out and look at these 20 roads with the road authorities and, if necessary, take 21 initial surveys of the roads with the applicable road 22 authority. 23 As we go through the construction process, we 24 will continue to ensure that the roads are suitable for 25 the heavy equipment that's used for construction PAGE 30	1 part of construction yet. 2 COMMISSIONER KRINGSTAD: Okay. I think all my 3 other questions have already been asked and answered. 4 THE WITNESS: Thank you. 5 HEARING OFFICER HOGAN: Commissioner 6 Haugen-Hoffart. 7 COMMISSIONER HAUGEN-HOFFART: I'm going to 8 continue off of that questioning regarding road use. 9 You have said in your testimony and brought it up that 10 the Applicant will monitor dust during construction and 11 coordinate with local agencies. There was an 12 expression -- or a comment made by somebody yesterday -- 13 or Wednesday regarding that there's no local authorities 14 that have that type of service. 15 So can you explain a little bit more on where 16 you're going to get your water from if needed for dust 17 mitigation? 18 THE WITNESS: Commissioner, as we talked about 19 on Monday during the Ellendale public hearing, we do 20 plan to have water trucks onsite to keep dusting under 21 control. At this point in the construction planning 22 process, we haven't yet identified where we would plan 23 to get the water from. 24 COMMISSIONER HAUGEN-HOFFART: So the Applicant 25 has water trucks that they could bring to the site? PAGE 32

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1 THE WITNESS: The Applicant would be working 2 with the construction contractors to ensure that we have 3 water trucks available to keep dust under control. 4 COMMISSIONER HAUGEN-HOFFART: Okay. Thank you. 5 I know you've talked a lot about the location of 6 the transmission line, but I want to go through it just 7 a little bit more, just individually. If a landowner 8 requests that -- for a route adjustment, please explain 9 the steps or variables that you used to consider if -- 10 to determine if that reroute was applicable, be it still 11 on his or her land or on a neighbor's land. So can you 12 walk us through that, the steps and variables that you 13 used? 14 THE WITNESS: Certainly. If a landowner 15 proposed an alternative route, we would take that back 16 within the project team, and the very first thing we 17 would do is assess the route -- reroute and evaluate if 18 it meets the Commission's siting criteria. We'd look at 19 it from an environmental perspective and we'd look at it 20 from an engineering perspective and identify if there's 21 any fatal flaws with that particular reroute proposal. 22 As we evaluate that reroute alternative, we do 23 compare the reroute with the original proposed route and 24 look at factors of length, cost, environmental impacts, 25 and making sure, again, that it meets the siting PAGE 33	1 testimony today to any information you have not 2 previously provided. These hearings are part of one 3 hearing -- or one case, so if you offered those comments 4 already, they're already in the record and they don't 5 need to be repeated today. 6 For those of you that haven't been with us for 7 our first two public hearings, I'll just note that this 8 is an opportunity for you to provide information to the 9 Commission. It's not the chance to ask the 10 commissioners or the Applicants questions about this 11 project. If you have questions, those can be addressed 12 to the Applicants at our breaks or after the hearing 13 today. But this part of our hearing on the record is 14 really for you to provide information to us. 15 I think I mentioned before, but I'll just state 16 it again. If your concerns or information has already 17 been provided by somebody that has testified already, 18 there's no need to repeat that. You can just let us 19 know that you have similar concerns or that you agree 20 with that testimony today. 21 And, again, I'd ask that you try to limit your 22 testimony to five to 10 minutes, in that ballpark, just 23 so that we can make sure we have time to hear from 24 everybody that wants to testify today. 25 So, with that in mind, is somebody willing to go PAGE 35
1 criteria from the Commission. 2 If there's no fatal flaws identified as a result 3 of our initial review, we would initiate landowner 4 outreach to those landowners along the reroute. And 5 from that point, we would determine if we would move 6 forward with that reroute or keep the original 7 alignment. 8 COMMISSIONER HAUGEN-HOFFART: Okay. Thank you. 9 I have no further questions. 10 HEARING OFFICER HOGAN: All right. Thank you, 11 Mr. Weiers. 12 We will now move to the public testimony portion 13 of our hearing. Like with Mr. Weiers, if you want to 14 offer public testimony, I'm going to have you come up 15 and sit at the witness chair. I'll have you state your 16 name for the record and you will be sworn in. At the 17 conclusion of your comments, we will go around the room 18 and see if there's any questions for you. 19 If you are representing a group or entity, 20 please identify the group or entity so that we are aware 21 of who you're here representing today. And if you 22 have -- or if you are a landowner within the project 23 area, please let us know that as well. 24 For those of you that have already testified at 25 one of our public hearings, I'd ask that you limit your PAGE 34	1 first this morning? 2 Good morning. I'll have you state your name for 3 the record and spell your last name. 4 WAYNE WALD: Good morning. Wayne Wald, W-A-L-D. 5 HEARING OFFICER HOGAN: Mr. Wald, did you hear 6 me go through the penalties for perjury this morning? 7 WAYNE WALD: Sure did. 8 HEARING OFFICER HOGAN: And you understand what 9 perjury is? 10 WAYNE WALD: Yes, ma'am. 11 HEARING OFFICER HOGAN: And being advised of the 12 potential penalties for perjury, do you promise to tell 13 the truth in this case today? 14 WAYNE WALD: Yes, ma'am. 15 HEARING OFFICER HOGAN: All right. Thank you. 16 Go ahead. 17 <u>WAYNE WALD.</u> 18 being first duly sworn, testified as follows: 19 WAYNE WALD: Good morning, Commissioners and 20 staff. 21 I would like to request -- like you to request 22 some clarification on this project and filing from OTP 23 and MDU. Commissioner Christmann asked Mr. Weiers about 24 double circuiting and if there would -- if they would 25 come back to the PSC to do that. Mr. Weiers said the PAGE 36

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1 application covered both. 2 Well, then shouldn't this be considered a 690kV 3 line if there's going to be two 345kV lines on it? If I 4 run two 120-volt wires to an outlet, I now have a 5 240-volt outlet. 6 How did the PSC approve the permit without 7 knowing this? 8 Judge Hogan, I would like to address some 9 concerns that have been taking place during the previous 10 public hearings. Otter Tail's legal counsel objected to 11 people talking about language in the JETx easement and 12 saying it doesn't pertain to the case. Isn't that why 13 we are here, to talk about JETx and the concerns of it? 14 Mike Brandenburg rambled on about other future 15 developments pertaining to JETx and there was no 16 objection, but when the public talked about future 17 development pertaining to JETx, they received objection 18 and were cut off. 19 Otter Tail's legal counsel questioned Mr. Weiers 20 about his education, job history, and his business 21 address. Does that pertain to the JETx project? Nobody 22 objected or raised a fuss about that. 23 Is this a one-sided hearing or a public hearing? 24 On behalf of the people here, I ask we get the 25 time and respect that we should be allowed. This is a PAGE 37	1 COMMISSIONER HAUGEN-HOFFART: No questions. 2 HEARING OFFICER HOGAN: All right. Thank you, 3 Mr. Wald. Thank you for going first. 4 Who would like to go next? 5 Good morning. I'll have you state your full 6 name for the record and spell your last name. 7 Should have a green light when it's on. 8 STEVE SCHWARZROCK: All right. My name is Steve 9 Schwarzrock. My address is 8870 39th Street Southeast 10 Jamestown, North Dakota. 11 HEARING OFFICER HOGAN: Can you spell your last 12 name for me? 13 STEVE SCHWARZROCK: S-C-H-W-A-R-Z-R-O-C-K. 14 HEARING OFFICER HOGAN: All right. And did you 15 hear me go through the penalties for perjury earlier? 16 STEVE SCHWARZROCK: Yes, I did. 17 HEARING OFFICER HOGAN: And do you understand 18 what perjury is? 19 And being advised of the potential penalties for 20 perjury, do you promise to tell the truth in this case 21 today? 22 STEVE SCHWARZROCK: Yes. 23 HEARING OFFICER HOGAN: All right. Thank you. 24 Go ahead. 25 PAGE 39
1 public hearing. This is our only time to be heard. 2 Thank you. 3 HEARING OFFICER HOGAN: All right. Thank you. 4 I just want to address your concern, Mr. Wald. 5 And I think the previous hearings I've allowed general 6 comments about the easementing process. Really what I'm 7 not going to allow to come into the record is testimony 8 about specific provisions of easements or those 9 contracts because the Commission does not have 10 jurisdiction over the easements or that part of this 11 project, so it's not relevant, and not aware if there's 12 confidential -- confidentiality provisions, et cetera. 13 So that will not be allowed today. 14 So, with that, Ms. Furey, any questions? 15 MS. FUREY: No questions. 16 HEARING OFFICER HOGAN: Mr. Pelham, any 17 questions? 18 MR. PELHAM: I don't. Thank you. 19 HEARING OFFICER HOGAN: Mr. Schock. 20 MR. SCHOCK: No questions, Your Honor. 21 HEARING OFFICER HOGAN: Commissioner Kringstad? 22 COMMISSIONER KRINGSTAD: I don't. Thank you, 23 Wayne. 24 HEARING OFFICER HOGAN: Commissioner 25 Haugen-Hoffart. PAGE 38	1 <u>STEVE SCHWARZROCK,</u> 2 being first duly sworn, testified as follows: 3 STEVE SCHWARZROCK: Thank you for letting me 4 speak and being here on this blustery day. 5 I come here somewhat as an orphan. I -- I am an 6 orphan in this project. Excuse me. The line passes 7 approximately 760 feet from the site of my home or 8 approximately 830 feet from the center of the home. 9 It is my understanding, in meetings that I have 10 been at and attended, the 500-foot variance measures 11 from the center of the home. I do not quite understand 12 that. So if the center of the home is 501 feet to the 13 center of the residence, you only live in the half -- 14 the other half. This is -- this is outside the -- this 15 is -- I am outside of the variance. So I am -- I am not 16 included in any -- any discussion. So I am outside of 17 that state variance. That is the time, though, thanks 18 to my township, Homer, has passed a 2,640-foot variance. 19 Now it is my understanding that with the Bill 20 1258, that our legislators, because they were afraid to 21 allow the people they supported, supposedly represented, 22 made their own decision, they passed the decision-making 23 on to you. So I am asking, seeing as it is your 24 decision, please to leave it to the -- our own townships 25 to make the decisions on the variances. PAGE 40

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1 Another -- another reason for my speaking before 2 you is this fact that I have very marginal reception for 3 my cell phone service. I do now have one that is 4 reasonably good. I also have a satellite TV. And if -- 5 if any of you have that, you know that southwest is the 6 distance it is to -- is to face. 7 The JETx power line will be west and south of my 8 residence and north and west of my residence. I also 9 have a large WAPA line approximately a quarter mile 10 north of my residence. 11 The research I could -- in research, I could not 12 give a definite -- find a definite answer on the 13 interference until the lines are in place. 14 I wonder -- I understand that there is a part in 15 the document certification to order -- or originated in 16 the '70s that can require the company to give some 17 relief, but where it was implemented, it was -- it was 18 expressed it took extensive -- extensive time and, I 19 assume, treasure to resolve it because you cannot do 20 something like that without a lawyer. 21 So now that you have the power of oversight and 22 the town -- the variance, it seems to me that a 23 50-year-old variance law might need to be updated to 24 local variances. If you do not have that authority, let 25 us know and we will have to take -- take the case to the PAGE 41	1 then did some send out mailers for the Edgeley and the 2 Jamestown meetings which I attended. 3 When I did attend those, what I saw was a very 4 wide corridor, which he said was 14 miles, and there was 5 no set path for the line. I went to those two meetings 6 and did not hear any more or any mailers from -- from 7 the Applicants after that so I assumed that it didn't 8 concern me. 9 The next time I knew what was happening was at a 10 township meeting in the summer of 2025 when I found out 11 that the line was going to be approximately 800 feet 12 away from my house, the center of my house. I realized 13 that maybe they do not have to contact me as I am 14 outside of the 500-foot-center-of-home state variance. 15 Would it have been that hard for them to stop by 16 and ask me, "Steve, we are proposing to build a 345kVA 17 line within approximately 800 feet of your home. Do you 18 have any concerns we may need to address?" 19 So, yes, I am, in the current form that it is 20 and variances, I -- I am against construction of this 21 line. 22 And P.S., a big thank you to the staff members 23 that I was able to talk to during this -- this ordeal. 24 They were very accommodating. So thank you. 25 HEARING OFFICER HOGAN: Thank you. PAGE 43
1 November elections for the legislators. 2 I do have one other thing that -- and I'm sure 3 it has been brought up, but I don't have any definite 4 research on it, but land value is one of my concerns 5 also just because of the situation in -- kind of in my 6 neighborhood. Most of us that are concerned right there 7 are small landowners. I have 25 acres. Some people 8 have 10 acres. And the reason we're there is because we 9 like to live in the country. And so possibly, if you 10 ever wanted to resale the land, these added power lines 11 could definitely make a difference as far as the value. 12 Another concern I have is that of hauling 13 material, concrete, out and into the sites. I know that 14 it was brought up at the previous testimony here, but 15 the one thing that wasn't brought up is, in our area, 16 each spring we do have what we call frost boils in the 17 roads. And my concern is, is that with heavy equipment 18 moving across those, it could get to the point where 19 those boils would probably be unrepairable, that they'd 20 be there forever. 21 In closing, I would like to make a suggestion, 22 that these corporations be required to learn how to 23 treat human beings. When they first started this 24 project in 2023, they had a hearing in Jamestown that 25 very few knew about. I did not know about it. They PAGE 42	1 Ms. Furey, any questions? 2 MS. FUREY: No questions. 3 HEARING OFFICER HOGAN: Mr. Pelham, any 4 questions? 5 MR. PELHAM: Good morning, Mr. Schwarzrock. 6 Thanks for your testimony. 7 Do you know the legal description of the 8 property you own in Homer Township? The section. 9 STEVE SCHWARZROCK: I think it's section 23. 10 MR. PELHAM: Okay. And I think you answered, 11 but I just want to be clear. Does the -- the proposed 12 line, it does not cross any portions of property you 13 own. It's -- 14 STEVE SCHWARZROCK: No. No, it does not. 15 MR. PELHAM: -- adjacent to your property? 16 STEVE SCHWARZROCK: No. 17 MR. PELHAM: And as far as -- you gave two 18 numbers. You said 760 feet from your home and then 830 19 feet from the center of your home. And I understand the 20 830 feet, but the 760 feet, where is that? Is that the 21 edge of the property? 22 STEVE SCHWARZROCK: No. It's from the edge of 23 my house. 24 MR. PELHAM: The edge of your house to the 25 center line -- PAGE 44

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1 STEVE SCHWARZROCK: (Inaudible) proposed. 2 MR. PELHAM: -- of the proposed line? Okay. 3 STEVE SCHWARZROCK: I measured it out to the 4 quarter line. 5 MR. PELHAM: Sure. 6 STEVE SCHWARZROCK: The line is -- 7 MR. PELHAM: Forgive me, I'm a little bit slow 8 this morning. 9 STEVE SCHWARZROCK: No, that's fine. That's 10 fine. 11 MR. PELHAM: And so the -- and I think you 12 answered the question too that I have, but if you could 13 just make it clear to me, did you have any -- did the 14 company ever contact you directly or were you the one 15 that was reaching out to the company? I'm wondering 16 what discussions you had with the company. 17 STEVE SCHWARZROCK: No, I was -- I was not. 18 Like I said, I was -- did not know the line was going to 19 be there until that 25th and -- or, I mean, this spring 20 in 2025. And that was at that township meeting. 21 I did -- I did talk to the representatives, I 22 don't see them here now, but there was, I think, two 23 representatives from Otter Tail that were there. And I 24 asked them a number of questions. That's the only 25 contact I guess I had with them. PAGE 45	1 by Mr. Pelham. Thank you. 2 HEARING OFFICER HOGAN: Commissioner Kringstad. 3 COMMISSIONER KRINGSTAD: No questions. Thank 4 you for your testimony, for your concerns, and for the 5 feedback on our staff. That's always good to hear. So 6 thank you. 7 HEARING OFFICER HOGAN: Commissioner 8 Haugen-Hoffart. 9 COMMISSIONER HAUGEN-HOFFART: Yeah. 10 You brought up the WAPA line. How close is that 11 to your house? 12 STEVE SCHWARZROCK: It's approximately a quarter 13 to a third of a mile north. 14 And as long as you ask that question, it 15 concerns the roads. They're going to have to -- I don't 16 know, I heard both ways -- go under or over that WAPA 17 line. So there -- there's going to be more construction 18 there because they're going to have to have more 19 structures to be able to go over that WAPA line. So 20 that -- that's one thing. 21 COMMISSIONER HAUGEN-HOFFART: Okay. Thank you. 22 I have no further questions. 23 HEARING OFFICER HOGAN: All right. Thank you, 24 sir. 25 STEVE SCHWARZROCK: Thank you. PAGE 47
1 MR. PELHAM: Sure. And as far as your concerns, 2 and you said today that you wish that they would have 3 reached out to you and said, "Hey, we're building this 4 line adjacent to your property, 760 feet from the edge, 5 830 feet from the center." What would you have told 6 them? What are your concerns specific as to the 7 proposed line? I know you mentioned the satellite 8 reception and your -- and your cell phone reception. Do 9 you have any other concerns? 10 STEVE SCHWARZROCK: That's my main concerns. 11 Yes. Yes. No, I guess I don't -- I don't have any 12 other. But that's a big -- kind of a big concern, if 13 you don't have cell service nowadays, because, you 14 know -- you know, a lot of -- I still do have a 15 landline, but I -- I guess I'm referring to other people 16 also, because a lot of people have just cell service and 17 if they don't get -- 18 MR. PELHAM: Sure. 19 STEVE SCHWARZROCK: That's my concern. Yes. 20 MR. PELHAM: Thanks for answering my questions. 21 I don't have any more for you. Thank you. 22 STEVE SCHWARZROCK: Okay. You bet. 23 HEARING OFFICER HOGAN: Mr. Schock, any 24 questions? 25 MR. SCHOCK: No. I think they've been covered PAGE 46	1 HEARING OFFICER HOGAN: Who would like to go 2 next? 3 Good morning. 4 JODI HAUGLAND: Good morning. 5 HEARING OFFICER HOGAN: I'll have you state your 6 full name for the record and spell your last name. 7 JODI HAUGLAND: Jodi Haugland. Last name's 8 spelled H-A-U-G-L-A-N-D. 9 HEARING OFFICER HOGAN: And did you hear me go 10 through the penalties for perjury this morning? 11 JODI HAUGLAND: Yes. 12 HEARING OFFICER HOGAN: And do you understand 13 what perjury is? 14 JODI HAUGLAND: Yes. 15 HEARING OFFICER HOGAN: Being advised of the 16 potential penalties for perjury, do you promise to tell 17 the truth in this case today? 18 JODI HAUGLAND: Yes. 19 HEARING OFFICER HOGAN: All right. Thank you. 20 Go ahead. 21 <u>JODI HAUGLAND.</u> 22 being first duly sworn, testified as follows: 23 JODI HAUGLAND: I wanted to follow up after 24 Steve. Steve is a co-neighbor, I should say. I 25 physically am impacted by this construction as I am, PAGE 48

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1 according to the paperwork, 1,430 feet away from where 2 the structure will be -- will be occurred at. 3 I have a lot of similar thoughts as far as his 4 previous testimony, concerns of, you know, pretty much 5 everything. 6 But I live physically, and I work physically, in 7 my home which would be impacted by this power line. One 8 of the things he brought up was with regards to the cell 9 coverage. I have lived in my residence for 21 years, 10 it'll be this year. Within the last two years, we 11 finally have internet coverage where we can actually 12 utilize -- we could stream a movie. We could do those 13 things. And not realizing the impact that this -- if, 14 you know, learning -- would have on that. Not only just 15 the internet, but that's my work source, that's where I 16 work from, and how that would impact many things. We 17 have never been able to have any other sort of internet 18 besides -- any ground or whatever because of the 19 location where we live in. And so I'm just kind of 20 throwing that out in the air. 21 As far as the impact for me, you know, I have 14 22 acres. Like -- like Steve said, we live out there for a 23 reason. We live out there because we don't want the 24 hustle and bustle of the in-town. We like it out there. 25 The impact on our home, what is -- what is that going to PAGE 49	1 well? 2 As far as animals, pets, we talk about -- we 3 talked about the eagles' nests. They're right there. 4 They're in my yard every day. Not every day. The deer; 5 came home the other night to 30 deer in my yard. How 6 beautiful is that? That's why we live there. 7 The requests -- or being contacted by any of the 8 entities has -- did never occur to me ever. As the only 9 person who lives there, I got one random -- one random 10 letter, just blanket -- looked like junk mail to me. I 11 looked. It said JETx. I phoned, I talked to the 12 neighbor like, oh my. And from that point on, we have 13 advocated with our township, with Homer Township, to 14 have discussions, have open discussions about things, 15 questioning whether things are truthful or not. Not 16 sure. Other landowners, other people that -- farmland 17 right there, concerns. 18 I want to just touch quickly on the Bill 1258. 19 We have our legislators within the general area, 20 Brandenburg, Conley, Wanzek, Headland, are supposed to 21 be talking for us, impact -- or helping us with our 22 things, and at the end of the day coming to find out 23 that this is for their financial gain, not for -- not 24 for the landowners who live there. 25 The other couple of things that came out was the PAGE 51
1 look like? 2 I am a single woman living there, and I'm going 3 to have all these people coming right basically out my 4 backdoor. My land ends right across. Like, I don't -- 5 would have to phone a friend, but within feet of where 6 it proposes going to be. So that's a big concern for 7 me. 8 When we talk about the individuals that have 9 signed easements or landowners, that of this or that, 10 how many people physically live right there? My next -- 11 my next neighbor, Ben, 500 feet -- 543 where his home 12 is. He is a young gentleman in his late 30s, early 40s, 13 with small children. How does that impact them? How 14 does that impact the health? 15 Mr. Brandenburg -- or, excuse me, sorry, not Mr. 16 Brandenburg. Mr. Westerhausen, in the Edgeley 17 community, had mentioned the health concerns. Do we 18 know what those are? What is the impact? He used terms 19 that are way above my pay grade that I don't -- I don't 20 get. Those are questions. But what is the health and 21 the human safety of these lines right there? His 22 children are going to live there. They're going to grow 23 up there. There's family land there that has been there 24 for many years. Extended family lives just right over 25 next to them as well. What is the impact on them as PAGE 50	1 insurance piece. If these break, fall, crash, is it up 2 to the people that live there to -- to cover that? If 3 it falls -- you know, they're pretty tall. Is it going 4 to land in my land? What am I supposed to do with it? 5 I'm supposed to pay more insurance to have that 6 coverage, to have that taken care of? I don't think so. 7 This is a huge impact for the landowners. Huge. 8 The area that it's coming through, right there, right by 9 the river. I know you had asked -- there was a question 10 about what the parcel or the numbers are. There's a 11 parcel ID number, is all that I have. I'm sure I can go 12 home and get my plat book out and find the details, but 13 it's right there on the river, right next to the river, 14 right next to the train tracks. 15 And so I just appreciate the time to share the 16 impact that would have on me, my family, my -- my family 17 for -- my extended family, of the neighbors that I live 18 by. That's all. 19 HEARING OFFICER HOGAN: All right. Thank you. 20 Ms. Furey, any questions? 21 MS. FUREY: No questions. 22 HEARING OFFICER HOGAN: Mr. Pelham. 23 MR. PELHAM: Thanks for your testimony, 24 Ms. Haugland. As far as any contact at all with the 25 company, did you yourself have any contact with any PAGE 52

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1 representatives of the company? 2 JODI HAUGLAND: No. 3 MR. PELHAM: And you said you got a mailer. 4 Were you aware, was it for like an open house? 5 JODI HAUGLAND: It was just a -- I don't 6 remember the details of it. It was just a white sheet 7 of paper and it had some words on it and JETx. There 8 was nothing -- nothing that stood out like a logo or 9 anything like that. It was just -- looked like -- like 10 I said, looked like junk mail. 11 MR. PELHAM: Okay. And you mentioned a property 12 ID number. Did you say that you had that with you? 13 JODI HAUGLAND: Yeah. 14 MR. PELHAM: Could you give that to us? 15 JODI HAUGLAND: Yes. It's parcel ID number -- 16 it's 25-11-440-44. And I do have Mr. Schwarzrock's 17 number too, if you would like that number as well. 18 MR. PELHAM: I think we have his section so 19 we're okay on his. But thank you. I don't have any 20 other questions for you. 21 HEARING OFFICER HOGAN: Mr. Schock, any 22 questions? 23 MR. SCHOCK: I'm going to come up and open up 24 the map book, and I think I know where you're at, but I 25 want to make sure here, so just give me one second. PAGE 53	1 JODI HAUGLAND: To the -- to the corner. Yep. 2 There's -- there's -- from 38th Street to the corner 3 by -- almost to the train tracks there. And then 4 there's a little -- there's a little parcel of farmland 5 right there, right behind me. 6 MR. SCHOCK: Okay. 7 JODI HAUGLAND: And then after that, then 8 it's -- Mickelson (phonetic) owns that land under there. 9 MR. SCHOCK: Okay. That is helpful. I don't 10 have any other questions. Thank you. 11 HEARING OFFICER HOGAN: Commissioner Kringstad. 12 COMMISSIONER KRINGSTAD: Hi, Jodi. 13 JODI HAUGLAND: Hi. 14 COMMISSIONER KRINGSTAD: Good to see you. It's 15 been a long time. 16 You had mentioned -- and thank you for pointing 17 out on the maps where you are. You had mentioned that 18 when you're attending these township meetings, that 19 you're hearing some things that you're still just, like, 20 not sure about. Can you tell me a little more? Like, 21 what specific outstanding questions on this project do 22 you have? 23 JODI HAUGLAND: I have so many. But like I 24 said, my understanding of a lot of this is -- is just in 25 the beginning phases. I'm concerned of the impact that PAGE 55
1 (Pause) 2 JODI HAUGLAND: So 38th Street is -- this is the 3 river. This is the train track. 4 MR. SCHOCK: (Inaudible). 5 JODI HAUGLAND: Yep. So my land is from -- this 6 is my house. 7 MR. SCHOCK: Okay. 8 JODI HAUGLAND: And I have the land to the 9 corner, all the way from there to there. 10 MR. SCHOCK: (Inaudible). 11 JODI HAUGLAND: Sure. 12 MR. SCHOCK: (Inaudible). 13 So on that map in front of you, which is page 9 14 of 45, was that -- what's this thing called? Bates No. 15 (Inaudible) 0011, so it looks like you're in section 11 16 of 139-63, and you are in the -- the house that's kind 17 of circled with a yellow circle that is in the far 18 southeast -- 19 JODI HAUGLAND: Yes. 20 MR. SCHOCK: -- corner of that section; correct? 21 JODI HAUGLAND: Yes. 22 MR. SCHOCK: Okay. I'm just going to make my 23 note of that. 24 And you had said you kind of own that parcel 25 down -- is it to the corner of that -- PAGE 54	1 it's going to have on the land, on, like, the mental 2 health -- I'm going to throw that out there -- the 3 mental health of everyone. 4 And when I look -- and I haven't seen this map 5 this close up before, but looking at that, that -- my 6 shop is, like, right there. It's, like, right where 7 that line is. How is that going to interfere with all 8 of the things that I have, like the computer stuff, 9 the -- if something breaks, it's right there. What 10 about the effects of that high voltage on the health of 11 myself? But also all the cars and trucks and all the 12 things that are building up there. The lights at the 13 end of the night, the things that are -- like the 14 buzzing, the noises, how loud is it really going to be? 15 Do we really know? 16 Those are -- those are my concerns. And then 17 the concerns of just the ability to have a say of, you 18 know -- we as a township set -- we initially -- it was 19 500, I think, from 50 years ago. Then it was changed. 20 Well, maybe this county can do a thousand. Maybe it's 21 1,500. Well, I'm in that. I'm under the 2,600. And it 22 is so close. 23 And where it comes in, if you look at -- looking 24 at this map, of all of our -- of our individuals who 25 live, like, right, right there, is there a place -- and PAGE 56

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1 I know they talked about -- sorry, Jill, I'm going off a 2 little bit, but they're talking about, well, the owners 3 don't want it there, the owners state they don't want it 4 there. Well, what about us owners? Is it because we 5 don't have enough land? Or why does it have to come 6 here? 7 In looking and going to the cities all the time, 8 I see all of them. They're on the interstates. There's 9 just questions of, you know, at what point does the 10 townships have the rights to make their own decisions 11 without the interference, and landowner rights, and 12 eminent domain. That's the concern. That -- those are 13 the biggest concerns. 14 COMMISSIONER KRINGSTAD: Okay. And when you say 15 your shop is -- is that, like, denoted as one of these 16 white circles on the map or not necessarily? 17 JODI HAUGLAND: No. If there's another one on 18 there that's not on there. 19 COMMISSIONER KRINGSTAD: Okay. 20 JODI HAUGLAND: There's another larger one. 21 COMMISSIONER KRINGSTAD: There's a larger one. 22 Okay. Those are all the questions I had. Thank you. 23 HEARING OFFICER HOGAN: Commissioner 24 Haugen-Hoffart. 25 COMMISSIONER HAUGEN-HOFFART: My question was PAGE 57	1 So in looking at this map, as previously 2 indicated, what do you see? You see coming through this 3 valley a consolidation of what, eight homes in this 4 small, probably mile and a half area from north, south, 5 east, and west. Very concentrated residential homes and 6 families. This is not the appropriate place for this 7 line. It does cross the James River, as we understood 8 is being possibly maybe changed or redirected. As 9 neighbors, we have a lot of concern, as they indicated, 10 as our property values. 11 The issue here is not simply about 12 infrastructure. It's about local control, private 13 property rights, and democracy. North Dakota has a 14 history for local decision-making and the respect for 15 private property. Local zoning authority exists under 16 North Dakota law to protect the health, the safety, the 17 welfare, and the character of our communities. When 18 those protections are set aside to benefit large 19 corporations, public trust is weakened and the voices of 20 the local citizens are diminished. 21 Residents of Homer Township, surrounding rural 22 areas, have spoken clearly and consistently. Local 23 zoning ordinances are not obstacles. They are lawful 24 standards adopted by elected officials to reflect 25 community values. PAGE 59
1 answered. Thank you for your testimony. 2 HEARING OFFICER HOGAN: All right. Thank you, 3 Ms. Haugland. 4 Who would like to go next? Come on up. 5 All right. I'll have you state your name for 6 the record and spell your last name. 7 CINDY BURKLE: Cindy Burkle, B-U-R-K-L-E. 8 HEARING OFFICER HOGAN: And did you hear me go 9 through the penalties for perjury earlier? 10 CINDY BURKLE: Yes. 11 HEARING OFFICER HOGAN: And do you understand 12 what perjury is? 13 CINDY BURKLE: Yes, I do. 14 HEARING OFFICER HOGAN: And being advised of the 15 potential penalties for perjury, do you promise to tell 16 the truth in this case today? 17 CINDY BURKLE: I do. 18 HEARING OFFICER HOGAN: All right. Thank you. 19 Go ahead. 20 <u>CINDY BURKLE,</u> 21 being first duly sworn, testified as follows: 22 CINDY BURKLE: Okay. I'm a resident of Homer 23 Township also. I am directly a neighbor to Jodi to the 24 west. If you want my parcel number, I will give it to 25 you here. 25-11-430-40. PAGE 58	1 As stated before, property values. Our home is 2 an investment. It's our life work and our legacy to our 3 children and our grandchildren. Any permanent loss in 4 value is real and unrecoverable. 5 We do have 10 homes in Homer Township that are 6 under the 2,640-foot zoning ordinance. Ten homes. Now 7 look at your map and count how many of those 10 are in 8 this consolidated area. That is totally unreasonable 9 for the route of this high-voltage electrical line. 10 As stated before, everyone is concerned about 11 the health, safety, and environmental impacts of the 12 high-voltage line. 13 Conflicting statements from Otter Tail Power 14 representatives -- question what we have been told as 15 stated before in other meetings Monday and Wednesday. 16 The on and on offerations -- operations were not true. 17 When assurances changes, confidence disappears. If a 18 loaning -- if local zoning -- if local zoning and 19 community -- I'm sorry -- community voices can be 20 ignored when a developer asks, the local control becomes 21 meaningless. 22 We respectfully urge the Commission to deny the 23 request to override the local zoning and to stand with 24 the residents of North Dakota who call home, the people 25 that have trust in you. PAGE 60

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1 I guess that's -- that's the best I have to say. 2 Again, 545 feet to -- up to 2,575 feet in this small 3 residential area. 4 This was originally proposed to be on the west 5 side of 281. Who gets the right to say? There was 6 resistance here. There was resistance here. When does 7 our resistance in our community become priority? 8 Especially when you are looking at the number of 9 families impacted right here in the valley. 10 We were told at first that this -- that this 11 noise from this line will be heard, this buzzing, under 12 the right weather conditions, will be heard within a 13 half mile. The representative is in this room. 14 I then brought this concern to Chris Koch at a 15 zoning meeting in front of the Jamestown courthouse. I 16 was not very happy. He then told me that he had talked 17 to the person that had made that statement and he was -- 18 that person was not correct. Well, he then further 19 stated that what that individual meant was not a half 20 mile. He meant you could hear it within one and a half 21 miles. Now what did I just say? Before it was a half 22 mile. Now he said you can hear it up to one and a half 23 miles. That is a very conflicting statement. 24 I will not -- I have other things to go over, 25 but they have been concerns of other testimony. And I PAGE 61	1 very nice place to live. Yes. We have lived there -- 2 or we've owned it for 29 years. We have put -- you know 3 how much work it takes to establish a house, a yard, a 4 shop. It is something that is so valuable to us. Now, 5 can you imagine looking over that valley and looking at 6 a bunch of electrical towers? Mr. Koch, has your 7 opinion changed after this construction has taken place? 8 I guess that's all I have to say. 9 MR. SCHOCK: I don't have any other questions. 10 Thank you. 11 CINDY BURKLE: Any other questions? 12 HEARING OFFICER HOGAN: Commissioner Kringstad? 13 COMMISSIONER KRINGSTAD: I originally had a 14 question about some conflicting statements, but I think 15 you went into that for us, and so thank you for that. 16 You had mentioned that you share some concerns 17 and you didn't want to go -- or you had similar concerns 18 to some other testimony that has been given and you 19 didn't want to go into a lot of detail, and I appreciate 20 you, you know, listening to what Judge Hogan said, but 21 if you just -- so when I'm writing this down, like, high 22 level, are there other things? Like, if you have it 23 written down and don't want to read all of it, but if 24 you say, like, "I have, you know, similar concerns to 25 wildlife" or things like that. PAGE 63
1 am open for questions. 2 HEARING OFFICER HOGAN: Thank you. 3 Ms. Furey, any questions? 4 MS. FUREY: No questions. 5 HEARING OFFICER HOGAN: Mr. Pelham? 6 MR. PELHAM: I don't have any questions. Thank 7 you. 8 HEARING OFFICER HOGAN: Mr. Schock. 9 MR. SCHOCK: Just like to -- if you can look at 10 that map page that's in front of you that we were 11 looking at with Jodi, I just want to try to find which 12 dot is your home on this map. 13 CINDY BURKLE: Okay. Did you see where Jodi is? 14 MR. SCHOCK: Yes. 15 CINDY BURKLE: Right to the west. 16 MR. SCHOCK: You're the first one to the west, 17 directly west of her? 18 CINDY BURKLE: Yes. 19 MR. SCHOCK: Okay. That is very helpful. 20 CINDY BURKLE: House kind of up on the hill with 21 a little dot. 22 And Mr. Koch also told me he had the opportunity 23 to see how beautiful the back of our house sits. It 24 sits on top of a hill and it overlooks this whole James 25 Valley. He said that's a beautiful, very nice area, PAGE 62	1 CINDY BURKLE: Environmental, health. 2 COMMISSIONER KRINGSTAD: Okay. 3 CINDY BURKLE: Property values. 4 COMMISSIONER KRINGSTAD: Yep. Health, safety, 5 property. I had that written down. Yeah. I just 6 wanted to make sure I wasn't missing anything and we 7 weren't cutting you off, basically. 8 CINDY BURKLE: Okay. No. I am fine. 9 COMMISSIONER KRINGSTAD: All right. No other 10 questions. Thank you, Cindy. 11 HEARING OFFICER HOGAN: Commissioner 12 Haugen-Hoffart. 13 COMMISSIONER HAUGEN-HOFFART: I have no 14 additional questions. Thank you for your testimony. 15 HEARING OFFICER HOGAN: Thank you, Ms. Burkle. 16 CINDY BURKLE: Thank you. 17 HEARING OFFICER HOGAN: Who would like to go 18 next? 19 CHARLENE JUNG: I will. 20 HEARING OFFICER HOGAN: Come on up. 21 Good morning. I'll have you state your full 22 name for the record and spell your last name. 23 CHARLENE JUNG: Charlene K. Jung, J-U-N-G. 24 HEARING OFFICER HOGAN: And did you hear me go 25 through the penalties for perjury this morning? PAGE 64

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1 CHARLENE JUNG: Yes, I did. 2 HEARING OFFICER HOGAN: And do you understand 3 what perjury is? 4 CHARLENE JUNG: Yes. 5 HEARING OFFICER HOGAN: And being advised of the 6 potential penalties for perjury, do you promise to tell 7 the truth in this case today? 8 CHARLENE JUNG: I will speak my truth. 9 HEARING OFFICER HOGAN: Well, the truth as you 10 understand it. 11 CHARLENE JUNG: Hopefully we match. 12 HEARING OFFICER HOGAN: Okay. 13 CHARLENE JUNG: Yes. 14 HEARING OFFICER HOGAN: All right. Thank you. 15 Go ahead. 16 <u>CHARLENE JUNG.</u> 17 being first duly sworn, testified as follows: 18 CHARLENE JUNG: I'm going to take a deep breath. 19 I invite everybody else to take a deep breath with me, 20 to move out of our heads and into our hearts, because 21 I'm going to speak neutral. 22 If you know anything about me, I am zero 23 politics, but I have learned a lot in 2025 by attending 24 these meetings and hearing adults speak. I was asked to 25 share my expertise. PAGE 65	1 energy field. And that's why I was contacted. 2 But here's the scary thing. This is a book 3 written by Captain Jerry G. Flynn, retired electronic 4 warfare specialist. He worked with the top people in 5 the United States and Canada. He became sick. He wrote 6 a book. I highly suggest everybody in the state of 7 North Dakota get this book, "Hidden Dangers of 5G." 8 But guess what? When I went to all of his 9 recommendations, not just in the states, he goes 10 country, a lot of these websites that talk about high 11 voltage -- my very first example. 2010, U.S. Government 12 agency admits power line EMFs pose serious hazards. 13 That website's been scrubbed along with 75 percent of 14 these websites that this retired warfare general was in 15 top meetings, top, top meetings with the wealthiest of 16 people, the top of the politician pyramid. He knows all 17 sorts of stuff. Those websites are scrubbed. 18 So that's my first fact of what I do for life 19 here on earth, is to point out the facts. Those 20 websites were scrubbed. Why? If there's no danger to 21 our energy field, to our health, then why take these 22 down? Why are they gone? So I'm pointing out facts. 23 I live where these power lines will be. They 24 are going to wreck our land. They are going to wreck 25 our health. They are going to wreck the animals and the PAGE 67
1 HEARING OFFICER HOGAN: Go ahead. 2 CHARLENE JUNG: Thank you. 3 I rearranged my schedule to be here. I'm 4 self-employed. I live on land that was in my family for 5 over 100 years. 6 I work from my home. I help people move out of 7 their head and pay attention to what their heart and 8 soul are communicating to them. So it is my job, my 9 passion, and my life for people to see the bigger 10 picture of why we're here on earth. I'm not against 11 making money. I want the two companies to be very 12 wealthy. I want us all to be very wealthy. But this is 13 a relationship and it's not starting out in a very 14 loving, truthful manner. 15 I've attended a lot of meetings, and there's a 16 part of me that I'm really trying to have stay in its 17 seat because she gets pretty sassy because I can tell 18 when people are not speaking their truth and they're 19 trying to move through a moment. 20 I was contacted to speak about the health 21 concerns of what -- the words that the first gentleman 22 spoke. That's part of my job, is to read between the 23 lines and to feel the energy of what people are really 24 rippling out. He used the word "high voltage." Did any 25 of you catch that? High voltage is not good for our PAGE 66	1 water. We've already discussed all that. 2 But there are some other facts I want you to 3 know. If a project, be it I create it singly or a 4 government creates a new project, three things must 5 happen. Resource of time. The resources must be there. 6 Our resources aren't there. The water is going to be 7 taken out, the land is going to be taken out, the air, 8 the changing the wildlife. All of that is a big red 9 flag for us humans to pay attention that this isn't the 10 route, this isn't the way to do this. 11 This project was started in 2023. We don't live 12 in that energy anymore. At the last township meeting, I 13 was told that this project wouldn't happen until 2027. 14 It was just stated that it's going to start third 15 quarter 2026. This is premature. Premature. This -- 16 this way that they are doing this is already outdated. 17 Even Zuckerberg knows that. That's why he's making his 18 other ways of feeding his creations with energy. This 19 is already outdated material. They need to wait until 20 2027. 21 2026 is going to be a ride, people. It's going 22 to be a ride for us to see if we're going to catch all 23 of the red flags that the energy that makes our heart 24 beat is trying to get our attention. 25 I have never seen -- I don't do this for a PAGE 68

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1 living. So, first of all, thank you for what you do 2 because this is life-sucking. Coming to all of these 3 meetings arguing about something when everybody has 4 their own agenda and they're not seeing the bigger 5 picture. That is my job, to see the bigger picture. 6 They are moving too fast in the wrong way of doing this 7 or there wouldn't be this much pushback. If this was 8 supposed to go where it goes, you wouldn't have -- JETx 9 wouldn't have all of this pushback. 10 That's another red flag that we need to pay 11 attention to. A higher energy is trying to make us pay 12 attention that this isn't the way, this isn't the route, 13 you guys could do better. "You guys" meaning humans in 14 North Dakota. We're not like the rest of the country, 15 so why are we trying to match that? You have lost the 16 vision of people take care of people. We are brought 17 here on this land to take care of it, not to wreck it, 18 not to take it for its own uses when they're already 19 outdated. 20 The health issues are going to be huge. Who's 21 going to pay for those doctor bills? You're going to 22 eat that hamburger that came from those power lines. 23 You are going to drink that water that came from those 24 power lines. It's going to be in the soils. This is 25 not the route. This is not the way. There is better PAGE 69	1 that true, that three people have a say? I'm asking a 2 question. Is that true? 3 HEARING OFFICER HOGAN: As I stated before, this 4 isn't an opportunity to question the Commission or the 5 Applicants. That's not the purpose of public testimony. 6 It's for you to provide information to the Commission. 7 CHARLENE JUNG: Okay. Well, I don't want to be 8 caught lying, but I'm pretty certain that's what I was 9 told, that three people -- I don't even know where they 10 live -- can tell me and my neighbors what we can and 11 cannot do on land that we pay for over and over and over 12 and take care of. 13 So these are my truths that I'm asking all of us 14 as a human to pay attention to, that there is a 15 different route if we're willing to get out of our heads 16 and back into our hearts and start caring about the 17 bigger picture. Because there are health concerns. 18 This is going to be life-altering and premature. 19 Those are my truths. Thank you very much for 20 listening. 21 HEARING OFFICER HOGAN: All right. Thank you. 22 Ms. Furey, any questions? 23 MS. FUREY: No questions. 24 HEARING OFFICER HOGAN: Mr. Pelham. 25 MR. PELHAM: Thanks for your testimony, ma'am. PAGE 71
1 information coming and we need to be patient. 2 It's my job to pay attention when people are 3 talking. When you had asked about road construction, 4 that gentleman coughed several times. He could not give 5 a clear answer because it's not -- he's not getting 6 clear information. And if you talk to any other county, 7 what they were promised and what shows up, two different 8 things. 9 Mother Nature. I don't care what power lines 10 you put up, Mother Nature is going to do what Mother 11 Nature does and nothing that humans create is going to 12 solve that problem. So I have begged at those meetings 13 that they let go of that reasoning of why they're doing 14 this. Because when a power line comes down, I don't 15 care, you can't get anybody power when Mother Nature 16 takes over. So that whole thing about weather, of the 17 reason for this, that's a red flag. We need to pay 18 attention to that. Those aren't truths with a capital 19 T. 20 What's going to happen when we don't have any 21 more natural resources? What's going to happen when you 22 have no more farmland? We need to pay attention to the 23 bigger picture. 24 And is it true that three people have took over 25 township choices? Did I hear those facts right? Is PAGE 70	1 As far as the property that you own, and you 2 mentioned it, is it along the proposed route? Are they 3 asking and seeking easements from you? If you could 4 just describe that for me, please. 5 CHARLENE JUNG: I was contacted. At the time -- 6 I believe now it's been changed a few times, but looking 7 to the east, from the last I heard, it's going to be 8 about a mile away from me. 9 So what I do and what I teach is to help people 10 become quiet, and they come out to my house to do that. 11 And now there will be beautiful power lines to accent my 12 beautiful yard in quieting people's mind and stress and 13 mental health, relational health, emotional health. 14 So they'll probably be about a mile, two and a 15 half miles from the top of Ypsi Hill. So I believe it's 16 on top of Ypsi Hill, is where it's going. So I'll see 17 it. 18 MR. PELHAM: As far as direct communication that 19 you had with the company related to this project, can 20 you describe that? Did you talk to anyone? What was 21 the discussion with the company that you would have had, 22 if any? 23 CHARLENE JUNG: As the women, which I agree with 24 both of the women before me so that's why I'm taking my 25 spot now, I received a couple postcards. I was like, PAGE 72

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1 what the -- threw it, because it was just a postcard. 2 JETx. Remember, I don't do politics. 3 So then I talked to a neighbor and she said 4 there was a meeting at the bunker and it was to send 5 power to homes south of us. And her concern was "I 6 don't want to hold up power from others." And I was 7 like, "I don't either." But then I started to pay 8 attention to people's conversations. 9 And when I finally called the gentleman, he 10 assured me that, yes, it was for homes. But then 11 attending meetings with the JETx crews, there was no 12 real clarification on that. And then they had switched 13 it back to the east side of our land instead of going 14 down 87th. 15 MR. PELHAM: What township do you live in, 16 ma'am? 17 CHARLENE JUNG: Homer. 18 MR. PELHAM: Homer Township. Okay. 19 And did you attend the township meetings then? 20 Is that what you're referring to, or are you talking 21 about the open meetings that the company had, or both? 22 CHARLENE JUNG: Township meetings I've attended 23 and spoke at. That's where the sassy part of me would 24 show up. I've attended to Ellendale meetings a few 25 times. PAGE 73	1 2027 when -- when we step more fully into a higher 2 frequency energy. 3 There are better ways to move power and they're 4 pushing it through to make a buck. And it's -- there's 5 going to be an easier way that doesn't use up our 6 resources. 7 How big those holes are for each power line, 8 that's atrocious. And then the granite, I mean the 9 concrete that's being brought in, the water, that is not 10 in alignment. If this was in alignment, things would be 11 easier. 12 We each have 64 gene codes in us. They each 13 have an archetype. Gene 10 is: easy is right. You 14 cannot tell me that any of this has been easy. That's a 15 big red flag that that isn't the right way. Because 16 easy is right. 17 MR. PELHAM: Appreciate that additional 18 explanation. I don't have any other questions for you 19 right now. Thanks. 20 HEARING OFFICER HOGAN: Mr. Schock, any 21 questions? 22 MR. SCHOCK: Do you happen to know the section 23 number that you live in within Homer Township? 24 CHARLENE JUNG: What is that relevant? I'm 25 in -- I'm on top of Ypsi Hill. I don't have my legal PAGE 75
1 Entirely too many meetings for me. I don't do 2 meetings. I create peace of mind, peace of heart. This 3 makes my heart pound the whole entire time, because it 4 is a lot of untruths being spoken by people who say that 5 they are taking care of us. And I can feel how untrue 6 that is, that they're just trying to get through a 7 moment and push this along. We can't push this along. 8 We're jumping the gun. 9 MR. PELHAM: One of the things you said this 10 morning, ma'am, was, you know, the third quarter 2026, 11 start of construction, you had understood previously it 12 was 2027. And I think you made a comment and you -- if 13 I'm saying it wrong, you tell me I'm wrong -- 2027, wait 14 until 2027. Why? Why is that important in your mind to 15 wait until 2027 specifically? 16 CHARLENE JUNG: Thank you. That's a great 17 question. Because 2026 is going to be a 18 transformational year for humans, especially in the 19 United States. 20 I don't watch the news, but the little clips I 21 get, Minneapolis is showing you a preview of what 2026 22 is about. It's about waking people up, and not in 23 violence ways. It's like, pay attention, pay attention, 24 get out of the head and start looking at the bigger 25 picture. 2026 is going to be chaotic. It's not until PAGE 74	1 descriptions here. I have my license but -- 2 MR. SCHOCK: That's okay. I was just -- 3 CHARLENE JUNG: 23. I don't know. 4 What am I in, Darron? 5 UNIDENTIFIED SPEAKER: (Inaudible). 6 CHARLENE JUNG: It's what? 7 UNIDENTIFIED SPEAKER: I call it the 8 (inaudible). 9 CHARLENE JUNG: Yeah. Been there a hundred 10 years. 11 MR. SCHOCK: Okay. 12 CHARLENE JUNG: Two and a half miles from Ypsi 13 Hill this way. 14 MR. SCHOCK: Okay. That will work. Thank you. 15 CHARLENE JUNG: When you look at the aerial, 16 you're going to see a labyrinth there. That's my house. 17 And a medicine wheel. 18 MR. SCHOCK: Okay. 19 HEARING OFFICER HOGAN: Commissioner 20 Christmann -- I'm sorry -- Kringstad. Was bound to 21 happen at some point today. 22 COMMISSIONER KRINGSTAD: It was. That's okay. 23 Thank you for that clarification on 2027. I had 24 that same question about waiting for 2027, so that was 25 really helpful to me. PAGE 76

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1 You had also said -- mentioned that what was 2 promised and what's showing up are two different things. 3 Were you talking about, you know, like what they're 4 saying this is used for or the routes or -- I just -- I 5 want to make sure that I -- that I'm understanding what 6 you mean by that. 7 CHARLENE JUNG: At every meeting, I asked what 8 this was for. 9 COMMISSIONER KRINGSTAD: Okay. 10 CHARLENE JUNG: I was given kilowatts. And I 11 said, as a business owner, I'm asking just dry bones, 12 how many businesses is this for and how many homes is 13 this for? Again, random answer. I know how many males 14 I deal with in customers and I know how many females. 15 Just -- it's a percentage. It's a number. That's all I 16 was asking. But they give kilowatts and all that. 17 Clarification. What are these lines for? This 18 is going to be a relationship that you want us to be in 19 for over 100 years, and it's starting off with lies. 20 That's not a good marriage. 21 I deal with a lot of people and couples. You 22 got to get rid of the lies and you got to get in the 23 present moment. They don't give straight answers. 24 COMMISSIONER KRINGSTAD: All right. Thank you. 25 I don't have any other questions. PAGE 77	1 which is fine. 2 COMMISSIONER HAUGEN-HOFFART: Okay. Thank you 3 for the clarification. No further questions. 4 HEARING OFFICER HOGAN: Great. Thank you. 5 We are going to take our morning break. Looks 6 like it's 10:45. We will reconvene at 11:00. 7 (Recess) 8 HEARING OFFICER HOGAN: All right. My clock 9 shows 11:00 so we're going to try to get started again, 10 if everybody wants to make their way back to their 11 chairs. And whoever would like to testify next, if you 12 want to start making your way up, I'd appreciate that. 13 All right. Good morning. If you want to state 14 your full name for the record and spell your last name. 15 Hang on, your microphone's not on. There's a -- 16 it says "push." Try it again. 17 ALANA WAGNER: Alana Wagner. 18 HEARING OFFICER HOGAN: Perfect. Do you want to 19 spell it? 20 ALANA WAGNER: W-A-G-N-E-R. 21 HEARING OFFICER HOGAN: Ms. Wagner, did you hear 22 me go through the penalties for perjury this morning? 23 ALANA WAGNER: Yes. 24 HEARING OFFICER HOGAN: And do you understand 25 what perjury is? PAGE 79
1 HEARING OFFICER HOGAN: Commissioner 2 Haugen-Hoffart. 3 COMMISSIONER HAUGEN-HOFFART: Just to expand on 4 your statement that you just gave, is that an example of 5 what you referred to as untruths? 6 CHARLENE JUNG: That I was given? 7 COMMISSIONER HAUGEN-HOFFART: Yeah. You just 8 said what are these lines for, and you explained 9 kilowatts or -- and then you -- prior to that you talk 10 about untruth. You said the word "untruth" several 11 times. Give me an example of an untruth that you're 12 referencing. 13 CHARLENE JUNG: When I wanted to know how many 14 businesses, they could not give me -- would not give me, 15 at least at the one meeting, how many businesses this 16 would be for, and if it was for Ellendale meeting, that 17 big building, if it's for AI or any of that things that 18 are coming. Just tell me if it is or it isn't. But 19 again, if it is, that's outdated information and ways to 20 get that matched. 21 These power lines, I feel, are outdated. 22 They're not the right route to go. I feel that the 23 words that they're using is untruth. But, again, like 24 how I started this whole thing, my truth is different 25 from your truth, my truth is different from JETx truth, PAGE 78	1 ALANA WAGNER: Yes. 2 HEARING OFFICER HOGAN: And being advised of the 3 potential penalties for perjury, do you promise to tell 4 the truth in this case today? 5 ALANA WAGNER: To the best of my knowledge and 6 understanding, yes. 7 HEARING OFFICER HOGAN: All right. Thank you. 8 Go ahead. 9 <u>ALANA WAGNER.</u> 10 being first duly sworn, testified as follows: 11 ALANA WAGNER: Good morning, Commissioners, 12 judge, and staff. My name is Alana Wagner and I am the 13 daughter of Allen and Debra Wald, who are 14 second-generation farmers, and the sister of Lucas Wald, 15 a third-generation farmer who farm northeast of Edgeley 16 in Wano Township. I apologize. I was working, and due 17 to family obligations, I was unable to make the 18 Wednesday meeting in Edgeley. I am sharing my testimony 19 on behalf of myself, my five siblings and our children, 20 my mother, and my late father, in opposition of the 21 proposed JETx transmission line. If you seek 22 understanding of our opposition, my testimony tells the 23 story. 24 Several local landowners, including my mom, my 25 brother, and their neighbors, and five local townships PAGE 80

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1 have brought forward concerns regarding the proposed 2 JETx transmission line, and there has been little to no 3 acknowledgement by local district representatives or 4 senators who seem to be representatives of the Otter 5 Tail-MDU JETx transmission line and so-called green 6 energy corporations instead of their constituents. 7 Recently, legislative bills have been proposed, 8 and one specific bill, HB 1258, sponsored in part by 9 local District Representatives Mike Brandenburg, Jim 10 Grueneich, and Craig Headland, and local Senator Terry 11 Wanzek, was amended to give the Public Service 12 Commission authority to supersede the ordinance -- 13 ordinances and zoning rules of local townships for 14 transmission line projects and was passed and was 15 deliberately made retroactive. This amendment was 16 drafted to support a single project as commented on by 17 Senator Keith Boehm at its legislative hearing in April 18 2025. That single project he's referencing is the JETx 19 transmission line project. 20 To note, the Senate Energy and Natural Resources 21 Committee gave a "do not pass" recommendation with a 22 four to three vote, and two of the three "do pass" 23 voters were bill sponsors Kessel and Patten. 24 Another noteworthy bill introduced shortly 25 before HB 1258 in January 2025 was SB 2208, sponsored PAGE 81	1 To my understanding, and somebody can correct me 2 if I'm wrong, both Representative Brandenburg and 3 Senator Wanzek and their relatives have already signed 4 up for green energy projects that rely on this 5 transmission line and their potential financial gain is 6 quite substantial. 7 Ironically, just a few politicians are doing 8 everything in their power and anything they can get away 9 with to ensure the JETx transmission line gets pushed 10 through. This is clearly political corruption at local 11 folks' expense when the North Dakota Legislature is 12 privileged and trusted to safeguard public interests as 13 is the Public Service Commission. 14 I have listened to the recordings of the Public 15 Service Commission's working sessions regarding the 16 certificate of public convenience and necessity for the 17 JETx transmission line. It seems that this transmission 18 line largely benefits energy developers by increasing 19 so-called green energy capacity that can be transmitted 20 to other states such as Minnesota and Wisconsin to help 21 reach their green or renewable energy goals at ND 22 ratepayers' and landowners' expense. 23 All the local benefits are if when and the sited 24 benefit is getting local congestion out, an issue that 25 currently does not exist and is largely contingent upon PAGE 83
1 again in part by Representative Mike Brandenburg and 2 Senator Robert Erbele, was designed to penalize local 3 governments by withholding funding if they oppose 4 state-approved energy projects, and was defeated by a 5 vote of 27 to 19 in February 2025 after intense public 6 backlash. 7 In April 2025, the House Appropriations 8 Committee, of which Representative Mike Brandenburg is a 9 member, even attempted to sneak an amendment with 10 similar language of SB 2208 into the DOT budget in 11 SB 2 -- 2012. The Senate did not concur and that 12 committee swiftly reconsidered and reversed that 13 amendment. 14 Several ethics complaints have since been filed 15 with the North Dakota Ethics Commission against 16 Representative Mike Brandenburg regarding his 17 legislative conduct in relation to his financial 18 connection with local green energy projects. 19 I myself was at the State Capitol at the 20 legislative hearing on HB 1258 back in April 2025 and 21 witnessed Senator Wanzek comment that unreasonable 22 setback rules threaten to shut down projects that 23 benefit the whole state and this current situation 24 allows a township board and just a few landowners to 25 stop a major project. PAGE 82	1 how many so-called green energy projects tie into the 2 JETx line. Landowner payments as a benefit is a moot 3 point to those who are not interested in selling. So 4 ultimately this transmission line will get paid for by 5 local ratepayers, and so-called green energy for-profit 6 corporations can capitalize on that infrastructure. 7 For example, NextEra Energy, from whom my mom 8 has refused easement contracts, has a net worth of 9 \$168.8 billion and will capitalize on North Dakota state 10 tax credits grants and subsidies and then sell energy 11 produced to local utility companies. 12 Noteworthy -- noteworthy to me is Commissioner 13 Christmann's dissent on November 20, '24, regarding 14 Otter Tail-MDU's joint application for the Certificate 15 of Public Convenience and Necessity that the JETx 16 transmission line should be denied as the Applicants 17 have not met their burden to show the necessity for this 18 investment. It's too bad he is not here today because 19 we would like to thank Commissioner Christmann on his 20 stance. 21 At the legislative hearing on HB 1258, Senator 22 Wanzek also commented sometimes the local folks go a 23 little too far. What's too far? This is prime 24 productive farmland that feeds our great state and 25 nation. This land is local folks' livelihood and now PAGE 84

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1 they are forced to try to protect it since they have 2 lost trust in those that have the privilege of 3 protecting and serving public interests, not private 4 for-profit corporations. 5 The blatant disregard for private property 6 rights and local government control and their alignment 7 with corporate interests of our local senators and 8 representatives is not only unethical, it is downright 9 shameful. 10 The JETx transmission line is only the 11 beginning. As you can see by these maps that locals 12 have made by hand, data centers, battery storage 13 centers, carbon pipelines, solar farms, wind farmers, et 14 cetera -- wind farms, et cetera are the agenda. 15 Taxpayers' dollars are going toward government funding 16 for these so-called green energy corporations without 17 proving to have substantial benefit to local 18 communities. 19 The JETx transmission line is the key piece of 20 the puzzle in bringing these energy projects to our part 21 of the state. The only benefit Otter Tail-MDU have 22 reported to the public is connecting the grid to 23 potentially provide reliability such as during storm 24 outages. Ironically, they already have a contract with 25 Spiritwood Solar LLC, and several so-called green energy PAGE 85	1 before this transmission line and these projects are 2 expanded into North Dakota, our part of the state. We 3 believe North Dakota farmland and ecosystems are worth 4 protecting and preserving. 5 To my understanding, Otter Tail-MDU's 6 Certificate of Public Convenience and Necessity for the 7 JETx transmission line project with current proposed 8 route was unlawfully obtained. According to filed court 9 documents, Otter Tail-MDU attempted to use North Dakota 10 Century Code Chapter 49-03 first without direct notice 11 to the affected townships and landlords and then 12 imported that need finding in the Chapter 49-22, which 13 is exclusive front-end siting and need framework for new 14 115-plus kilovolt transmission lines, a violation the 15 Century Code forbids. Otter Tail-MDU did not follow 16 lawful procedure that should have included mail notice, 17 local hearing and reason finding prior to the PSC -- 18 MS. FUREY: Your Honor, I'm going to object to 19 this line of comment. This is regarding a matter that's 20 completely separate from this proceeding. And as I've 21 commented now numerous times at other public hearings, 22 the North Dakota Supreme Court has held in 1983 that 23 need is not to be a consideration of the Commission in 24 siting proceedings. 25 HEARING OFFICER HOGAN: How much more do you PAGE 87
1 entities have publicly announced their plan to tie into 2 the JETx line. 3 Produce the data on revenue projections that 4 this transmission line and energy projects will not only 5 bring to our state during development but stay in North 6 Dakota long term. Produce the data regarding taxpayers' 7 dollars that will be used to start up and maintain these 8 projects. Produce the data on cost of energy production 9 to local ratepayers in relation to compensation or 10 benefit. Produce the data that ensures this 11 high-voltage line poses no harmful threats to people, 12 animals, or the environment. Produce the data on how 13 these corporations and the state government will respond 14 when something catastrophic happens that contaminates 15 soil or drinking water or harms people or animals or 16 damages infrastructure. 17 I don't think a tornado is selective as to where 18 it's going to hit, and these transmission lines are just 19 as easy -- maybe not just as easily, but can be knocked 20 over by a tornado. 21 Produce a plan of action of what happens when 22 new technology becomes available and these project sites 23 become obsolete and need to be decommissioned. 24 There is a lot of information that needs to be 25 thought -- brought to light and taken into consideration PAGE 86	1 have? 2 ALANA WAGNER: On that topic, a few seconds -- 3 or a few sentences. 4 HEARING OFFICER HOGAN: All right. The 5 Applicants' objection is noted. I will let you finish 6 reading that. And the Commission will have to determine 7 what relevance or weight to give those comments, if any. 8 ALANA WAGNER: Okay. 9 HEARING OFFICER HOGAN: So you can proceed, 10 Ms. Wagner. 11 ALANA WAGNER: As you know, this violation of 12 rights is currently in litigation in Burleigh County 13 District Court. Litigation is a financial burden local 14 landowners and townships would not have had to undertake 15 if due process was followed. 16 Otter Tail-MDU thought they could steamroll this 17 project with manipulation, harassment, and deception 18 instead of following the law. Local landowners and 19 townships clearly are not the problem and never were. 20 As a farm family, we are stewards of our land 21 and it is our duty to protect it. We do not appreciate 22 JETx project representatives harassing and deceiving 23 farmers into signing egregious contracts that give them 24 full control over their farmland for 99 years perpetual 25 in which they can sell, mortgage, or sublease their PAGE 88

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1 land, generational farmland that has been in many 2 families for close to or over 100 years. 3 What other plans do they have for these 4 easements? How do these easements affect landowners' 5 property value, insurability, liability? Are landowners 6 being unreasonable for signing -- refusing to sign these 7 egregious contracts? 8 Otter Tail-MDU are heavily lacking transparency 9 and credibility and it is evident that this project has 10 been poorly executed from the beginning since they chose 11 not to have an honest, open dialogue about the actual 12 purpose of this transmission line. 13 Mr. Weiers just testified to the reliability of 14 the grid and made no mention of green energy projects 15 that are planning to tie into this land -- this line. 16 I have had the opportunity to review Otter 17 Tail-MDU's memorandum in support of requests to declare 18 local land use and zoning ordinances and regulation 19 superseded and preempted. 20 At this time several local landowners have 21 refused to sign easement contracts and five townships 22 have denied conditional use permits. This accounts for 23 30 miles of the 90-mile proposed route. 24 In this memorandum, Otter Tail-MDU are claiming 25 that the township setback rules are unreasonable. The PAGE 89	1 even attempting to supersede and preempt local land use 2 and zoning laws and forcibly take private property. Per 3 their own admittance, they have not done so. 4 But, alas, HB 1258 came in timely retroactive 5 fashion to save Otter Tail-MDU's day, giving the Public 6 Service Commission the authority to supersede and 7 preempt the ordinances and zoning rules of local 8 townships. 9 Otter Tail-MDU have even insinuated condemnation 10 and eminent domain if necessary to get their project 11 done, but they must give just compensation so it's fair. 12 What's fair or just about it? 13 It is taking away private property without 14 proven benefit or necessity. It is taking away land 15 that has been in families for generations, and even more 16 importantly, the promise of generations to come. It is 17 taking the blood, sweat, and tears that have gone into 18 cultivating, nurturing, and sustaining that land. It is 19 taking the hearts and souls of farmers, both past and 20 present, who have dedicated their whole lives to that 21 land. To my family and many others, our generational 22 farmland is priceless. 23 As Senator Boehm commented at the legislative 24 hearing on HB 1258 back in April 2025, every time we use 25 legislation to push something through, we poke the bear. PAGE 91
1 500-foot statewide setback rule for transmission lines 2 was adopted into ND Century Code back on July 1, 1983. 3 It seems reasonable for local townships to update their 4 setback ordinances over 40 years later as technology has 5 progressed. Enacting moratoriums seems reasonable to 6 give townships the time to pause, react, and properly 7 plan in the setting of unexpected and intense 8 development pressure. 9 Have Otter Tail-MDU made efforts to discuss or 10 negotiate setbacks with these townships? 11 In their memorandum, they state that rerouting 12 around Willowbank, Wano, Russell, Corwin, and Homer 13 Townships would be an additional 12 miles and cost an 14 additional \$24 million. While we do not agree that this 15 transmission line is a public necessity, rerouting the 16 line around those townships would be roughly a 5.5 17 percent increase in cost from the proposed 440 million. 18 Does 5.5 percent seem unreasonable? Some businesses 19 charge a 3 percent transactional fee to swipe a credit 20 card. 21 Does shifting the route onto land of those who 22 are in support of the transmission line or so-called 23 green energy projects seem unreasonable? What other 24 alternative routes have they pursued? They should have 25 to investigate and exhaust every possible route before PAGE 90	1 And if it wakes up, the consequences will be far more 2 dramatic. It seems the bear has been poked. 3 Public Service Commissioners, we ask that you 4 please be diligent in your deliberation regarding Otter 5 Tail-MDU's JETx transmission line siting application. 6 Thank you for your time and consideration. 7 (Applause) 8 HEARING OFFICER HOGAN: While I understand this 9 is a public forum, it's also an administrative hearing, 10 so I'm going to ask everyone in the audience today to 11 refrain from clapping and other comments. This is an 12 administrative legal proceeding and those are not 13 appropriate actions for this type of proceeding. 14 Ms. Furey, did you have any questions? 15 MS. FUREY: No questions, Your Honor. 16 HEARING OFFICER HOGAN: Mr. Pelham, any 17 questions? 18 MR. PELHAM: I do. 19 Thanks for your testimony, Ms. Wagner. We heard 20 from your mom, Deb, and your brother, Lucas, already as 21 to the property where the line is proposed to cross. 22 Aside from that, taking that aside because we've 23 heard from them already, do you own any property aside 24 from that, or have any interest in any property where 25 the line is proposed to cross? PAGE 92

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1 ALANA WAGNER: No. 2 MR. PELHAM: Okay. And you gave some testimony 3 about the legislators. I'm just wondering what has been 4 the dialogue that you've had? And I'm not asking about 5 other people or what you've heard, but I'm just 6 wondering if you've had any direct dialogue with any of 7 the legislators that you've mentioned. 8 ALANA WAGNER: I did. It's been a while ago, 9 but I did send email regarding HB 1258 to legislators 10 just, you know, speaking my opposition and reasoning to 11 it. And then I did speak with a few. A few -- well, 12 just very few emailed me back; not even a handful 13 acknowledged it. 14 And then I was at that legislative hearing and 15 witnessed testimony and -- I mean, that's all recorded 16 and whatnot. 17 MR. PELHAM: Sure. And I think you testified to 18 kind of the response, but, I mean, is there anything 19 specific that you receive specifically from any 20 legislators as far as the rationale for how they were 21 viewing this issue? If you can remember. I'm putting 22 you on the spot a little bit. 23 ALANA WAGNER: Just -- just what I heard at that 24 legislative hearing, I mean, just their testimony 25 amongst each other at that -- on the legislative floor. PAGE 93	1 COMMISSIONER KRINGSTAD: Okay. 2 UNIDENTIFIED SPEAKER: -- on what they are. 3 Purple EDF Renewables, Blue is Invenenergy, Green 4 is (Inaudible). Am I saying that right? Yellow is 5 solar, and pink is battery storage. We have them all 6 color-coordinated. 7 MS. FUREY: Your Honor, since this wasn't 8 included within Ms. Wagner's testimony, I do now, since 9 it's been discussed and these maps have been brought up, 10 do want to object to them being even included in the 11 record on several grounds. 12 The first is that, as was just commented, they 13 represent land use agreements with other entities 14 regarding other projects that are not a part of this 15 proceeding. Land use agreements are not relevant to the 16 Commission's decision. 17 Just as the Commission excludes, you know, 18 admitting easements and easement terms into the 19 proceeding, these land use agreements should be excluded 20 or representations of where they're located or what they 21 might encumber should be excluded from the record for 22 the same reasons. Again, they involve entities that are 23 not the Applicants regarding other projects that are not 24 subject to this proceeding that may or may not be built. 25 The second issue is that foundation has not been PAGE 95
1 MR. PELHAM: Sure. Thank you. I don't have any 2 other questions. 3 HEARING OFFICER HOGAN: Mr. Schock, any 4 questions? 5 Commissioner Kringstad? 6 COMMISSIONER KRINGSTAD: Just one. Since you 7 mentioned the maps, I believe in Edgeley we saw the map 8 on the left. Can you just explain, high level, what the 9 one in the middle and on the right is? I just don't 10 think we've seen those before. 11 UNIDENTIFIED SPEAKER: Have you seen the 12 first -- 13 HEARING OFFICER HOGAN: You can look, but when 14 you tell us, you have to be in front of the microphone 15 so we can hear you. Yep. 16 UNIDENTIFIED SPEAKER: (Inaudible). 17 HEARING OFFICER HOGAN: Sure. 18 UNIDENTIFIED SPEAKER: These two were at the 19 Edgeley meeting here. This is -- this is LaMoure 20 County. This is Dickey County. And this is Stutsman 21 County. 22 COMMISSIONER KRINGSTAD: Okay. So it's -- 23 UNIDENTIFIED SPEAKER: Here's the JETx route, 24 and here's the easements that have been signed. And we 25 do have a legend here -- PAGE 94	1 laid for these maps. We don't know what documents were 2 reviewed to make these maps. We haven't been provided 3 any information that would otherwise allow us to 4 validate the accuracy of the information that's been 5 presented in them. 6 HEARING OFFICER HOGAN: All right. The 7 objections will be noted for the record. I think I have 8 already allowed at least two of the three into the 9 record. I don't know if we got the third one. 10 Mr. Schock, did we get -- I think it's Stutsman 11 County we haven't gotten. 12 MR. SCHOCK: Correct. 13 HEARING OFFICER HOGAN: That's new today. 14 MR. SCHOCK: The first two we got in Ellen- -- 15 in Edgeley, sorry, on Wednesday. But the third one, 16 this is the first time we're seeing that one. 17 HEARING OFFICER HOGAN: Okay. And at least my 18 recollection from Edgeley, on one of those, was that 19 they were put together by the Longs and they did testify 20 that day. I think an explanation of the information 21 contained in them was provided. 22 So I'm going to allow them to come in along with 23 the other documents received regarding the public 24 comment -- or public testimony handouts, and the 25 Commission will have to weigh what weight, if any, to PAGE 96

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1 give those documents with the understanding of how they 2 were created and whether or not they're relevant to this 3 project. 4 Commissioner Kringstad, any other questions? 5 COMMISSIONER KRINGSTAD: No. Thank you for that 6 clarification. 7 HEARING OFFICER HOGAN: Commissioner 8 Haugen-Hoffart. 9 COMMISSIONER HAUGEN-HOFFART: I want to thank 10 you for your detailed testimony. I have no questions. 11 ALANA WAGNER: Thank you. 12 HEARING OFFICER HOGAN: Great. Thank you. 13 Who would like to go next? 14 LEVI TAYLOR: Good morning. 15 HEARING OFFICER HOGAN: Good morning. I'll have 16 you state your full name for the record and spell your 17 last name. 18 LEVI TAYLOR: Levi Taylor, T-A-Y-L-O-R. First 19 name Levi, L-E-V-I. 20 HEARING OFFICER HOGAN: And, Mr. Taylor, did you 21 hear me go through the penalties for perjury this 22 morning? 23 LEVI TAYLOR: I did. 24 HEARING OFFICER HOGAN: And do you understand 25 what perjury is? PAGE 97	1 sake of the example, I'll just roll with 75 feet. 2 So when we consider 75 feet of height and the 3 State Century Code of 500 feet, that's 6.67 feet of 4 setback per height -- per foot of height of structure at 5 75 feet. So if we apply that same methodology of 6.67 6 feet to 150 feet, which from my understanding is the 7 height of these structures that'll hold the high-voltage 8 transmission line, that comes out to just a little over 9 a thousand feet. 10 Listening through your technical hearings, I -- 11 I feel like it was relevant that I share that with you 12 guys because we don't really -- 500 feet is just this 13 number that's out there. I don't know, back in -- I 14 think it was 1980s that it was adopted, somewhere in 15 there. I wasn't even born then so I don't even know 16 what the rationale was or how they determined that 500 17 feet as a number. But given the little information we 18 have on that, I felt like that was what I would consider 19 a reasonable methodology to apply towards a different 20 setback other than 500 feet that I personally don't feel 21 is -- is unreasonable. 22 This morning when Mr. Weiers was up here, you 23 guys had asked him whether or not their company, I mean 24 Otter Tail, has gotten all of the conditional use 25 permits that they need for this project, and his answer PAGE 99
1 LEVI TAYLOR: Yes, I do. 2 HEARING OFFICER HOGAN: Being advised of the 3 potential penalties for perjury, do you promise to tell 4 the truth in this case today? 5 LEVI TAYLOR: I do. 6 HEARING OFFICER HOGAN: All right. Thank you. 7 <u>LEVI TAYLOR.</u> 8 being first duly sworn, testified as follows: 9 LEVI TAYLOR: For the record, I just want to 10 state I'm not a landowner involved in this matter. I do 11 serve on the Stutsman County Commission as the chairman, 12 and I wanted to spend a few minutes just sharing with 13 you the process we went through and some clarification 14 on how we came up with our setback for high-voltage 15 transmission lines. 16 So on August 19, our Commission adopted a 17 1,000-foot setback, and I wanted to just explain a 18 little bit of the reasoning as to how we came up with 19 that number. 20 So when we consider, if you will, structures 21 that would support a transmission line that would be 22 less than 345 that run through North Dakota -- for the 23 sake of this example, I'm just going to use 75 feet as 24 a -- as a number. I can't justify or clarify to you 25 whether or not that's accurate everywhere, but for the PAGE 98	1 was yes. But I will tell you that Stutsman County has 2 not received a request for a conditional use permit from 3 their company. And so I don't know as to why, I haven't 4 had an opportunity to ask them, but I thought I would 5 bring that to your attention. 6 And at this point, I guess I would stand for any 7 questions that you guys might have. 8 HEARING OFFICER HOGAN: All right. Thank you. 9 Ms. Furey, any questions? 10 MS. FUREY: Can you just clarify for the record, 11 when did Stutsman County adopt a requirement to obtain a 12 CUP? Was it around the same time as the August 19th 13 adoption of the thousand-foot setback? Is that correct? 14 LEVI TAYLOR: Yes, that is correct. 15 MS. FUREY: Okay. Thank you. 16 HEARING OFFICER HOGAN: Mr. Pelham, any 17 questions? 18 MR. PELHAM: I don't. Thank you. 19 HEARING OFFICER HOGAN: Mr. Schock. 20 MR. SCHOCK: So has Otter Tail had any 21 discussions with Stutsman County? 22 LEVI TAYLOR: Yes, they have. 23 MR. SCHOCK: So did they show up to any of your 24 meetings in the past, and if so, which ones? Just 25 whichever -- whatever you are aware of. PAGE 100

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1 LEVI TAYLOR: From my recollection, they were 2 there very early in the process sharing information 3 about the project, sharing any future meetings, 4 scheduled meetings they were going to have. It appears 5 kind of once we got into that August time frame, that 6 we -- I mean, we didn't really hear much from them 7 anymore. 8 I'm speculating the reason their -- they did not 9 come to us for a conditional use permit was probably 10 because we adopted that after they had submitted their 11 route permit to the PSC. 12 But listening to the technical hearings, they 13 did not -- from my understanding, did not file -- they 14 did not file with you folks that our thousand-foot 15 setback was unreasonable. They mentioned that it seems 16 it could be unreasonable for future projects but not 17 necessarily this one. 18 So I'm just failing to understand why they 19 wouldn't come to us. And, frankly, I feel like it was a 20 slap in the face. I feel like our county has been 21 working with them. We've been going back and forth. 22 And if there's any validity to some of the testimony 23 that I've heard this morning so far, I tend to give it 24 more weight in terms of them maybe not being transparent 25 or easy to work with. PAGE 101	1 that same setback would be roughly a 1,000-foot setback. 2 And that's where you're -- what you're saying is how you 3 came to the thousand-foot setback for Stutsman County? 4 LEVI TAYLOR: That's correct. 5 MR. SCHOCK: Okay. So I do have that correct. 6 I just wanted to verify that. 7 I don't have any other questions. Thank you. 8 HEARING OFFICER HOGAN: Commissioner Kringstad. 9 COMMISSIONER KRINGSTAD: Thank you for this 10 insight to that setback. That's one thing I'm always 11 curious about, is how that number is -- like, was 12 arrived at. And so that was very helpful to me. 13 I do want to clarify to make sure I have the 14 facts straight in my head. Did Stutsman County have a 15 500-foot setback and increase it, or was there no 16 setback at all and you guys implemented a 1,000-foot 17 setback? 18 LEVI TAYLOR: That is correct. From my 19 understanding, we did not -- we did not have, like, a 20 conditional use permit and there was not -- 500, we were 21 going -- if nothing's listed, we revert to whatever the 22 State's -- 23 COMMISSIONER KRINGSTAD: Okay. Sure. 24 And I'm reviewing in my notes, and if -- before 25 I ask you this question, if you don't know the answer, PAGE 103
1 And, again, I'm not a landowner involved in 2 this. I just sit on the commission. But I kind of took 3 that personally, that they wouldn't come to us for a 4 conditional use permit, given how we've worked with them 5 so far. 6 MR. SCHOCK: Okay. That's helpful. 7 I want to go back to what you started out 8 speaking about as far as the setback of 1,000 feet and 9 how you've kind of done this calculation of how you 10 believe it's reasonable. 11 So just to make sure I kind of understand it 12 correctly, so what you're saying is in about 1983, when 13 the original setback was adopted by the Legislature, 14 you're saying structures were, roughly, 75 feet tall. I 15 don't think I would have any information to disprove 16 that; I don't know if that's right or wrong. But we'll 17 just -- for discussion's sake, we'll just say that's 18 what was your starting point. Structures were about 75 19 feet tall. And considering a 500-foot setback, that is 20 approximately 6.7 feet, I think you said, of setback 21 distance per one foot of height of the structure. And 22 if you apply that same 6.7 feet per one height of 23 structure to the -- I don't believe 150 feet is the 24 tallest height of the planned -- for these structures, 25 but it's probably about an average roughly, applying PAGE 102	1 just say you don't know and that's totally fine, but the 2 company did testify at our technical hearings, I have 3 written down, that the current proposed route of the 4 project happens to meet the 1,000-foot setback that 5 Stutsman County has implemented. 6 Is that your understanding as well -- 7 LEVI TAYLOR: That's -- 8 COMMISSIONER KRINGSTAD: -- to your knowledge? 9 LEVI TAYLOR: From the technical hearings you 10 guys had that I listened to, I do remember hearing that. 11 That is correct. 12 COMMISSIONER KRINGSTAD: Okay. And that's 13 from -- like, from Stutsman County's perspective, you 14 believe that that's accurate, that that's an accurate 15 statement -- 16 LEVI TAYLOR: Yes. 17 COMMISSIONER KRINGSTAD: -- from them? Okay. 18 Those are all the questions I had. Thank you 19 for your testimony. 20 HEARING OFFICER HOGAN: Commissioner 21 Haugen-Hoffart. 22 COMMISSIONER HAUGEN-HOFFART: I just have one. 23 You said you're on the Stutsman County Commission; 24 right? 25 LEVI TAYLOR: Yes. PAGE 104

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1 COMMISSIONER HAUGEN-HOFFART: Are you here 2 testifying on your behalf or on behalf of the 3 Commission? 4 LEVI TAYLOR: I'm testifying on my behalf 5 personally. 6 COMMISSIONER HAUGEN-HOFFART: Okay. Thank you. 7 No further questions. 8 HEARING OFFICER HOGAN: All right. Thank you, 9 Mr. Taylor. 10 LEVI TAYLOR: Thank you. 11 HEARING OFFICER HOGAN: Who would like to go 12 next? 13 All right. I'll have you state your name for 14 the record and spell your last name. 15 IAN GILLEY: My name is Ian Gilley, G-I-L-L-E-Y. 16 HEARING OFFICER HOGAN: And did you hear me go 17 through the penalties for perjury this morning? 18 IAN GILLEY: I did. 19 HEARING OFFICER HOGAN: And do you understand 20 what perjury is? 21 IAN GILLEY: I do. 22 HEARING OFFICER HOGAN: And being advised of the 23 potential penalties for perjury, do you promise to tell 24 the truth in this case today? 25 IAN GILLEY: I do. PAGE 105	1 Utilities. The high-voltage grid benefits Xcel Energy 2 in the Fargo area, municipal utilities, as well as 3 electric cooperatives in the region. 4 As North Dakota's agriculture processing sector 5 thrives, oil and gas development moves forward, and our 6 population grows, North Dakota is utilizing a greater 7 share of its generation at home. Not many years ago, 8 North Dakota exported 50 percent of its generation. 9 Today, generation exports have dropped to approximately 10 30 percent. That's not a bad thing, but it does 11 increase the value of transmission to North Dakotans. 12 I have a figure of production and consumption of 13 electricity data in the following table. 14 MISO tracks North Dakota exports as shown in the 15 graphics below. The first slide defines North Dakota 16 exports and demonstrates the measure points in western 17 Minnesota and northeast South Dakota. Due to North 18 Dakota's economic growth, North Dakota is using more of 19 its generated power domestically. 20 The second slide shows that MISO power flows 21 since August of 2022 from east to west are slightly 22 higher than west to east; 1,279 hours versus 1,899 23 hours. 24 While the day-to-day flows on the North Dakota 25 exchange change directions, over the past three years PAGE 107
1 HEARING OFFICER HOGAN: All right. Thank you. 2 Go ahead. 3 <u>IAN GILLEY.</u> 4 being first duly sworn, testified as follows: 5 IAN GILLEY: So I want to start, I'm here on 6 behalf of Tom Oakland, who's the Energy and Economic 7 Coordination office manager for the North Dakota 8 Department of Commerce, as well as Claire Vigesaa, the 9 executive director of the North Dakota Transmission 10 Authority. Those two organizations work together; 11 Commerce looking to increase the business that happens 12 inside North Dakota and the Transmission Authority 13 working with transmission in North Dakota so... 14 Offer testimony in support of the JETx 345kV 15 transmission project. This project provides for 16 enhanced reliability not only for the Jamestown and 17 Ellendale area, but completes a 345kV loop from 18 Jamestown to Fargo to Alexandria to Big Stone to 19 Ellendale and back to Jamestown. The configuration of a 20 loop transmission line provides significant reliability 21 improvements for every community along this path because 22 it allows service to continue either direction from a 23 fault. 24 The benefits of this high-voltage grid goes 25 beyond Otter Tail Power Company and Montana-Dakota PAGE 106	1 flows have gone either direction an equal number of 2 hours approximately. 3 What does this mean for North Dakota? It shows 4 that we are part of the greater grid and are benefiting 5 from generation outside our state. Should an adverse 6 situation occur with North Dakota's generation fleet, we 7 depend on transmission flowing toward North Dakota. The 8 JETx project improves the reliability for such 9 situations. 10 Grid reliability is critical for the safety of 11 our population, especially those on medical devices in 12 their homes. Further, grid reliability is crucial for 13 our ag processing facilities, oil and gas processing, 14 natural security -- sorry -- national security like our 15 military bases and sites, and our ag producers. 16 Reliable electricity ranks right up there with oxygen, 17 water, and food. 18 The way North Dakota produces and uses 19 electricity is changing over time. From 1990 through 20 2007, our generation demand was nearly constant. Yet 21 from 2007 onward, we have increased generation 22 significantly due to wind projects. North Dakota 23 generation increased 35 percent from 2007 to 2025. In 24 the same time frame, our usage is on the rise, primarily 25 with industrial and commercial development. PAGE 108

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1 We support the JETx 345kV transmission project. 2 The project will provide critical transmission services 3 to North Dakota, improving reliability and reducing 4 outage time. This project adds value to our natural 5 resources while enabling future economic development for 6 years to come. 7 Sincerely, on behalf of Tom Oakland and Claire 8 Vigesaa. 9 HEARING OFFICER HOGAN: All right. Thank you. 10 Ms. Furey, any questions? 11 MS. FUREY: Just one brief question. Just so 12 it's clear for the record, are you appearing or are you 13 affiliated with the Department of Commerce? 14 IAN GILLEY: Yep. 15 MS. FUREY: And so that's how you -- 16 IAN GILLEY: Yep. 17 MS. FUREY: -- came into these comments? Okay. 18 Thank you. 19 IAN GILLEY: Yep. 20 MS. FUREY: Appreciate it. 21 IAN GILLEY: Bad weather out of Bismarck this 22 morning. 23 HEARING OFFICER HOGAN: Mr. Pelham. 24 MR. PELHAM: Thanks. 25 Mr. Gilley, what's your title at the Department PAGE 109	1 DAN INMAN: My name is Dan Inman, I-N-M-A-N. I 2 am with Minnkota Power Cooperative. 3 HEARING OFFICER HOGAN: And, Mr. Inman, did you 4 hear me go through the penalties for perjury this 5 morning? 6 DAN INMAN: I did. 7 HEARING OFFICER HOGAN: And do you understand 8 what perjury is? 9 DAN INMAN: I do. 10 HEARING OFFICER HOGAN: Being advised of the 11 potential penalties for perjury, do you promise to tell 12 the truth in this case today? 13 DAN INMAN: I will. 14 HEARING OFFICER HOGAN: All right. Thank you. 15 Go ahead. 16 <u>DAN INMAN</u> 17 being first duly sworn, testified as follows: 18 DAN INMAN: One sec. 19 Commissioners, thank you for the opportunity to 20 provide comments today. As I mentioned, my name -- my 21 name is Dan Inman. I am the senior vice president of 22 Power Delivery and chief information technology officer 23 at Minnkota Power Cooperative. I'm also accompanied by 24 Will Lovelace, Minnkota's engineering supervisor and 25 subject matter expert in transmission planning. PAGE 111
1 of Commerce? 2 IAN GILLEY: I'm an energy innovator fellow. 3 MR. PELHAM: And as far as the material that was 4 provided, is this prepared jointly with the Department 5 of Commerce and the North Dakota Transmission Authority? 6 IAN GILLEY: That's correct. 7 MR. PELHAM: Or who -- who actually prepared it, 8 if you know? 9 IAN GILLEY: Both of them together. 10 MR. PELHAM: I have no other questions. 11 HEARING OFFICER HOGAN: Mr. Schock? 12 MR. SCHOCK: No questions, Your Honor. 13 HEARING OFFICER HOGAN: Commissioner Kringstad? 14 COMMISSIONER KRINGSTAD: I don't have any 15 questions. Thank you. 16 HEARING OFFICER HOGAN: Commissioner 17 Haugen-Hoffart. 18 COMMISSIONER HAUGEN-HOFFART: No questions. 19 Thank you. 20 HEARING OFFICER HOGAN: All right. Thank you. 21 IAN GILLEY: Thanks for your time. 22 HEARING OFFICER HOGAN: Who would like to go 23 next? 24 All right. I'll have you state your name for 25 the record and spell your last name. PAGE 110	1 Minnkota Power Cooperative is a generation 2 transmission cooperative headquartered in Grand Forks, 3 North Dakota. Minnkota is owned by and provides 4 wholesale power supply and transmission services to 11 5 member-owner distribution cooperatives serving rural 6 communities in eastern North Dakota and northwestern 7 Minnesota. 8 Minnkota's primary source of electric energy is 9 from the Milton R. Young Station located in Center, 10 North Dakota. To deliver power from our generation 11 resources to our members, Minnkota owns, operates, and 12 maintains a robust transmission system that includes 13 3,388 miles of transmission line and 265 substations. 14 This transmission infrastructure covers areas stretching 15 from western North Dakota to easternmost member-owners 16 in the northwestern parts of Minnesota, including a 17 major high-voltage corridor such as a 345kV line that 18 runs parallel to I-94 from Bismarck to Fargo, and it 19 interconnects with Otter Tail Power's Jamestown 20 substation. While the JETx project is a MISO 21 transmission line to be owned by Otter Tail Power and 22 Montana-Dakota Utilities, it is located within 23 Minnkota's footprint and interconnects with our system. 24 Minnkota is not a MISO member, but we are a MISO 25 market participant, and due to our interconnected system PAGE 112

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1 with our MISO neighbors, we coordinate with MISO on 2 transmission planning and reliability functions. In 3 addition, Minnkota pays its share of the regional 4 transmission upgrades like JETx based on the utilization 5 of those assets. 6 From our perspective, the Jamestown-to-Ellendale 7 line represents a thoughtful regional investment that 8 provides measurable benefits to the broader transmission 9 system. Minnkota supports the construction of the 10 project. 11 One of the primary benefits of the 12 Jamestown-to-Ellendale line is the improvement to 13 regional reliability and system resiliency, particularly 14 in the Jamestown area and central North Dakota, but with 15 those benefits -- but with benefits extending across the 16 broader region. This area has experienced several 17 significant weather events in recent years that have 18 placed stress on the transmission system. 19 During the winter ice storm in December of 2023, 20 as well as severe weather storms in the summer of 2025, 21 both in June and August, the Jamestown area experienced 22 outages that resulted in the system being electrically 23 islanded due to transmission system damage sustained 24 during those events. These situations highlight the 25 value of having additional transmission pathways PAGE 113	1 ensure reliable, efficient operation of the transmission 2 grid. Investments such as this one demonstrate how 3 coordinated regional planning can deliver shared 4 benefits that extend beyond individual utility 5 footprints. 6 In summary, the Jamestown-to-Ellendale 7 transmission line represents a prudent regional 8 investment, enhances reliability, strengthens 9 resiliency, and improves overall efficiency of the 10 transmission system. By providing additional 11 transmission pathways, reducing congestion, and 12 supporting coordinated regional operations, this project 13 benefits not only North Dakota residents in the MISO 14 market but consumers and utilities across the broader 15 region. Minnkota believes this project advances the 16 long-term interest of the electric grid and supports a 17 more reliable, resilient, cost-effective power system 18 for the communities we serve. 19 Thank you for the opportunity to provide 20 comments today. 21 HEARING OFFICER HOGAN: All right. Thank you. 22 Ms. Furey, any questions? 23 MS. FUREY: No questions. Thank you. 24 HEARING OFFICER HOGAN: Mr. Pelham? 25 MR. PELHAM: Yeah. As far as any role that PAGE 115
1 available to support the load, facilitate restoration, 2 and provide operational flexibility during extreme 3 conditions. The Jamestown-to-Ellendale line enhances 4 grid resiliency by strengthening connectivity and 5 reducing dependency on a limited number of transmission 6 paths. 7 The project also delivers transmission -- excuse 8 me. The project also delivers transmission congestion 9 relief and other economic efficiency benefits such as 10 deferral of other transmission upgrades within the 11 region. Transmission constraints can limit the 12 efficient generation of flow of power across the region, 13 which can lead to increased costs and reducing 14 flexibility for utilities and consumers alike. By 15 reinforcing the transmission network between Jamestown 16 and Ellendale, this line helps to relieve congestion, 17 reduce constraints, and improve overall system 18 performance. Over time, these improvements can 19 contribute to more efficient market outcomes and help 20 moderate the congestion-related costs. 21 From Minnkota's standpoint, this project also 22 reflects the value of regional collaboration and 23 coordination among utilities. While Minnkota is not a 24 MISO member, we actively participate in the MISO system 25 and work closely with our neighboring utilities to PAGE 114	1 Minnkota Power Cooperative has in the proposed JETx 2 line, is there any direct role that it plays? 3 DAN INMAN: No, not that I'm aware of. 4 MR. PELHAM: So the testimony here today -- and 5 obviously you just read it and we have it. There is not 6 any direct investment or any type of coordination 7 between Otter Tail, MDU, the JETx project, and Minnkota 8 Power Cooperative; correct? 9 DAN INMAN: No. We'll be impacted by it once it 10 is constructed, but no actual cost except for the costs 11 as we would pay for any MISO services associated with 12 what -- with what we would use. 13 MR. PELHAM: Thank you, sir. I don't have any 14 other questions. 15 HEARING OFFICER HOGAN: Mr. Schock. 16 MR. SCHOCK: What do you mean by you will be 17 impacted by it once it's constructed? 18 DAN INMAN: We'll also benefit from that in the 19 event that we have some severe storms, referencing back 20 to the storms that occurred last summer. When we 21 actually went down, for example, the 2023 storm, 22 Jamestown was islanded for about 34 hours; June of -- 23 20th of 2025, about 29 hours; and then in August it was 24 24 hours. That impacts our membership as well. 25 MR. SCHOCK: Okay. Thanks for the PAGE 116

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1 clarification. No other questions. 2 HEARING OFFICER HOGAN: Commissioner Kringstad. 3 COMMISSIONER KRINGSTAD: Just a couple. 4 You'd mentioned a couple times in your testimony 5 about like this project providing additional 6 transmission pathways. Are you talking about -- is that 7 another way of referencing like a transmission loop you 8 hear about sometimes? 9 DAN INMAN: Yeah. I think the person before us 10 was talking about the long-term plan for that. 11 For us -- because we are interconnected to the 12 Jamestown line. So we've got one line that comes into 13 the Jamestown substation at the Otter Tail facility and 14 another line that goes out towards Fargo. So from 15 Bismarck to Fargo, having that additional 345kV line 16 will give us another path. So say, for example, the 17 line to Bismarck goes down, I still have redundancy as 18 it relates to coming up from Ellendale over to the Fargo 19 area and still meet my memberships' needs. 20 COMMISSIONER KRINGSTAD: Sure. I'm going to put 21 you on the spot a little bit here because this is -- one 22 thing I found working in this industry, it's very highly 23 technical and so I always like to pick people with more 24 of an engineering background to try and get them to 25 explain a very technical engineering concept maybe like PAGE 117	1 DAN INMAN: Correct. 2 COMMISSIONER KRINGSTAD: -- yes, on a line; 3 right? Like that's kind of another important piece to 4 this. So like if we just have a line that is straight 5 and goes here to there, line breaks or goes down for any 6 reason, there's no way for power to flow anymore; right? 7 DAN INMAN: Not unless you have that loop that's 8 going to connect the other end. 9 COMMISSIONER KRINGSTAD: Right. So if you have 10 a loop now and part of your -- made up of however many 11 lines, two or three lines, one of your lines goes down 12 so you can't go this direction, you can flow power the 13 other direction -- 14 DAN INMAN: Correct. 15 COMMISSIONER KRINGSTAD: -- and still maintain 16 reliability to that; correct? 17 DAN INMAN: That is correct. Yes. 18 COMMISSIONER KRINGSTAD: Okay. Thank you for 19 that explanation. 20 HEARING OFFICER HOGAN: Commissioner 21 Haugen-Hoffart. 22 COMMISSIONER HAUGEN-HOFFART: Thank you, Dan. I 23 have some questions regarding the RTOs. 24 DAN INMAN: Okay. 25 COMMISSIONER HAUGEN-HOFFART: You indicated in PAGE 119
1 in layman's terms to someone like me who's not an 2 engineer. 3 So when we talk about like these additional 4 lines or like a transmission loop, can you kind of bring 5 it down a level to like what a transmission loop is and 6 then how having one in a system impacts reliability? 7 DAN INMAN: Great question. Let's see if I can 8 paint the picture. 9 So if you think about a loop and on that loop 10 you would have multiple different substations. So as 11 you got different segments on that substations, you're 12 going to have different interconnection points at each 13 one of those nodes, for lack of a better term. So as 14 one segment goes down, you have reliability from the 15 other segments. 16 Now if you have multiple different segments, 17 you're hoping that you're going to have an 18 infrastructure that can support that too outside that 19 loop that's feeding that loop. But it gives you more 20 reliability if you do have weather-related issues, 21 anything related to equipment failures, or anything like 22 that. You're just going to be able to maintain power 23 throughout that coordinated control loop. 24 COMMISSIONER KRINGSTAD: Sure. Because, like, 25 power can flow both directions -- PAGE 118	1 your testimony you're -- Minnkota is not a MISO member, 2 but we are MISO market participants. 3 DAN INMAN: Correct. 4 COMMISSIONER HAUGEN-HOFFART: Do you want to 5 define that more on what that means as a MISO 6 participant? 7 DAN INMAN: So we have access to the 8 transmission lines of MISO members, for example, Otter 9 Tail, and we're able to utilize those services. There's 10 a fee that we'll have to pay for the use. 11 Minnkota has enough generation and transmission 12 supplies to meet our members' needs. If for some reason 13 something went down on our system, then we'd have to pay 14 somebody else to actually have some of that transition 15 of the power to get to that membership for whatever the 16 cost may be. 17 I might actually get you a better answer if I 18 pull Will Lovelace up here too. He might have a better 19 explanation for you. 20 COMMISSIONER HAUGEN-HOFFART: No. That's fine. 21 DAN INMAN: Okay. 22 COMMISSIONER HAUGEN-HOFFART: Minnkota is a 23 member of SPP; right? 24 DAN INMAN: No. We're a member of -- well, 25 we're a member participant of MISO. They are our PAGE 120

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1 reliability coordinator. 2 COMMISSIONER HAUGEN-HOFFART: Okay. You 3 explained it as far as -- so when the tranches were 4 being discussed, as a MISO market participant, you had 5 some input into that, or you do? 6 DAN INMAN: I believe we were able to see what 7 was discussed and we supported the plan as it related to 8 the tranches. Again, my transmission planner would 9 probably have a better answer for you that would be more 10 accurate. 11 COMMISSIONER HAUGEN-HOFFART: I mean, I'm fine. 12 But as being a participant, you do have some -- 13 DAN INMAN: So when MISO is doing a study that 14 could impact Minnkota systems or Minnkota is doing a 15 study that would impact other MISO members, we work 16 together to ensure that the impacts are limited, so that 17 they're low. 18 Now, if there is going to be an impact, for 19 example, there's a line that's going in that would 20 impact our system, then we want to look at what upgrades 21 we might need in order to meet the necessities of those 22 systems that are bringing more load online, more 23 generation online. 24 So we are intertwined, if you will, and we do 25 participate with -- with MISO's transmission planning PAGE 121	1 <u>LEON WESTERHAUSEN.</u> 2 being first duly sworn, testified as follows: 3 LEON WESTERHAUSEN: I've been taking notes 4 throughout the hearings here today and other hearings. 5 I've mentioned -- I spoke at the other two hearings and 6 I was in attendance at the technical meetings. 7 The wind storm -- ice storm of December '23, it 8 was mentioned that large-load customers had to be 9 curtailed due to the power failure coming from the west. 10 In my research, Jamestown uses 30 to 35 megawatt. The 11 peaking plant on the east side of Jamestown, which I 12 believe was put in place to ensure Jamestown power in 13 case of an event like this, produces 40 to 45 megawatt. 14 The Great River Energy power station at Spiritwood is 99 15 megawatt. It's very close to Jamestown on the east 16 side. 17 Energy flows east to west. As part of the 18 testimony here today, the line they're putting in will 19 flow north to south, connecting Jamestown to Otter 20 Tail -- or to Ellendale. 21 My question is, if Jamestown uses 30 to 35 22 megawatt, the peaking plant produces more than that, and 23 just east of that is 99 megawatt, could it be 24 coincidental that the data center north of town, 25 Jamestown, according to Victor Schock, is permitted for PAGE 123
1 group. 2 COMMISSIONER HAUGEN-HOFFART: Okay. I have no 3 further questions. Thank you. 4 HEARING OFFICER HOGAN: All right. Thank you, 5 Mr. Inman. 6 MR. INMAN: Thank you. 7 HEARING OFFICER HOGAN: Who would like to go 8 next? 9 All right. I'll have you state your name for 10 the record and spell your last name. 11 LEON WESTERHAUSEN: Leon Westerhausen, 12 W-E-S-T-E-R-H-A-U-S-E-N. 13 HEARING OFFICER HOGAN: And did you hear me go 14 through the penalties for perjury this morning? 15 LEON WESTERHAUSEN: Yes. 16 HEARING OFFICER HOGAN: Do you understand what 17 perjury is? 18 LEON WESTERHAUSEN: Yes. 19 HEARING OFFICER HOGAN: Being advised of the 20 potential penalties for perjury, do you promise to tell 21 the truth in this case today? 22 LEON WESTERHAUSEN: Yes. 23 HEARING OFFICER HOGAN: All right. Thank you. 24 Go ahead. 25 PAGE 122	1 80 megawatt? Was that the load -- high-load customer we 2 had to curtail? Why were the smaller loads curtailed? 3 That should have had enough power. 4 And if we get power from the east or from the 5 west -- I'm not an electrical engineer, but I've worked 6 with electricity, both in the auto industry and home 7 wiring, worked as an apprentice electrician, that if we 8 had power coming from the east, it would flow until that 9 bridge broke in the road. So (indiscernible) speaking, 10 you have a break this big, the flow from the west cannot 11 cross it, the flow from the east cannot cross it. If 12 the flow was blocked from the west to Jamestown, could 13 not power be purchased from the east to power it? 14 A transmission line is very similar to a road. 15 A road does not connect Jamestown to Ellendale going 16 south without connecting it going north. Therefore, 17 again, it can move from either direction. 18 Interstate 94 was installed to connect several 19 states together on a major highway network. I-29 was 20 made to go from north to south. Now, if you didn't have 21 any roads connecting to Interstate 94 and you didn't 22 have any roads connecting to I-29, would you have a need 23 for an interstate connection? 24 Reliability and strength is what it's all about, 25 they say. You can provide a little more reliability in PAGE 124

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1 giving it another route, but you can't build strength 2 without adding generation. 3 Brandenburg spoke in Edgeley of future projects 4 coming that are going to require more load. You're 5 moving electricity. You're not increasing availability. 6 This project came in front of us in '23. But in 7 Edgeley I testified that Tranche 1 was in the planning 8 20 years ago. Why was the information kept hidden until 9 now? 10 We cannot talk about new generation coming along 11 because it's not part of this particular project when, 12 in fact, it really is. Because once you get through the 13 surface, it's not about moving power north and south. 14 It's about taking clean energy to the MISO grid. 15 In that testimony I gave the other day, it was a 16 sheet of paper that I got off the internet that had 17 Otter Tail across the top and went on to discuss that 18 information, and it said it was -- this Tranche 1 was to 19 help make Minnesota 100 percent carbon free by bringing 20 clean energy out of the Dakotas. 21 I understand the people that are for it telling 22 us and the people in front of me that it's reliability. 23 I believe that's just a smokescreen. Because I've had 24 children grow up, no longer living at home, but I 25 remember when they were ready to get a driver's license, PAGE 125	1 And then I hear in these meetings some of the 2 reason the line went down was an old, aged line that was 3 deteriorating. Seems strange. If they're doing all the 4 maintenance required, that line should be in the same 5 shape it was when they built it. Everything should be 6 repaired as needed. If they're not repairing it as 7 needed, it brings in another safety concern. 8 Give me some time. I didn't have time last 9 night to write this up. I'm working from notes. I had 10 to take my wife to the emergency room. 11 We talk about EMFs. I brought it up previous. 12 I'd like to touch on that a little bit more. They have 13 a chart in the -- in the little book there that shows 14 the EMF level of their power line, and then they compare 15 it to the EMFs of things like radios, microwaves, et 16 cetera. My microwave -- our microwave, in most 17 instances, probably don't see five minutes a day. The 18 EMFs from the voltage line is 24/7. The leases are 19 99-plus years. Long term versus short term. Don't see 20 studies really based on that. 21 And one thing, when I was studying these EMFs, 22 there are people that are hypersensitive to these EMFs 23 and develop other symptoms as well. EMFs get stronger 24 based on voltage and power. The higher the voltage, the 25 higher the EMF level. There's no study that says this PAGE 127
1 they offered, "We can haul the other kids to practice, 2 we can run errands, we can pick up your groceries." And 3 we all knew that really wasn't the real reason. And it 4 was proven when they came home seven hours later with an 5 empty tank of gas. They didn't just go to the grocery 6 store, and the excuse was to go see friends and hang 7 out. 8 So I think a lot of this power that we talk 9 about does have something to do with the line. And 10 that's as much as I want to continue on that one and I 11 want to move on to another subject. 12 They talk about they'll do all the required 13 maintenance that is needed. When I think of 14 maintenance, which I've been involved with my whole 15 life, required maintenance is to keep everything you're 16 working on at peak performance. 17 I started in the auto industry. A tune-up back 18 in the '60s and '70s was to put in new sparkplugs, 19 condenser, and points. When I went to college, and I'd 20 been working on things before I went there, the 21 instructor asked, "What is a tune-up?" You'd be 22 surprised that about 90 percent of them said plugs, 23 points, and condenser. He said, "No. A tune-up is 24 returning it to the original peak performance that it 25 was designed to do." PAGE 126	1 specific EMF level is safe. There are studies that say 2 EMFs don't cause it, EMF does, back and forth, but 3 there's never been a study that says this particular 4 amount of EMF is safe. 5 I'm a township supervisor, recent township 6 supervisor. I take that position quite seriously. I 7 feel my job as a supervisor is to work with the citizens 8 that reside in the township. And I listen to their 9 concerns. I've called them, talked to them. Don't get 10 all of them. I've asked them to come to meetings. 11 They've showed up. I think local governing at a 12 township level, county level, city level is about the 13 people that reside in their governing zone. We have to 14 do whatever it takes to try and make sure that their 15 safety and their concerns are reasonably meant -- 16 reasonably met. 17 Originally the plan was put into place and it 18 said that they would work with all of the applicable 19 entities. 1258 came across and gave the PSC total 20 control of siting for a transmission line. It was 21 brought up after -- introduced after there was some 22 opposition and retroactive, trying to prevent any new 23 opposition to interfere. 24 When I look at 1258 -- and I was at the 25 committee hearing. I was at the Senate vote. I asked PAGE 128

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1 our senator for District 29 if we could get a no vote 2 from him. He told me he couldn't help me. I think 3 that's quite a bit of difference in the two people. I, 4 as a county -- or township supervisor, am there to serve 5 the people of my township. I believe the senator should 6 have been there to serve the people of his district. 7 I have mentioned other routes going through 8 Winfield and Ypsilanti. Levi Taylor says it does not 9 impact his land. That's because it doesn't go through 10 Ypsilanti Township. There's a considerable amount of 11 land in Ypsi Township that is owned by the Headlands, 12 the Wanzeks, and Levi Taylor. Is that why it doesn't go 13 through Ypsi Township? Winfield and Ypsi Township has 14 less constricted areas of residencies. 15 It -- the two townships -- I see it, the two 16 townships are directly below the Spiritwood power 17 station, which this line is going to connect to. And I 18 believe the shortest distance is a straight line. 19 Mr. Headland, at a town meeting, said they can't 20 zigzag all over the place to go around people. You can 21 look at the map. There's a lot of zigzags. You drive 22 to Minneapolis, they switch the sides -- side of the 23 road, they go around the on and off ramps. I think they 24 can zigzag a little bit. 25 They say it's 12 miles extra to move it. I PAGE 129	1 Fish and Wildlife easements. 2 In the meeting today, I found something that 3 gave me a little bit of a chuckle. Stutsman County set 4 their setback at a thousand feet. Got a description 5 that it was based on the height of the poles and 6 6 percent of whatever, per foot or whatever; went from 75 7 to 150 feet. A little simpler math would be they 8 doubled it due to the doubled size of the pole, 500 to 9 1,000, because the pole is two times higher. But what I 10 found to be a little peculiar in that is they based it 11 on pole height. I think when you think of safety, you 12 should base it on the voltage, the power of the current. 13 I have one other final thing to add and it's on 14 1258. If our legislators and senators propose a bill to 15 override the local township zoning, county, city, after 16 the fact of a project being introduced, will they do it 17 to future projects? Will the townships, the counties, 18 and the cities have anything to say about other projects 19 that affect their -- their area? 20 I just thought of one more and I want to get it 21 in. And a lot of people are probably going to say it 22 has nothing to do with it, but listen and weight it. 23 Not too many years ago, when you consider the 24 length of the world in the time that we've been here -- 25 what is it, a little over 200 years that we've been the PAGE 131
1 think it would have been no extra miles if they'd have 2 put it there in the first place. It seems kind of odd 3 that you would zigzag to the west to go through a more 4 populated area and then farther south, zig back back to 5 the east. Adds miles. And why would you go to a 6 congested area if you didn't have to? 7 I have here one of the pages. Victor Schock 8 handed them to me at the technical meeting. Earlier in 9 the meetings, Chris Koch said he couldn't go -- they 10 couldn't -- they had to turn it down, they couldn't go 11 south because of Indian artifacts. Indians lived here a 12 long time. I don't think there's anywhere in North 13 Dakota you couldn't find an Indian artifact. 14 Levi Taylor, when I talked to him, he said it's 15 Fish and Wildlife easements. When we checked with Fish 16 and Wildlife, they said they work with them. 17 But in Otter Tail's project planning, it lists 18 Homer, Winfield, Ypsilanti, Corwin, and Montpelier 19 Townships. Multiple route alternatives that would avoid 20 Corwin and Homer Townships were reviewed due to proposed 21 changes to local ordinances. These route alternatives 22 were rejected after being denied right of entry on the 23 new parcels that would be affected. These route 24 alternatives would shift impacts to new landowners. 25 I don't see anything about Indian artifacts or PAGE 130	1 United States of America, 250, I believe -- the 2 settlers, with the help of the government, proceeded to 3 take land from the Native Americans because they felt 4 they had a much better need for it. We've done the same 5 thing with minority groups forever. When somebody 6 decides they have a better need for something, they feel 7 they have a right to take it. 8 I purchased -- I -- we purchased our property in 9 1995. The house had been vacant for 14 years. It's a 10 full two-story house, square. The barn was leaning to 11 one side and would rock in the wind. When we drove out 12 to look at this property that we'd been looking for -- 13 because we wanted to get out in the country. My wife 14 wanted to do some cattle ranching; never worked out to 15 be a big ranch but she still has cattle, raised very 16 good, quality beef. She weans them in October, 700 17 pounds. Others sell them in January at 570. 18 When we drove out there, we noticed there's 19 hardly any poles. Power lines are buried. I looked at 20 my wife and I said, "I don't think we have to worry much 21 about storms out here. The power is all underground." 22 And we've had very reliable electricity. We had 23 reliable electricity through the December storm. We had 24 reliability through the summer storms of '25. 25 We've remodeled the house. We built onto it. I PAGE 132

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1 straightened the barn and braced it. We had it re-sided 2 and a new roof put on it. I made and installed all the 3 windows. And we've made this our place till we die and 4 pass it on to our children and grandchildren. 5 But if we're going to let these things come in, 6 shrink our environment, our dreams and wishes are down 7 the tube. We won't be able to go outside and listen to 8 the crickets cricket -- chirp, that is. We won't be 9 able to listen to the frogs croak. And I don't mean 10 die. 11 I drive a convertible as much as I can. I've 12 got three of them. The best time to drive a convertible 13 is morning and night. When the sun's going down, you 14 get to hear all this. In the morning you get to hear 15 all the birds. You really think I want to go driving 16 along the road and listen to the lines crackle? 17 The noise that these lines produce are based on 18 dust, snow, rain, humidity. As you increase the 19 humidity, the noise gets louder, evenings when the 20 humidity rises, the dew. In the summertime when the 21 winds are blowing and the road dust and field dust is 22 blowing, lines increase in noise. 23 We've asked for 2,640 feet in Corwin Township. 24 It was done before I was a supervisor. But these people 25 took a lot of time and they considered a lot of PAGE 133	1 HEARING OFFICER HOGAN: Mr. Pelham. 2 MR. PELHAM: Thanks for your testimony today and 3 the other two hearings, sir. I don't have any questions 4 for you. 5 HEARING OFFICER HOGAN: Mr. Schock. 6 MR. SCHOCK: Good to hear from you again, Leon. 7 No questions. 8 HEARING OFFICER HOGAN: Commissioner Kringstad. 9 COMMISSIONER KRINGSTAD: I don't have any 10 questions because I think you clarified it when you were 11 talking, when you said you were the township supervisor. 12 I just wanted to verify that that was for Corwin 13 Township, but you answered that later on. 14 LEON WESTERHAUSEN: And I'm not representing 15 Corwin Township. This is me. 16 COMMISSIONER KRINGSTAD: Sure. Yeah. 17 And, you know, we don't give out a perfect 18 attendance award, but if we did, it would have your name 19 on it. So thank you for being part of our process. 20 LEON WESTERHAUSEN: It doesn't come easy, but 21 you have to do what's important. 22 COMMISSIONER KRINGSTAD: Thank you. 23 HEARING OFFICER HOGAN: Commissioner 24 Haugen-Hoffart. 25 COMMISSIONER HAUGEN-HOFFART: Thank you for PAGE 135
1 considerations. They started with a mile. They tried 2 to work with Otter Tail with 2,640 feet. 3 I think that -- we don't have the control 4 because it's been taken away from the local townships, 5 but I would ask the Public Service Commission to 6 consider highly the decisions of the townships. 7 Give me just a second. I lost my train of 8 thought here for a second. I'll try to get it back. 9 I don't know if I mentioned at the technical 10 hearing, the Applicants asked to scratch a line in the 11 original planning -- project plan, and the line was 12 about working with the applicable utilities and listed 13 the townships and whatever. And they wanted that 14 scratched because 1258 overrode that. And now when they 15 speak, they say they'll work with all the applicable 16 entities, which means to me they're only willing to work 17 with the PSC. 18 I thank you for your time. I thank you for all 19 the opportunity to share input. And I ask you to do the 20 right thing. God has always put it in our hearts and 21 instilled on us that we know right from wrong. So I 22 trust you in doing the right thing. 23 HEARING OFFICER HOGAN: All right. 24 Ms. Furey, any questions? 25 MS. FUREY: No questions. PAGE 134	1 being at all our hearings and I wish your wife all the 2 best. 3 LEON WESTERHAUSEN: Thank you. 4 HEARING OFFICER HOGAN: All right. Thank you. 5 Can I have -- whoever wants to testify, can I 6 have you raise your hand just so I can see how many more 7 we have? 8 Given the number of people that we have yet, I 9 think we're going to take a lunch break and come back 10 after lunch. All right. We're going to break and we 11 will reconvene at 1:00. All right. 12 (Recess) 13 HEARING OFFICER HOGAN: All right. All right, I 14 think we are going to get started again. We will 15 continue with public comment. 16 And thank you. I don't have to ask anybody to 17 come forward. So I'll have you state your full name for 18 the record and spell your last name. 19 LUCAS WALD: Lucas Wald, L-U-C-A-S, W-A-L-D. 20 I'm here on behalf of Wano Township. I'm just going to 21 put some -- 22 HEARING OFFICER HOGAN: Hang on. I'm going to 23 swear you in, just in case there's questions or 24 whatever. 25 LUCAS WALD: Yep. PAGE 136

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1 HEARING OFFICER HOGAN: Did you hear me go 2 through the penalties for perjury? 3 LUCAS WALD: Yes, I did. 4 HEARING OFFICER HOGAN: And do you understand 5 what perjury is? 6 LUCAS WALD: Yes, I do. 7 HEARING OFFICER HOGAN: And being advised of the 8 potential penalties for perjury, do you promise to tell 9 the truth in this case today? 10 LUCAS WALD: Yes, I do. 11 HEARING OFFICER HOGAN: All right. Thank you. 12 Go ahead, Mr. Wald. 13 <u>LUCAS WALD.</u> 14 being first duly sworn, testified as follows: 15 LUCAS WALD: Okay. I'm just here on behalf of 16 Wano Township. I'm just going to put some paperwork 17 into the record. I had one copy that I handed out on 18 Monday -- on Wednesday at the Edgeley meeting. But I 19 got copies for everybody. And, like I said, I'm just 20 going to put them in for the record. So that's all. 21 HEARING OFFICER HOGAN: Before you leave us, I 22 know you were providing some information on those maps 23 over there. 24 LUCAS WALD: Yep. 25 HEARING OFFICER HOGAN: Did you help create PAGE 137	1 Just to confirm, this is a copy of the document 2 that you previously submitted? 3 LUCAS WALD: Yes. I did one copy. There's four 4 in the sheets. But I just gave one copy; thought since 5 I wasn't reading it, it just could go to the PSC, but 6 then they -- they handed it out -- 7 MS. FUREY: Gotcha. 8 LUCAS WALD: -- until it ran out, I guess. So 9 now I did six copies so everybody had a copy. 10 MS. FUREY: Thank you. So nothing new from -- 11 LUCAS WALD: No, nothing new. 12 MS. FUREY: Okay. That was -- that's my 13 question. 14 And then, Your Honor, I guess I would just renew 15 our objection to the maps on the same grounds that I 16 previously mentioned, lack of foundation and relevancy. 17 HEARING OFFICER HOGAN: All right. Those are 18 noted. 19 Mr. Pelham, any questions? 20 MR. PELHAM: I don't. Thank you. 21 HEARING OFFICER HOGAN: Mr. Schock. 22 MR. SCHOCK: No questions, Your Honor. 23 HEARING OFFICER HOGAN: Commissioner Kringstad? 24 COMMISSIONER KRINGSTAD: No questions. Thank 25 you again for being here today and for the clarification PAGE 139
1 those? 2 LUCAS WALD: My mom created them, or created the 3 Stutsman County maps. 4 HEARING OFFICER HOGAN: The Stutsman County one. 5 Okay. 6 LUCAS WALD: She used the same -- same way that 7 Susan and Richard did. But they did not do those. She 8 did that map. 9 HEARING OFFICER HOGAN: Okay. 10 LUCAS WALD: And they did them first, too. 11 So -- and I don't -- I guess I don't know if we'll -- if 12 we have to put it in the record or -- I mean, it's -- 13 there's probably still some stuff that needs to go on 14 the map, but it was such a big area that she -- I don't 15 know if she finished it completely. So there was some 16 debate whether to put it up or not but -- so that's how 17 that ended, I guess. 18 HEARING OFFICER HOGAN: Okay. Well, I'm going 19 to go around and make sure -- since you're here on 20 behalf of the township, I'm just going to make sure 21 there isn't any questions for you. 22 LUCAS WALD: Okay. 23 HEARING OFFICER HOGAN: Ms. Furey, any 24 questions? 25 MS. FUREY: No questions, just a couple items. PAGE 138	1 on the -- 2 LUCAS WALD: Yep. 3 HEARING OFFICER HOGAN: Commissioner 4 Haugen-Hoffart. 5 COMMISSIONER HAUGEN-HOFFART: No questions. 6 Thank you. 7 LUCAS WALD: All right. Thank you. 8 HEARING OFFICER HOGAN: All right. Thank you, 9 Mr. Wald. 10 Who would like to go next? 11 Good afternoon. I'll have you state your full 12 name for the record and spell your last name. 13 JAKE EMO: Jake Emo, E-M-O. 14 HEARING OFFICER HOGAN: And, Mr. Emo, did you 15 hear me go through the penalties for perjury this 16 morning? 17 JAKE EMO: I did. 18 HEARING OFFICER HOGAN: And do you understand 19 what perjury is? 20 JAKE EMO: Yes. 21 HEARING OFFICER HOGAN: And being advised of the 22 potential penalties for perjury, do you promise to tell 23 the truth in this case today? 24 JAKE EMO: Yes. 25 HEARING OFFICER HOGAN: All right. Thank you. PAGE 140

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1 Go ahead. 2 JAKE EMO. 3 being first duly sworn, testified as follows: 4 JAKE EMO: All right. My name is Jake Emo. I 5 am here representing Corwin Township. I, 6 unfortunately -- or fortunately or unfortunately, I'm 7 the chairman of Corwin Township and I've been around 8 since this kind of started. 9 So I have a write-up and then some topics 10 that -- like I kind of caught some of the other meetings 11 you guys had and some of the questions you might have, 12 like for facts or instances that have happened. So just 13 some side notes, so I hope to be quick. 14 My name's Jake Emo. I'm here representing 15 Corwin Township. I'm here to answer any questions that 16 you might have around the Corwin Township and the 17 setbacks and our experience and our history with the 18 Otter Tail and MDU project. 19 My direct interaction with OTP started in a 20 meeting on May 1st of 2024. I met Todd Langston and 21 George Vision (phonetic) over a lunch break I had. The 22 meeting was about an hour long. We talked some, just -- 23 it was pretty vague, not a lot said. At that point, the 24 only real thing that I got was that it was going to come 25 through Corwin Township. At that point they had a PAGE 141	1 communication with the PSC staff, which was really 2 helpful, around the word "reasonable." 3 And we added and updated a Corwin Township 4 zoning and added the 2,640-foot setback from an occupied 5 residential home that are for above-ground power lines, 6 transmission lines. There's a 500-foot setback for 7 underground lines. We put language in there for a 8 variance option that they could get from the -- from the 9 homeowners. And then it was a real fight about the 10 distance like -- and the word "reasonable." 11 And like, last night my daughter, she's six, she 12 asked like what's -- I kept saying "reasonable" when I 13 was talking to my wife. And my daughter didn't know 14 what that meant so, like, we looked it up and, like, to 15 put it into her terms, we use the word "fair," because 16 like in the dictionary, you know, that's -- that's what 17 she can understand. So, like, we wanted to be fair for 18 everyone involved. 19 And one thing that working with the people that 20 helped me guide -- or helped us guide through this was 21 like, you can't just tell them they can't come through 22 or whatever. So we wanted to be fair for homeowners, 23 landowners, the companies, whatever. 24 So we left route -- like there's routes through 25 our township where you don't need a variance at all, PAGE 143
1 preferred route and a secondary route. I seen a small 2 map. Kind of a -- to me, it felt like a check-the-box 3 type meeting maybe like -- I understand how that works. 4 After the meeting, I heard from a number of 5 Corwin homeowners and landowners in the weeks that 6 followed that had concerns about the project. At first 7 just brushed it off like just another line, not that big 8 of a deal. We all need power. 9 I was pretty new to the township board at this 10 time. I technically wasn't the chairman at that time 11 either so I don't know why they reached out to me. 12 Never experienced anything like this yet and had zero 13 idea how this was going to impact my life. 14 Over the next two to three months, the calls and 15 concerns got greater from the landowners and homeowners. 16 Both were asking for zoning to be updated to have some 17 guardrails at the township level for some protections 18 for everyone involved. At this point I didn't even know 19 we had zoning or where to find it because, like, when it 20 was handed over to me, like I didn't -- I got a green 21 book, and good luck. 22 Long story short, I keep pretty good records of 23 what I got going on. 186 hours to this point working 24 with a group of citizens from the township, some county 25 officials for some input, and a little bit of brief PAGE 142	1 like you could just cruise through. As long as you can 2 talk to landowners and get their -- their easements, 3 you're good to go. 4 There was -- in all this, there was a ton of 5 safety concerns that were brought up from the community 6 members ranging from fire -- because on the east side of 7 our township, we're up against this big -- we call -- 8 I've called it the "Ypsi Valley" forever, but I don't 9 know what it's really called, but it's where the 10 village -- we're blessed with a village in our township, 11 and then south of there is Montpelier, a small town. 12 And along that valley is a ton of grasslands, woodland 13 kind of thing. Like if a fire breaks out in there, 14 could -- could be an issue. Failures during storms 15 where these new lines -- someone said flying around like 16 a weedwhacker, which I thought was a good term. The ice 17 that builds up on the lines and falls on the roadways. 18 Because we had someone that actually had ice fall on 19 their car cruising down the road. 20 And the big one is, like, new residential homes. 21 So you might -- maybe with the maps you understand where 22 Corwin Township is, but in Corwin Township, we've been 23 lucky over the last two years to have two brand-new 24 homes built in our township, which is huge for us. 25 Before that, it was eight years ago when me and my wife PAGE 144

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1 built our house. And before that it was probably in the 2 '90s since a house -- or someone added a home to our 3 township. So like it was a big deal. That's three 4 young families added to our township in the last 10 5 years, and that's huge for our neighborhood. 6 Our comprehensive plan is focused on agriculture 7 and single-family residential homes. 8 From the community, we choose to live here 9 because it's generally quiet, peaceful, rural, large 10 spaces between people, and a great place to raise 11 families. That seems to be the way the community 12 members want to stay. I'm here representing Corwin 13 Township community members. Like my thoughts might 14 align with some of this, might not, but like I'm here to 15 represent them. That's what they asked. They don't 16 want to live in an industrial zone or they don't want 17 to, like, roll out the red carpet to it. 18 As far as our experience, after House Bill 1258 19 passed, our -- our zoning was a little bit complicated 20 because there -- we didn't have copies of our zoning to 21 begin with and then it was found later on. And it was 22 created in 1979. 23 And after 1258 passed is when a conditional use 24 permit was requested from us. So we had a zoning and 25 planning meeting on June 3. A week later -- we spaced PAGE 145	1 out before the next meeting. We heard a ton of times 2 that they wanted to work with the people and we felt 3 like this was a really fair chance for them. 4 The following week we met, June 10. Otter Tail, 5 they weren't able to make any progress on the variance. 6 There was no way as a township board we could, like, 7 trump what the people said and grant them a conditional 8 use or -- and a variance to the setback. Again, a 9 ton -- or there was a few Otter Tail people there and 10 MDU. That meeting was super short. 11 Afterwards to come to find out, out of the 12 seven, I heard that they talked to four, but no offers 13 were made. So, like, they just asked like, "Can we 14 please go by?" I believe they're still waiting to hear 15 back from Darwin and Helen Fisher. They're listed on 16 the people that's affected, but they both passed like 17 five years ago. 18 I don't think that they've made a valid effort 19 to be out in the community like seeing who's where and 20 doing what. After these two meetings, it's been 21 crickets. There is -- this is pretty much what's led 22 people to believe there's, like, zero hope in this and 23 the project or company is just going to end up 24 bulldozing their way through with the help of 1258. 25 Out of our township, there's roughly 37,120 feet PAGE 147
1 it out. We didn't want to have them both on the same 2 week so we spaced out -- a week later, June 10, we had a 3 special township officials meeting. 4 We had record attendance at these meetings. 5 Normally we get like three or four people. We had, 6 like, 30 or 35 people at these meetings. It was great. 7 On the 3rd we heard Otter Tail's presentation. 8 There was questions back and forth from community 9 members. We went over the reasons for the zoning change 10 in 2024. There was multiple Otter Tail and MDU people 11 there. 12 I say that because I've seen in some of the 13 documents like it was stated that we didn't present a 14 reason why the conditional use might be turned down. 15 But they were there the whole time, like they were at 16 all our meetings. We didn't try to hide anything and we 17 explained everything to the best of our knowledge and 18 we -- just trying to be fair for everyone. Like all 19 these people live here and we're -- if something new is 20 going to come in, we want it to work for everyone. 21 So after that meeting on the 3rd, we went and 22 we -- on the variance request, we asked OTP to reach out 23 to the seven homeowners that they needed a variance from 24 that would be in that 2,600 -- or 2,640 setback and see 25 if they could make some progress a week -- from a week PAGE 146	1 of line proposed. In the township, there's roughly 2 8,020 feet of easements like signed up, like people 3 said, "Yep, we're good." Roughly 21.6 percent. The 4 length of area that's not signed up or the -- the nos, 5 some are super colorful nos, but nos are 29,100 feet or 6 78.4 percent, we don't -- we're not interested, to my 7 knowledge. 100 percent of the land signed up in Corwin 8 Township is absentee landowners. 9 So that's what I had written up. I have some 10 keynotes. 11 So you asked like what they could have done 12 better or things that possibly could have been 13 misleading, and I broke it into three areas: like 14 homeowners that live in the area, landowners that they 15 want easements from, and township officials, our 16 communication. 17 So the big thing that I heard from homeowners, 18 who's affected, if you're not in their 500-foot setback 19 and you're not -- they don't want an easement for you, 20 you don't matter. Like, "We're not going to talk or, 21 like, we don't have a reason to talk to you." That's 22 what I have -- the feedback I've gotten. I'm sure some 23 of them might have gotten mailers of some sort or 24 whatever. I just get the Christmas cards; like that's 25 all I remember getting. PAGE 148

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1 The landowners that have -- that they've asked 2 for easements in our township, the big thing, the super 3 big thing we hear from them is whose "no" matters? Why 4 does their "no, thank you" matter less than the 5 neighbors that said "no"? Like, why does it have to be 6 on their land? Like, we prefer just not to be part of 7 it. Can you move it over? 8 Compensation. Everyone gets the same, but we've 9 heard there's naming of prices, neighbors being told, 10 "Well, the people around you have signed up. Like we'd 11 like you to -- you know, we'd like to get this through." 12 And then as far as the township officials, the 13 communication's good. Like their project manager, he 14 was really good. I feel like he emailed and reached out 15 to me a lot. I don't know about other people's 16 experiences, but he was -- he was fair. 17 One thing that has come to this past week, 18 though, is they came to us asking for a dual circuit 19 line -- poles. They're going to put one circuit up. We 20 never heard nothing about two lines going on it right 21 away. But then this week we hear they're going to 22 put -- they want permission to put both lines up on 23 their timeline. 24 Well, if they do that -- they use the analogy 25 like it would be -- they told us it would be one line PAGE 149	1 it, which, that's fine, but if it's reliable or adding 2 reliability and that question's asked in that meeting, 3 like, I think there's more of an answer than just "no." 4 And then the storm damages. So the -- I won't 5 speak a ton on the summer storm because, like, I 6 thought -- I was home alone, thank God, and my kids 7 weren't home. And I'm pretty sure my house was headed 8 for Kansas. 9 But the ice storm that they talk about -- I live 10 south of Jamestown, Corwin Township, and I -- but I work 11 north of town where the lines did go down. That storm 12 south of town was 10 times worse than up north. So, 13 like, if God wants that line on the ground, it's going 14 to go on the ground. Like, I don't think that we can 15 just say that we're going to build something so strong 16 it's not going to break. 17 I haven't seen a ton, but I've heard from 18 community members like the mistrust and whatever. And I 19 think Otter Tail is a good company. My grandpa worked 20 for them for 34 years. I'm highly invested in them, 21 like I want them to succeed, but there's a right way and 22 a wrong way to do things. And the people just feel like 23 it's -- they've earned a lot of mistrust. 24 But right from their value -- or right from 25 their website -- I've never been on -- I only go to PAGE 151
1 going up, and then in, like, 10 years when they needed 2 to add the second line, it'd be, like, the line over by 3 Fargo or wherever it might be, that they have to come 4 back to the Public Service and the local entities and 5 ask for conditional use again or permission again. But 6 if they get all the permission upfront, in 10 years are 7 they just going to show up with helicopters and real 8 trucks and equipment and whatever and just start working 9 and no one knows anything? 10 I don't know where that would go, but that would 11 be a real concern as a township official. I hopefully 12 won't be on the board then but, like -- I think it would 13 be a concern to anyone because, like -- they talk about 14 roads. Our roads ain't going to put up with this. 15 Like, we've put so much work into roads. And, like, I 16 know that they say that they'll take care of them, but 17 it -- it'd be hard to trust them on it. 18 And then you asked about reliability -- or there 19 was a lot of talk about reliability and I think a lot of 20 people, like, hit on that really hard. But it was asked 21 directly in our conditional use permit zoning meeting 22 that "Will this line being proposed to be added prevent 23 us homeowners from losing power?" And they looked at -- 24 it was asked to one person and they said no. And I 25 don't know if that means, like, no, they can't guarantee PAGE 150	1 their website to pay my bill, but on there, there's a 2 bunch of information. In there they have their values, 3 number one being integrity. "We conduct business 4 responsibly and honestly." 5 I don't think people feel that. 6 Number five is community. "We improve the 7 quality of life in the areas in which we do business." 8 I don't know how that's going to happen for the 9 citizens of Corwin Township. 10 "And we build respectful relationships and 11 create an environment where all people can thrive." 12 I'm not sure that anyone's going to thrive 13 through Corwin Township because of this project except 14 Otter Tail and MDU. 15 And my final thoughts on the whole deal is I've 16 stuck a ton of time into this, way more time than I'd 17 ever want to, like it's not been a positive situation on 18 my life. In our township we get paid 300 bucks a year 19 to do this. So, like, before taxes, you know, it's 20 under a buck an hour, it's been the past couple years. 21 It's a David and Goliath situation it feels like 22 in our township. There's not a lot of hope. Our state 23 legislature, people have left us hanging out to dry. 24 There's huge money behind Otter Tail and MDU. There's 25 full -- people with full-time jobs, and we're trying to PAGE 152

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1 pick up the pieces and band together as a community. 2 And we feel like there's no hope. 3 But my wife humbles me a lot and she says, "You 4 need to find something positive in every situation." 5 Right? So there is a positive in this whole thing 6 that's come to us, is it's brought my township together. 7 Like there was people that did not -- they wouldn't -- 8 they'd pass each other on the gravel road and there was 9 no chance there was a wave. There might have been a 10 wave, but it wasn't a pleasant one. But these people, 11 like, talk again. 12 And I found two of them on the end of us -- on a 13 township road this spring. They were watching one of 14 their relatives plant soybeans. They're hanging out 15 there, having a beverage and talking. Not about this 16 project, but they were talking again, and I don't know 17 if they had talked in 10 years. So like there is some 18 positive, but there's been a ton of negative. 19 And I -- I don't think we're opposed to the line 20 in itself. We're just opposed of how it's being done. 21 That's all I have. 22 HEARING OFFICER HOGAN: All right. Thank you. 23 Ms. Furey, any questions? 24 MS. FUREY: No questions. 25 HEARING OFFICER HOGAN: Mr. Pelham. PAGE 153	1 to come up with a scenario where everyone could move 2 through or, like, get -- see progress but still have 3 some protections. 4 Because I mean, I think -- I forget his name, 5 the one that's not here, he talked about like -- like, 6 these lines are big. It is like an interstate coming 7 through our township. And we're not designed for an 8 interstate, like we're a township-road type thing. Like 9 it's a big deal. 10 So, like, to have some breathing room there and, 11 like, to, I don't know, have respect for everyone 12 hopefully involved, I would hope. But it was a 13 negotiation over about two months. And then we had 14 posted meetings and voted on it and tried to do it all 15 procedurally, like correct. 16 MR. PELHAM: Sure. And I'm just wondering, 17 during that, roughly, two-month period of time when 18 engagement with -- with your neighbors, where was Otter 19 Tail in that process at that point when discussions were 20 being had on the setback? 21 JAKE EMO: You know, I don't think I had a ton 22 of con- -- or, like, talk with them. They were -- they 23 were there when -- I believe -- yeah, they were there at 24 those meetings when, like, it was voted on and talked 25 about. And, you know, they didn't speak, I guess. I do PAGE 155
1 MR. PELHAM: Thanks for being here, Mr. Emo. 2 Could you take us through the process the 3 township went through in determining the setback, 2,640? 4 How was that number arrived at? 5 JAKE EMO: So we looked at our township. We 6 made -- did the circle map on our township or whatever, 7 made sure there were -- like everyone wanted -- so, to 8 be honest, no one's happy at 2,640. Everyone's 9 irritated about it. The minimum that they -- the 10 township people, homeowners, wanted was one mile. Some 11 people were three to four, like it was a ton. 12 But we try -- I -- you know, I was the bad guy. 13 And there's still some people probably pretty irritated 14 with me, that like I whittled them down to 2,640 but -- 15 and 2,640 is not going to work for every township, but 16 it -- I believe it works for our township. 17 I think it's fair because it allows passthrough. 18 You can still get a variance. You could bury it. Like 19 if you're talking about reliability, like I hate to 20 admit it but -- well, I'm an electrician. Like I don't 21 put any lines above ground anymore, like it's all 22 buried, you know, like if you're super wanting to get to 23 reliability. But I get cost. 24 But the 2,640 was a negotiation over about two 25 months of multiple meetings and phone calls and trying PAGE 154	1 know they were there because we -- we were -- we had -- 2 yeah, they were there. And we weren't -- we don't want 3 to hide anything, because I think when you're hiding 4 something, then you're -- you're wrong about something; 5 right? So, I mean, any information that they would 6 want, we -- I'll put forth. 7 MR. PELHAM: I mean, I guess my question too -- 8 and I appreciate that response -- is, I mean, did they 9 ever say, "Hey, you know, the state law says it's 500 10 feet. You can't do anything more than that"? 11 JAKE EMO: Oh, no. 12 MR. PELHAM: Was that ever discussed, brought to 13 your attention, or anything like that by Otter Tail? 14 JAKE EMO: No. I do believe the Public Service 15 was who informed me that it was 500 feet. 16 MR. PELHAM: Okay. 17 JAKE EMO: Like, I don't -- yeah, I don't know. 18 It kind of feels like it doesn't -- it didn't matter at 19 that point. I don't know. It was -- like I said, I'm 20 not real -- I've been on the township board, like, three 21 years. I don't know. 22 MR. PELHAM: And you know, you know. If you 23 don't, that's fine. 24 It's been mentioned a few times, absentee 25 landowners. PAGE 156

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1 JAKE EMO: Yeah. 2 MR. PELHAM: And I'm just wondering, in your 3 experience in Corwin Township, was there any 4 participation of what you'd consider absentee 5 landowners? And I -- as I understand that term, it's 6 generally people who own the land but don't live in the 7 township. 8 JAKE EMO: Correct. 9 MR. PELHAM: Did they participate in any of the 10 township meetings or hearings or talk to you at any 11 point in time as far as these setbacks or anything like 12 that? 13 JAKE EMO: No. I don't know them personally and 14 I don't remember. There was a lot of people at our -- 15 at our conditional use and our -- that meeting, and I 16 don't know for sure if they were -- either the three -- 17 two or three of them were there, but no, not that I know 18 of. 19 MR. PELHAM: Okay. All right. Fair enough. 20 Thanks for your time today. 21 HEARING OFFICER HOGAN: Mr. Schock, any 22 questions? 23 MR. SCHOCK: So you are here, to be clear, 24 representing Corwin Township. Do you have any land 25 that's impacted personally by the project? PAGE 157	1 JAKE EMO: Yeah. I mean -- 2 HEARING OFFICER HOGAN: It's up to you. 3 JAKE EMO: -- I might have skipped some words, 4 but, I mean, it's all there. I'm not very good -- I'm 5 not super smart but, like, it's -- that's why I tried to 6 plan ahead. But I've been writing it for two weeks. 7 HEARING OFFICER HOGAN: All right. Do you have 8 any -- 9 MR. SCHOCK: That was all. Thank you. 10 HEARING OFFICER HOGAN: Commissioner Kringstad. 11 COMMISSIONER KRINGSTAD: Thank you for your 12 testimony. There were a lot of things. Specifically, 13 I -- I have three kids. My oldest is six. So when you 14 were talking about your six-year-old asking about words, 15 that hit home for me. We've been through that a lot. 16 And also they, ironically, currently have an obsession 17 with the Wizard of Oz. So I smiled a little bit when 18 you talked about, like, going to Kansas. 19 But just to follow up on some of the things you 20 said, thank you for your discussion with -- with Mr. 21 Pelham about the setbacks and how the county arrived at 22 those. 23 When you mentioned hearing from, like, members 24 of your township about fire and safety concerns, were 25 any of those concerns, like, communicated back to the PAGE 159
1 JAKE EMO: No. I shouldn't -- like it's five 2 miles -- I shouldn't say anything because it's five 3 miles away from my house. My luck, it's going to be in 4 my backyard after this. Honestly, there's a 230 line in 5 my backyard right now they could upgrade and I'd have to 6 deal with it then, you know. 7 MR. SCHOCK: Sure. 8 JAKE EMO: So, like, no, I -- I shouldn't -- 9 MR. SCHOCK: Okay. 10 JAKE EMO: -- be speaking up. Like I -- I'm 11 speaking up because the people in our township feel like 12 there's zero voice. So that's why I'm here. I don't 13 have any stake in it other than being gifted to be on 14 the township board. 15 MR. SCHOCK: I appreciate that. 16 Do you -- any of the stuff you were reviewing 17 there, did you want to submit that as part of your -- 18 your testimony today or not really? It's -- 19 JAKE EMO: I only have one copy. You can have 20 it. Like, that's fine. I don't -- I mean, it's all 21 just -- I mean, it doesn't matter to me. You can have 22 it. I can email it to you. You can have this one. I 23 don't -- 24 HEARING OFFICER HOGAN: If you give it to me, 25 then it'll end up on the Commission docket. PAGE 158	1 company or addressed by Otter Tail and MDU in any way? 2 JAKE EMO: I don't know if they were ever 3 addressed, but they were brought up. So, like, when 4 we -- when we had our first zoning meeting, it was long. 5 It was long to me. It was like over an hour, I believe. 6 And a lot of those things were talked about then. And 7 there was a lot of conversation. Like, they did a 8 really good job of, like, talking with the people in the 9 room at that time. So, like, I believe that those -- if 10 people had concerns -- like, if they expressed them to 11 me, I'm hoping they were talking in that room during the 12 meeting. I think some of it was touched on, but I don't 13 know how much for sure. 14 Like, we don't -- you know, normally, like, our 15 meetings -- a lot of our meetings are, like, on a 16 tailgate. But we had a -- we rented a room for this in 17 Ypsi and, like, made it formal and everything. And I 18 wish we would have recorded it like some of the other 19 ones that I'd been to. 20 But, yeah, maybe our records aren't up to -- 21 aren't great at recordkeeping, but I would -- I would 22 have a hard time believing that those weren't presented 23 at that zoning meeting. 24 COMMISSIONER KRINGSTAD: Okay. So it sounds 25 like that even if they were, though, there's still just PAGE 160

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1 a disconnect or that didn't fully resolve those 2 concerns? 3 JAKE EMO: Yeah. So I don't know if everyone -- 4 yeah. No, like, the concerns have never really been 5 addressed. 6 Like, honestly, I seen a map at that first 7 meeting, you know, in 2004 [verbatim], that preferred 8 route. And, you know, I don't have, like, photographic 9 memory or whatever, but that route through our township 10 hasn't changed a ton. So even if there are concerns, I 11 don't know how much weight they would carry to -- from 12 my experience with the company. Like they're willing 13 to -- they say the word, you know, they tell us that 14 they're willing to work with people, and I do think that 15 some of them have -- they do care, but then there's some 16 that are just -- it's just checking a box. A lot of 17 this has been just feeling like it's just checking a 18 box. 19 COMMISSIONER KRINGSTAD: Okay. Because like 20 that -- I mean, we've heard a ton of testimony from the 21 company and from the public, and people say, like, well, 22 you know, we were at this meeting and we talked and this 23 and that. 24 And like what I'm still trying to just piece 25 together and understand is, like, it seems like PAGE 161	1 what if they had to come in and work on this in the 2 middle of the night and there's all these crews or 3 whatever and you need to leave in the morning or 4 whatever. And you don't want that up against your 5 house. You don't want that right down this road. 6 You know, like, I -- I get the point of it's a 7 lot, that the setback would be a lot, but we also live 8 in a wide open space. You know, we choose to live 9 there. Like I put all my eggs in one basket building my 10 house. Like I am -- you know, like I'm fortunate. I am 11 young enough, like I could drag up and move on and leave 12 and start over somewhere else, but I don't want to. 13 There's these farmers, though, that can't. 14 Like, they're invested in this area. And they're 15 concerned about where they live and leaving it the way 16 it is. 17 Like, we're not opposed to -- I don't think the 18 township is opposed to progress, but let's just do it in 19 a way that we can all -- you know, they talk about, 20 like, going through section -- or following section 21 lines and -- and along roadways and stuff. But look at 22 our township. Like, it's not really the case, like, for 23 a bunch of it. Like, there's spots where they're 24 zigzagging around and angling here. 25 And then one of the landowners around, you know, PAGE 163
1 everybody was -- is everybody talking at each other 2 instead of to each other? Like, why is there just this 3 disconnect? And obviously, like, everybody says, "Well, 4 I said this and you said this." And so, like, I'm just 5 trying to work through it. 6 And sometimes I -- you can probably relate to 7 this. It's like, you know, when you're parenting and 8 your kids are coming up and saying, well, they said 9 this, and you're just trying to find what the answer is 10 and the why so we can move forward in a more productive 11 way. 12 JAKE EMO: I think, like, the safety concerns 13 that were brought up and -- you know, like it stemmed 14 from the homeowners, right, like that was the deal, the 15 people that live there. And I shouldn't say, like, 16 absent -- like, there's people that own a ton of land in 17 the township that don't live in the township. They 18 might live in a neighboring township that make their 19 living in the township, and their voice matters just as 20 much as ours, you know, so, like, we communicate with 21 them. 22 So, like, even they were -- the people that -- 23 the ones that own the land in the township that don't 24 live there, they were even for the setback. They were 25 like, yeah, like, it could be a real safety thing. Like PAGE 162	1 I feel for him a ton because he's worked his whole life 2 out there farming and planted these big beautiful trees 3 or whatever, and they want to come tear his trees out. 4 And they're like, well, we'll replant three rows or 5 whatever. Yeah, well, he's 60-some years old. He's at 6 the point in his life where he wants to enjoy what he 7 created. He's ready to retire. Like, I have a huge 8 amount of respect for him. He worked his whole life to 9 create something for his little bit of time when he's 10 retired to go out and enjoy and hunt and do whatever. 11 And they're like -- they don't understand. Like, you 12 don't just wipe that out and start over at his age. 13 So, like, there's a wide array of age group in 14 our township and the young -- from the young families to 15 the people that are ready to retire. Like to try and 16 come to a compromise that's going to create -- make 17 everyone happy, no, that'll never happen. But to find 18 that middle area to -- I care about the citizens in 19 Corwin Township. I understand that progress needs to 20 happen and this line is important, but my number one 21 priority is those citizens. Like that's what I -- 22 COMMISSIONER KRINGSTAD: That's very evident. 23 Not to interrupt you, but that's very evident in -- 24 JAKE EMO: Right. 25 COMMISSIONER KRINGSTAD: -- what you're doing PAGE 164

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1 and how you're presenting. 2 JAKE EMO: I don't know what more to say. Like 3 that's -- yeah, sorry for being longwinded. 4 COMMISSIONER KRINGSTAD: With this -- with that 5 setback, is there a concern? Because I thought in this 6 one thing I had read is like that setback actually then 7 does make it so you have to build in the middle of 8 fields. Is that accurate? 9 JAKE EMO: No. Our setback, our 26? 10 COMMISSIONER KRINGSTAD: Yeah. 11 JAKE EMO: That's what they're saying, yeah. So 12 if there's a house along the road and they were to -- 13 say there's a 2,640 setback, like that might push the 14 line out in the middle of the field. They're already in 15 the middle of the fields in part of our township. Like 16 there are some that they're along the edge of the road 17 or whatever. But that -- that doesn't make sense 18 because, like, they -- they cut across at an angle 19 across one field, you know, and the landowner's like, 20 no, that doesn't work. And it's just that -- I remember 21 that angle from 2024. That hasn't changed. 22 COMMISSIONER KRINGSTAD: And so from your 23 experience and what you're hearing, when they say like 24 this doesn't work at that angle, what's the dialogue and 25 back-and-forth to potentially, like, moving it forward, PAGE 165	1 Like, in September, I just -- I had to step away 2 from this because it was -- it wasn't -- wasn't good on 3 my life, you know. So, like, two weeks ago I picked it 4 up to be prepared for this. But I don't know. Like I'm 5 not saying it was -- I guess it -- yeah, it's just -- 6 it's been hard on everyone. It's been long. It's been 7 drug out. It's been -- I've been dealing with it two 8 years. Some of the other people said it's three years. 9 It's been long and drug out. Like, I don't know. 10 I think Mr. Christmann said something about, 11 like, why is this taking so long? Normally other 12 projects are done in eight months. And I don't know. 13 Like it seems like it's wearing. I don't -- yeah, I'm 14 ready for it to be over. 15 COMMISSIONER KRINGSTAD: Thank you so much for 16 your testimony. 17 HEARING OFFICER HOGAN: Commissioner 18 Haugen-Hoffart. 19 COMMISSIONER HAUGEN-HOFFART: Yeah. 20 I'm going to expand upon that. First of all, I 21 want to say thank you for your service. 186 hours? 22 JAKE EMO: That was just until we got to the -- 23 the zoning portion. So over the last two years, it's 24 300 and some. I don't have that exact figure but, like, 25 it gets -- it's a lot. Like that's where -- like in PAGE 167
1 a different purpose? 2 JAKE EMO: I don't know. I don't want to speak 3 on behalf -- like this is -- this is what I'm hearing 4 from them. You know, like their negotiations and stuff, 5 that's up to them. Like, I'm not one that -- I'm not 6 going to -- I don't want to tell you what you can and 7 can't do with your land. Like I am all about less 8 government is more, but there needs to be some -- like, 9 the government we do have, let's protect the people that 10 are living here, is my opinion, I guess. 11 I know there's been some people that have said 12 we just -- we're not going to come to an agreement. 13 Like we've asked you for things and nothing's changed 14 so, like, let's just stop talking. And there is other 15 people that I do think that are -- landowners that are 16 still talking and -- but I don't -- I get the vibe 17 they're not making much progress either. 18 COMMISSIONER KRINGSTAD: And one last question. 19 Have you had any discussions with the company at all, 20 like, on the road and the road use agreements? 21 JAKE EMO: No. But like it's -- like they talk 22 about, like, how they're willing to work with us going 23 forward, but, like, after all this, it's going to be 24 hard. Like, I'll do what I have to but, like, this has 25 been a lot. PAGE 166	1 September, at the end of September when the phone calls 2 were still coming, like, and I felt like the people were 3 irritated with me, like, that's when I just had to 4 disconnect for a little bit. 5 COMMISSIONER HAUGEN-HOFFART: Okay. I'll thank 6 you twice because you doubled it, but thank you. 7 Right before we went into questions, I wrote 8 down a statement you made. You said, "We don't oppose 9 the line or progress. However, we do oppose how it's 10 being done." 11 JAKE EMO: Yeah. 12 COMMISSIONER HAUGEN-HOFFART: And I want to 13 address how it's being done. 14 JAKE EMO: Okay. 15 COMMISSIONER HAUGEN-HOFFART: If you could do a 16 reset -- 17 JAKE EMO: Yep. 18 COMMISSIONER HAUGEN-HOFFART: -- what would you 19 tell Otter Tail and MDU to do? 20 JAKE EMO: I would say if you can see this line 21 from your house, you are affected. You're not -- the 22 people -- the people -- if you can see this line from 23 your house, that's an affected person. I think that's a 24 big disconnect, is if you're not within that 500-foot 25 setback or whatever -- and I get that they might have PAGE 168

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1 sent some mailers out, but we get a ton of junk mail. 2 Like I don't think that's good enough. Like you need to 3 be on the radio. You need to have a billboard. You 4 need to be making people aware, like if you really want 5 to know this project's out there and making it aware and 6 be positive in the community. 7 And don't get me wrong. Our -- our local Otter 8 Tail guys, there is -- I work with them. There is no 9 better group of guys out there. They are the best. I 10 would not trade any of them for anything. I can't say 11 enough good thing about our local Otter Tail. Corporate 12 Otter Tail that we've dealt with or the vibe that we've 13 gotten from them is a long ways away from that. 14 So like community outreach right away. You can 15 have meetings and you can have open houses, but if no 16 one knows that they're going on or if it comes across as 17 a piece of junk mail, like, yeah, attendance is going to 18 be really minimal. I think we could restart over and 19 have open dialogue and state -- 20 And then if this is truly just for reliance or 21 redundancy or creating the loop or whatever, prove it, I 22 guess. I don't know how you would do that, but prove to 23 people, like, there's no conspiracies, there's no ons 24 and offs, there's no other agendas out there. And I 25 don't know how you do that 100 percent. But like people PAGE 169	1 before that. Well, I guess maybe the stuff that 2 happened up in Bismarck because that was -- that got 3 some publicity around here and, like, got people 4 talking. But other than that, like -- I don't know. 5 Maybe it's just because people choose to keep to 6 themselves too. 7 But if there's going to be a project of this 8 nature around, like sing it to the high heavens, you 9 know, let's all hear about it. 10 COMMISSIONER HAUGEN-HOFFART: Well, thank you. 11 I have no further questions. 12 JAKE EMO: Thanks. 13 HEARING OFFICER HOGAN: All right. Thank you. 14 Who would like to go next? 15 Good afternoon. I'll have you start by stating 16 your full name for the record and spelling your last 17 name. 18 DARRON ORR: Sure. Excuse me. Darron Orr, 19 D-A-R-R-O-N, O-R-R. 20 I do have some stuff here to hand in, I guess, 21 or pass out. 22 HEARING OFFICER HOGAN: If you want to hand that 23 to Mr. Schock, he'll hand it out. 24 Mr. Orr, did you hear me go through the 25 penalties for perjury this morning? PAGE 171
1 don't believe, you know, that it's just going from here 2 to there and it's going to be like that for the next 99 3 years. 4 So I don't know. It's probably not the answer 5 you're looking for but like -- 6 COMMISSIONER HAUGEN-HOFFART: No, no. It was. 7 I mean, they're here in the room and they're hearing 8 you, and your first thing that you said is community 9 outreach, come back to the community. 10 JAKE EMO: Well, that's the thing, like -- so I 11 did some -- I work as -- I work as an electrician. I 12 have customers all over. And I did talk to people like 13 in neighboring townships and they're like, "I didn't 14 know that was going -- I didn't know anything about this 15 till you guys created this big stink." And I'm like, 16 why? We're not the one -- I'm not trying to create a 17 big stink. But, like, have you -- like they say that -- 18 or we've heard that alternate routes might have been 19 talked about. Like, I'm assuming you're a large 20 landowner. Like if you're going to come through 21 Winfield Township, like they're going to touch some of 22 your land. 23 But I got that vibe a lot up until, I don't 24 know, I suppose mid summer. I don't know. It seemed 25 like a lot of people knew about it the summer maybe PAGE 170	1 DARRON ORR: Yes, I did. 2 HEARING OFFICER HOGAN: Do you understand what 3 perjury is? 4 DARRON ORR: Yes. 5 HEARING OFFICER HOGAN: Being advised of the 6 potential penalties for perjury, do you promise to tell 7 the truth in this case today? 8 DARRON ORR: I do. 9 HEARING OFFICER HOGAN: All right. Thank you. 10 Go ahead. 11 <u>DARRON ORR.</u> 12 being first duly sworn, testified as follows: 13 DARRON ORR: All right. I apologize. It's a 14 little long, but if -- if Jake's got 300 hours in, I can 15 guarantee you I got about 600. So this has been long 16 and it is personal. 17 So JETx timeline. August 25, 2023, I received a 18 request for a survey permit. And I do have that with 19 me. 20 September 12th, they were in Ellendale 3 to 6, 21 September 13th, they were in Jamestown 3 to 6, and 22 September 14th, they were in Edgeley from 3 to 6. 23 I find it very interesting that I had a survey 24 permit with the exact descriptions of the final. So I 25 had -- my land was identified before there was even an PAGE 172

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1 open house. So I question the honesty, to begin with. 2 So regarding the time alignment of the 3 open-house meetings, why would they hold open houses to 4 inform and receive feedback from residents and 5 landowners in the late afternoon from 3 to 6 p.m. in 6 August when most people -- that should have been 7 September, it looks like -- most people are working and 8 producers are in the midst of harvest? 9 In visiting with those who attended the 10 meetings, they reported the information provided was 11 very vague and, in fact, JETx was considering three 12 different routes for the transmission lines. 13 Late January, early February of '24. I heard 14 nothing more until late February of '24 when I received 15 a phone call on behalf of JETx from Otter Tail Power 16 Company's land rights supervisor at the time, George 17 Vinson. This was the first of numerous conversations 18 Vinson and I had in which I voiced my concerns about 19 this project and the negative impact on my neighbors and 20 community. My position has never changed. 21 May 2 of '24, Stutsman County Planning and 22 Zoning Committee meeting. I presented my concerns about 23 the 500-foot setback from residences and discussions 24 were -- and discussion was held. Otter Tail 25 representatives were present at this meeting. PAGE 173	1 wasn't about me, but if they would like to meet with the 2 community so everyone could be heard, that I would be 3 open to that. After discussing all of the concerns with 4 this project, he told me and he agreed with my concerns. 5 He stated that he did not want the JETx project and Levi 6 Taylor, a Stutsman County commissioner, didn't want it 7 either. He felt like he was in a tough spot. 8 January '25. Less than two weeks after Craig 9 Headland's call and the first of several bills were -- 10 the first of several bills were introduced to punish, 11 hinder, and directly take away zoning powers in 12 Township: Prairie Dog Fund Senate Bill two thousand -- 13 2012; the Insurance Fund, also known as the "Blackmail 14 Bill" or Senate Bill 2208 -- I left the description on 15 there, I won't read through that; and House Bill 1258. 16 Otter Tail and MDU and other industry interests 17 lobbied hard to have these bills introduced and 18 testified in favor of limit -- limiting local control. 19 On March 21st of '25, Senate Energy and Natural 20 Resource Committee hearing later delivered a 4-3 "do not 21 pass" recommendation on 1258 after hearing testimony 22 from not only industry but also getting to hear from 23 citizens. A number of landowners had made numerous 24 trips to Bismarck to testify and tried to share their 25 concerns about the negative impacts that this bill would PAGE 175
1 July 24 of '24, Stutsman County Planning and 2 Zoning Committee meeting. After hearing testimony from 3 Otter Tail and concerned residents, the committee 4 unanimously passed a 2,600-foot setback from residences 5 for high-voltage transmission lines. 6 September 3 of '24, Stutsman County Commission 7 meeting. When the issue of the new 2,600-foot setback 8 zoning ordinance was brought up for consideration, the 9 chairman of the board was noticeably agitated and 10 quickly quashed the discussion. The new ordinance was 11 quickly tabled. 12 And visited -- in visits with a number of zoning 13 committee members and a county commissioner, it was 14 related to me that Otter Tail had requested a private 15 meeting with the commissioners and zoning members, but 16 that there could be no more than two members present 17 outside of a committee meeting. I was also told that 18 this was the first time that anyone could remember the 19 county commission refusing to adopt a recommendation 20 from the zoning committee. 21 October 8th is when Corwin Township unanimously 22 passed their 2,600-foot setback. 23 January of '25. District 29 Representative 24 Craig Headland called, requesting a meeting with me and 25 Otter Tail to discuss this project. I told them that it PAGE 174	1 have on their communities. 2 It has been 877 days of constant duress, 3 deception, heavy-handed politics, and bullying by 4 proponents of the JETx project. So please forgive me if 5 I'm more than a little frustrated. 6 Our township has had zoning in place since 1979 7 which predates this 500-foot setback -- setback was -- 8 or which -- when this 500-foot setback was enacted. 9 Corwin Township has recently implemented an ordinance 10 that would not only accommodate JETx, but, more 11 importantly, would protect our community and its 12 citizens, which is the most basic and fundamental 13 purpose of government. 14 You tell me who knows best and represents the 15 interests of a community than their local township 16 officers? Either you believe in local control or you 17 don't. You don't get to cherry-pick when it's 18 convenient and when it's not. Who actually determined 19 that a 500-foot setback is adequate for high-voltage 20 transmission lines? I'm guessing industry 21 representatives did. And 43 years ago that may have 22 seemed adequate. 23 The current regulations or setbacks with the 24 North Dakota Public Service Commission pertaining to 25 high-voltage transmission lines are antiquated. The PAGE 176

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1 current setback is from 1983, part of the North Dakota 2 Energy Conversion and Transmission Facility Siting Act, 3 which does not address the size and scope of these new 4 high-voltage transmission lines or projects. 5 These high-voltage transmission lines have often 6 been referred to as "superhighways" for transmission. 7 They are designed for exorbitant amounts of electricity. 8 Our federal, state, county, and township roads are all 9 designed, engineered, and constructed differently in 10 accordance with standards that not only meet the needs 11 of the system but, more importantly, the safety of the 12 public. These new high-voltage invasive transmission 13 lines need to be held to a higher standard, just like 14 our transportation system. 15 How many of you know the size or height of these 16 transmission poles being proposed? They stand on 17 average of 155 to 180 feet tall. That is the equivalent 18 of a 15- to 18-story building. The current setback is 19 500 feet from an inhabited residence. If an easement 20 does not need to be obtained from that resident, then 21 residents do not need to be notified. These are the 22 simple facts. And this has happened to a number of 23 residents in Stutsman County. 24 The residents of Corwin Township found that to 25 be appalling. How can a transmission line of this PAGE 177	1 Schleindecker, whose position is that of principal of 2 Environmental Services -- (indiscernible) Services, 3 represented the concerns of Otter Tail Power Company. 4 I found his testimony to be rather long and 5 technical. It was quite -- I was quite intrigued by the 6 sheer number of topics he covered, topics like cultural 7 resources, resource surveys, wetland avoidance areas, 8 tribal coordination, and a year-long conversation with 9 the U.S. Army Corps of Engineering. He reported on 10 eagle stick nests, sharp-tailed grouse leks, and 11 endangered species such as the Dakota skipper and 12 others. In fact, it was quite impressive to learn how 13 much time and resources they spent on environmental 14 issues. 15 Then it hit me. We, the people, the residents 16 who are the owners and custodians of the land, mean very 17 little to the developers of the JETx project. When 18 asked to address the concerns of our township and to 19 obtain variances from the impacted homeowners, they did 20 nothing. 21 At that point we gave them a second chance to 22 obtain variances. And even then, and only -- the only 23 attempt made to obtain these necessary variances was a 24 single phone call. This lack of effort demonstrates 25 their lack of concern, respect, and trustworthiness. PAGE 179
1 magnitude with so many negative implications be sited so 2 close to a residence and those property owners are not 3 even notified? 4 Jason Weiers, manager of Transmission Policy and 5 Contracts for Otter Tail Power Company, stated in his 6 testimony that there is simply no way to build a project 7 through this rural area of North Dakota why -- while 8 abiding by such a restrictive setback requirement. 9 I find it interesting that Mr. Weiers and other 10 proponents of the House Bill 1258 conveniently ignored 11 the fact that our Corwin Township ordinance clearly 12 delineates three options: Maintain the 2,640-foot 13 setback from occupied residents; bury the transmission 14 line -- and I know there's oppositions to that, it might 15 cost them four or five times, but that is an option; or 16 to simply obtain a variance from the residents. This 17 would require that those residents who will be 18 negatively impacted by the siting of this lines must be 19 notified -- must get notification and be set -- given a 20 seat at the table for such planning. 21 Does this sound like an extreme and unreasonable 22 position? 23 January 8th of '26, at the Public Service 24 Commission technical hearings held in Bismarck, 25 Mr. Kevin Schlein- -- I'm going to hack this probably -- PAGE 178	1 Otter Tail, in my opinion, has lost the trust of the 2 landowners, the townships, and the public. They 3 definitely have a credibility problem. 4 Another -- another aspect of the entire process 5 that is troubling here is there has been no study done 6 on the impact this project has on the welfare of those 7 impacted. I do not think people really understand the 8 attachment farmers and rural residents have to the land. 9 It has often been handed down from one generation to the 10 next and with great responsibility to continue a legacy 11 of pride and stewardship. It is -- it is ingrained in 12 us to hand this land down to the next generation in 13 better shape than when we received it. It becomes part 14 of who we are, a part of our soul, our identity, and how 15 we are judged. So when some entity threatens to take 16 our land, you have to understand how personal that 17 threat is and the emotional and mental stress it causes. 18 Some of these farms were established over a century ago. 19 We cannot just pick up and move our farms and relocate. 20 The JETx project is a perfect example why local 21 control is important. If it were not for Corwin 22 Township officers listening to the concerns of the 23 residents and putting in place ordinances to protect the 24 people's health, wealth, and private property, then who 25 would? This process, which is so flawed, circumvents PAGE 180

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1 local control and shucks the State's responsibility to 2 protect it. 3 The hypocrisy coming from Bismarck and our 4 leadership is great. Governor Kelly Armstrong stated on 5 BEK Television during the gubernatorial race that we 6 must protect private property rights at all costs. Our 7 legislators like to expound on the fact that they 8 support private property rights and yet enact 9 legislation that directly undermines that foundational 10 liberty that was paid for with our blood. 11 The importance of property rights is what -- 12 is what it means to be a free people and a strong 13 nation. If you control the land, you control the 14 people. Every time we give up a bit of our freedom, no 15 matter how large or how small, we are one step closer to 16 an authoritarian government. 17 On March 21 of 2025, during a Senate Energy and 18 Natural Resource Committee hearing on -- on 1258, 19 Senator -- Senator Dale Patten asked a question of 20 Charlie Sorenson pertaining to zoning and if he could 21 address the challenges of patchwork ordinances versus 22 uniformity ordinances when building infrastructure. His 23 answer was profound and spot on. Mr. Sorensen said, "I 24 guess they are really uniform in a country that doesn't 25 really exist anymore. It's called the USSR." PAGE 181	1 protect the health and welfare of citizens. 2 Stutsman county has a 2,600-foot setback for 3 gravel pits. The State of North Dakota has a 4 2,600-foot -- 2,640-foot setback for consolidated animal 5 feeding operations of 300 head of cattle -- greater -- 6 300 head of cattle, livestock. Just so I understand the 7 State's position, is the smell of the cow pies generated 8 by 300 head of cattle a greater threat to the human 9 welfare than an 18-story 345kV transmission line placed 10 one-fifth the distance from an occupied residence? 11 Finally, I'd like to address what was 12 referred -- 13 MS. FUREY: Your Honor, before we get to this 14 last part, I would object that compensation -- terms of 15 compensation is irrelevant to this proceeding, outside 16 the Commission's jurisdiction. So I'd object to 17 comments being received into the record that speak to 18 the subject matter as well as written documentation that 19 speaks to that being entered into the record. 20 HEARING OFFICER HOGAN: As I said before, 21 Mr. Orr, I'll let you make general comments about the 22 easements, but I'm not going to allow you to go into 23 specific provisions of those agreements or what has been 24 offered because it's outside of the Commission's 25 jurisdiction. PAGE 183
1 This summer we're celebrating our 200 -- 2 nation's 250th birthday in Medora, North Dakota. We are 3 going to celebrate the opening of the Theodore Roosevelt 4 Presidential Library honoring our 26th president who is 5 probably better known for the teddy bear than his 6 position on environmental issues. Teddy Roosevelt was 7 an avid conservationist. He started our Federal Parks 8 System. 9 The State of North Dakota gave millions of 10 dollars to the Theodore Roosevelt Memorial Foundation to 11 ensure that, upon completion, the new library would 12 harmlessly blend in with the surrounding landscape. But 13 when we raise similar concerns regarding the JETx 14 project, which would violate the beauty of our natural 15 neighborhoods, we are treated as though we are 16 extremists. 17 Why are the concerns of rural residents in North 18 Dakota discarded when it comes to zoning? Our urban 19 cousins are so well-protected. They have zoning 20 regulations for industry, commercial, residential, 21 single-family dwellings, and multi-family dwellings -- 22 units. Regulations define where a fence can be placed, 23 how high it can be, even have to put the nice side out 24 so your neighbors can see it. These zoning restrictions 25 and regulations are put in place for a reason. To PAGE 182	1 DARRON ORR: I'm under -- so am I under a 2 contract with Otter Tail since I haven't signed 3 anything? I guess I'm trying to -- 4 HEARING OFFICER HOGAN: No. But I'm looking at 5 your -- your comments here and it goes through 6 compensation. And I'm not going to allow you to provide 7 that information. 8 DARRON ORR: I can't provide -- okay. So I'm 9 just trying to bring forth -- 'cause I know a big 10 concern of this committee, if they're -- and Mr. 11 Christmann, commissioner, was what is the problem out 12 here? Why isn't it getting done? So I'm trying to 13 paint a picture of why it's not getting done. So I want 14 to make it -- 15 HEARING OFFICER HOGAN: You can give us those 16 general comments, what you think the problems are. I 17 just don't want you to go into specifics. 18 DARRON ORR: Okay. So average per day is okay? 19 HEARING OFFICER HOGAN: Just tell me that you 20 think the terms being offered are not reasonable or that 21 that's the issue with obtaining those easements. Don't 22 give me specifics about any of the money or what's being 23 offered. 24 DARRON ORR: So I will sum it up this way. What 25 I am guessing is an approximate -- okay, put this way, PAGE 184

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1 it will cost me as a landowner -- Otter -- let's say 2 this way. In one month's time, Otter Tail will make 3 more -- I'll skip that part then. 4 So, in essence, I am labeled a protester, 5 anti-progress, and even unreasonable. Let me get this 6 right. Otter Tail wants my land. They determine the 7 price. They control the surface rights. I pay the 8 property tax. I assume no -- more liability. I absorb 9 the devaluation of my property and any potential 10 opportunities, my farming operations and efficiencies 11 are hindered, not to mention that it is a blight on our 12 communal landscape. I am asked to incur all of these 13 negative consequences caused by the project, and I get 14 well compensated at approximately X per month. But the 15 best part is I owe Otter Tail two Xes per month for the 16 cost of construction. 17 Will the constraints, operation, and maintenance 18 of the facility at the proposed location produce minimum 19 adverse effects on the environment and upon the welfare 20 of the citizens of North Dakota? In my opinion, based 21 on the safety, physical and mental health concerns for 22 the residents and landowners, in conjunction with the 23 additional cost, risk, and encumbrances incurred by our 24 landowners and farmers, the culmination of all these 25 factors, along with additional electrical cost to many PAGE 185	1 MR. PELHAM: Thanks. 2 Mr. Orr, as far as the location of your property 3 in Corwin Township that's directly impacted where the 4 line is proposed to cross, where -- what sections are we 5 talking? And if you have the legal descriptions. 6 DARRON ORR: Yeah, I mean, it's -- I guess -- 7 yeah, I'll give you them quickly because I -- 8 personally, I feel like it's insignificant except for 9 there is one. Because I think it should be pointed out 10 how this works. 11 The east half is section 11-138-63, that is in 12 Corwin Township. The east half of section 2 -- of 13 section 2-138-63. There's east half of section 14 23-138 -- or 139-63. And then one I'd like to point 15 out, and if you can bring it up on your map, and I'm not 16 sure if this family is still here but it's -- I call it 17 "Heinrich." That's why I don't know the legals. I 18 always give respect to -- I don't know. I classify my 19 land as to who it was purchased from or rented from. So 20 southwest quarter on section 13-139-63. 21 MR. PELHAM: And as far as how you were first 22 contacted, I mean, this -- this document that you 23 provided, is this -- August 25, 2023. That's the very 24 first time that you would have been contacted by someone 25 at Otter Tail regarding the JETx project? PAGE 187
1 North Dakota residents -- residents, this project does 2 have adverse effects. It's a -- this would be a hell of 3 a legacy to hand down to our kids. 4 I open up for questions, but I do -- it is 5 extremely frustrating. And you wonder why there's a 6 trust factor here. I've been in contact with them from 7 the beginning. I've always thought this is about a 8 community. I'm not taking the money and going to stick 9 my neighbor who lives there, who has no voice in this. 10 I think that process is very wrong. So my -- my 11 position the whole time is we all have to have a place 12 at the table. Me, as a producer, this is going to have 13 a negative impact on my operation. Financially -- 14 emotionally, it has been a toll already. Financially, 15 there will be a significant effect on my operation. My 16 land is three and a half miles, two different townships. 17 So I open it up if you have any questions. I'm 18 sorry if I -- it's frustrating to not be able to tell 19 our whole story. This is the only time we get to. And 20 I feel like I -- I feel like I haven't been able to tell 21 the whole story, if that makes sense so... 22 HEARING OFFICER HOGAN: All right. Thank you. 23 Ms. Furey, any questions? 24 MS. FUREY: No questions. 25 HEARING OFFICER HOGAN: Mr. Pelham. PAGE 186	1 DARRON ORR: Correct. So on August 25th of 2 '23 -- and I want the time -- the significance of the 3 timeline to me is like -- I think it tells a story, at 4 least in my mind, of deception. Here are the same 5 legals of the exact survey permit that they want to put 6 the easement on my land. It has not changed in this 7 process. August 25th of '23 -- 8 MR. PELHAM: In terms of -- 9 DARRON ORR: Here's the public notice, right 10 here. So three weeks previous they had -- they had the 11 line, in my opinion, picked out before they even 12 notified the public. 13 MR. PELHAM: So in terms of any discussions that 14 you would have had with Otter Tail or MDU related to the 15 proposed route and in terms of any types of adjustments 16 or requests that you would have made, did you make -- 17 did you have any of those discussions with Otter Tail as 18 far as, "Hey, can you move it this way or can you move 19 it that way," anything like that? 20 DARRON ORR: Yeah, I had -- I mean, I had a 21 great conversation with Mr. Vinson for quite a while, 22 but I conveyed to him from day one that I'm concerned 23 about my neighbors. 24 They can move it -- what's the difference if 25 it's on the left side of your sidewalk or the right side PAGE 188

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1 of your sidewalk? So you understand they -- they can 2 move it, I get it, and I appreciate that. My only 3 concern has been the seven people -- or the township 4 homeowners that doesn't have a voice. 5 So on that -- on that north one, I'd like to 6 point it out, because I think that individual's 7 extremely impacted, Jeff and Cathy Heinrich. And I'm 8 not sure if they're still here or not, but on that -- on 9 the map, it would show their house. They get it on both 10 sides, the east and south. 11 And I'm not sure if anybody's gone out there to 12 look, and I'm guessing not, because there has been a lot 13 done on the environment and that stuff but there's 14 never -- there's no questionnaire to come ask the 15 community, maybe these homeowners, what could be done. 16 Just because they have to obtain a variance doesn't mean 17 anything other than thank you, yeah, I understand you 18 have to do this, and -- and they get it, but there was 19 one phone call to part of them. That's what's so 20 frustrating. 21 MR. PELHAM: Thank you, sir. I don't have any 22 other questions for you. 23 HEARING OFFICER HOGAN: Mr. Schock. 24 MR. SCHOCK: So I -- you spoke a little bit fast 25 when you were listing your -- your parcel information so PAGE 189	1 DARRON ORR: Correct. 2 MR. SCHOCK: Okay. That is helpful. 3 And you were just alluding to somebody else. 4 You kind of referenced that towards the north side -- 5 DARRON ORR: Right. Yeah. So right on the 6 north side of that last legal I gave you -- 7 MR. SCHOCK: Okay. So -- 8 DARRON ORR: You can see -- you could probably 9 pull up -- 10 MR. SCHOCK: So in those map books right in 11 front of you, if you go to page 10, I'm thinking is 12 where you're looking at. 13 So if you fold that page out a little bit once 14 you get to 10. In the bottom right it'll say like page 15 10 of 45. 16 DARRON ORR: Yep. 17 MR. SCHOCK: Okay. If you fold that out, I 18 think the top right part of that map would be 13-139-63? 19 And I'll give you a minute to kind of get your 20 bearings of what you're looking at there. 21 DARRON ORR: So I should be on page 10, you're 22 saying? 23 MR. SCHOCK: Yeah. On the bottom right, it 24 should say page 10 of 45. 25 DARRON ORR: Yep. PAGE 191
1 I just want to make sure I have it correct. 2 DARRON ORR: I can give you a copy. You can 3 write them down off of this if you want, or I guess -- 4 MR. SCHOCK: Oh. Did you have them on your -- 5 DARRON ORR: No, they're not on there, but you 6 can -- 7 MR. SCHOCK: Okay. 8 DARRON ORR: You can take them. They're on this 9 one if you'd like to have it. 10 MR. SCHOCK: I think I have them. I just want 11 to verify that -- I'm missing one but -- so I have the 12 east half of section 11-138-63. 13 DARRON ORR: Yeah, I'm trying to find that one 14 sheet now. 15 Oh, yeah. Yep. East half 11-138-63. 16 MR. SCHOCK: Okay. The east one-half of 17 2-138-63. 18 DARRON ORR: Correct. 19 MR. SCHOCK: The east one-half of -- I missed 20 the section number. 21 DARRON ORR: 23. 22 MR. SCHOCK: 23. 23 DARRON ORR: 139. 24 MR. SCHOCK: 139-63. And then the southwest 25 quarter of 13-139-63; is that -- PAGE 190	1 MR. SCHOCK: And then in the map section there, 2 it says 13 -- 13-139-63 in the -- here, I'll come up. 3 DARRON ORR: Sure. 4 Okay. Yep, got it. 5 MR. SCHOCK: Okay. So that's where you were 6 referencing the -- the Heinrichs, I think. 7 DARRON ORR: Yep. Jeff -- Jeff and Cathy. 8 MR. SCHOCK: Okay. And where is their home, as 9 far as you know, in that section? Is it kind of near 10 that bend in the line -- 11 DARRON ORR: Where the black spot is on the -- 12 in the circle. 13 MR. SCHOCK: Sure. There's a few black spots 14 and a few circles on that page. I just want to make 15 sure we get the right one. So is that black spot the 16 one that is within section 13? 17 DARRON ORR: Correct. 18 MR. SCHOCK: Okay. That is -- that is helpful. 19 I'm just making some notes here. 20 Okay. I don't think I have any other questions 21 for you. I appreciate the clarification of all that. 22 Thank you for being here. 23 HEARING OFFICER HOGAN: Commissioner Kringstad. 24 COMMISSIONER KRINGSTAD: You talked about -- a 25 little bit about concerns you had about negative impacts PAGE 192

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1 on your operations. Can you tell me a little more about 2 that? 3 DARRON ORR: Yeah. So every -- we spend -- we 4 spend money on making ourselves as efficient as we can 5 be. So we spend money on burying rock piles, do the 6 best we can with water management. Every encumbrance 7 that we have to go around is time. Time is money. It's 8 additional fertilizer, additional spray, more time on 9 tillage. Every operation we do, every time we have to 10 go around one of these or around it is more time and 11 money. 12 There's also liability insurance. And I've had 13 an extensive conversation for two hours with some people 14 in the industry, insurance industry. And my farm, the 15 way it is either going to have to be changed 16 structurally, meaning LLPs, or somehow to protect the 17 future generation, because I'm not willing to take that 18 risk with these new obstacles or high line towers being 19 put out there. So the insurance is going to cost more 20 also. 21 So it's a -- yeah, it's a culmination of a lot 22 of things. I -- my toolbox is limited. Talk about 23 aerial applicators. Yeah, you can find somebody that 24 can spray underneath them, some of these. But one of 25 these lines goes a mile across the field and the other PAGE 193	1 Haugen-Hoffart. 2 COMMISSIONER HAUGEN-HOFFART: Darron, thank you 3 for your well-laid out testimony. We appreciate it. 4 And I guess I just want to reiterate, we come 5 out into the areas where the communities are affected, 6 and I think on the very first day Commissioner Kringstad 7 and Commissioner Christmann really emphasized that we do 8 want to hear from you, and that's why we're here. So I 9 don't want you to think that we're doing this just to do 10 this. We do listen to you. We hear you. And the 11 company, the Applicants in the room too, they hear you. 12 So I'm hoping that if there's a way to move this 13 thing forward, to work on the trust, I'm going to 14 challenge everyone to, you know, do that. But we're all 15 hearing the same message, so you are being heard. 16 HEARING OFFICER HOGAN: All right. Thank you. 17 Who would like to go next? 18 Great. I'll have you state your full name for 19 the record and spell your last name. 20 RICHARD SCHLOSSER: Richard Schlosser, 21 S-C-H-L-O-S-S-E-R. 22 HEARING OFFICER HOGAN: And did you hear me go 23 through the penalties for perjury today? 24 RICHARD SCHLOSSER: I did. 25 HEARING OFFICER HOGAN: And do you understand PAGE 195
1 one's kitty-corner. Drones, as of now, cannot be flown, 2 the way I understand it, underneath high-powered 3 transmission lines because of the voltage. 4 So, yes, there are -- there are financial 5 burdens that will be placed upon me and my operation. 6 COMMISSIONER KRINGSTAD: And did you -- did you 7 have the opportunity to express any of those concerns 8 with, like, Otter Tail and MDU representatives for them 9 to address at all? 10 DARRON ORR: No. And my -- my first and 11 foremost concern has always been take care of the 12 homeowners. And I think -- and I'm not sure if 13 everybody really understands how that variance works. I 14 thought we gave them three choices, you know. 15 And it was always -- I always felt like it 16 was -- I'm not -- I'm not so sure they really took us 17 serious. Because the reason I went through that line -- 18 and I get a lot of that stuff. That timeline shows you 19 at every level we tried to get more help and more 20 involved, whether it was our county, state. They were 21 there to push back. So that's why it's frustrating. 22 And that's why I say there's a trust issue. 23 COMMISSIONER KRINGSTAD: Okay. Thank you for 24 that additional information and for your testimony. 25 HEARING OFFICER HOGAN: Commissioner PAGE 194	1 what perjury is? 2 RICHARD SCHLOSSER: I do. 3 HEARING OFFICER HOGAN: And being advised of the 4 potential penalties for perjury, do you promise to tell 5 the truth in this case today? 6 RICHARD SCHLOSSER: I do. 7 HEARING OFFICER HOGAN: All right. Thank you. 8 Go ahead. 9 <u>RICHARD SCHLOSSER.</u> 10 being first duly sworn, testified as follows: 11 RICHARD SCHLOSSER: And, again, I apologize, 12 wasn't really planning to speak today, but I think there 13 are a few gaps and the rest of the story needs to be 14 told with some concerns that I heard today and last 15 Tuesday. 16 I would like to address those in the context of 17 what the -- you know, the parameters that were set forth 18 on those three principles and where we -- we are -- 19 issues to deal with from public comment. And I do 20 feel -- it might be a stretch in some of these, that I 21 would hope to address such things as preservation, best 22 use of resources, efficient use of those resources, and 23 the restoration of those resources, mainly from the 24 context as a farmer, also the ranchers, the land. And I 25 hope that those are all taken into consideration as was PAGE 196

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1 spelled out in those three -- those three bullets that 2 we were going to talk about. And, finally, and most 3 importantly, that it is done in an orderly and timely 4 fashion. I got a comment later on on that. 5 Like I said on Tuesday, full disclosure, I'm a 6 former co-op director, probably served too many years, 7 but also served as chairman of our local cooperative, 8 Dakota Valley Electric. 9 The question arose during that discussion on 10 Tuesday while maybe the -- I guess the issue arose that 11 the co-op would be dragged into this because they would 12 need the reliability and what was the impact and the 13 connection to this whole development would enable us as 14 a co-op -- and I'm now a member, I'm no longer a 15 director -- the reliance on this line for our 16 reliability. 17 Consequently, I talked to our manager who was a 18 former engineer with our wholesale power supplier, G&T, 19 dealing with -- dealing with generation and 20 transmission. He questioned seriously and told the 21 proposal -- the proposal -- the proponent, excuse me, 22 of -- that he told -- was questioning the project and 23 that it was not needed from the co-op's perspective. 24 MS. FUREY: Your Honor, I guess to the extent 25 that testimony is going to be provided about what others PAGE 197	1 Our wholesale power provider, and a lot of that 2 conversation dealt with the wholesale power provider, 3 delivers power to several connections within our service 4 area, and some of those substations and transmission are 5 IOU-owned. And, again, as I mentioned before, rather 6 than go through the duplicated capital assets which 7 would pass on increased costs to our ratepayers, we 8 share some of that and we do pay a tariff for the 9 delivery into our -- our service. 10 Okay. I think that's understood. I was hoping 11 that it would not be mistaken that we are taking 12 actually the power supply from an IOU. Our power supply 13 is a locally cooperatively-owned cooperative G&T. Okay. 14 Just so that's clear. 15 I would also address -- a lot of comments made 16 by the political subs here, whether it's city, township, 17 or county, really speaks to the orderly development of 18 the third bullet. And if you look at ordinances and -- 19 and if you study the etymology of an ordinance, its 20 Latin derivative says that it is "to put in order." 21 And as farmers out there, as a previous 22 testimony submitted, we kind of anticipated some order 23 out here. You know, rather than going around 24 obstructions, sometimes we apply aerially to control 25 disease, weeds. Is that orderly? That's just a PAGE 199
1 may or may not have said about the project -- 2 And it's my understanding that you are no longer 3 a director of the co-op and you're not here talking on 4 behalf of the co-op. 5 RICHARD SCHLOSSER: I am here on my own behalf. 6 MS. FUREY: Okay. So I guess I would just 7 object to comments as hearsay related to the 8 conversations and position of the co-op itself. 9 HEARING OFFICER HOGAN: All right. The 10 objection's noted. And I'll just point out to the 11 commissioners that it is hearsay, but I think we -- 12 we've crossed that line many times already so I'm going 13 to allow him to provide his testimony, but I will just 14 note that for the commissioners, that it is hearsay. 15 He's testifying about information he got from a 16 conversation with another person that's not here to 17 testify. But the Applicants' objection will be noted 18 for the record. 19 RICHARD SCHLOSSER: I just would respond to that 20 to say that, as a member, as a ratepayer, I am a 21 member-owner of that cooperative and I do -- I am a 22 stakeholder. So I am concerned about rates that 23 maybe -- you know, maybe result in impact to us as 24 ratepayers. And that is part and parcel to my comments 25 here. PAGE 198	1 question I think we need to consider. 2 And I think the orderly development to establish 3 setbacks. And as the young man representing the 4 counties -- the county that established some ordinances 5 of large setbacks fully understand that those old 6 setbacks that are established in statute are 43 years 7 old. I don't know that there was a lot of these towers 8 and 345s carrying 1,800 or 2,000 megawatts, you know, in 9 a lot of the rural areas. So maybe that is something 10 for the Legislature to consider. 11 And I think our political subs are speaking on 12 behalf of what they see their citizens in those 13 townships and counties to determine the land use within 14 those jurisdictions. And I think we need to rely on 15 those folks, the considerations that those folks take 16 into consideration when they develop their ordinances 17 and the comprehensive plans. 18 And as I said, the protection and preservation 19 of resources. I said the land, the pastures, the 20 tillable land. To me, where we were going to place -- 21 and I objected and did not sign an agreement with 22 JETx -- is prime farmland. And if you look at many of 23 these statutory established boilerplate comprehensive 24 plans that many townships and my -- my township has 25 adopted, it does address that consideration be given to PAGE 200

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1 prime and unique and irrigated properties. 2 So I think -- I think those of us living out 3 there -- my neighbor, if I need something, I call him. 4 He puts gravel on the road. If I have a concern about 5 an easement, I can call my township officer who lives 6 right down the road from me and he can respond. 7 Sometimes the best government, as the Jeffersonian 8 notion of government, of subsidiarity, of local control, 9 is best handled at the local level. That's -- that's 10 what I see as an issue here, and I would hope that we 11 can take that in consideration through this application 12 process. 13 The other thing is, as we heard on previous 14 testimony, will this development -- because my co-op is 15 an offtaker off of MDU and Otter Tail power 16 substations -- will that increase the tariffs because of 17 their engagement with -- I mean, that's a speculation, 18 and I'm assuming some of those costs are going to be 19 passed on to our tariffs as offtaker into our 46.1 20 kilovolt system. And that's a concern of mine still 21 carried over as I was the fiduciary on a board 22 representing our members with respect to rates and how 23 we can mitigate those increases because of capital 24 costs. And this is a concern that I think our manager 25 also has, is what will this do to rates within our -- PAGE 201	1 meeting in Edgeley, looking at this and I -- I -- I 2 voiced my concern and, thankfully, they moved it. And 3 I'm still a little concerned about this. 4 So communications, I think, needs to be -- I 5 think needs to be -- I don't know if it's enhanced or 6 what, but I hear from my neighbors that they have issues 7 with this. 8 Insurability. A lot of landowners have 9 expressed questions about insurability. We have a lot 10 of assets out there to protect and we attempt to protect 11 them through general liability packages. We spend a lot 12 of money on umbrella packages to cover those liabilities 13 that are not covered in the general liability policy. 14 And so it becomes -- 15 Again, I talked about derivation of words. 16 Words are important in a contract. And if they are 17 ambiguous, well, this is -- this is an opening for 18 litigation, subrogation, denial of a claim, if those 19 words are so ambiguous that we don't understand what 20 they cover or what they do not cover. Hold harmless 21 agreements, additional named insured, and spelled out 22 who will indemnify who or who will -- who will insure 23 whom or who will cover the potential liability. 24 Again, somebody noted the fire out in the 25 northwest part of the state. I don't know if this will PAGE 203
1 within our co-op? 2 Communication. I think we heard a lot about the 3 communication with landowners. I had -- I had that 4 experience. And I was one of the fortunate ones. They 5 listened to my concerns and JETx moved the line. It's 6 still -- I love getting up in the morning, having a cup 7 of coffee, and taking a picture and sending it to my 8 kids, this is what it's like on the farm, and it goes to 9 the east. To me, nice view. Despite moving that, I 10 will still see those towers. I will still see those. 11 They're in the line of sight. Okay. I understand this 12 happens. That's development. 13 Folks are concerned about that. Folks are 14 concerned about preservation of your sight, your line of 15 sight. What I see in the morning, when I get up in the 16 morning, I don't know what you want to call it, sight 17 pollution, I don't know, but it was concerning for me. 18 And I appreciate the fact that they moved the line, 19 which was, to me, a proximity concern, and now it will 20 be similar to the ordinance what the young gentleman 21 talked about. It'll be over 1,000 feet from my house. 22 And I felt -- I don't know the exact measurement, but I 23 felt it was really too close to my house. 24 So I -- after many conversations, telephone 25 conversations, original conversation, going to the PAGE 202	1 ever be settled in litigation within my lifetime of 2 cattle dying, people dying, properties burned, millions 3 and millions of dollars of assets destroyed in a fire. 4 Landowners should be concerned about that and 5 understand what that contract says. Hearing a lot of 6 those concerns over the last couple days and having 7 farmers call and ask about it, and I said, well, it 8 should be in the language of hold harmless. Especially 9 when I spoke to my underwriter and my agent, they speak 10 of coverage on my farm that is usual and incidental to 11 farming. And she said we can only assume that it is not 12 in the scope of the definition of farming/ranching if I 13 receive a compensation for a nonfarm business. 14 Hold harmless, as I said before, and additional 15 named insured clauses in agreements spelled out to 16 specifics are critical. And that would address what I 17 consider one of the three scopes of this discussion. 18 Because we're talking about preservation of farms, 19 preservation of assets, preservation of what that land 20 is going to be used for. 21 And as I said before, ambiguous language lends 22 itself to costly litigation, subrogation, which is an 23 insurance company looking for someone else to pay for 24 the liability or the claim. These get costly. They get 25 lengthy. PAGE 204

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1 And we on the farm, we're long term, but also -- 2 we're also short term and we really can't withstand a 3 lot of uncertainty because we have seasons. We have a 4 season to plant, we have a season to tend calving, we 5 have a season to get cattle out to pasture, we have a 6 season to harvest and reap. There's a season out there 7 that we have to comply with because of the laws of 8 nature. You know, those are some laws we can't break, 9 we can't deny. They -- which would clearly -- or 10 denying a claim because the language didn't spell out 11 that you are -- you know, your insurance won't cover 12 that which is nonfarm on your land, which would place 13 farm assets at risk. 14 We have enough uncertainty in our life. Price 15 of -- the weather, the price of grain, the price of a 16 commodity, the price of cattle, whether I'm going to get 17 that -- rent that pasture next year to put my cattle 18 out. There's enough uncertainty out there. We don't 19 need this. 20 And finally, Madam Chair, if you would indulge 21 me, I would ask that the Commission look at those maps. 22 As far as preservation is concerned, we look at the 23 development that's spelled out, potential development, 24 whatever you want. And I talked about this on Tuesday, 25 and I'm going to repeat it because it bears sort of a PAGE 205	1 sequence here. Apologize. 2 HEARING OFFICER HOGAN: Ms. Furey, any 3 questions? 4 MS. FUREY: No questions. 5 HEARING OFFICER HOGAN: Mr. Pelham. 6 MR. PELHAM: Thanks for your testimony. I don't 7 have any questions for you. 8 HEARING OFFICER HOGAN: Mr. Schock. 9 MR. SCHOCK: I don't have any questions either. 10 HEARING OFFICER HOGAN: Commissioner Kringstad. 11 COMMISSIONER KRINGSTAD: Just one. You 12 shared -- it sounds like you've been very involved in 13 this process, both from -- you know, like a landowner 14 negotiating with the company, participating in your 15 township process, talking to your neighbors, everything 16 like that. 17 And one of the things you mentioned is like 18 enhancements that could be made. I just was curious if 19 you had any thoughts and ideas of what some of those 20 enhancements could be to have improved this and made 21 this -- 22 RICHARD SCHLOSSER: Pardon me, I'm suffering 23 from the hazards of my vocation; I have a severe hearing 24 loss. Could you repeat that last -- 25 COMMISSIONER KRINGSTAD: Yeah. So you had PAGE 207
1 macro long-term issue. 2 How do we balance farming/ranching, production, 3 food production system in this country when we're losing 4 2,000 acres a day? Farmland lost 2,000 acres a day to 5 non-ag development. We only got 390 million acres. 6 That's a finite resource. Preservation. Preservation 7 of that food production system is critical. 8 Apologize, I do not have copies of my testimony. 9 It's mostly off the cuff. I would stand for any 10 questions that I may be able to answer. 11 HEARING OFFICER HOGAN: Before I get to our 12 panel here, I just want to clarify. You were 13 referencing the Tuesday meeting. Were you talking about 14 the hearing in Edgeley? 15 RICHARD SCHLOSSER: Yes. 16 HEARING OFFICER HOGAN: Okay, Wednesday. So I 17 just want the record to be clear. 18 RICHARD SCHLOSSER: I have lots -- 19 HEARING OFFICER HOGAN: I know, it's been a long 20 week. 21 RICHARD SCHLOSSER: Okay. I'm sure you -- 22 HEARING OFFICER HOGAN: I can commiserate, but I 23 just wanted that to -- that you aren't referring to 24 something else. 25 RICHARD SCHLOSSER: Got lost in the time and PAGE 206	1 talked about like -- basically, like, enhancements that 2 could have been made and it seems like there should have 3 been enhancements or improvements in this process. I 4 was just curious if you had any suggestions of what some 5 of those improvements could have been to this process. 6 RICHARD SCHLOSSER: I think clarity in some of 7 the language of the easements would significantly help. 8 And I alluded to the hold harmless clause. I think -- 9 that, to me, is the biggest fear because we put at 10 risk -- every farmer puts at risk nowadays a ton of 11 assets, including livestock, land, crops that are out 12 there growing, especially in the fall of the year when 13 everything's drying up. Fire will go from my cornfield 14 to my neighbor's cornfield to the next. It could go 15 several miles. 16 And we had this experience about 10 years ago at 17 a fire. Somebody hit a rock, and that fire went across 18 soybean fields for about six miles. We're talking 19 millions of dollars in cornfields, of standing crop. 20 These are some assets. 21 I mean -- I mean, sure, the insurance is going 22 to cover some of that, but where -- how do we pay my 23 operating loan off or my real estate loan? I mean, 24 there's a lot of questions out there now with the 25 volatility in the market. We've got enough uncertainty, PAGE 208

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1 as I said, out there that -- and I'm no longer a young 2 farmer. I -- my son is taking over. And I have some 3 concerns about these young producers who are out there 4 facing all this uncertainty. We don't need to pile on a 5 potential risk to the assets that they have. 6 And I don't know if it is -- I don't know if 7 that language is specific to your question. I think 8 these agreements need to remove some of the ambiguity. 9 COMMISSIONER KRINGSTAD: Fair enough. Thank you 10 so much. 11 HEARING OFFICER HOGAN: Commissioner 12 Haugen-Hoffart. 13 COMMISSIONER HAUGEN-HOFFART: Hi, Richard. Good 14 to see you again. 15 I know this has been said quite a few times 16 regarding our jurisdiction, the PSC has no jurisdiction 17 over easements, what the easements say, et cetera. 18 So when making this decision in our order, if we 19 do not -- we will not address easements or will say we 20 do not have jurisdiction, I don't want you to think 21 we're ignoring you. You've said it loud and clear here. 22 But, again, I just want to emphasize this -- we have no 23 jurisdiction over it, on what that language says, 24 prices, et cetera. So I just want to be clear on what 25 we do have jurisdiction over. PAGE 209	1 Go ahead. 2 <u>MIKE GRAALUM,</u> 3 being first duly sworn, testified as follows: 4 MIKE GRAALUM: Chair and Commissioners, thank 5 you for the opportunity to speak today. My name is Mike 6 Graalum and I am speaking today on behalf of the Dakota 7 Resource Council. We represent about 600 members across 8 North Dakota, including many in Stutsman, LaMoure, and 9 Dickey Counties, several of whom are in the room today 10 with us, people who live next to this line and carry its 11 impacts long after today's decision. 12 I want to start by being clear. The Dakota 13 Resource Council has conditionally supported projects 14 like this in the past. A 345-kilovolt transmission line 15 can strengthen our grid, add community benefits, but 16 only if done correctly. We also recognize the value of 17 building transmission in a location that makes 18 geographic sense, which, again, is why we have supported 19 similar projects in the past. 20 What was never anticipated in the past when 21 considering transmission projects is the rapid rise of 22 massive data centers. While Otter Tail Power and 23 Montana-Dakota Utilities describe this line as necessary 24 for grid reliability, and that is true, it also opens 25 the door to extremely energy-intensive customers. PAGE 211
1 Thank you. 2 HEARING OFFICER HOGAN: All right. Thank you, 3 sir. 4 RICHARD SCHLOSSER: Appreciate the comment. 5 HEARING OFFICER HOGAN: So who would like to go 6 next? 7 All right. I'll have you state your name for 8 the record and spell your last name. 9 MIKE GRAALUM: My name is Mike Graalum, 10 G-R-A-A-L-U-M. I have some brief prepared comments. 11 HEARING OFFICER HOGAN: All right. Did you hear 12 me go through the penalties for perjury earlier? 13 MIKE GRAALUM: Not today, but I have on several 14 other occasions. 15 HEARING OFFICER HOGAN: Okay. And you remember 16 them? 17 MIKE GRAALUM: Yeah. 18 HEARING OFFICER HOGAN: Okay. And do you 19 understand what perjury is? 20 MIKE GRAALUM: Yep. 21 HEARING OFFICER HOGAN: And being advised of the 22 potential penalties for perjury, do you promise to tell 23 the truth in this case today? 24 MIKE GRAALUM: Yes. 25 HEARING OFFICER HOGAN: All right. Thank you. PAGE 210	1 Data centers are largely unregulated in North 2 Dakota. They consume enormous amounts of electricity 3 and yet there are no clear rules in place to protect 4 local communities or resources. 5 Just as concerning is how these data centers, as 6 well as solar, wind, and utility line projects, are 7 being pursued. We hear from communities that developers 8 are requiring local officials to sign nondisclosure 9 agreements, keeping projects secret as long as possible. 10 That secret undermines trust and prevents meaningful 11 public engagement. 12 At the same time, legislative efforts like House 13 Bill 1258 appear to -- appear designed to silence local 14 opposition. After multiple townships along the JETx 15 route did -- denied conditional use permits, the bill 16 was amended retroactively. Otter Tail Power testified 17 in support of these changes. 18 When communities see laws being rewritten to 19 override their local decisions, it sends a very clear 20 message and it is not one that builds trust in our 21 communities. 22 Landowners are already feeling pressure. Many 23 received letters stating that, because of this 24 transmission line, their land is now optimal for solar 25 development. Some have been told that all of their PAGE 212

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1 neighbors are already signed or that projects will have 2 no shutoffs. And absentee landowners are often 3 contacted first. These tactics leave people feeling 4 rushed, misled, and powerless. 5 The companies are also asking for extremely 6 lengthy easement terms. The proposed 99-year easements 7 would permanently limit how land -- 8 MS. FUREY: Your Honor, I would just object 9 again for -- on the same grounds that we've been 10 discussing with easement term specifics. 11 HEARING OFFICER HOGAN: Again, general comments 12 about easements, but I'm not going to allow you -- 13 MIKE GRAALUM: I'm making general terms about 14 the easements. 15 HEARING OFFICER HOGAN: -- anything specific -- 16 MIKE GRAALUM: Not anything specific about any 17 easement that has been allowed here. 18 HEARING OFFICER HOGAN: All right. Thank you. 19 MIKE GRAALUM: I'll just skip that paragraph. 20 This project could be -- could still be an 21 opportunity, but only if the Commission acknowledges 22 that conditions need to be put in place that insist on 23 transparency, accountability, and real protections for 24 landowners and local governments. 25 Grid reliability is important. Clean energy is PAGE 213	1 could still be an opportunity, but only if the 2 Commission acknowledges that conditions need to be put 3 in place that insist on transparency, accountability, 4 and real protections for landowners and local 5 governments. 6 COMMISSIONER HAUGEN-HOFFART: Okay. Well, I 7 can't address the last one because we have no 8 jurisdiction -- 9 MIKE GRAALUM: Yes. 10 COMMISSIONER HAUGEN-HOFFART: -- over it. So 11 tell us what you would like to see if the Commission 12 could do that on transparency and accountability. 13 MIKE GRAALUM: The main thing that we're asking 14 today is that you allow the alternative zoning to not be 15 overturned by the 1258. 16 COMMISSIONER HAUGEN-HOFFART: That's 17 transparency? 18 MIKE GRAALUM: That's our main ask today. I 19 mean, transparency is like developers -- this is 20 something that I've heard from -- sorry, this would be 21 hearsay again so I guess I can't testify. Sorry. 22 COMMISSIONER HAUGEN-HOFFART: I just wanted 23 you -- go ahead. 24 HEARING OFFICER HOGAN: You can say generally 25 what you've heard. I just don't want you telling me PAGE 215
1 important. But these cannot come at the expense of 2 property rights, public trust, and the ability of rural 3 communities to shape their own future. 4 Thank you for your time. 5 HEARING OFFICER HOGAN: All right. Thank you. 6 Ms. Furey, any questions? 7 MS. FUREY: No questions. 8 HEARING OFFICER HOGAN: Mr. Pelham? 9 MR. PELHAM: No questions. 10 HEARING OFFICER HOGAN: Mr. Schock? 11 MR. SCHOCK: No questions. 12 HEARING OFFICER HOGAN: Commissioner Kringstad? 13 COMMISSIONER KRINGSTAD: No questions. Thank 14 you. 15 HEARING OFFICER HOGAN: Commissioner 16 Haugen-Hoffart. 17 COMMISSIONER HAUGEN-HOFFART: Yes. 18 You said at the end very quickly -- 19 MIKE GRAALUM: Sorry, I tend to speak fast. 20 COMMISSIONER HAUGEN-HOFFART: No, that's fine. 21 And I hear slow. 22 -- that this project could go forward with -- on 23 three conditions. Go to that. Transparency, 24 accountability -- 25 MIKE GRAALUM: So the line was this project PAGE 214	1 specifics about -- 2 MIKE GRAALUM: So I did a survey -- I did a 3 county-by-county survey of North Dakota, looking for 4 wind and solar projects that were off -- that weren't 5 being reported yet. And I heard a lot of complaints 6 from local officials, basically to the effect that 7 developers weren't coming to them until they were 8 finally ready to do their final permitting. There was a 9 lot of people, including in these counties, who told me 10 that they don't know what's going on in their counties 11 with their developments. And that is the elected 12 officials telling me that, specifically, I believe, an 13 auditor so... 14 I could share those emails if you want to see 15 them. 16 HEARING OFFICER HOGAN: No, I don't think so. I 17 think your comments suffice. 18 COMMISSIONER HAUGEN-HOFFART: Mike, I appreciate 19 your response, because using the word "transparency" and 20 "accountability" are very broad and you narrowed it down 21 for me. And my takeaway was for us not to supersede the 22 local ordinances on 1258. 23 MIKE GRAALUM: That is our primary concern. 24 COMMISSIONER HAUGEN-HOFFART: Okay. Thank you. 25 I have no further questions. PAGE 216

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1 HEARING OFFICER HOGAN: All right. Thank you. 2 Who would like to go next? 3 All right. I'll have you state your full name 4 for the record and spell your last name. 5 THERESA HAAG: My name is Theresa Haag, 6 T-H-E-R-E-S-A, H-A-A-G. 7 HEARING OFFICER HOGAN: And did you hear me go 8 through the penalties for perjury earlier today? 9 THERESA HAAG: Actually, I was at home listening 10 to you guys online, and yes, I did. 11 HEARING OFFICER HOGAN: Okay. 12 THERESA HAAG: Drank way too much coffee. 13 HEARING OFFICER HOGAN: Do you understand what 14 perjury is? 15 And being advised of the potential penalties for 16 perjury, do you promise to tell the truth in this case 17 today? 18 THERESA HAAG: Yes. 19 HEARING OFFICER HOGAN: All right. Thank you. 20 <u>THERESA HAAG,</u> 21 being first duly sworn, testified as follows: 22 THERESA HAAG: Like I said, I was listening 23 online, listening to what the people had to say, and I 24 was compelled to come up here. 25 I used to live in Homer Township so I know how PAGE 217	1 us. And at the time, every time my daughter and I would 2 go outside, those trucks would stop and the guy would 3 get out and he'd piss on the tire right there in front 4 of my little girl. So that was not being a good 5 neighbor. 6 And eventually we moved into town. My daughter 7 grew up, she got a house of her own. So this is the 8 only time I've ever had direct dealings with Otter Tail. 9 So she got a notice posted on her door one day, her and 10 her neighbor to the north, that Otter Tail wanted to do 11 some work. So then the next day they came out and they 12 talked and they said, "Well, in the old days, we could 13 put a pole in an alley and we could have multiple lines 14 coming off the pole, and we can't do that anymore. And 15 your neighbor to the north wants to put in a two-stall 16 garage so now your line is in the way. So we're going 17 to have to put a pole in your yard to get your power to 18 your house --" to my daughter's neighbor's house. 19 And the lady asked, "Well, can't you just bury 20 the line? There's a pole right out front." 21 "Oh, no, we can't. We'd have to get you a 22 converter and we can't do that." 23 And so then the neighbor said, "Well, can you 24 put the pole way in the back of my yard by those 25 evergreens?" PAGE 219
1 beautiful and peaceful and -- and wonderful it is. The 2 nice nature. We used to have wild turkeys walk through 3 our yard. We had deer. One time we even had a moose. 4 And at the time that I lived there, I even 5 helped Homer Township type up their zoning ordinance, 6 because they had issues with houses that were built too 7 close together and they didn't have proper drainage for 8 their septic systems. 9 So I know how much time and effort, stress, and 10 money some of these people are putting into fighting 11 this, because when I lived out in Homer Township, I had 12 to fight somebody who wanted to put a brand-new 13 livestock yard right next to my house. 14 And when I still lived out at Homer Township, 15 they redid the overpass at Bloom. And there was a 16 gravel pit to the southeast of my property, and they 17 were going to use gravel there. And the company had 18 come and asked my husband if they could use our driveway 19 to drive on. And we discussed it, and we decided no, 20 because at the time we had a little girl and we played 21 outside. We didn't want the trucks driving past us 22 really fast when we were outside playing. And she had 23 asthma so I didn't want that dust being kicked up all 24 the time and stuff. So they agreed not to. But they 25 drove along the section line, you know, fairly close to PAGE 218	1 He goes, "Oh, yeah, we can do that." 2 So the next week, a different Otter Tail guy 3 comes out and he starts putting yellow flags in the yard 4 in the middle of the property, so right on the line 5 between my daughter's place and the neighbor, halfway 6 down the property, not up in the trees where it would be 7 out of the way. 8 And her neighbor came out and said, "Well, why 9 are you doing that? He said he was going to put it in 10 the back, back there." 11 "Oh, that would be too expensive for us. We're 12 going to put it right here." 13 "Well, no. No, we don't want to do it. Stop 14 doing that." 15 So then a third guy from Otter Tail came and he 16 said, "Well, we could bury the line. We can go from the 17 front pole all the way to the back of your house, but 18 you're going to have to get somebody to dig the -- dig 19 the hole underneath their porch. We're not going to do 20 that. We'll pay somebody to ditch-witch the line to the 21 porch, but you have to --" 22 So my daughter, my husband and I, and the 23 neighbor took four boards out of her porch and laid on 24 our chests and dug the trench with trowels and shovels 25 and stuff so they could bury the line. So that was our PAGE 220

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1 experience with Otter Tail. 2 They keep telling you different things because 3 they're trying to do it the cheapest way they can. So 4 they buried the line, they put the little converter on 5 there, which I guess they need if they're burying the 6 line because it's more powerful or something. But they 7 could have done that right away the first time instead 8 of trying to get away with throwing a pole in the middle 9 of your yard. 10 And the guy's comment was, "Well, you already 11 have a pole in the front." 12 And my daughter said, "Yes. I bought the house 13 knowing the pole was in the front, but I didn't want 14 this pole in the middle here." 15 So -- and I've heard you ask every time, what 16 could you do to be different? Well, I would say 17 Stutsman County and these townships back here are trying 18 to do that. They designed their ordinances so that 19 there was more setback because the ordinances from 20 before are outdated. That's 50-year-old technology for 21 that 500-foot setback. 22 So you have the buzzing from the -- from the 23 power line. That buzzing can cause noise pollution. It 24 can cause anxiety and stress. You have the magnetic 25 field. That could cause headaches, fatigue, lack of PAGE 221	1 can see what the topography looks like. They could have 2 picked a route that didn't involve any people at all. 3 It might have been a little bit more expensive, so it 4 takes them another five years to pay it off, but then 5 they would be good neighbors. 6 Or they could have got everybody together, had 7 meetings. You pick township -- the first township and 8 the second township, and you get everybody there, and 9 they all look at the maps and they all decide together 10 what would be a route that's acceptable to everybody. 11 And when you get halfway down the second township, then 12 you have another meeting with township two and township 13 three, and you do the same thing. Work with everybody. 14 Be good neighbors. 15 So don't let this be our Greenland or our 16 Venezuela. Let's all be good neighbors and work through 17 it together. 18 Any questions? 19 HEARING OFFICER HOGAN: Ms. Furey, any 20 questions? 21 MS. FUREY: No questions. 22 HEARING OFFICER HOGAN: Mr. Pelham. 23 MR. PELHAM: Thanks for your testimony, Ms. 24 Haug -- Haag. Sorry. 25 You said that you used to live in Homer PAGE 223
1 concentration, heart palpitations, or depression. 2 And I thought some of these township 3 commissioners who came up and talked were very good. 4 And they talked about the thoughtfulness that they put 5 into this process. They want the setback far enough 6 away so that the technology now and the technology in 7 the future can allow that these people don't get hurt. 8 That's one thing for enhancement. So I ask that you 9 don't let the State override that. 10 I didn't think it was being a good neighbor that 11 Otter Tail ran to the state legislators and whispered in 12 their ears and tried to get legislation passed when 13 they're supposed to be for the people that voted for 14 them, not for the companies. 15 Another thing, I think the old process, you 16 know, back in the old days where -- where people didn't 17 travel as far as they do now, you know, you just stayed 18 in your little area, they would go out and talk to the 19 people and they would do this. And that seems like what 20 they're doing now. They went to each individual person. 21 They already decided where they wanted this path to go. 22 They went to each individual person. 23 Well, there could be better ways. And one of 24 those better ways is every single one of us has a 25 computer in our pockets. You can pull up the maps. You PAGE 222	1 Township. 2 THERESA HAAG: Yes. 3 MR. PELHAM: Do you still own any property in 4 Homer Township? 5 THERESA HAAG: I do not own any property in 6 Homer Township. However, we do own three quarters down 7 in Logan. So I'm also looking out for me in the future 8 if something happens down there. 9 MR. PELHAM: Sure. 10 THERESA HAAG: Okay. 11 MR. PELHAM: I don't have any other questions 12 for you. Thank you. 13 HEARING OFFICER HOGAN: Mr. Schock, any 14 questions? 15 Hang on. 16 MR. SCHOCK: No questions, Your Honor. 17 HEARING OFFICER HOGAN: Commissioner Kringstad. 18 COMMISSIONER KRINGSTAD: I don't. Thank you for 19 coming down. I'll just take this quick opportunity -- 20 like I'm glad you were listening, not only for you, but 21 other people who couldn't come and that you felt 22 compelled to come down here. 23 So I'll just give a very quick shout-out to our 24 sound people who are live-streaming this from Dakota 25 Sound, live-streaming this and also recording all of PAGE 224

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1 this to keep things open and transparent so everybody 2 can participate and hear whether they're at home or here 3 in person. Thanks. 4 HEARING OFFICER HOGAN: Commissioner 5 Haugen-Hoffart. 6 COMMISSIONER HAUGEN-HOFFART: No questions. 7 Thank you. 8 HEARING OFFICER HOGAN: You mentioned you came 9 late. If you wouldn't mind signing one of the 10 attendance sheets, there's either one here or in the 11 back, just in case you haven't done that yet. 12 We're going to take our afternoon break. We'll 13 shoot for a 15-minute break and try to start at 3:05. 14 (Recess) 15 HEARING OFFICER HOGAN: All right. We are going 16 to get started again. 17 Whoever wants to go next, if you want to make 18 your way up here, that'd be great. 19 All right. I'll have you state your full name 20 for the record and spell your last name. 21 TIM LEPPERT: Okay. My name is Tim Leppert, and 22 it's spelled L-E-P-P-E-R-T. 23 HEARING OFFICER HOGAN: Mr. Leppert, did you 24 hear me go through the penalties for perjury? 25 TIM LEPPERT: Yes, I did, ma'am. PAGE 225	1 What are you going to do? Eminent domain the townships? 2 Our comprehensive plans and zoning ordinances go 3 back many years and were established long before a JETx 4 power line was thought of. The township's duty is to 5 protect the resident citizens of the township as it sees 6 fit. 7 Read the North Dakota Century Code. The 8 townships were not notified about this power line. That 9 is required by law. But that is the problem, isn't it? 10 You, the commissioners, allowed OTP and MDU -- well, I 11 need to say this -- to file for a certificate of 12 convenience and public necessity under the wrong chapter 13 of Century Code. This is not an existing power line 14 route. It is a totally new route. You have not 15 followed the rules set forth in state law governing the 16 permitting and siting of high-voltage power lines. 17 This is why Victor Schock, your director of 18 Public Utilities, tried on multiple occasions to get our 19 attorneys to withdraw our petition to reopen the 20 PU-24-91 case. You got caught. 21 You tell us, the local government entities, that 22 local residents did not file their petition in a timely 23 manner. Well, how in the world were we supposed to? 24 First of all, you held your hearing right in the middle 25 of fall harvest. Second, you directed the local PAGE 227
1 HEARING OFFICER HOGAN: And do you understand 2 what perjury is? 3 TIM LEPPERT: Yes, I do. 4 HEARING OFFICER HOGAN: Being advised of the 5 potential penalties for perjury, do you promise to tell 6 the truth in this case today? 7 TIM LEPPERT: Yes, I do. 8 HEARING OFFICER HOGAN: All right. Thank you. 9 Go ahead. 10 <u>TIM LEPPERT.</u> 11 being first duly sworn, testified as follows: 12 TIM LEPPERT: Okay. I guess it's good afternoon 13 now. Mr. -- well, our chairman isn't here, but Madam 14 Commissioners, my name is Tim Leppert. I serve as the 15 Russell Township zoning administrator in LaMoure County, 16 North Dakota. 17 So I have a question for the commissioners 18 today. Why are we here discussing a route for the 19 Jamestown to Ellendale JETx power line? There is no 20 route for the power line. Five townships have denied 21 OTP and MDU conditional use permits. That is 30 miles 22 of this so-called route, one-third of its total 23 distance. The townships haven't issued permits because 24 they can't; they would be violating their own ordinances 25 if they did. You all have the cart before the horse. PAGE 226	1 newspaper of record to put the public notice in the news 2 section and not in the public notice section of the 3 newspaper. Thirdly, the townships were not notified. 4 All this was done before House Bill 1258 was law. This 5 is a blatant disregard for the townships and shows them 6 extreme prejudice. 7 Why did OTP and MDU send the township -- 8 townships letters that appear to be copies the PSC 9 generated and signed giving them notice of these January 10 2026 hearings? Why no letters like this before the CPCN 11 hearing in November of 2024? It seems the PSC, OTP, and 12 MDU want the last two years to disappear. It seemed to 13 me that the PSC and the utilities corporations are 14 working together against the townships and landowners. 15 But somebody did respond in a timely manner. 16 Commissioner Hoffart stated on November 20, 2024, and 17 again in a June 18, 2025, meeting where the petition to 18 reopen the PU-24-91 case was denied, and I quote, "On 19 March 27, 2024, the Commission issued a notice of 20 opportunity for hearing, allowing until May 10, 2024, 21 for receiving comment or request for hearing. No 22 responses were received." 23 MS. FUREY: Your Honor, I would note -- is this 24 all related to the CPCN proceeding? Because, if so, I 25 guess we would object that this is not relevant to this PAGE 228

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1 proceeding and it's the subject of pending litigation. 2 HEARING OFFICER HOGAN: Mr. Leppert, is that 3 your understanding, that that's related to that 4 proceeding? 5 TIM LEPPERT: Well, it's related to all of this 6 because this is where it all started. 7 HEARING OFFICER HOGAN: Go ahead. 8 MS. FUREY: Your Honor, the CPCN proceeding is 9 mentioned, specifically the notices that are referenced 10 are referenced as applying to the CPN -- CPCN 11 proceeding. All of these claims, at least thus far, 12 have been related to the CPCN proceeding, as I've 13 understood them to be. So I would just object that this 14 is not relevant subject matter for purposes of public 15 comment in this proceeding. 16 So to the extent that there's comments that 17 Mr. Leppert has regarding this proceeding that he 18 would -- he would like to offer, that's fine, but I 19 think we've completely got out of the bounds of 20 information that's relevant to what the Commission is 21 considering in this proceeding today. 22 HEARING OFFICER HOGAN: Mr. Pelham, any 23 position? 24 MR. PELHAM: I think that there -- there may be 25 some tangential relationship as to the testimony of PAGE 229	1 false advertising campaign, deceiving and outright lying 2 to the people about the necessity of this power line. 3 They claim it is for the reliability of the grid 4 in ice storms. This is their prerecorded speech they 5 gave at every open-house meeting and township meeting 6 they attended. When questioned about it being used to 7 service data centers, solar and wind development, they 8 vehemently denied this and told us, and I quote, "No 9 ons, no offs, just a straight-through line between the 10 substation north of Jamestown and the substation west of 11 Ellendale." 12 That is a false statement. I have in my 13 possession today a signed consent agreement between OTP, 14 MDU, and Spiritwood Solar LLC -- and you all have copies 15 of that consent agreement -- where they mutually agree 16 to transmit the power generated by the Spiritwood Solar 17 LLC development on the JETx power line. 18 Furthermore, many state residents received 19 letters from Stellar Renewable Power that stated they 20 wish to buy or lease land along the proposed 21 Jamestown-to-Ellendale transmission line. And, again, 22 residents in Dickey and LaMoure County were contacted by 23 letter proposing a wind development called Wallflower 24 Wind Farm by a developer named First Mile Development. 25 They stated in their information that the PAGE 231
1 Mr. Leppert and his belief and his position that the two 2 cases are interrelated, and the Commission does not join 3 the objection. 4 HEARING OFFICER HOGAN: All right. I will note 5 the objection for the record, but, Mr. Leppert, you can 6 continue. 7 TIM LEPPERT: Again, and I quote here -- I'll 8 start -- "On March 27, 2024, the Commission issued a 9 notice of opportunity for hearing, allowing until May 10 10, 2024, for receiving comment or request for hearing. 11 No responses were received." 12 And with all due respect, Commissioner Hoffart, 13 I have been -- I am being respectful to you. 14 Commissioner Hoffart, you are mistaken. On April 22, 15 2024, I wrote the PSC a letter. And you have the copy 16 of that letter. That letter was signed by five of my 17 family members and myself. That letter is in some file 18 in your PSC offices. I obtained a copy of it from your 19 offices and have it in my possession today. Why aren't 20 you aware of this letter, Commissioner Hoffart? So my 21 family and my letter are irrelevant to you, Commissioner 22 Hoffart? 23 To this day, the townships and citizens have 24 been denied opportunity to speak on their behalf in a 25 public format, all the while OTP and MDU carry out their PAGE 230	1 interconnection for their power would be the 2 Jamestown-to-Ellendale transmission line. 3 And, lastly, I have in my possession today a 4 letter from NextEra Energy Resources, sent to Debra 5 Wald, a Wano Township, LaMoure County landowner, 6 offering her a wind tower easement, a transmission line 7 easement agreement, and a purchase option agreement 8 wanting to buy up to 25 acres of land in the northeast 9 corner of northwest quarter of section 21-T134-R63. By 10 pure coincidence, I'm sure this just so happens to be 11 the same northwest quarter of section 21-T134-R63 that 12 contains the proposed route for the JETx power line. 13 When OTP Representative Chris Koch was asked at 14 a township meeting how many wind towers and solar panels 15 were going to be connected to the JETx power line, he 16 held up his hand and with his thumb and index finger, 17 and with emphasis, made a zero. 18 This power line has nothing to do with the 19 reliability of the grid. It is going to be used to 20 transmit green power to states with green energy 21 mandates. We, the landowners and the ratepayers, are 22 going to have to pay for it. 23 Transmission -- Chairman Christmann stated this 24 many times in the working session meetings held 25 8-8-2025, 8-19-2025 and 10-17-2025. He stated, and I PAGE 232

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1 quote, "This is kind of one of my concerns here. So our 2 ratepayers pay to build this and the benefits are, well, 3 there's this investment here, some big benefit, but it's 4 mostly to whoever the new developer is that comes in and 5 builds another wind farm. A few landowners, but not 6 most of these OTP and MDU customers." 7 Chairman Christmann, what happened between your 8 statement and your letter of dissent? Why have you 9 changed your mind? 10 Let's talk about a few of those landowners who 11 are going to benefit and have done all they can do to 12 make this power line happen. Did you know that two of 13 the most powerful legislators in the state and the North 14 Dakota Legislature are going to benefit tremendously 15 financially if this power line is built? They had 16 legislation passed last session that takes away 17 townships' and counties' rights to regulate high-voltage 18 power lines and pipelines, and they made the legislation 19 retroactive to January 1, 2025. 20 I have in my possession today, and you all have 21 copies of those -- 22 HEARING OFFICER HOGAN: And just to clarify, 23 Mr. Leppert, I asked Mr. Schock not to hand those out 24 because, as I mentioned before, I'm not allowing any 25 specifics about easements to come in the record. PAGE 233	1 does? I don't believe you would. 2 The Stutsman County Board passed unanimously an 3 ordinance to require high-voltage power lines to have 4 half-mile setbacks from occupied residences. The 5 Stutsman County commissioners tabled the recommendation 6 from the zoning board. That is when OTP and MDU 7 mobilized their lobbyists in Bismarck and recruited the 8 two legislators and got them to push House Bill 1258 9 through the legislature. Safety was not a concern with 10 these utility corporations, lobbyists, or legislators. 11 They don't have to live by it. 12 Here's a study done in the Denver, Colorado, 13 area concerning young children living in close proximity 14 to high-voltage power lines. This study notes a drastic 15 increase in childhood leukemia. Known as the landmark 16 1979 Denver, Colorado, by Nancy Wertheimer and Ed 17 Leeper, this study observed a statistical association 18 between residential proximity to certain electric power 19 lines and the increased incidence of childhood cancer, 20 particularly leukemia. The initial findings indicated 21 that children living near high current capacity power 22 lines had a higher likelihood of developing cancer than 23 those in other residences, approximately twice as likely 24 for leukemia. 25 Well, dear Commissioners, this JETx power line PAGE 235
1 So, again, you can provide general comments 2 about the easements, but I'm not allowing anything 3 specific to those easements. 4 TIM LEPPERT: I have them in my possession 5 today, easements signed by them and their immediate 6 family members for wind towers, solar panels, and 7 battery storage. They use their political influence for 8 financial gain at the expense of their constituents and 9 neighbors. We have the proof. It is irrefutable. 10 If they want all this wind and solar and battery 11 development, why don't they and all the rest of these 12 people who have signed easements volunteer to put this 13 power line on their land? I'll tell you why. There is 14 no money to be made having the power line on their 15 property. 16 And I'll strike all this because it relates what 17 I'm going to -- yeah. 18 I'll go down to now we need to talk about safety 19 issues related to this power line, because I did not 20 find one comment or question from you, the 21 commissioners, OTP, or MDU about this issue in the 22 working session meetings or anywhere else. 23 Dear Commissioners, how would you like to have a 24 double-strung 345kV power line 500 feet from your house 25 that runs four times the megawatts a normal 345kV line PAGE 234	1 is a high-voltage, high-current capacity power line. 2 Your employee, Chris Hanson, in an -- in the October 17, 3 2024, working session meeting, said, and I quote, "So it 4 presumably has about 4,000 megawatts of capacity." 5 Really, Commissioners, that much power 500 feet 6 from somebody's house? Are you going to believe the 7 corporations? I'm not. They have done nothing -- or I 8 mean done everything they can to belittle, suppress, and 9 deny the dangers of EMF, stray voltage, and radiation 10 issues associated with high-voltage power lines. 11 And now a few words about liability issues. And 12 they were talked about quite a bit today already, but I 13 really want to add this in. Who is going to be 14 responsible for the liability this power line creates? 15 The power line corporation or the landowner? If this 16 power line kills somebody, who gets sued? Who pays? We 17 already know the answer to these questions. 18 The power line corporation is going to do 19 everything it can to limit or eliminate their liability 20 for anything. They went to the North Dakota Legislature 21 last session and got a bill passed into law that limits 22 their liability, Senate Bill 2339, backed by the 23 utilities, including MDU and OTP, to shield utilities 24 corporations from automatic liability for wildfires 25 caused by power lines, potentially easing financial PAGE 236

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1 burdens but raising concerns about victim compensation. 2 Critics say this will make it harder for victims to get 3 compensation and potentially shift liability to 4 landowners and cost to ratepayers. Again, corporations 5 win. The people lose. 6 The wildfires in northwest North Dakota two 7 years ago were not caused by an act of God. They were 8 caused by negligence of maintenance of the power line. 9 How can North -- how can the North Dakota Legislature 10 and governing entities, i.e., PSC, et cetera, allow 11 utilities corporations to force liability on the 12 landowners? Senate Bill 2339 does exactly that. 13 When a landowner signs a JETx power line 14 easement, he or she has just exposed all of his 15 assets -- his or her assets to liability if something 16 bad happens on that easement. 17 And, finally, a word about the devaluation of 18 the property these power lines sit on. According to a 19 Wall Street Journal study, high-voltage power lines 20 devalue the land anywhere between 10 and 45 percent, 21 depending on where it is located. That is a significant 22 amount of lost equity for most landowners. Who is going 23 to make that right with the landowner? I will tell you, 24 nobody is. We will just have to eat it. 25 In closing, there has been no transparency in PAGE 237	1 believe, in -- in LaMoure County and Dickey County or -- 2 which is it referring to? Paces? Is that the one? 3 MS. FUREY: Yeah, yeah. 4 TIM LEPPERT: That was sent to, I believe, the 5 LaMoure County auditor. 6 MS. FUREY: Okay. 7 TIM LEPPERT: Yes. 8 MS. FUREY: Your Honor, it's just irrelevant to 9 this proceeding. It's sent on behalf of another company 10 to, I guess, unknown landowners, and it appears to 11 reference a large scale solar farm. I don't see how 12 this has any relevancy to this proceeding. So for that 13 reason I would object to it being admitted into the 14 record. 15 The second is a document that was distributed 16 which is a Calls For Service document from the LaMoure 17 County Sheriff's Department. This document involves 18 accusations of criminal conduct that were never pursued 19 by the sheriff's department, and it's not relevant to 20 this proceeding and it's highly prejudicial. So we 21 would object on those grounds and ask that this not be 22 included in the record. 23 HEARING OFFICER HOGAN: I recall during your 24 testimony, Mr. Leppert, the -- this photocopy of the 25 correspondence from Paces had to do with anticipated PAGE 239
1 regards to this project from you, the PSC, MISO, FERC, 2 OTP, MDU. We ask questions, and all we get from you 3 is -- you all is "That's a good question. I'll have to 4 get back to you on that," or some other vague, 5 meaningless answer. 6 We, the townships and the people, feel abused, 7 neglected, pushed aside by corporations and corrupt 8 politicians, all for their greed and avarice. The 9 golden rule says, do unto others as you would have them 10 do to you. I see little of that practiced in our state 11 anymore. 12 Please remember -- I'll add "please" in there -- 13 you are the Public Service Commission, not the 14 corporation service commission. The decisions you make 15 will be remembered by us, the voters. 16 I thank you and I will stand for questions. 17 HEARING OFFICER HOGAN: All right. Thank you. 18 Ms. Furey, any questions? 19 MS. FUREY: No questions, Your Honor. A couple 20 of objections, though, to some of the materials that 21 were handed out. The first relates to "I hope this 22 message finds you well" document. It looks like it's 23 from someone working with -- with who, Mr. Leppert? Who 24 is -- what is this document? 25 TIM LEPPERT: That was received by landowners, I PAGE 238	1 additional -- 2 TIM LEPPERT: Yes. 3 HEARING OFFICER HOGAN: -- development in the 4 area. 5 TIM LEPPERT: Yes, yes. 6 HEARING OFFICER HOGAN: I've allowed -- 7 TIM LEPPERT: Yes. 8 HEARING OFFICER HOGAN: -- a lot of testimony on 9 that so I am going to allow that into the record. 10 And then moving on to -- the Applicants' 11 objection will be noted for the record. 12 Moving on to the sheriff's report, maybe you 13 want to tell us about that. 14 TIM LEPPERT: Yes. This is -- 15 MS. FUREY: Your Honor, I guess I would object 16 for all the reasons I just stated. 17 HEARING OFFICER HOGAN: Yep, I understand your 18 objection. 19 I want you to tell me generally why you -- what 20 this is, why you think it's important. I can't really 21 decide whether or not it comes in until I really know 22 what it is. 23 TIM LEPPERT: Back in the fall of 2023, we had 24 incidences over our farms. My farm, my brother's farm, 25 and a farm that is uninhabited, but it's our -- one of PAGE 240

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1 our farmsteads. Drones were hovering over our houses at 2 night, 10:30 at night. We had heard and kind of gotten 3 some information that this may be related to this power 4 line route. Surveyors were in the area and had 5 contacted my brothers. I had never spoke to one of the 6 surveyors. 7 MS. FUREY: Your Honor, we'd object that this is 8 speculative. 9 HEARING OFFICER HOGAN: Yeah, I understand the 10 objection. 11 I'll allow you to continue. 12 TIM LEPPERT: Well, I just want to state that 13 what the report tells is Otter Tail officials told us 14 one story one day and then told the LaMoure County 15 sheriff -- well, actually, he told the LaMoure County 16 sheriff and myself one thing one day, and on the -- I 17 believe it was on a Friday, and then on a Monday they 18 told us the exact opposite thing. They told us one day, 19 "Yeah, we fly drones." The next Monday they said, "No, 20 them aren't -- those aren't our drones." And this went 21 on for months. 22 HEARING OFFICER HOGAN: Let me see if I 23 understand what the relevance of this is. You had some 24 drones flying over your property, which you thought was 25 on -- that were Otter Tail's drones? PAGE 241	1 ultimate decision. So we don't take a position on it, 2 but it's -- it appears to have limited relevance. 3 HEARING OFFICER HOGAN: All right. The 4 objection will be noted. I'm going to allow it into the 5 record because I think we've been pretty broad with what 6 we have allowed. 7 And I'll just note for the commissioners, you 8 can determine what weight, if any, to give that report. 9 Moving on to -- I guess you didn't address this. 10 You passed out a photo to us as well. 11 TIM LEPPERT: Yes, I did. 12 HEARING OFFICER HOGAN: So maybe you want to 13 tell us what that's about. 14 TIM LEPPERT: Okay. Who's asking that question? 15 Are you, ma'am? That's the question you're asking? 16 HEARING OFFICER HOGAN: I just want you to tell 17 me why -- what it is and why you think it's important. 18 TIM LEPPERT: That is a picture of three power 19 lines side by side taken by a landowner up in Mountrail 20 County. I don't know if the Commission is aware of this 21 or not, but they -- Otter Tail has an easement route 22 from Jamestown to Edgeley, an existing route with a 41kV 23 line on it. Why didn't they use that route? That's 24 proving that power lines can be put side by side in an 25 existing route and used. Why didn't they do that? That PAGE 243
1 TIM LEPPERT: We didn't know whose they were, 2 but we -- we -- we called a number that we had from some 3 literature, and I think it was a gentleman -- I think 4 it's in there. George Vincent (phonetic), I believe, 5 that we talked with. 6 HEARING OFFICER HOGAN: And so you reported this 7 to law enforcement? 8 TIM LEPPERT: We don't know who they are. We 9 don't know what's going on. Nobody told us they were 10 doing any of this. 11 HEARING OFFICER HOGAN: Do you know if anything 12 became of the report? 13 TIM LEPPERT: Well, they tried to find out, you 14 know, and they were told, well, it's -- you know, it 15 wasn't their drone. They said one day it was, and then 16 he pursued the matter further and, you know, they -- 17 they issued a statement saying it wasn't theirs so... 18 HEARING OFFICER HOGAN: So, Mr. Pelham, do you 19 have a position on this police report or sheriff's 20 office report? 21 MR. PELHAM: I mean, I think there's -- there's 22 a lot of unknowns as to the report. And I understand 23 why Mr. Leppert is bringing it out, but I'm not sure 24 that, in terms of the siting analysis under the Century 25 Code, whether or not it bears any relevance to the PAGE 242	1 would alleviate all these problems. Eliminate it all. 2 HEARING OFFICER HOGAN: All right. 3 TIM LEPPERT: And it would be right in the 4 middle of their wind tower field that they are 5 developing or wanted -- if somebody wants to develop. 6 HEARING OFFICER HOGAN: Ms. Furey, any other 7 questions? 8 MS. FUREY: No, Your Honor. 9 HEARING OFFICER HOGAN: Mr. Pelham, any 10 questions? 11 MR. PELHAM: Yeah. 12 Mr. Leppert, thanks again for being here and 13 providing your testimony and your opinion here. 14 I'm wondering, you've provided a lot of 15 information, and I haven't heard anything from you about 16 the Century Code, the siting act, Chapter 49-22. Have 17 you read that or familiarized yourself at all what 18 the -- the actual requirements of the Commission to 19 review on an application for a siting permit? 20 TIM LEPPERT: I have read it to the best of my 21 understanding, and we've had our attorney explain what 22 his understanding of that is. 23 MR. PELHAM: Sure. 24 TIM LEPPERT: And that is the reason why -- 25 again, following our attorney's advice, why we have PAGE 244

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1 obtained legal counsel to deal with this. 2 MR. PELHAM: And I guess my question for you -- 3 well, I don't have any other questions for you, but 4 thanks for being here. 5 HEARING OFFICER HOGAN: Mr. Schock. 6 MR. SCHOCK: I'm just trying to think of how I 7 want to phrase this. 8 TIM LEPPERT: Go ahead and hit me. 9 MR. SCHOCK: I'm not going to hit you. I love 10 being challenged so this -- 11 TIM LEPPERT: Go ahead. Go ahead. 12 MR. SCHOCK: We'll have some fun this afternoon. 13 TIM LEPPERT: That's what I'm -- trying to liven 14 it up here. 15 MR. SCHOCK: So in your testimony -- and I don't 16 have the -- 17 If I can have a copy of the print, Zach. 18 There were some suggestions of you didn't agree 19 with or didn't think that the Commission followed the 20 law or the policy. I guess I'm not -- 21 TIM LEPPERT: This is the opinion of our 22 attorney and this is the opinion that we feel because 23 we've read these documents and looked through them. 24 MR. SCHOCK: Sure. 25 TIM LEPPERT: And that's our opinion. That's an PAGE 245	1 But just to kind of clarify, so the Commission 2 does receive comments in a number of forms. Our primary 3 preference is how you're giving yours today, is behind a 4 witness stand where you -- it's actually considered 5 testimony that the Commission can rely upon when they 6 make a decision. 7 Letters such as this -- we get letters, emails, 8 phone calls on a daily basis that staff receives, and we 9 have a system that we input those into, and it's called 10 "public input." The commissioners are able to review 11 those, but since it's not part of the record, they 12 cannot make a decision based upon those. 13 TIM LEPPERT: Well, I'll push back a little. 14 Then why was -- why did -- why did the commissioner ask 15 for -- I mean, or allowed a time period for -- and she 16 states specifically in what I quoted her directly -- 17 MR. SCHOCK: Sure. 18 TIM LEPPERT: -- comments or requests for public 19 hearing. I mean -- 20 MR. SCHOCK: Sure. 21 TIM LEPPERT: -- this is a comment. 22 MR. SCHOCK: It is a comment. I don't disagree. 23 And I'm trying to decide how far I can go before someone 24 objects because this is all -- this is where I have fun. 25 HEARING OFFICER HOGAN: (Indiscernible) PAGE 247
1 opinion. I mean, you all have -- I understand have 2 probably a different opinion and that's -- 3 MR. SCHOCK: Sure. And I just want to address a 4 couple of the things. 5 So, first of all, you have a letter from 6 yourself, signed by a number of your family members, 7 dated July 22nd of 2024. 8 TIM LEPPERT: That is a bit disconcerting to me, 9 that my letter wasn't even acknowledged. It is a 10 response, and that's what I stated from -- we did -- we 11 listened to the meeting, you know, where Commissioner 12 Hoffart stated those, that she wasn't -- you know, I 13 don't know if she was aware of this letter. 14 You may not have been aware of this letter. I 15 don't know. I know it was sent in in a timely manner. 16 That's kind of one of our concerns. It didn't 17 get any acknowledgement. That's what I'm -- that's my 18 point. 19 MR. SCHOCK: Sure. And I don't know about this 20 letter specifically. I mean, certainly it's relative to 21 a different case than what we're talking about today. 22 TIM LEPPERT: Sure. I understand that. 23 MR. SCHOCK: We've had quite a bit of 24 discussion, particularly from the lawyers, about that 25 topic today, and I don't really want to belabor that. PAGE 246	1 attorney? 2 MS. FUREY: I guess I would just say that some 3 of this is a subject matter of ongoing litigation so we 4 would object to maybe going down the route of this 5 discussion any further. 6 MR. PELHAM: Ms. Furey is right. I mean, there 7 is a pending case in Burleigh County that the Commission 8 has taken a position on as to the PU-24-91 case. The 9 positions have been stated. And we're here about the 10 siting case. This is 25-236, not 24-91. 11 TIM LEPPERT: Again, I would like to reference 12 Commissioner Haugen's statements during the June 18 13 hearing where they -- where she and the rest of the 14 Commission denied our petition to reopen the case. She 15 stated that there would be -- and I'm paraphrasing this 16 now -- that there would be time during the siting 17 hearing to speak to these things. We're not getting 18 that opportunity now. And that is a bit bothering to 19 me. 20 MR. SCHOCK: So I'm curious why you think that 21 you're not getting that opportunity now. 22 TIM LEPPERT: Well, we're not getting our 23 opportunity to talk about this letter. 24 MR. SCHOCK: So -- 25 TIM LEPPERT: I mean, is it in? I mean, is it PAGE 248

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1 in the file? Is it in record or is it not? 2 MR. SCHOCK: Well, I guess I'm not going to 3 answer a question because that's not what this is for, 4 but I want to -- your concern seems to be -- you have 5 concerns that you want to raise. 6 TIM LEPPERT: Yes. 7 MR. SCHOCK: And you seem to be expressing 8 frustration that you weren't able to raise them. And 9 the reason I'm confused by that is because I think this 10 is the third time you're standing in front of a 11 microphone -- 12 TIM LEPPERT: It is. It is. It is. Had to 13 represent the county -- or my township -- 14 MR. SCHOCK: Sure. 15 TIM LEPPERT: -- Edgeley hearing. And I 16 appreciate you trying to accommodate me. I do 17 appreciate that. And -- but -- well, let me just go on 18 the fly here. 19 You commissioners -- the commissioners have 20 asked what could be done better here. The whole process 21 is a joke, that the way this is being done, the way it 22 was done. This is the reason why Otter Tail is -- don't 23 have their easements signed up. There's been no 24 transparency here from them. They have done everything 25 they can do to hide from the people what really is going PAGE 249	1 MR. SCHOCK: Sure. I just want to clarify 2 that's -- 3 TIM LEPPERT: That is true. 4 MR. SCHOCK: -- you're saying that? 5 TIM LEPPERT: That's true. 6 MR. SCHOCK: You're not saying everybody else 7 said it. You're saying "I'm saying it." 8 TIM LEPPERT: Yep, I'm saying it. 9 MR. SCHOCK: Okay. So one other question. Then 10 I'll leave you to it. Has anyone at the Commission -- 11 not commissioners, because they can't -- any of my 12 staff, have they refused to answer a question for you? 13 TIM LEPPERT: No. I had spoken quite a bit with 14 Chris Hansen, and he was very accommodating. I would 15 say that. Couldn't tell me -- couldn't answer a lot of 16 the questions because he didn't know, but he did speak 17 with me. 18 MR. SCHOCK: Okay. Okay. That's all I have for 19 now. Thank you. 20 HEARING OFFICER HOGAN: Commissioner Kringstad. 21 COMMISSIONER KRINGSTAD: I do just have one 22 question, because I think you mentioned this on 23 Wednesday and now it got brought up again. And I 24 understand that this is to a prior case with a different 25 section of law than what we're talking about today, but PAGE 251
1 on. And they went to our corrupt politicians -- and 2 I'll say it, that it's a fact -- and got legislation 3 passed to push this thing -- to take away the authority 4 from the townships. That was done. We know that was 5 done. Heavy-handed tactics. 6 If they would have come -- well, I'll 7 reference -- I've talked to Basin Electric officials and 8 people there. They told me, "This is ridiculous. We'd 9 have had this done a long time ago because we'd 10 bring --" 11 MS. FUREY: Your Honor, objection. It's 12 hearsay. He's speaking on behalf of the position of 13 Basin Electric, or purporting to. 14 HEARING OFFICER HOGAN: Yeah. I can't really 15 have you make representations on behalf of Basin. 16 TIM LEPPERT: Okay. I was told by another -- I 17 won't -- I'll leave their name out. I was told by 18 another -- they are a cooperative, but they do things 19 way different than Otter Tail did and they got things 20 done. That's what I was told. 21 MR. SCHOCK: Okay. So I think it's fair to 22 characterize your issue as the -- I guess the procedure 23 at which Otter Tail has conducted itself. 24 TIM LEPPERT: Well, that's what you've heard all 25 day. PAGE 250	1 just so I can understand kind of your objection, when 2 you talk about how we noticed the -- or the Commission 3 noticed the PC&N case, when you said this on Wednesday, 4 I said, "Okay, I'm going to go look and see what we 5 said," because it's in our docket. And so I have it on 6 my phone so I want to read it verbatim. 7 And so when we sent the notice, we said: 8 "Have this notice published as a legal 9 publication in the next issue of the 10 following newspapers." 11 And then we list 14 different newspapers. And 12 then: 13 "Please provide the dates of publication of 14 the notice in each newspaper. Do not 15 publish in the classifieds. Please run it 16 as a news item only article as well." 17 So I just want to understand what is your 18 concern with how that was portrayed? 19 TIM LEPPERT: My concern with that is many 20 people that look for public notices, there is a section 21 in the LaMoure Chronicle, that's our local paper, that's 22 where people go to look for items like this. They may 23 not even read the rest of the paper. 24 COMMISSIONER KRINGSTAD: Right. 25 TIM LEPPERT: Up until last spring -- well, PAGE 252

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1 actually, it was last winter, we didn't get the LaMoure 2 Chronicle. There's a lot of people in our county that 3 don't get the paper. That's the only notice people got 4 for the -- the -- what is it called? The CPCN or 5 whatever it is. Yeah. One time. 6 COMMISSIONER KRINGSTAD: And like is that -- 7 because I know from your -- from you serving on your 8 township zoning board, is that -- my understanding is 9 when the Commission notices it, that's like the legal 10 requirement with what we have to do. And I'm assuming 11 that's similar for you guys at the township as well. 12 TIM LEPPERT: Well, the township never did get a 13 notice. And we -- we sent that in when we sent in 14 the -- you required us to send in our zoning earlier 15 here in -- I think it was in September. We sent that 16 in. But the townships never were noticed for that 17 hearing and -- they weren't noticed. 18 COMMISSIONER KRINGSTAD: Just so I'm 19 understanding, your objection is that the townships 20 weren't directly notified -- 21 TIM LEPPERT: That's correct. 22 COMMISSIONER KRINGSTAD: -- the PCN? 23 TIM LEPPERT: That's correct. 24 COMMISSIONER KRINGSTAD: Okay. So not 25 necessarily how we noticed it, just that it's -- PAGE 253	1 said. You are just presenting the one part where you 2 name me and -- and what I said is in litigation, and 3 that's just going to have to work its way through the 4 system. 5 I do want to -- you have -- just on who I am. 6 When you say, "So my family and my letter are irrelevant 7 to you as a commissioner, Hoffart? No. 8 TIM LEPPERT: Okay. That's -- 9 COMMISSIONER HAUGEN-HOFFART: Victor -- Victor 10 started talking about documents that come in to the 11 Commission. I will tell you if things are under public 12 comment, I do read them. Get it from our PIO officer. 13 And I've used those comments in many cases. So I just 14 wanted to address you personally, that -- 15 TIM LEPPERT: Thank you. 16 COMMISSIONER HAUGEN-HOFFART: -- you are 17 relevant. 18 TIM LEPPERT: Thank you. 19 COMMISSIONER HAUGEN-HOFFART: I take my job very 20 seriously. I know my fellow commissioners do too on -- 21 we don't spend three days out in the community for 22 nothing. We are engaged and we hear you. So it is 23 relevant. 24 TIM LEPPERT: Okay. Thank you. 25 COMMISSIONER HAUGEN-HOFFART: And I wish you the PAGE 255
1 TIM LEPPERT: That's correct. 2 COMMISSIONER KRINGSTAD: You wish it were 3 broader beyond what the law requires? 4 TIM LEPPERT: They weren't a direct letter like 5 I referred to in the first page of my thing. They -- 6 Otter Tail and MDU sent out a letter noticing about 7 these meetings, these hearings, and it looked like it 8 was generated -- because it was signed by the 9 commissioners. Looked like it was generated by the PSC. 10 But we never received anything like that back in 11 '24 before the hearing for the -- granting the CP -- 12 whatever it is. 13 COMMISSIONER KRINGSTAD: Sure. 14 TIM LEPPERT: Yeah. 15 COMMISSIONER KRINGSTAD: Not -- not directly, 16 but it was published in the newspaper so -- 17 TIM LEPPERT: That's -- that's all. 18 COMMISSIONER KRINGSTAD: Okay. Thank you. 19 HEARING OFFICER HOGAN: Commissioner 20 Haugen-Hoffart. 21 TIM LEPPERT: I'm not fighting with you. 22 COMMISSIONER HAUGEN-HOFFART: And I'm not going 23 to fight with you either. I had no offense -- 24 TIM LEPPERT: Yes. 25 COMMISSIONER HAUGEN-HOFFART: -- on anything you PAGE 254	1 best. 2 TIM LEPPERT: Thank you. 3 HEARING OFFICER HOGAN: Great. Thank you, 4 Mr. Leppert. 5 Is there anyone else who wants to provide 6 testimony this afternoon? 7 Come on up. 8 DEBRA WALD: Hello. 9 HEARING OFFICER HOGAN: I'll have you state your 10 name for the record. 11 DEBRA WALD: Debra Wald. 12 HEARING OFFICER HOGAN: If you want to spell 13 your last name. 14 DEBRA WALD: W-A-L-D. 15 HEARING OFFICER HOGAN: Ms. Wald, did you hear 16 me go through the penalties for perjury? 17 DEBRA WALD: I did. 18 HEARING OFFICER HOGAN: And you understand what 19 perjury is? 20 DEBRA WALD: I do. 21 HEARING OFFICER HOGAN: And being advised of the 22 potential penalties for perjury, do you promise to tell 23 the truth in this case today? 24 DEBRA WALD: I do. 25 HEARING OFFICER HOGAN: All right. Thank you. PAGE 256

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1 Go ahead. 2 <u>DEBRA WALD.</u> 3 being first duly sworn, testified as follows: 4 DEBRA WALD: Well, I thought I had spoke my 5 piece on Monday, first up, but in listening, I was at 6 the Wednesday meeting, I was -- and I'm here today, of 7 course. And there are just three things that I would 8 like heard. 9 And one thing is about the drones. I've 10 experienced that myself. And it was in the way early -- 11 well, maybe more after midnight last winter. I called 12 my daughter, Alana, who is here today. Scared me half 13 to death. 14 So I did a little research after that. And my 15 first thought was, of course, JETx and all the times 16 they attempted to come and survey and poke around. And 17 I did a little investigating HDR. And, yes, they do use 18 drones. I don't know. I can't tell you for sure if 19 they did. I just assumed that, well, they have an 20 interest out there and they could very well have used 21 drones. 22 I called Alana because I was frightened and I 23 had never -- I didn't recognize what it was. You know, 24 it's completely dark, but lights. And I couldn't make 25 out what it was. Why would there be any machinery? You PAGE 257	1 concerns us and they can object to us, well, I think 2 that's a very unfair advantage. 3 We don't know. We're lay people. We're farmers 4 mainly. We don't know if we can object to them or if 5 their objection is proper. I don't know that. I can 6 only assume that it's -- well, I can't ask questions, 7 but I'll ask it just so you can hear, is just "Why are 8 they here?" I don't think that's fair. I don't think 9 that's right. 10 That's why the Constitution has a First 11 Amendment with freedom to speak, freedom of speech. And 12 I feel that that is not being administered here. I 13 don't feel that, unless you're being unruly or calling 14 somebody a name or spitting or something like that, that 15 we should be silenced. We are here because we have that 16 right. If we don't talk or speak for ourselves, there 17 isn't going to be anybody. And who knows it better than 18 we know it? 19 Especially I just feel like -- you know, seven 20 quarters of ours are involved. They go north and south, 21 they go east. I've been contacted by at least seven 22 corporations. Pipelines, gas lines, the wind turbines. 23 I've even been offered a couple. And, you know, the -- 24 the ante is always going up for me because it's almost 25 like somebody took a dart, threw it, and it landed on my PAGE 259
1 know, I feel that it landed up on the road south of us. 2 And then I thought, well, I'm just going to go to bed 3 and cover up and forget about it. If it was something 4 that I didn't recognize, I just wanted to go to sleep 5 and forget about it. But I will verify that that 6 happened, and what Mr. Leppert is saying could have just 7 as well. 8 And I have seen the sheriff's report. Sheriff 9 Fernandes of LaMoure County, he filed a report about 10 these drones. I believe, if I'm correct, and I think 11 Mr. Leppert can -- can attest to that, that he followed 12 one, and it left our county and I believe it headed up 13 into Stutsman County. But I guess, you know, drones can 14 go over land and sheriff's cars can't. But I will 15 testify to that, that that is the truth. 16 And then one more thing. Well, actually, a 17 couple. I am wondering about counsel for Otter Tail and 18 MDU being here and we're being objected to. I thought 19 this was a public meeting where we could say what we 20 wanted to. You were here to listen to us. 21 I don't know if out here anybody has their 22 attorney with them. If they do, I'd like them to raise 23 their hand. I don't think you'll find anybody. 24 And if I thought that we were going to be 25 objected to and not be able to say to you all what PAGE 258	1 farm. And they want to utilize it. They want it, they 2 need it. 3 And I feel I have the right, as a landowner and 4 a single person and living there on my own, to let you 5 know what is going on and what I think should be done 6 about it. That is my right. We own that land, we 7 worked that land, we've raised our families on that 8 land. 9 And we've said no. What doesn't anybody get 10 about that? You know, if I tell my kids no, I have a 11 better chance of getting a response than these 12 companies. 13 I just want them to leave me alone and move it 14 over to -- like it's been said here, move it over to the 15 people who want it. Why should we have it when not 16 one -- one person, aside from absentee landowners in 17 Wano and Russell Township, have not signed up for this? 18 And I've been approached, I don't know how many 19 times. Just many, many times. And, no, I'm not going 20 to change my mind. I'm solid where I'm sitting. And I 21 will fight for my rights. And I'm going to. 22 Thank you. 23 HEARING OFFICER HOGAN: Thank you. 24 And I just want to address one thing. The 25 Applicants objected to a number of things today. And I PAGE 260

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1 think the only thing I did not let into the record was 2 testimony regarding the specific provisions of the 3 easements. So even though they objected to all that 4 other stuff, it's still in the record. 5 DEBRA WALD: I understand that. 6 HEARING OFFICER HOGAN: Okay. Ms. Furey, any 7 questions? 8 MS. FUREY: No questions. 9 HEARING OFFICER HOGAN: Mr. Pelham. 10 MR. PELHAM: Thanks again for your testimony. I 11 don't have any other questions for you. 12 HEARING OFFICER HOGAN: Mr. Schock. 13 MR. SCHOCK: I don't think I have any other 14 questions either. Thank you, Deb. 15 HEARING OFFICER HOGAN: Commissioner Kringstad. 16 COMMISSIONER KRINGSTAD: I don't have any more 17 questions. Thank you. 18 HEARING OFFICER HOGAN: Commissioner 19 Haugen-Hoffart. 20 COMMISSIONER HAUGEN-HOFFART: No questions. 21 Thank you. 22 HEARING OFFICER HOGAN: All right. Thank you, 23 Ms. Wald. 24 DEBRA WALD: You bet. 25 HEARING OFFICER HOGAN: Is there anyone else who PAGE 261	1 bringing those in at the last minute, it feels like. I 2 hope it isn't. 3 But I just think that's why you're getting all 4 this testimony that maybe doesn't feel relevant today, 5 but it was relevant two years ago or one year ago, and 6 we just didn't feel like we had the proper notice or 7 whatever it may be, the proper avenues to talk about it 8 then. So now we're kind of throwing it all at you at 9 once. And I realize some of it maybe doesn't feel 10 relevant, but it feels relevant to us. 11 Thank you. 12 HEARING OFFICER HOGAN: All right. Thank you. 13 Ms. Furey, any questions? 14 MS. FUREY: No questions. 15 HEARING OFFICER HOGAN: Mr. Pelham. 16 MR. PELHAM: I don't. Thank you. 17 HEARING OFFICER HOGAN: Mr. Schock. 18 MR. SCHOCK: No questions. Thank you. 19 ALANA WAGNER: Thank you. 20 HEARING OFFICER HOGAN: Commissioner Kringstad. 21 COMMISSIONER KRINGSTAD: No questions. Thank 22 you. 23 HEARING OFFICER HOGAN: Commissioner 24 Haugen-Hoffart. 25 COMMISSIONER HAUGEN-HOFFART: No questions. PAGE 263
1 wants to testify? 2 ALANA WAGNER: I just have a brief statement. 3 HEARING OFFICER HOGAN: Sure. And why don't 4 you -- I know you've already been sworn in, but why 5 don't you state your name for the record? 6 ALANA WAGNER: Alana Wagner, W-A-G-N-E-R. 7 HEARING OFFICER HOGAN: All right. And I'll 8 just remind you you're still under oath. So go ahead. 9 <u>ALANA WAGNER.</u> 10 having been previously duly sworn, testified further as 11 follows: 12 ALANA WAGNER: I just think you guys probably 13 realize this too, that this is what a lot of us feel is 14 pretty much our first opportunity to really let you know 15 our thoughts, our feeling, what we've deduced, what 16 we've investigated. 17 I mean, we are just lay people watching, 18 reading, going to the legislature. So, you know, 19 obviously our understanding of the laws are different 20 than yours. We're not experts. 21 But I feel like a lot of the testimony is 22 bringing in stuff that maybe has kind of been decided on 23 because we didn't -- we didn't feel like we had the 24 proper opportunity to bring those things up earlier on 25 in this process. So now we're kind of all, you know, PAGE 262	1 Thank you. 2 ALANA WAGNER: Thank you. 3 HEARING OFFICER HOGAN: All right. Thank you. 4 Anyone else? 5 All right. Well, that brings us to the end of 6 our hearing then. 7 Let's see. I believe the Applicants were 8 planning on filing at least one late-filed exhibit. Is 9 that correct, Ms. Furey? 10 MS. FUREY: Yes, that's correct, Your Honor. It 11 was essentially like a supplement or addendum to the 12 winter construction plan to address Commission questions 13 regarding topsoil. 14 HEARING OFFICER HOGAN: And do you want to set a 15 deadline for submitting that? 16 MS. FUREY: Yes, Your Honor. Could we actually 17 just set the same deadline for both the late-filed 18 exhibit and then a proposed order? 19 HEARING OFFICER HOGAN: Yes. 20 MS. FUREY: And can we do the 20th of next 21 month, which I believe -- 22 HEARING OFFICER HOGAN: February 20th? 23 MS. FUREY: Yes, which I believe is a Friday. 24 HEARING OFFICER HOGAN: Yes. 25 Mr. Pelham, is that an acceptable deadline? PAGE 264

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1 MR. PELHAM: The deadline's fine. I would just 2 note that the late-filed exhibit is -- my understanding 3 is it wasn't just for winter construction. It was 4 topsoil reclamation efforts for both proposed winter 5 construction and in general. 6 MS. FUREY: Yes. I think I previously noted for 7 the record all the subject matter that we intended to 8 include. So just for brevity's sake I didn't list 9 everything, but I agree with Mr. Pelham. 10 MR. PELHAM: Just wanted to be clear. Thank 11 you. 12 HEARING OFFICER HOGAN: All right. Ms. Furey, 13 any other items you want to address this afternoon? 14 MS. FUREY: No, Your Honor. 15 HEARING OFFICER HOGAN: Mr. Pelham? 16 MR. PELHAM: No, Your Honor. 17 HEARING OFFICER HOGAN: All right. I'll ask if 18 the commissioners have any closing remarks they want to 19 make. 20 Commissioner Kringstad. 21 COMMISSIONER KRINGSTAD: I will just keep my 22 comments very brief. I know that this has been -- as 23 some of you have kind of expressed, for us this was a 24 long week of hearings that you all participated in, but 25 for you all this has been going on for a long time. PAGE 265	1 talk to the company because it's ex parte communication. 2 But I will brag about our staff, is when we get 3 questions and we refer it over to them, it's not only to 4 tell you the answer but inform you, you know, the 5 education component. And I know a lot of times it's 6 Victor that I call or -- and at times, Zach. We need 7 to. We need to be open and educate and say why we do 8 things the way we do. 9 And it's -- a lot of it is the law. We have to 10 uphold -- we have to abide by the law, be it Chapter 11 49-22, why -- that's why we're here, is the siting case. 12 The CPCN has already been adjudicated and it's in 13 litigation. So that process is going to take its own. 14 So we want to hear from you. That's why we come 15 out into the communities, because you guys have, as 16 Commissioner Kringstad said, been living with it. It's 17 also an opportunity for us to inform you too on the 18 expectation of what we are going to be doing in 19 accordance with the law. So it's a two-way 20 communication at times. 21 So, again, I want to thank you for your time, 22 the information you provided, and safe travels home. 23 UNIDENTIFIED SPEAKER: Ma'am, some of our 24 neighbors are asking how soon -- that weren't able to 25 attend -- it will be available online. PAGE 267
1 It's been very long. Even longer for you all than it 2 has been for us. 3 But I just want to thank you all for coming, for 4 listening, for your participation in our process, and 5 for giving us all of this information. It's more than 6 I -- you know, we set these three hearings and I wasn't 7 sure what we were going to get, but it is more than I 8 expected. 9 So then the last thing I want to say is please, 10 please, everybody, travel home safely and have safe 11 travels. Thank you. 12 HEARING OFFICER HOGAN: Commissioner 13 Haugen-Hoffart. 14 COMMISSIONER HAUGEN-HOFFART: Thank you all for 15 participating. I know a lot of you were -- some of you 16 were in Bismarck for two days and some of you have been 17 at all three of these public hearings. I hope this was 18 an opportunity too for you guys to understand some of 19 our process that we go through. I know it's a lot of 20 legal stuff and the only way sometimes is by being 21 involved in things like this, by calling. 22 I want to compliment our staff, our Public 23 Utilities Division. When we get an open case, an 24 application, we consider it open and we -- us, as 25 commissioners, cannot talk to each other or we can't PAGE 266	1 HEARING OFFICER HOGAN: I was just going to 2 address that so thank you. It's like you read my mind. 3 So after the hearing today, our friends from 4 Dakota Sound are going to give me a disc with the audio, 5 and all the handouts today leave with me. I go back to 6 my office and put it all together and send it over to 7 the Commission. So my guess is -- well, Monday's a 8 holiday, so maybe Tuesday or Wednesday of next week the 9 Commission will get it and they'll get it on the docket 10 right away. 11 So all the handouts that were received today 12 during public testimony, that's going to be marked as 13 Exhibit 23 on the docket. So when you go on the docket 14 for this case, that's where all those documents will be. 15 The ones from -- received at the Edgeley hearing are 22. 16 And the handouts from the Ellendale hearing are marked 17 as 21. 18 So, with that, I will note that it's 4:02 p.m. 19 and that will conclude our hearing for Commission Case 20 No. PU-25-236. Thank you. 21 ----- 22 23 24 25 PAGE 268

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STATE OF NORTH DAKOTA) ss.

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Lisa A. Hulm

LISA A. HULM, CET-783

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