

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

Basin Electric Power Cooperative :
Wheelock to Saskatchewan 230kV : Case No. PU-25-283
Transmission Line Siting :
Application :

Basin Electric Power Cooperative :
Tande to Saskatchewan 230kV : Case No. PU-25-284
Transmission Line Siting :
Application :

TRANSCRIPT OF
PUBLIC HEARING

Taken At
200 North Main Street
Crosby, North Dakota
March 17, 2026

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

65 PU-25-283 Filed 04/09/2026 Pages: 264
March 17, 2026 Formal Hearing Transcript (Full
and Condensed)

Emineth & Associates Court Reporters
Stephanie A. Smith, Reg. Pro. Reporter

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and Condensed)

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Stephanie A. Smith, Reg. Pro. Reporter

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COMMISSIONERS PRESENT:

COMMISSIONER RANDY CHRISTMANN, Chair
COMMISSIONER SHERI HAUGEN-HOFFART
COMMISSIONER JILL KRINGSTAD

MS. MAGGIE OLSON
Basin Electric Power Cooperative
Senior Staff Counsel
1717 East Interstate Avenue
Bismarck, North Dakota 58503

FOR THE APPLICANT.

MR. CHRISTOPHER J. MARTENS
Public Service Commission
Special Assistant Attorney General and
General Counsel
Department 408
600 East Boulevard Avenue
Bismarck, North Dakota 58505-0480

FOR THE PUBLIC SERVICE
COMMISSION.

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(The following proceedings were had and made of record herein, commencing at 10:02 a.m., Tuesday, the 17th day of March, 2026:)

JUDGE HOGAN: All right. Good morning. We are going to get started. Today is March 17, 2026. It's 10:02 a.m.

This is the first of two hearings set by a notice of consolidated hearings issued by the North Dakota Public Service Commission on January 28, 2026, for Case Numbers PU-25-283 and PU-25-284.

My name is Hope Hogan, and I'm the hearing officer that's been designated for today's hearing. Today's hearing is being held at the Divide County Courthouse in Crosby, North Dakota.

As we begin today, I'd ask that everybody please check your cell phones to make sure they're either turned off or silenced so that we don't have cell phone interruptions throughout our hearing today.

There is an attendance sheet that's being passed around right now. The Commission would ask that everybody sign the attendance sheet so that there's a record of all who attended today's hearing.

This is a joint hearing on two Basin

1 Electric -- Electric Power Cooperative
2 applications. The first application is for a
3 certificate of corridor compatibility and route
4 permit for a 53-mile 230-kV electrical transmission
5 line located in Divide and Williams County, North
6 Dakota. The proposed project will originate at the
7 Wheelock substation near Ray, North Dakota, and
8 terminate at the Canadian border near Crosby, North
9 Dakota.

10 The second application is for a
11 certificate of corridor compatibility and route
12 permit for a 58-mile 230-kV electrical transmission
13 line located in Burke, Divide and Mountrail
14 Counties, North Dakota. The project will originate
15 at the Tande substation near Tioga, North Dakota,
16 and terminate at the Canadian border near Crosby,
17 North Dakota.

18 I would also note that on November 11,
19 2025, Basin Electric filed amended applications
20 containing minor corrections to both applications.

21 The notice of consolidated hearings
22 specified the following issues to be considered and
23 determined in these matters:

24 Number 1, will the construction, operation
25 and maintenance of the facility at the proposed

1 location produce minimal adverse effects on the
2 environment and upon the welfare of the citizens of
3 North Dakota?

4 Number 2, is the proposed facility
5 compatible with the environmental preservation and
6 the efficient use of resources?

7 And, number 3, will the construction,
8 operation and maintenance of the facility at the
9 proposed location minimize adverse human and
10 environmental impact while ensuring continuing
11 system reliability and integrity and ensuring that
12 energy needs are met and fulfilled in an orderly
13 and timely fashion?

14 I'm now going to ask the parties to make
15 their appearance for the record. I'll start with
16 you, Ms. Olson. Please state your appearance for
17 the record and introduce the witnesses you intend
18 to call today.

19 MS. OLSON: Good morning. I'm Maggie
20 Olson, senior staff counsel with Basin Electric
21 Power Cooperative.

22 Today I will call four witnesses. First,
23 Mr. Bobby Nasset, the project manager. He will
24 discuss the project overview and design, routing
25 and construction.

1 Next, Mr. Philip Westby. He's the manager
2 of transmission services. He will discuss
3 transmission planning and the project need and
4 benefits.

5 Third will be Mr. Ryan King. He is the
6 environmental coordinator and will address the
7 environmental study and siting criteria.

8 And last will be Mr. Mike Murray, the
9 director of property and right-of-way. He will
10 discuss landowner communications, routing and
11 reclamation.

12 JUDGE HOGAN: All right. Thank you.

13 Mr. Martens, do you want to state your
14 appearance for the record and introduce Commission
15 staff who will be participating in our hearing
16 today.

17 MR. MARTENS: Yes. Thank you.

18 Good morning, Chris Martens, Special
19 Assistant Attorney General and general counsel for
20 the North Dakota Public Service Commission.

21 Sitting to my right is Mr. Chris Hanson. He is an
22 analyst for the public utilities division of the
23 North Dakota Public Service Commission.

24 JUDGE HOGAN: All right. Thank you.

25 MR. MARTENS: I'm sorry, Your Honor. I

1 would ask that Chris be allowed to ask questions,
2 if need be.

3 JUDGE HOGAN: Yes.

4 All right. Testimony from the public will
5 be taken today after the completion of Basin's
6 witness testimony. Just by a show of hands, if you
7 would like to testify today, just so I have an idea
8 of how many public participants intend to testify.

9 All right. Thank you. And you're not
10 held to that one way or another. If you didn't
11 raise your hand, you can testify later if you
12 change your mind. It just kind of gives me a gauge
13 of how many people are going to testify for
14 planning purposes.

15 I do encourage you to take this
16 opportunity to tell the commissioners anything you
17 think they should know about this matter. I assure
18 you that what you have to say is important to the
19 Commission and will be considered by the
20 Commission. If you have any questions about
21 providing testimony, please don't hesitate to ask
22 me during our first break this morning.

23 We'll now take opening comments from the
24 commissioners. And I'll start with Commissioner
25 Kringstad.

1 COMMISSIONER KRINGSTAD: Good morning,
2 everybody. Thank you for having us here today.
3 I'll start by saying Happy St. Patrick's Day. I
4 see a lot of green out there in the crowd. And,
5 actually, I was debating between this sweater and a
6 green one in my closet today before I came, and
7 clearly I chose wrong, so --

8 But as Judge Hogan said, today we're here
9 to talk about two different power lines and we're
10 taking both of those cases and lines up at the same
11 time. So if there's any comment that you have on
12 either line, please bring that forward.

13 We also have a hearing on Friday in Ray,
14 North Dakota, where we will be going through
15 essentially a very similar process: hearing from
16 the company first, getting the most up-to-date
17 information. Some of that may be different from
18 what you all have heard around town, so that's why
19 we go through that first to make sure that
20 everybody has the most up-to-date information.

21 And then after that, we're going to move
22 into the public comment portion of the hearing, and
23 that's truly why we are here is to hear from all of
24 you.

25 I always say that there's only so much

1 information we can get from all these binders of
2 paper, and any time we come out here, there's
3 always something that gets brought forward during
4 public comment that we probably would not have been
5 aware of otherwise.

6 So really encourage all of you that if
7 there's anything that we should be aware of, it's
8 important for us to know because it helps us make
9 the best decision that we can.

10 So thanks again for being here today, and
11 I look forward to a good hearing.

12 JUDGE HOGAN: All right. Thank you.

13 Commissioner Christmann.

14 COMMISSIONER CHRISTMANN: I think that
15 just covered pretty much everything I would have
16 said. And just, I guess, the one emphasis would
17 be, you know, we don't live up here and see the
18 land every day and neither do most of the people
19 who work for the company, and so if there's
20 something they missed, that's where we can really
21 benefit a lot, you know, by you all who know the
22 land better and pointing out that there's a
23 cultural resource here or something like that that
24 should be worked around or those kinds of things.

25 And so that is the value and why we don't

1 hold these hearings in Bismarck or somewhere. We
2 like to get out and hear from the people who
3 actually know the land the best and are going to be
4 affected by it for decades to come.

5 So look forward to hearing from you all.

6 JUDGE HOGAN: Thank you.

7 Commissioner Haugen-Hoffart.

8 COMMISSIONER HAUGEN-HOFFART: Good
9 morning, everyone. Everything has been said, and
10 you're here to listen to testimony from the company
11 and we're here to listen to you too, so let's get
12 started.

13 JUDGE HOGAN: All right. Thank you.

14 Ms. Olson, on behalf of Basin, you
15 prefiled a number of exhibits, looks like 21
16 exhibits. I know one was handed out this morning.
17 But any corrections to that?

18 MS. OLSON: No, Your Honor.

19 JUDGE HOGAN: And, Mr. Martens, it's my
20 understanding you're willing to stipulate to
21 admission of the exhibits?

22 MR. MARTENS: That is correct, Your Honor.

23 JUDGE HOGAN: All right. Thank you. Then
24 Exhibits 1 through 21 will be entered into the
25 record. And I would note that the exhibits have

1 been filed with the PSC and are available on the
2 docket for this case which you can access through
3 the Commission website.

4 With that, I'll just ask if there's any
5 other preliminary matters we need to address.

6 Ms. Olson, did you have anything?

7 MS. OLSON: Nothing for me.

8 JUDGE HOGAN: Mr. Martens?

9 MR. MARTENS: None here, Your Honor.

10 JUDGE HOGAN: All right. Then, Ms. Olson,
11 you can call your first witness.

12 MS. OLSON: Okay. I'll call Mr. Bobby
13 Nasset.

14 JUDGE HOGAN: All right. Good morning,
15 Mr. Nasset. I'll have you start by stating your
16 full name for the record and spelling your last
17 name.

18 MR. NASSET: Thank you, Your Honor. My
19 name is Bobby Nasset. Last name is spelled
20 N-a-s-s-e-t.

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

1 five years' imprisonment or both. Do you
2 understand what perjury is?

3 MR. NASSET: Yes, Your Honor.

4 (Witness sworn.)

5 JUDGE HOGAN: All right. Thank you. Go
6 ahead, Ms. Olson.

7 **BOBBY NASSET,**

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

10 **EXAMINATION**

11 **BY MS. OLSON:**

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

14 A. My name is Bobby Nasset, and I'm employed
15 by Basin Electric Power Cooperative in Bismarck,
16 North Dakota.

17 Q. What is your position with Basin Electric?

18 A. I am the civil engineering supervisor. So
19 my responsibilities include the planning and design
20 for new and existing transmission and generation
21 facilities for Basin Electric.

22 Q. Please describe your educational and
23 professional background.

24 A. I have a degree in civil engineering from
25 North Dakota State University in 2005. I'm also a

1 licensed professional engineer in the state of
2 North Dakota and have worked as a civil engineer
3 for the past 20 years.

4 Q. What is your role with respect to this
5 project, which includes two transmission lines, the
6 Wheelock circuit and the Tande circuit?

7 A. I am the project manager, so my main
8 responsibilities are managing the project budget,
9 schedule, and coordinating the activities between
10 engineering and design, the right-of-way
11 acquisition, procurement, permitting and
12 construction.

13 Q. Are you familiar with the contents of
14 Basin Electric's applications for this project?

15 A. Yes, I'm familiar. So we submitted two
16 applications for this project since we have two
17 individual circuits, the Wheelock circuit and the
18 Tande circuit.

19 Q. What is the purpose of your testimony
20 today?

21 A. Today I'll define the project and describe
22 the process for the design and routing that we went
23 through and then the construction phases.

24 Q. Please describe Basin Electric.

25 A. Basin Electric is a regional wholesale

1 generation and transmission cooperative organized
2 under the laws of the State of North Dakota and
3 headquartered in Bismarck. Basin Electric provides
4 power to over 100 member cooperatives, serving
5 approximately 3 million consumers in nine states.

6 Q. Let's talk about the project description.
7 Please provide a general description of the project
8 and its location.

9 A. For this question I'll have you reference
10 Exhibit 1 of the prefiled exhibits, which is an
11 overview map of the project. This map is also one
12 of our public displays in the back.

13 So this shows the two transmission routes.
14 These are both 230-kV circuits. The first circuit
15 that we call the Wheelock circuit will start at our
16 Wheelock substation near Ray and traverse north
17 approximately 51 miles to the Canadian border where
18 it'll be continued to the Tableland substation,
19 which will be a substation owned and operated by
20 SaskPower.

21 The second application is for the Tande
22 circuit, which will start at the Tande substation
23 near Tioga and traverse 58 miles north to the
24 border, and then the circuit will be completed
25 within Canada, also to the Tableland substation.

1 Our project will end at the first
2 structure on the north side of the border, and then
3 SaskPower will complete the circuits.

4 And Phil Westby in his testimony will
5 discuss the study process and interconnection
6 requirements at the Tableland substation.

7 Q. Can you explain how this project fits with
8 the ongoing Basin Electric transmission buildout?

9 A. And for this question, if you could refer
10 to Exhibit 2 of the prefiled testimony, which is
11 also a map produced by Basin Electric, and this is
12 the regional transmission system map that we also
13 have in the back as a public display.

14 The red lines on this map is the existing
15 345-kV system and the blue lines is the 230-kV
16 system. The 345-kV voltage is our highest voltage
17 class. And also just for reference, the -- the
18 red-and-white dashed line is the LOS to Tande
19 project that we presented to this Commission last
20 year. It is currently under construction. That
21 project will end at the Tande substation, which is
22 a 345/230-kV substation is where this project will
23 begin.

24 The second substation is the Wheelock sub
25 that we said is west of Ray. I just wanted to

1 point out that that is about a mile north of the
2 proposed Bison Generation Station for some context,
3 and that project will also interconnect into the
4 Wheelock substation.

5 And then because we presented these
6 projects recently, we highlighted the Roundup to
7 Kummer Ridge and Pioneer to Judson 345-kV projects.
8 Those were approved and constructed and energized
9 in 2024.

10 Q. Will Basin Electric own the project?

11 A. Yes. The segments of the circuits that
12 are within the U.S. will be owned and operated by
13 Basin Electric. For the remainder of the segments
14 in Canada, they will be owned by SaskPower.

15 Q. Please describe the schedule for the
16 project.

17 A. We plan to start construction early this
18 summer, pending approval of our remaining permits,
19 and complete the work by September of 2027.

20 Q. What is the estimated cost of the project?

21 A. Our current cost projection for the
22 project is 179 million.

23 Q. Now let's turn to the route selection.
24 Can you first please explain the meaning of the
25 terms "project route" and "project corridor"?

1 A. In the application we define the project
2 route as the location of the electric transmission
3 facility, which includes the centerline and the
4 structure locations.

5 The project corridor we define as the area
6 of land where the designated route is established.
7 And for this project we propose to match the
8 corridor to the easement width, which will be
9 125 feet.

10 Q. Please summarize how the general project
11 route was selected.

12 A. So this project was originally approved by
13 Southwest Power Pool in the summer of 2022. And,
14 again, Phil Westby will talk through the Aggregate
15 Transmission Service Study process that this
16 project was selected from.

17 Once we received the approval from SPP,
18 the project was presented to the Basin Electric
19 board of directors. And when they approved the
20 project, we began coordination and study processes
21 on the project.

22 We started with coordinating with
23 SaskPower to identify potential border crossing
24 locations. They were still in the process of
25 locating the Tableland substation.

1 So we first met with landowners along the
2 border area to secure five different options for
3 crossings to leave ourselves some flexibility in
4 the routing. And then once both SaskPower and
5 Basin had time to look at preliminary routing, we
6 selected two locations for our formal crossing
7 locations and then based those end points for our
8 routing study.

9 At that point the project team identified
10 a study area for the larger project and started
11 developing potential route alternatives from both
12 Wheelock and Tande to those border crossing
13 locations.

14 We started with meeting with landowners
15 and requesting survey permissions to help us locate
16 the final route. And through the last three years
17 of landowner feedback and numerous surveys on the
18 cadastral side, biological and cultural surveys and
19 numerous iterations, we have selected a final route
20 to be presented to the Commission.

21 For further reference, I have an exhibit,
22 Exhibit 3, if you could turn to that. This shows a
23 number of the routes and alternative routes that we
24 reviewed throughout this process. There's a little
25 bit over 670 miles of different routes that we

1 formally studied. We even studied some routes that
2 are not shown on this map on a -- at a desktop
3 level to look for the criteria that we route
4 projects to.

5 So the final alignments were selected to
6 adhere to -- to Basin Electric's design standards,
7 county ordinances and then the Commission's
8 avoidance and exclusion criteria. But ultimately
9 the routes that we selected were to maximize
10 voluntary easement acquisition.

11 Q. What was Basin Electric's philosophy when
12 routing this project?

13 A. For this project and all of our ongoing
14 transmission projects, our -- our philosophy is to
15 route the projects to minimize impacts to
16 environment and human welfare and to accommodate
17 existing and planned land uses, while also trying
18 to optimize the project for cost and manage for
19 material, construction, and ultimately the
20 operation and maintenance.

21 We have a number of standard criteria, but
22 it really starts with complying with the
23 Commission's avoidance and exclusion criteria.
24 Mr. Ryan King will testify on that subject later.

25 A lot of the routing, especially in this

1 area, is to minimize impacts to cultivated
2 croplands, and in many areas we were successful in
3 doing that. The routing usually works best when
4 we're able to follow quarter lines where it's
5 already a natural property division on the field
6 split.

7 Next, we try to limit interference with
8 oil and gas development and other utilities.
9 There's a significant number of utilities in this
10 area. There's also a high number of wetlands in
11 this area, so spanning and avoiding wetlands where
12 possible is also critical.

13 And then, finally, we just try to avoid
14 areas that are less suitable for construction and
15 ultimately for the operation and maintenance of the
16 line.

17 And once we have the alignment selected,
18 our routing philosophy then is to adjust the
19 structure locations wherever we can to accommodate
20 landowner preferences.

21 Q. What opportunities did landowners have to
22 provide input on the route selection?

23 A. At the start of the project, we put
24 together a brochure, and in early 2023 we sent out
25 a project brochure and letter to landowners within

1 the identified study area and began reaching out to
2 them to discuss potential project routes and
3 request survey permissions.

4 We also at that time scheduled our first
5 public open houses, which we held in June of 2023.
6 We had one here in Crosby and a second one in
7 Tioga.

8 And then the following year, because this
9 project was part of the NEPA process with the
10 Department of Energy, we also held additional
11 public scoping meetings in the fall of 2024, again
12 both in Tioga and Crosby.

13 And then really throughout the last three
14 years, just numerous meetings with landowners on
15 potential routes to get feedback as we selected our
16 final alignment.

17 Q. Can you turn to what's been marked as
18 Exhibit 21, which is a right-of-way acquisition
19 chart that was handed out today. Are you familiar
20 with that, Mr. Nasset?

21 A. Yes.

22 Q. Could you please explain what this is?

23 A. Yes. This was printed yesterday and is
24 already out of date again, so we are trying to get
25 the latest status for right-of-way acquisition.

1 For the Wheelock circuit, we have 106
2 total individual landowners on the project. As of
3 yesterday, we had 99. Today we now have 101
4 easements signed on that alignment, or about
5 95 percent.

6 And for the Tande to Saskatchewan, we have
7 117 total landowners. 109 have signed easements.
8 We have word from three or four landowners they
9 have sent in their easements. We just haven't
10 received them yet, which would put us up to 113, or
11 96 percent on that line.

12 Q. How is Basin Electric coordinating
13 facilities with area utilities?

14 A. We've had significant coordination with
15 the area utilities, especially Mountrail-Williams
16 Electric Cooperative and Burke-Divide Electric
17 Cooperative. There's a number of areas where we've
18 coordinated on utilizing existing distribution
19 lines for an alignment.

20 In addition, this project has well over
21 300 other utility crossings. So for each one of
22 these, we typically need a crossing permit with the
23 pipeline or the utility to make sure that we ensure
24 that we have line clearances and meet their
25 operational requirements.

1 Q. What is the scope of work associated with
2 the Wheelock substation?

3 A. And for this question, if you could refer
4 to Exhibit 4. This is an aerial map of the
5 Wheelock substation. Currently, there's one 230-kV
6 circuit that runs east-west on the north side of
7 the Wheelock sub. One end of that goes to
8 Williston, the other one to Tioga. And the
9 terminal addition for this project was to be on the
10 south side of Wheelock, so our circuit would come
11 around to the south side.

12 However, as I mentioned earlier, the Bison
13 Generation project is also ongoing. We'll need to
14 bring two new 230-kV circuits into Wheelock. That
15 project will require an expansion of the
16 substation. So to accommodate that, we have a
17 temporary route. We're going to bring the
18 Williston circuit around to the south side. That's
19 the one shown on the dashed line. And then the
20 Saskatchewan circuit will tie into its current bay.

21 And then once the substation is expanded,
22 that Williston circuit will be rerouted into the
23 north side and that temporary reroute will be
24 removed, and then the two circuits from the power
25 plant will come from the south.

1 Q. What is the scope of work associated with
2 the Tande substation?

3 A. For this, if you could refer to Exhibit 5.
4 So we mentioned where the Tande substation is on
5 both the 345-kV and the 230-kV transmission system.
6 This is an existing substation. The terminal
7 addition here will be within the substation
8 footprint, so no expansion will be required. That
9 terminal is highlighted in red on the map and
10 includes the -- the takeoff structure, breakers,
11 disconnect switches and the foundations.

12 Q. What efforts has Basin Electric made to
13 economize the project's costs of construction and
14 operation?

15 A. So the main priority for us to manage
16 costs throughout the construction is really to try
17 to limit the line length and limit the number of
18 angle structures. So we do that and we also --
19 it's important to avoid complex terrain and make
20 the line safe and accessible for both construction
21 and the operation and maintenance.

22 Once the route was selected, we went
23 through an optimization process adjusting structure
24 heights and locations to make sure we met our
25 design clearance requirements, and then just

1 optimizing for minimizing material and construction
2 costs. After that, we bid all of our material and
3 construction services competitively to qualified
4 suppliers.

5 Q. Now let's talk about design. First, can
6 you please describe the proposed transmission
7 structure design?

8 A. For this question, if you'd refer to
9 Exhibit 6. We have a geometry diagram of our
10 typical tangent structure for this voltage class.
11 We also in the back have a display setup of a
12 picture showing the structure and the dimensions of
13 it.

14 The structure we use at this voltage class
15 is called a delta configuration tangent. It has
16 three davit arms for each of the conductor phases,
17 and then it'll also have an OPGW wire at the top of
18 the pole.

19 At this voltage class, we do
20 direct-embedded poles for the tangent structures,
21 and then all the angles will be on drilled concrete
22 piers. They'll be self-supporting structures with
23 no guy wires.

24 Again, the structure locations and heights
25 and span lengths vary so the heights vary

1 throughout the project, but the average pole height
2 aboveground is approximately 105 feet. But for
3 this project, they range from 80 to 160 feet tall,
4 depending on the terrain, and the taller ones are
5 usually to accommodate another utility crossing.
6 The typical span lengths for the project is
7 950 feet, but they range from 300 to 1300 feet.

8 Q. How many structures will be constructed
9 for the project?

10 A. The Wheelock circuit will have 309
11 structures and the Tande circuit will have 327
12 structures.

13 Q. What conductor is Basin Electric proposing
14 to use for the project?

15 A. Similar to our recent projects, we'll be
16 using an aluminum conductor with a composite carbon
17 fiber conductor core. The size for this voltage
18 class is 1.31 inches.

19 Q. Turning to construction, can you please
20 describe the construction activities for the
21 project?

22 A. Yeah. So the construction will follow a
23 series of phases. We begin usually with Basin
24 staff performing the structure staking, staking the
25 right-of-way and staking any avoidance and

1 exclusion areas so they're clearly marked to avoid
2 during construction.

3 The contractor will then usually start
4 with access preparation: installing gates where you
5 cross fences and adding approaches. We'll do tree
6 clearing at this time or throughout the project,
7 depending on where they're working.

8 And then the foundation crews will start.
9 Again, for this project, it's just for the angle
10 structures. And the structure hauling and framing
11 crews will begin after that. So they'll haul
12 structures to each site. A second crew, called the
13 framing crew, will come assemble them on site. And
14 then they'll be followed by a separate crew with a
15 crane that will set and erect each of the
16 structures.

17 Once we have enough structures ahead,
18 we'll begin the conductor stringing operations.
19 And once that wire is complete at the correct
20 tensions and clipped in, we'll do our cleanup and
21 then begin the reclamation phase.

22 Q. Will Basin Electric be prepared if there
23 are emergency situations during or after
24 construction?

25 A. We submit the line route and all of the

1 structure locations, GPS coordinates to local
2 emergency agencies prior to construction starting.
3 So they'll have access to the site. And then we
4 also have 911 addresses for both substations and
5 the laydown yards that the project will use.

6 Q. What steps will Basin Electric take when
7 construction is complete?

8 A. After construction is complete, both the
9 construction observation team and our transmission
10 maintenance operators will do a final inspection of
11 the project and develop a punch list and any
12 corrective action that needs to be taken.

13 Once those corrections have been complete
14 and verified, the contractor will be released from
15 duty, and Basin Electric's right-of-way team will
16 then take over the project and initiate the
17 reclamation phase.

18 Q. To conclude your testimony, can you please
19 tell us, based on your knowledge of the project,
20 will its construction, operation and maintenance
21 produce minimal adverse effects on the environment
22 and human welfare?

23 A. Yes.

24 Q. Based on your knowledge of the project, is
25 it compatible with the environmental preservation

1 and efficient use of resources?

2 A. Yes.

3 Q. And, finally, based on your knowledge of
4 the project, will it ensure continuing system
5 reliability and integrity needs are met?

6 A. Yes.

7 MS. OLSON: Thank you. I have no further
8 questions for Mr. Nasset.

9 JUDGE HOGAN: Mr. Martens, any questions?

10 MR. MARTENS: No, Your Honor.

11 JUDGE HOGAN: Mr. Hanson?

12 MR. HANSON: No, Your Honor.

13 MS. OLSON: Commissioner Kringstad.

14 COMMISSIONER KRINGSTAD: Just a couple.

15 **EXAMINATION**

16 **BY COMMISSIONER KRINGSTAD:**

17 Q. And if these are better left for other
18 witnesses, just let me know.

19 Does -- does Basin Electric have any other
20 infrastructure that goes into Canada?

21 A. We have one other existing line from the
22 Tioga substation, which is near Tande, that goes up
23 to Boundary Dam.

24 Q. Okay.

25 A. If you refer to Exhibit 2, that line is

1 shown on the regional map as well.

2 Q. I see. Okay. Okay. As far as on both of
3 these applications, what -- is there anything that
4 remains to be surveyed on either of these lines or
5 has everything been fully surveyed?

6 A. All of the surveys are complete. Ryan --

7 Q. Okay.

8 A. -- King will testify to the -- where we're
9 at in the review process with the various agencies.

10 Q. Okay.

11 A. We're still waiting for some of those to
12 be complete.

13 Q. Okay. One of the things that you had
14 mentioned in your prefiled testimony was regarding,
15 like, ground patrols, and I think what it -- I
16 don't know that you said it verbally, but what --
17 what was written was essentially that ground
18 patrols will be conducted annually for the first
19 three or four years and then less frequently after
20 that.

21 So can you give me a little more insight
22 about when you're doing those ground patrols, like
23 what you're -- what that process is and what you're
24 looking for when you do those?

25 A. Yeah. That's a -- that's a good question.

1 That's conducted by our transmission maintenance
2 staff, and so since it's a new line, they're still
3 getting familiar with that. Sometimes you'll find
4 loose bolts or items that weren't caught, you know,
5 in the final cleanup.

6 So when it's a new line, they just want to
7 verify and inspect those visually more often until
8 they're more comfortable with the line. So they'll
9 still do their typical aerial inspections, too, but
10 more frequent ground inspections initially.

11 And then they'll go on, after the first
12 few years, to like a five-year cycle where they'll
13 still climb each -- each structure every five years
14 for inspection --

15 Q. Okay.

16 A. -- of that structure.

17 Q. And so that -- that's helpful. That kind
18 of answers my question about why -- why after three
19 or four years you kind of drop off. But you're
20 still doing those aerial inspections. You're still
21 doing the -- I think you said in the application
22 every five years like every fifth pole gets --

23 A. Correct.

24 Q. -- fully inspected by the ground -- okay.

25 Tell me a little more about the public

1 open houses that you held. I'm just curious,
2 like -- I know you had mentioned you kind of did
3 two rounds, one in '23, one in '24. Tell me about,
4 like, the time of day, the format, the outreach
5 that you did to have -- to make sure people were
6 aware and could come. Tell me a little more about
7 that.

8 A. Yeah. I believe they were both held in
9 the evenings, both in '23 and '24. And we -- our
10 communications department at Basin advertised
11 through radio, social media and newspapers as we're
12 able to.

13 And then also in our -- when we were
14 sending out the flyers and brochures to landowners,
15 we also noted to them that these open houses will
16 be scheduled.

17 So it was actually held in this room when
18 we were in Crosby both times, and fairly well
19 attended. We had similar displays. We also had
20 some other information on the -- on both the
21 PSC-permitting process and the process for the
22 Presidential permit due to the border crossing,
23 so --

24 Q. Okay. And so it was -- was it kind of
25 like a big group format where then the company gave

1 like a presentation on the project --

2 A. Mm-hmm.

3 Q. -- and took Q and A?

4 A. In the -- the first two was just an open
5 house where we didn't have a formal presentation,
6 but we --

7 Q. Okay.

8 A. -- had staff from engineering,
9 right-of-way, construction and the permitting team
10 to answer questions. The second ones, the public
11 scoping ones, we did do a formal presentation and
12 took questions. Yeah.

13 Q. Okay. Do you have any idea, like, roughly
14 how many people were in attendance at those?

15 A. I could get those numbers for you next
16 time. I think --

17 Q. Okay.

18 A. I'd guess 50 to 60 --

19 Q. Okay.

20 A. -- but I can get it. Yep. Mm-hmm.

21 Q. Perfect.

22 With the Wheelock station, I know --
23 was -- was that -- was that also part of the Bison
24 Generation Station --

25 A. It will --

1 Q. -- siting case?

2 A. -- be, correct.

3 Q. Okay. And so on the exhibit that you
4 referenced in Exhibit 4, I think you said that
5 the -- the lines that are coming from the Bison
6 Generation Station are coming from the south. Are
7 those reflected on the map at all?

8 A. They're -- they're not shown on this map.

9 Q. Okay.

10 A. That will still be a forthcoming
11 application for those lines.

12 Q. For those. Okay.

13 A. Mm-hmm.

14 Q. Okay. Does -- does the company anticipate
15 any winter construction activities with either of
16 these lines?

17 A. We do anticipate doing winter
18 construction. So the ideal will be to begin this
19 summer, but to complete this many miles, we'll
20 likely take construction throughout the winter.

21 We're doing something similar on the --
22 the LOS to Tande project, and so --

23 Q. Okay.

24 A. -- a lot of times winter construction is
25 better. The ground's frozen. It's less impact to

1 the ground, but then we also deal with the weather
2 more often. So production slows and you have less
3 daylight hours, but we found that we're able to
4 keep progress. And so the contractor does not
5 demobilize for the winter.

6 Q. Okay. Does -- does the company have any,
7 like -- any formal, like, winter construction
8 procedures? I -- I know sometimes when -- when we
9 hear projects that are going to have winter
10 construction, we almost get like a separate filing
11 regarding just kind of best practices, a little
12 more detail on what those construction practices --

13 A. Yeah.

14 Q. -- may be.

15 A. No. That's a good question. I think in
16 general we don't have to change our processes too
17 much because we're not really doing much
18 ground-disturbing activity. So separating topsoil
19 or compaction aren't really applicable to our
20 project.

21 Q. Okay.

22 A. But we do have new requirements for, like,
23 concrete being poured in cold weather. It's a
24 different specification that we have to follow, for
25 example.

1 Q. Okay.

2 A. And then really where we have to be most
3 mindful is conditions like now when we're having
4 the thaw cycles just with the right-of-way. A lot
5 of times then we will stand down from construction
6 or use matting to make sure that we're not causing
7 too much disturbance to the right-of-way.

8 Q. Okay. On Exhibit 21 that you handed out,
9 the easement acquisition, I just want to make sure
10 that I copied these down correctly as you spoke.
11 So for the Wheelock to Saskatchewan, you said that
12 what's shown on our sheet as 99, that's now 101 --

13 A. That's correct.

14 Q. -- or 95 percent.

15 Do you -- and if you don't have this
16 today, we can talk about it Friday as well, but
17 those two additional easements, do you know what
18 counties those are for?

19 A. I do not, but Mike Murray will be up
20 shortly and he will know.

21 Q. Okay. Yeah. Not a problem.

22 And then I just had a -- I won't ask this,
23 but just to let Mr. Murray know, probably the same
24 question for the Tande to Saskatchewan circuit as
25 well, so --

1 I'm not sure if this is a question for you
2 or Mr. King, but when it comes to like oil rigs and
3 drilling rigs, I know you had mentioned that was
4 something you were -- tried to avoid. I was just
5 curious, looking on Exhibit 11, which is the
6 Wheelock map book, on the very last page, so
7 page 16 of 16, there was just, I guess, one
8 structure that maybe stood out to me kind of in the
9 middle of the page right by structure 385-297.

10 That just seemed fairly -- like fairly
11 close to an active oil well. So I was just kind of
12 curious about that, if you were spanning it or --

13 A. Yeah. I think it does look close, but --

14 Q. Yeah.

15 A. -- the full oil pad would be outside of
16 our right-of-way.

17 Q. Okay.

18 A. And these alignments, too, were -- were
19 sent and we've communicated a lot with each of the
20 pipeline operators, so they -- more significant in
21 that location is all the pipeline crossings we
22 have. So we did -- we did run by -- these
23 structure locations and easements by them when
24 we're close to these wells.

25 I do believe that's also a section

1 correction. So you can see we're following up a
2 quarter line as we go north-south and then shift
3 over around that well pad onto the quarter line
4 moving to the north.

5 Q. I see. Okay.

6 I did have some questions about county and
7 township permitting. Did you want me to hold those
8 for Mr. King?

9 A. Yeah, Mr. King can cover those. Mm-hmm.

10 COMMISSIONER KRINGSTAD: Okay. Sounds
11 good. I think those are all the questions I had.
12 Thank you.

13 JUDGE HOGAN: Commissioner Christmann.

14 **EXAMINATION**

15 **BY COMMISSIONER CHRISTMANN:**

16 Q. I only have a couple more. And there's
17 different references, and I'm not saying that
18 they're way far apart or anything to be misleading,
19 but can you give me the current miles for each of
20 the lines and the cost estimate of each of them?

21 A. I don't have the -- the cost estimate
22 breakdown between each individual segment. We
23 could have that for you later today. We've -- for
24 Basin's project, we are -- we've kind of
25 consolidated it into one capital project so we're

1 tracking them together.

2 But the -- the total length that we have
3 on the right-of-way sheet is correct within a
4 decimal point anyway. So 53.0 is what it rounds to
5 to the nearest tenth of a mile and 58.3 miles is
6 correct for the Tande to Saskatchewan route.

7 We have, since the application, made a
8 number of minor reroutes that does have a small
9 effect on the actual distance, but that was the --
10 the latest numbers that we pulled here with the
11 alignments we currently have.

12 Q. So -- yeah, these are the numbers I had in
13 my notes. And then, like I said, there's a couple
14 different things that were a little off that I was
15 going to frame. You said the total as of now
16 between the two lines was 179 million?

17 A. That's correct. Yep. That includes the
18 work at the substations as well. I could
19 provide --

20 Q. Okay. So when --

21 A. -- some more context to that. Oh, sorry.

22 Q. When -- the spot where I had it, I'm a
23 million dollars off, but that's not really going to
24 change the point of this question too much because
25 I had 97 and 81 between them, so that's 178.

1 A. Okay.

2 Q. But when I divided that by the mileages,
3 the Tande is like \$1.67 million per mile and
4 Wheelock is 1.53 million. Why would there be
5 \$140,000 difference when we're relatively similar
6 terrain here?

7 A. That's a good question. I think -- so you
8 must be referring to the NTC budgets for each
9 circuit. So this -- when we first set up the
10 budgets, we didn't have the exact line length for
11 each project. We had an estimate and assumptions
12 that went into the project budget. So as the
13 project materialized, the Tande circuit actually
14 got longer. Our border crossings ended up further
15 west than we thought, and the Wheelock circuit got
16 slightly shorter.

17 So with the budgets that we had put
18 together originally for the project, your
19 dollar-per-mile estimate looks slightly higher on
20 the -- on the Tande line. In addition to that, on
21 the Tande circuit, there are likely more angle
22 structures which drives up the dollar-per-mile
23 cost.

24 Q. And is it you or Mr. Westby that I talk to
25 about SPP's order to construct and SaskPower's

1 desire for this and all those kinds of things?

2 A. Yeah, Mr. Westby will have -- cover a lot
3 of that in his prefiled testimony and could answer
4 those questions for you.

5 COMMISSIONER CHRISTMANN: Okay. That's
6 all the questions I have.

7 JUDGE HOGAN: Commissioner Haugen-Hoffart.

8 COMMISSIONER HAUGEN-HOFFART: Thank you.

9 **EXAMINATION**

10 **BY COMMISSIONER HAUGEN-HOFFART:**

11 Q. I'm going to go off of your prefiled
12 testimony and what you talked about here. How
13 would you describe Basin's relationship with
14 landowners?

15 A. I think we have a good relationship with
16 landowners. We've worked really hard on this
17 project and on the previous ones trying to take
18 into account their -- their considerations when we
19 route the projects.

20 Mike Murray, who's here, our director of
21 right-of-way, and his team take this really
22 seriously, and we think getting voluntary easements
23 is the right way to do projects and we've had a
24 pretty good track record on that.

25 That being said, transmission lines are --

1 are always a tough sell, and I think even though we
2 have 95 percent easements signed, that doesn't mean
3 95 percent are excited to have transmission lines
4 on their property. I think most landowners, if
5 given the choice, would just rather not have the
6 transmission line.

7 So a lot of that is just through
8 communication on the benefits of the project, not
9 just this project specifically but on the overall
10 transmission buildout that we are undertaking
11 currently. And the benefits that we get out of
12 being in an RTO like SPP, there's cost benefits to
13 the members, and I think going through that process
14 with members has helped sell these projects, too,
15 as a benefit to them.

16 And with being in the RTO it also has
17 obligations. So with -- SaskPower would like
18 transmission service. That is a project that gets
19 assigned to someone, and so Basin could select --
20 could either do that project or let someone else do
21 that. We thought since these are already member
22 owners, we'd be in the best position to build this
23 project.

24 Q. Okay. You say in your testimony about --
25 and the alternative routes that you've done,

1 looking at reroutes when feasible. When were
2 requests made where it wasn't feasible to reroute?
3 What are some of your criteria when it's not
4 feasible?

5 A. Well, one example would be just moving it
6 off their property. Early in the project if a
7 landowner is very against the project, the easiest
8 thing for everyone -- for all of us is just to
9 avoid that landowner. I think where we get into
10 challenges is we might have a really nice stretch
11 of eight miles, it's straight, we have no
12 encumbrances, we have no avoidance or exclusion
13 criteria and that route works for many landowners.
14 There's usually one or two in there that that
15 parcel is not as well suited.

16 So, for example, we might be, like I
17 mentioned, on a quarter line where we can be out of
18 the field for everyone except one landowner and it
19 makes sense that that landowner would object to
20 that and would prefer a reroute, but there's
21 nowhere for us to move that line at that point and
22 not have even -- we'd have fewer landowners for the
23 alternate location or even more structures in the
24 field.

25 So we did really route this project -- we

1 do have some structures in cultivated fields but
2 very few, and that really is the goal because that
3 on all of our projects has been typically the
4 toughest sell is when we're impacting agricultural
5 operations.

6 And where we can be on a property line
7 where it's more of an overhang easement and the
8 structures are on their property line, it's just
9 been a lot more successful for us.

10 Q. Okay. You talked about what conductors
11 are being used, and you said that you exceed the
12 SPP minimum rating requirement. What's the
13 requirement from SPP and then why do you exceed it?

14 A. I believe their requirement is for 325
15 megavolt amperes, so about 325 megawatts that came
16 out of the request for transmission service study
17 that SPP did. So this conductor that we're using
18 now is the same conductor we used on our other
19 230-kV projects, so it exceeds that rating. And it
20 really met one of the original SPP goals at 230-kV
21 to be -- have capacity up to 2,000 amps.

22 And so partly to still meet that
23 requirement, we use this conductor, but also
24 because now it matches our inventory in other
25 projects. That way if we ever need to order a new

1 conductor, we can start using this as a standard
2 between different circuits of this voltage class.

3 Q. So would you say there's cost savings with
4 that?

5 A. There are cost savings and there are
6 considerable cost savings in using the carbon fiber
7 core conductor. It sags much less than our
8 traditional steel core conductors, so we're able to
9 reduce structure heights or increase the structure
10 spans or both. So we think it's a good product
11 that is well suited for this project.

12 Q. Okay. You talk about during the
13 construction contractors will be required to adhere
14 to reduced speeds. Who enforces that?

15 A. That's a good question. That's been a
16 challenge on some of our projects. We do -- for
17 example, on the LOS to Tande project, we have 11 or
18 12 full-time construction observation staff that
19 are working directly as agents of Basin. So we are
20 trying to monitor speed. We bring this up
21 constantly during our weekly construction calls.
22 And the contractors are trying to adhere to that,
23 too, but they're also under the gun trying to get a
24 project done.

25 So it's really important for Basin to stay

1 on top of that. That's been -- just the way that
2 we mitigate dust and safety on the projects is to
3 try to stay on top of the speed that they're
4 driving, not just on the right-of-way, but on
5 public roads to and from the project.

6 Q. Okay. Thanks. Wildfire mitigation has
7 been kind of a hot topic out there.

8 A. Right.

9 Q. You indicated in your prefiled testimony
10 the construction contractor will be required to
11 submit a project-specific wildfire preparedness and
12 prevention plan. Will that be part of the bid
13 process when you go out there with the contractor
14 that they have to fulfill that requirement?

15 A. It wasn't yet at the time that we put
16 together our wildfire mitigation plan, but this
17 contractor still will be preparing one that Basin
18 Electric will have to review and approve and then
19 will adhere to that during the execution of the
20 construction.

21 Q. Has a contractor been hired yet? Have you
22 started that process?

23 A. We did receive bids, and we are planning
24 to award this contract to Brink Constructors, which
25 is the same contractor that's building the LOS to

1 Tande project.

2 Q. I just have one more question. You talked
3 about in your open house that you held as part of
4 the federal NEPA process. Do you want to explain
5 that, what requirement that was?

6 A. Yeah. Due to the international border
7 crossing, we were required to get a Presidential
8 permit, and that kicked off NEPA requirements with
9 the Department of Energy. So we were fairly far
10 along in that process, but that process has had a
11 lot of changes recently, and they've since dropped
12 the NEPA component from that.

13 Ryan King will give a little bit more
14 detail on where we're at with that process, but we
15 are still coordinating directly with that
16 department on getting the Presidential permit. It
17 just no longer has NEPA implications for the
18 remainder of the circuits is my understanding.

19 COMMISSIONER HAUGEN-HOFFART: Okay. Thank
20 you. I have no further questions.

21 JUDGE HOGAN: Ms. Olson, any redirect?

22 MS. OLSON: No, Your Honor.

23 JUDGE HOGAN: Mr. Martens, any questions?

24 MR. MARTENS: No, Your Honor.

25 JUDGE HOGAN: Mr. Hanson?

1 MR. HANSON: One quick -- quick question.

2 EXAMINATION

3 BY MR. HANSON:

4 Q. In looking at -- at some of the
5 documentation -- let me see -- reference back here.
6 You mentioned the design criteria, and in the table
7 you show 100 to 150 feet, but in your -- but then
8 in the documentation it says 80 to 150 feet, and
9 then in your testimony -- I forgot what you had
10 said. You said to 80 to 160. So there seems to be
11 a little variation from the original documentation.
12 Can you -- is it just kind of as things went along
13 things varied or --

14 A. Yeah. No, that's a good catch. We -- in
15 our final detail design, we have one location where
16 we're crossing a Mountrail-Williams switch
17 structure and it's just a very tall structure, so
18 we had to put in a taller one basically to keep
19 clearance over that, and that's the 160-foot-tall
20 structure. So in our original reconnaissance, we
21 had it as 150, but after updated survey, we -- we
22 updated the design of that location.

23 Q. And -- and then for the minimum, you have
24 80 versus the 100 on the graphic. 80 would be the
25 minimum generally then?

1 A. Correct.

2 MR. HANSON: Okay. All right. Thanks.

3 JUDGE HOGAN: Any other commissioner
4 questions? All right. Thank you, Mr. Nasset.

5 Ms. Olson, you can call your next witness.

6 MS. OLSON: Okay. I'll call Mr. Philip
7 Westby, Your Honor.

8 JUDGE HOGAN: Good morning, Mr. Westby.
9 I'll have you start by stating your full name for
10 the record and spelling your last name.

11 MR. WESTBY: Good morning. My name is
12 Philip Westby, W-e-s-t-b-y.

13 JUDGE HOGAN: And, Mr. Westby, did you
14 hear me go through the penalties for perjury
15 earlier?

16 MR. WESTBY: Yes, I did.

17 JUDGE HOGAN: And do you understand what
18 perjury is?

19 MR. WESTBY: Yes, I do.

20 (Witness sworn.)

21 JUDGE HOGAN: All right. Thank you. Go
22 ahead, Ms. Olson.

23 **PHILIP WESTBY,**
24 having been first duly sworn, was examined and
25 testified as follows:

EXAMINATION

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BY MS. OLSON:

Q. Good morning. To start, please state your name and employer.

A. My name is Philip Westby, and I'm employed by Basin Electric Power Cooperative.

Q. What is your position with Basin Electric?

A. I am the manager of transmission services, and my responsibilities include supervising transmission studies that affect Basin Electric and its customers. As part of this, I complete and review any study that would affect Basin Electric's transmission system.

Q. Please describe your educational and professional background.

A. I received a bachelor's of science degree in computer engineering from North Dakota State University in 2008. I am a licensed professional engineer in North Dakota. And I have been employed by Basin Electric Power Cooperative since 2009 in the transmission planning division. I was hired as an electrical engineer and was promoted to manager of transmission services in April of 2023.

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

1 A. My role with respect to this project is to
2 provide transmission planning and regulatory
3 support on behalf of Basin Electric. In this
4 capacity, I am responsible for explaining how the
5 project was identified through the Southwest Power
6 Pool Aggregate Transmission Service Study process,
7 of which from now on I will just refer to it as the
8 study process, and for presenting the planning
9 rationale, system need and reliability
10 considerations that led to its development.

11 Q. Are you familiar with the contents of
12 Basin Electric's applications for this project?

13 A. Yes.

14 Q. What is the purpose of your testimony
15 today?

16 A. The purpose of my testimony is to describe
17 the origin and development of the project and to
18 explain the SPP study process that led to its
19 identification. My testimony provides an overview
20 of the study process as established under the SPP
21 tariff and outlines how the results of that process
22 applies specifically to the project before the
23 Commission.

24 Q. First, let's talk about the Southwest
25 Power Pool or SPP study process. What is SPP?

1 A. SPP is a regional transmission
2 organization mandated by the Federal Energy
3 Regulatory Commission to ensure reliable supplies
4 of power, adequate transmission infrastructure and
5 competitive wholesale electricity prices on behalf
6 of its members, including Basin Electric.

7 As the -- as the RTO, SPP is responsible
8 for transmission planning and expansion within the
9 SPP region, which includes this project area.

10 Q. Please generally explain SPP's study
11 process.

12 A. SPP's study process is the tariff-defined
13 method SPP uses to -- excuse me. I'm going to
14 start over.

15 SPP's Aggregate Transmission Service Study
16 Process is the tariff-defined method SPP uses to
17 evaluate long-term transmission service requests by
18 grouping them into a single-study portfolio and
19 assessing their combined impact on the regional
20 transmission system. Through this process, SPP
21 determines whether requested service can be
22 reliably provided, it identifies any network
23 upgrades required to support that service, and
24 allocates upgrade costs among the customers based
25 on their contribution to that need.

1 The study process includes multiple
2 technical study iterations. It incorporates power
3 flow and reliability analysis, and culminates in a
4 final set of required upgrades and cost
5 responsibilities.

6 Following the customer's acceptance to
7 continue, SPP will then issue notifications to
8 construct to the appropriate transmission owners,
9 formally directing construction of the upgrades
10 needed to provide that long-term firm transmission
11 service.

12 Q. Please describe Basin Electric's role in
13 this study process.

14 A. Basin Electric participates in the study
15 process as a transmission owner and a transmission
16 service customer, providing -- we provide system
17 data, technical review and study coordination with
18 SPP to ensure that their analysis is accurate and
19 it reflects the configuration and capabilities of
20 the transmission system.

21 As part of each study cycle, Basin
22 Electric supplies updated facility ratings, planned
23 project information and modeling inputs; reviews
24 SPP's study assumptions and their preliminary
25 results; and then we evaluate the feasibility and

1 constructability of any network upgrades assigned
2 to Basin Electric.

3 Q. What happens once SPP identifies that a
4 transmission project needs to be constructed?

5 A. When the study identifies upgrades
6 required to support long-term transmission service,
7 Basin Electric is responsible for assessing the
8 scope, cost and schedule, and upon issuance of a
9 notice to construct, we then begin executing the
10 design, permitting and construction of those
11 facilities in accordance with SPP's tariff and
12 Basin Electric's internal standards.

13 Q. Next, let's talk about this project's need
14 and benefits. Which SPP transmission planning
15 process did the project arise out of?

16 A. The project arose out of SPP's 2021AG2
17 Aggregate Transmission Service Study, which
18 identified the need for the additional 230-kV
19 transfer capability between SPP and Saskatchewan to
20 support long-term firm transmission service
21 requests.

22 Q. What did that 2021 study conclude?

23 A. The study concluded that additional 230-kV
24 transmission capability was required at the
25 northern edge of the SPP footprint to reliably

1 provide long-term firm transmission service between
2 SPP and SaskPower. The study, which is included as
3 an exhibit of the -- to the prefiled testimony,
4 found that the existing 230-kV facilities in
5 northwestern North Dakota were insufficient to
6 support the requested northbound and southbound
7 transfers without violating voltage and thermal
8 conditions -- criteria.

9 The study identified the need for two new
10 230-kV lines extending from Wheelock and Tande to
11 the United States/Canadian border. Based on these
12 findings, SPP assigned the required network
13 upgrades to Basin Electric and subsequently on
14 June 9, 2023, issued NTC 220722 directing Basin
15 Electric to build the new 230-kV cross-border
16 facilities.

17 Q. Can you describe the project benefits to
18 North Dakota?

19 A. The project provides multiple reliability,
20 operational and economic benefits to North Dakota.
21 By adding two new 230-kV transmission paths at the
22 northern edge of the SPP footprint, the project
23 strengthens the transmission network in northwest
24 North Dakota, improving voltage support, enhancing
25 system robustness and increasing operational

1 flexibility during system contingencies,
2 maintenance outages and high-load conditions.

3 The new facilities also expand transfer
4 capability in both directions allowing North
5 Dakota-generated electricity to be exported to
6 other energy markets while also enabling imports of
7 power into the state when needed for reliability or
8 market conditions.

9 In addition, the project creates new high
10 voltage infrastructure that can support future load
11 interconnection in an area that is currently served
12 by a long radial 115-kV line originating from the
13 Neset 115-kV substation near Tioga. This existing
14 radial configuration limits redundancy and voltage
15 support for the communities along the corridor.

16 The introduction of the new 230-kV
17 facilities provides additional -- provides
18 opportunities for future delivery points that would
19 enhance local reliability, reduce dependence on the
20 long radial feed and improve service resilience to
21 the surrounding communities.

22 Q. To conclude your testimony, can you please
23 tell us, based on your knowledge of the project,
24 will it ensure continued system reliability and
25 integrity?

1 transmission owner within SPP, but that's
2 essentially what would happen.

3 MR. MARTENS: Thank you. I have no more
4 questions, Your Honor.

5 JUDGE HOGAN: Mr. Hanson, any questions?

6 MR. HANSON: Yes, a couple questions.

7 **EXAMINATION**

8 **BY MR. HANSON:**

9 Q. You have a little bit of verbiage in there
10 about why you didn't build a 345-kV. Just -- I'm
11 kind of referencing back to the LOS to Tande cost
12 per mile and looking at the cost per mile for this
13 and realizing, like, you probably wouldn't have to
14 run a separate line. Can you kind of speak to some
15 of the process you went through on that. Did you
16 consider that? Was it -- what was the -- what was
17 the back-and-forth? You know, did Basin propose
18 that initially? Can you walk me through that a
19 little bit?

20 A. Yeah. So as part of the study process,
21 SPP looks at alternatives, and one of them was
22 345-kV connections. But ultimately through this
23 process, the ATSS process, SPP chooses the least
24 cost option. So the options for the 345
25 connections were ultimately deemed more expensive,

1 so they -- SPP directed the notice to construct the
2 230-kV options.

3 Q. And was there -- was that far enough along
4 that you guys had a configuration of where that
5 would have run? Because it seems like you wouldn't
6 have had to run -- necessarily had to run a
7 duplicate circuit like what you do now.

8 A. Yeah. So if you're talking about the
9 reason for the duplicate circuits, it really has to
10 do with the SaskPower system. It's a smaller
11 system. Their largest single contingency is a
12 290-megawatt plant, so they designed their whole
13 system around that. If they were to change that,
14 like if we were to put 500 megawatts on one line,
15 then they'd have to kind of figure out how to
16 mitigate that single contingency, and that would be
17 a big reliability risk for them.

18 Q. And what does SaskPower -- what size of
19 lines do they have coming into their Tableland
20 substation?

21 A. I'm not aware of that.

22 Q. Okay. Then another question would be with
23 the 230-kV lines, I mean, what upgradeability -- I
24 mean, is there any upgradeability of that for kV or
25 is this monopole probably limited to 230-kV

1 ultimately?

2 A. Yeah, that's probably more of a question
3 for Bobby Nasset, but my understanding is it would
4 not be able to be upgraded to a different voltage
5 class. That would require more clearance on the
6 structures, taller structures.

7 Q. Okay. And then final question was if you
8 look at the Tande line, you have a 230-kV line that
9 also runs up, that would be the other line you're
10 talking about going into Canada. Kind of how do
11 those lines work together? Is it -- would you
12 ultimately intend to maybe retire that line or
13 how -- how do they interact?

14 A. Yeah. So that line's being utilized
15 today, and as part of this transmission service
16 request, I think on Exhibit 7 it really details the
17 request and it's hard to see, but essentially
18 SaskPower put in three separate requests: a 250
19 request, a 250 request and a 150. So on the
20 existing line they plan to serve 150 megawatts on
21 it. So there's no plans to retire that existing
22 line. It's still needed to meet this transfer
23 requirement.

24 MR. HANSON: Okay. Thank you. That's
25 all.

1 JUDGE HOGAN: Commissioner Kringstad.

2 COMMISSIONER KRINGSTAD: Just a couple
3 questions.

4 EXAMINATION

5 BY COMMISSIONER KRINGSTAD:

6 Q. So one of the things you said in your
7 prefiled testimony is that the SPP planning process
8 identified the need for additional 230-kV transfer
9 capability. Now, granted, Commissioner Christmann
10 is our -- is the Commission's rep in SPP so he's
11 much more familiar with their processes. But like
12 I'm just curious from my perspective, was that
13 transfer capability just in general or was it
14 specifically 230-kV transfer capability?

15 A. It was just transfer capability.
16 SaskPower put in a firm transmission service
17 request, and in order to meet that, they needed
18 this, and 230 was the most economical solution to
19 meet that need.

20 Q. Okay. Got it. And then just one more
21 question on these two independent circuits. So I
22 understand the reliability benefits there that --
23 say like if a storm comes through and one goes
24 down, you would still have that other circuit, and
25 I think you referenced in your testimony

1 specifically about like the NERC standards. But is
2 there -- is there any consideration to, like, how
3 far apart the two independent circuits need to be?
4 Just because like if -- if we look on the map, you
5 know, initially these two circuits are -- I don't
6 want to say exact mileage, but like roughly 20 to
7 30 miles apart, and then as they get closer to the
8 Canadian border, they're -- you know, it -- it
9 appears to be within, you know, like a couple
10 miles.

11 So that's just one thing I'm just curious
12 about is if you -- with the fact that these
13 circuits do eventually get so close together, do
14 you still have those reliability benefits?

15 A. Yeah. So I think they're really trying to
16 meet the NERC standards, like you had talked about.
17 So if they're -- two circuits are on a single
18 structure, that's a category P7 event.

19 Q. Okay.

20 A. If they're within the same right-of-way
21 but different structures, that's an extreme event.
22 And then if they're outside the same right-of-way,
23 there's no NERC category for that. Obviously --

24 Q. Okay.

25 A. -- having them more diverse is better, but

1 there's nothing in the planning realm that
2 addresses that really.

3 Q. Okay. So it's dependent on essentially
4 like right-of-way --

5 A. Right.

6 Q. -- colocation.

7 COMMISSIONER KRINGSTAD: Okay. That's
8 helpful. All right. Those are all the questions I
9 had. Thank you.

10 JUDGE HOGAN: Commissioner Kringstad. Or
11 I'm sorry. Commissioner Christmann.

12 **EXAMINATION**

13 **BY COMMISSIONER CHRISTMANN:**

14 Q. So I really hate it when I get into places
15 where I'm not as familiar maybe with others in some
16 of the acronyms and things that are thrown around,
17 so I want to ask you some questions for the people
18 that are here today --

19 A. Yeah.

20 Q. -- that are going to live with this.

21 When we refer to SPP and the regional
22 transmission organizations -- so regional
23 transmission organizations, am I correct, there are
24 multiple ones across the nation designated by the
25 Federal Energy Regulatory Commission? Correct?

1 A. That's correct.

2 Q. And SPP is one of them?

3 A. SPP is one of them.

4 Q. And they don't follow really geographic
5 lines. They follow the territories of the
6 utilities that joined them; correct?

7 A. Yep. Territories and membership, yep.

8 Q. And in North Dakota, we have -- we're
9 actually served -- our utilities are parts of two
10 different regional transmission organizations;
11 Basin Electric being part of SPP, and our
12 investor-owned utilities like MDU and Otter Tail
13 and Excel being part of MISO, which generally is an
14 RTO further to the east; correct?

15 A. Yep. That's correct.

16 Q. Okay. And when SPP -- now I'll get down
17 to this case and you and SPP. So SPP issues a
18 notice to construct, and you or someone else builds
19 it and you recover -- they have different plans for
20 how the utility will recover their costs; correct?

21 A. That's correct.

22 Q. And so I'm going to say your explanation
23 of this -- I've been really concerned about why
24 we're building two 230s instead of a 345. Your
25 explanation about SaskPower's ability to handle

1 that and make best use of it, that's the first time
2 I've heard that. That's the best reason I've heard
3 so far, so I really appreciated that.

4 I want to throw out what I was more
5 suspicious of.

6 A. Okay.

7 Q. In SPP, if they call for a 345-kV line,
8 the entire SPP region, all the utilities and their
9 customers in it, help pay for that; correct?

10 A. That's correct.

11 Q. And when I say the SPP region, we're going
12 from Basin's areas of North Dakota down to the
13 northern parts of Texas, into New Mexico a little
14 bit, into Louisiana a little bit and the states in
15 between; correct?

16 A. That's correct.

17 Q. Okay. So a 345 line, that whole
18 membership would have had to pay for. A 230-kV
19 line, two-thirds of the costs will be assessed to
20 our zone within SPP --

21 A. Yeah.

22 Q. -- which is mostly MDU -- mostly Basin,
23 and the whole rest of that footprint, which is the
24 bulk of the population, will only have to pay a
25 third of it; correct?

1 A. That's not correct. So this -- this line
2 is not base plan funded. It's funded through the
3 firm service request, so they have to pay a
4 point-to-point revenue for that firm service
5 request, which comes back to Basin Electric in
6 the -- not only to Basin, but it comes back to --
7 50 percent goes to the transmission owner who built
8 the line and the other 50 percent goes to the Upper
9 Missouri zonal -- zone 19 participants.

10 Q. Okay. So now we're getting into the part
11 that had me confused and why I am so suspicious.
12 But if it wasn't a point -- and point to point kind
13 of basically means SaskPower requested this --

14 A. Yes.

15 Q. -- and so they're going to --

16 A. That's correct.

17 Q. -- they're going to end up paying the
18 costs of it; right?

19 A. Yes.

20 Q. But if it weren't that, if this was just a
21 regular transmission line that SPP had called for,
22 then what I said before was correct, that the 230
23 would have meant our zone paying two-thirds and
24 the --

25 A. That's correct.

1 Q. -- rest of the region a third?

2 A. And what you see is on -- like, different
3 SPPs have got different studies process. They've
4 got the ITP, which that's an open and transparent
5 process where everybody participates and then you
6 see those regional projects come out of that.

7 But they also have the AQ process, which
8 is load interconnections which is not open and
9 transparent, so those ones they like to keep the
10 lower voltage stuff so the costs stay to the local
11 zone. And then this process, the ATSS, also is
12 going to assess process -- projects based upon the
13 customer who requested it, so the firm.

14 Q. Okay. So when I first heard about this,
15 that -- that's what went through my mind, like why
16 are we building two 230s and we end up paying for
17 more of it. So I asked at SPP and was told what
18 you have just told us, that this is point to point
19 and that explained it. They didn't tell me the
20 part about SaskPower's capabilities, which further
21 makes it make more sense.

22 But just one more thing you've got to
23 clarify with me. When I explained that, if this
24 weren't a point to point then, that whole system
25 with 345s, the whole region pays and the 230s it's

1 more zonal, that's called SPP's base plan funding;
2 right?

3 A. That's correct.

4 Q. So why then in Exhibit 8 where these are
5 laid out separately, it starts with the Tande
6 project and then second is the Wheelock project,
7 and under cost allocation of the network upgrade it
8 says base plan? That's what has me worried, right
9 there.

10 A. Yeah. Okay. My understanding is that we
11 will also put this in the base plan funding and get
12 recovery that way, but we also get this
13 point-to-point revenue back to pay for the project.
14 So we also get a transmission revenue requirement
15 back on this project based on the cost.

16 Q. I'm sorry. I don't understand. So you
17 can't get recovery twice.

18 A. Yeah. I -- I'm not the expert in
19 transmission rates, so if that's the concern, we
20 can bring the rates people back next time.

21 Q. Yeah. Because I'm really concerned when
22 I'm seeing this about whether this is going to be a
23 cost impact on North Dakota customers
24 disproportionately to our benefit. I get we get
25 some benefits out of it.

1 technologies looked at to enhance the existing
2 230-kV lines, and if so, what technologies were
3 used; and if not, why not?

4 A. I guess what technologies are you talking
5 about? Like dynamic line rating devices or --

6 Q. Any technologies to --

7 A. I think it really has to do with the
8 request and how it was submitted. So, again, they
9 submitted 250, 250 and 150 just because their
10 system can't handle the singular loss of more than
11 290 megawatts.

12 Q. So what I hear you say is based on the
13 requests, no technologies were reviewed. They just
14 said they were insufficient and then the
15 recommendation, two new lines.

16 A. I mean, the existing line is capable of,
17 like, 400 MVA. I don't -- to enhance that you
18 would -- yeah, there were no new technologies
19 considered, I guess. Yeah.

20 COMMISSIONER HAUGEN-HOFFART: Okay. Thank
21 you.

22 JUDGE HOGAN: Any redirect, Ms. Olson?

23 MS. OLSON: Yes. Just one, Your Honor.
24
25

FURTHER EXAMINATION

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BY MS. OLSON:

Q. Mr. Westby, I know you talked with Commissioner Christmann about bringing some more details on the cost and payment of the project for Friday's hearing, but just generally to clarify today, will SaskPower be paying for the project?

A. Yes.

MS. OLSON: Thank you. Nothing else.

JUDGE HOGAN: Mr. Martens, any other questions?

MR. MARTENS: No, Your Honor.

JUDGE HOGAN: Mr. Hanson?

MR. HANSON: No, Your Honor.

JUDGE HOGAN: Any other commissioner questions?

All right. Thank you, Mr. Westby.

MR. WESTBY: Thank you.

JUDGE HOGAN: We are going to take our morning break. Let's reconvene at 11:40.

(Recessed at 11:23 a.m. and reconvened at 11:42 a.m.)

JUDGE HOGAN: All right. We're going to get started again.

Ms. Olson, you can call your next witness.

1 MS. OLSON: Okay. I'm going to call
2 Mr. Ryan King.

3 JUDGE HOGAN: Good morning. I'll have you
4 start by stating your full name for the record and
5 spelling your last name.

6 MR. KING: Ryan King, K-i-n-g.

7 JUDGE HOGAN: And, Mr. King, did you hear
8 me go through the penalties for perjury earlier?

9 MR. KING: I did.

10 JUDGE HOGAN: And do you understand what
11 perjury is?

12 MR. KING: Yes.

13 (Witness sworn.)

14 JUDGE HOGAN: All right. Thank you.
15 Go ahead, Ms. Olson.

16 **RYAN KING,**

17 having been first duly sworn, was examined and
18 testified as follows:

19 **EXAMINATION**

20 **BY MS. OLSON:**

21 Q. Good morning. To start, please state your
22 name and employer.

23 A. My name is Ryan King. I'm employed by
24 Basin Electric Power Cooperative.

25 Q. What is your position with Basin Electric?

1 A. I'm an environmental coordinator. My
2 responsibilities include facilitating environmental
3 assessments for new projects and ensuring
4 compliance with environmental laws and permits.

5 Q. Please describe your educational and
6 professional background.

7 A. I received a bachelor of science in
8 construction management and a master's of natural
9 resource management from North Dakota State
10 University in 2013 and 2014. I have 13 years of
11 environmental permitting experience, and I've been
12 employed by Basin since September of 2023 and have
13 worked on a variety of transmission and energy
14 conversion facility siting applications.

15 Q. What is your role with respect to this
16 transmission line project?

17 A. I'm responsible for the overall
18 preparation and coordination of the environmental
19 analysis for the project within Basin Electric and
20 through our consultants.

21 Q. Are you familiar with the contents of
22 Basin Electric's applications for this project?

23 A. Yes, I am.

24 Q. What is the purpose of your testimony
25 today?

1 A. I will describe the methodology with
2 respect to the environmental considerations that
3 was used to delineate the proposed project corridor
4 and route and to demonstrate that they are in
5 accordance with the North Dakota Energy Conversion
6 and Transmission Facility Siting Act and the
7 Commission's rules and regulations.

8 Q. First, let's talk about siting criteria.
9 What is an exclusion area?

10 A. An exclusion area is a geographical area
11 that must be excluded in the consideration of a
12 route for a transmission facility. An exclusion
13 area may be located within the corridor but cannot
14 exceed more than 50 percent of the corridor width
15 unless there is no reasonable alternative.

16 Q. Does the project contain any exclusion
17 areas?

18 A. Yes. There are archeological sites
19 present within both circuit corridors, 5 within the
20 Wheelock circuit corridor and 24 within the Tande
21 circuit corridor.

22 Q. Will the presence of archeological
23 sites -- with those, will the project still meet
24 the Commission's exclusion criteria?

25 A. Yes. While there's -- there are 3 sites

1 within the Wheelock corridor and 15 sites within
2 the Tande corridor that exceed the 50 percent of
3 the corridor width, the project has been designed
4 to avoid all these sites as far as structure
5 placement and access roads, and buffer zones have
6 been placed around each site to ensure avoidance.
7 Additionally, temporary fencing will also be placed
8 around all these sites during construction.

9 Q. What is an avoidance area?

10 A. Avoidance area is a geographical area that
11 may not be considered in the routing of the
12 transmission facility unless the applicant can show
13 that under no circumstances there are no reasonable
14 alternatives.

15 Q. Does the project contain any avoidance
16 areas?

17 A. Yes. There's approximately 8 acres of
18 geologically unstable soils within the Wheelock
19 circuit corridor and approximately 35 acres within
20 the Tande circuit corridor. Additionally, there
21 are four homes within 500 feet of the Tande circuit
22 route.

23 Q. Why should the Commission approve the
24 project when it includes avoidance areas?

25 A. While there are those geologically

1 unstable areas within each corridor, no structures
2 or access roads have been located within them.

3 And then, additionally, Basin Electric has
4 obtained waivers from the four landowners within
5 500 feet of the Tande circuit route.

6 Q. Next let's talk about the environmental
7 analysis, starting with threatened and endangered
8 species. Did the environmental studies for the
9 project address any concerns for threatened or
10 endangered species?

11 A. Yes. Initially, Basin Electric utilized
12 the U.S. Fish and Wildlife Information for Planning
13 and Conservation, or IPAC, tool to identify
14 threatened or endangered species or critical
15 habitat that may be within the project area. IPAC
16 identified five species that could potentially
17 occur there. These include the endangered whooping
18 crane and northern long-eared bat and the
19 threatened Dakota skipper, piping plover and rufa
20 red knot. There was no designated critical habitat
21 identified.

22 Q. Let's talk more about those five species.
23 First for the whooping crane, please describe the
24 measures that will be taken to protect it.

25 A. As expected, the noise and vehicle

1 activity during construction may temporarily cause
2 whooping cranes to divert from the area. If
3 whooping cranes are spotted during construction,
4 all construction activities will be suspended and
5 the U.S. Fish and Wildlife Service will be notified
6 for next steps.

7 And, additionally, flight diverters will
8 be installed per the Avian Power Line Interaction
9 Committee, or APLIC, standards, which increase
10 transmission line visibility, therefore reducing
11 collision risks.

12 Q. Can you describe measures being taken to
13 protect the northern long-eared bat?

14 A. Yeah. To -- to reduce potential impacts
15 to the northern long-eared bat at tree-clearing
16 locations within the U.S. Fish and Wildlife Service
17 designated northern long-eared bat range, Basin
18 Electric's committing to conducting our
19 tree-clearing activities outside of their active
20 season. So we'll be conducting our tree-clearing
21 activities from November 1 to April 14. And then
22 if tree-clearing activities can't be done within
23 that time period, we will consult with the U.S.
24 Fish and Wildlife Service on next steps on how to
25 be able to clear those trees.

1 Q. Next, can you describe the measures that
2 will be taken to protect the Dakota skipper?

3 A. Yeah. We've designed this project to
4 minimize impacts to suitable habitat for the Dakota
5 skipper. This including -- this includes placing
6 pole structures and routing access routes around
7 found suitable habitat locations. Temporary
8 fencing will be installed around each of these
9 suitable habitat locations during construction to
10 make sure that our construction activities are
11 outside of there.

12 Then also these areas are within our GIS
13 systems for the construction, reclamation and then
14 our operation and maintenance guys so that these
15 areas will be avoided throughout the life of the
16 project.

17 And then, in addition, during the Dakota
18 skipper flight window, we will be placing two
19 avoidance buffers around each of these found
20 suitable habitats. The first is a 500-meter buffer
21 zone in which existing surface roads can be
22 traveled but no construction can take place. And
23 then within a half-mile buffer zone around each
24 suitable habitat location, existing surfaced and
25 unsurfaced roads can be used, and areas where we've

1 already began construction, we can continue doing
2 construction, but no new access roads or no new
3 areas of construction will be completed.

4 And this flight period is typically about
5 two weeks long between June 10 - July 25, depending
6 on U.S. Fish and Wildlife observations that year.

7 And then if suitable habitat cannot be
8 avoided for some reason during that flight period,
9 we will conduct presence or absence surveys prior
10 to being in that suitable habitat area.

11 Q. And can you describe the measures that
12 will be taken to protect the piping plover?

13 A. Yeah. During the U.S. Fish and Wildlife's
14 designated period of concern for the piping plover,
15 which is April 15 to August 15, and prior to any
16 construction activities, Basin will conduct an
17 on-the-ground migratory bird and nest survey. And
18 if a piping plover or nests are found, a half-mile
19 buffer will be placed around that wetland or water
20 body that that species was observed at, and no
21 construction will be able to occur until those
22 chicks have fledged.

23 Additionally, similar with the whooping
24 crane, flight diverters will be installed on this
25 transmission line per APLIC standards.

1 Q. Will any measures need to be taken with
2 regard to the rufa red knot?

3 A. The species is rare and not generally
4 recorded in North Dakota every year. And the
5 wetlands and water bodies within the project
6 corridors aren't suitable stopover habitat for the
7 rufa red knot, so there's -- therefore, adverse
8 impacts to the rufa red knot are not anticipated.

9 Q. Did the analysis consider wetlands and
10 water bodies?

11 A. Yes.

12 Q. Please briefly explain the project's
13 potential impacts on wetlands and water bodies.

14 A. The project has been sited to avoid
15 permanent impacts to wetlands and water bodies to
16 the greatest extent possible. The project avoids
17 permanent impacts to wetlands except for in one
18 location, where structures 386-131, 386-132 and
19 386-133 of the Tande circuit will be placed within
20 a wetland. Permanent impacts to that wetland are
21 anticipated to be less than .01 acres.

22 Q. Please describe the measures that Basin
23 Electric will take to protect wetlands and water
24 bodies.

25 A. Basin Electric's working with the Army

1 Corps of Engineers through Nationwide permitting
2 for impacting the previously described wetland.
3 Except for that one wetland, all field-delineated
4 wetlands and water bodies will have temporary
5 fencing around them during construction to ensure
6 that all construction activities remain out of this
7 resource.

8 Q. Did the analysis consider trees and
9 shrubs?

10 A. Yes.

11 Q. Please briefly explain the project's
12 potential impact on trees and shrubs.

13 A. Approximately 19 acres of trees, 4 acres
14 along the Wheelock circuit route and 15 acres along
15 the Tande circuit route, present clearance
16 violations to the proposed line and will need to be
17 removed.

18 For unavoidable tree and shrub impacts
19 during the project's construction and operation,
20 Basin Electric will comply with the Commission's
21 tree and shrub mitigation specifications, and we
22 will submit a tree and shrub inventory and
23 replacement plan for the Commission's review and
24 approval.

25 Q. Is Basin Electric requesting the ability

1 to clear trees in areas wider than 50 feet?

2 A. Yes. If I can point you to Exhibits 9
3 and 10, 9 is -- shows the 5 locations along the
4 Wheelock circuit where we're requesting to remove
5 trees over 50 feet. And then Exhibit 10 is the
6 Tande circuit where we are requesting 17 locations.

7 Q. And did the analysis consider cultural and
8 historic resources?

9 A. Yes.

10 Q. Please briefly describe the cultural and
11 historic resource assessments conducted for the
12 project.

13 A. Basin Electric through our cultural
14 consultant, Burns & McDonnell, consulted with the
15 North Dakota State Historic Preservation Office on
16 the -- on survey and testing methodology and
17 reporting needs for this project. They recommended
18 a Class I literature search and a Class III
19 intensive field survey for this project.

20 Q. Please describe the results of the
21 cultural and historic resource assessments.

22 A. Burns & McDonnell completed both of those
23 inventories and submitted the Class III report
24 to -- for each circuit to ND SHPO for their review.
25 These reports detailed their findings and include

1 precontact archeological sites and site leads,
2 historic archeological sites and site leads and
3 architectural sites and site leads.

4 The reports recommended that none of the
5 documented cultural resources are eligible for
6 consideration in the State Registry or the National
7 Register for Historic Places, and no eligible or
8 unevaluated cultural resource lies within the
9 footprint of the project. Therefore, no cultural
10 resources will be impacted by the project's
11 temporary construction or permanent operations.

12 And I'd like to clarify something that
13 Mr. Nasset said from one of Commissioner
14 Kringstad's questions. We have half of the
15 corridor for one-half mile that we have not
16 surveyed for cultural resources. But in ND SHPO's
17 eyes, what has been submitted is the full and
18 complete project, and that one-half mile is going
19 to be reported on as -- on like an under 40 acres
20 negative survey report. So when we do receive a
21 letter from SHPO, it will be for the whole project,
22 and then that half corridor, the 62 and a half feet
23 for that half mile, will be reported on
24 differently.

25 So, yeah, ND SHPO is currently reviewing

1 the two reports for Tande and Wheelock.

2 Q. Please describe any mitigation efforts
3 being implemented for cultural and historic
4 resources.

5 A. During the Class III inventory, Burns &
6 McDonnell's documented and mapped each site or site
7 lead and placed avoidance buffers on them as
8 appropriate. All sites, including their buffers,
9 will be temporarily fenced during construction and
10 avoidance labels will be placed on our GIS.
11 Similar to the Dakota skipper, these will be on our
12 GIS files for the life of the project.

13 No further avoidance is anticipated unless
14 SHPO says something that we are not anticipating.

15 Q. Turning to agency coordination, will the
16 project impact any known existing development plans
17 of federal, state or local agencies or private
18 entities?

19 A. No. The project will not impact any known
20 development plans.

21 Q. Let's talk about Basin Electric's
22 consultation with federal agencies. First, can you
23 explain your consultation with the U.S. Department
24 of Energy?

25 A. Yeah, Mr. Nasset has spoke on this

1 briefly, but the Department of Energy reviews and
2 issues Presidential permits on behalf of the
3 President. A Presidential permit is needed for
4 this project as it crosses the United States and
5 Canada border. That application has been
6 submitted. We have received favorable
7 recommendations from the Department of State and
8 the Department of Defense. And we are just waiting
9 on the U.S. Army Corps of Engineers Section 401
10 certification. That's the last thing that is
11 needed for the Department of Energy to send their
12 permit up for signatures.

13 Q. How about the U.S. Fish and Wildlife
14 Service?

15 A. U.S. Fish and Wildlife Service requires a
16 compatibility determination and a special use
17 permit for structures located within U.S. Fish and
18 Wildlife Service-managed grassland easements. The
19 Wheelock circuit has two structures within a
20 grassland easement. An application has been
21 submitted, and we're hopeful that we'll get that by
22 the end of this month.

23 Q. How about the Army Corps of Engineers?

24 A. Yeah. As previously stated, we are
25 working with the Army Corps of Engineers for

1 Nationwide 57 permitting to place structures within
2 that one wetland. The Tande circuit has those
3 three wetlands. That has been submitted, and we
4 are expecting that approval this week under the new
5 Nationwide guidance that was just issued on Sunday.

6 Q. How about the U.S. Department of War?

7 A. Basin Electric has consulted with the U.S.
8 Department of War regarding structure placements in
9 relation to their operations. The Department of
10 War concluded that the project will have minimal
11 impacts on military operations conducted in that
12 area.

13 Q. How about the Federal Aviation
14 Administration?

15 A. We consulted with the Federal Aviation
16 Administration regarding structure locations and
17 heights. It was determined that all structures
18 have a determination of no hazard to air
19 navigation.

20 Q. How about the International Boundary
21 Commission?

22 A. Authorization from the International
23 Boundary Commission is needed prior to any
24 construction within 10 feet of the United States
25 and Canada border, and that approval was received

1 in June of 2025.

2 Q. Can you please explain the consultation
3 with state agencies to date?

4 A. State agencies' comments varied according
5 to the function and jurisdiction which they hold,
6 but generally emphasized a desire to minimize the
7 impacts to environmental resources, which Basin has
8 done by the previous mitigation measures I have
9 explained.

10 Q. Can you please explain the consultation
11 with local agencies to date?

12 A. Overhead transmission lines are permitted
13 under conditional uses in Burke, Divide and
14 Mountrail Counties and are a permitted use in
15 Williams County. Basin Electric will be submitting
16 conditional use permit applications to Divide
17 County for the Wheelock circuit and Burke, Divide
18 and Mountrail Counties for the Tande circuit.

19 And Bicker Township in Mountrail County
20 for the Tande route and Hawkeye Township in Divide
21 County for the Wheelock route also require
22 conditional use permits and applications will be
23 submitted.

24 Q. Are there any other outstanding permits or
25 approvals needed to begin construction of the

1 project?

2 A. No.

3 Q. Turning to the selection criteria, what do
4 the Commission's rules require regarding the
5 selection criteria?

6 A. Under the Commission's rules, an applicant
7 must demonstrate that it has considered the
8 selection criteria and taken the necessary steps to
9 ensure that any significant adverse effects
10 resulting from the location, construction and
11 maintenance of the facility will be minimal.

12 Q. Did Basin Electric evaluate the impacts to
13 public health and welfare, natural resources and
14 the environment that could be expected from the
15 project's location, construction and operation?

16 A. Yes.

17 Q. To conclude your testimony, can you please
18 tell us, based on your knowledge of the project,
19 will its construction, operation and maintenance
20 produce minimal adverse effects on the environment
21 and human welfare?

22 A. Yes.

23 Q. And based on your knowledge of the
24 project, will it -- is it compatible with the
25 environmental preservation and efficient use for

1 resources?

2 A. Yes.

3 MS. OLSON: Thank you. I have no further
4 questions for Mr. King.

5 JUDGE HOGAN: Mr. Martens, any questions?

6 MR. MARTENS: Yes, Your Honor. Thank you.

7 **EXAMINATION**

8 **BY MR. MARTENS:**

9 Q. Mr. King, just a couple here. I think
10 some other witnesses had alluded to it as well.
11 Because of the -- I guess the federal nexus of this
12 project, NEPA was originally implicated?

13 A. Correct.

14 Q. However is not as such due to very recent
15 changes and rules?

16 A. Yeah. Through the new executive order
17 from the President, NEPA is no longer a requirement
18 for this Presidential permit.

19 Q. And I understand that's a process that's
20 outside the scope of this, but you started the NEPA
21 process. How -- how long had you been working
22 that?

23 A. We had a draft application in hand getting
24 ready to submit.

25 Q. So you -- you obviously, then, took the

1 steps of public input and public engagement
2 associated with that process --

3 A. Correct.

4 Q. -- as well?

5 A. Yes.

6 Q. Did you do that in conjunction with the
7 public outreach for this siting application or were
8 those separate proceedings?

9 A. Yeah. So as Mr. Nasset explained, we held
10 those public -- those public open houses in 2023
11 which were completely separate. We had not started
12 that NEPA process yet.

13 Q. So did you have additional public
14 engagement, then, based on the NEPA process?

15 A. Yeah. Through the scoping process, yeah,
16 we came here right in this building again.

17 Q. Okay. Turning to the one wetland area
18 impacted on the Tande circuit, I believe it's
19 structures 131 through 133, you're dealing with the
20 Army Corps of Engineers on those?

21 A. Correct.

22 Q. And does the Corps require any mitigation
23 factors with regard to construction in those areas?

24 A. Not that we have been told of yet.

25 MR. MARTENS: Okay. No further questions,

1 Your Honor.

2 JUDGE HOGAN: Mr. Hanson, any questions?

3 MR. HANSON: Yes. One question.

4 **EXAMINATION**

5 **BY MR. HANSON:**

6 Q. Regarding the northern long-eared bat, you
7 talk about avoiding -- you're going to do tree
8 removal between November 1 and April 14. Now,
9 considering the timing of -- of these hearings
10 and -- and the potential approval, does that imply
11 that you won't be doing any tree removal until
12 November of 2026?

13 A. I think we'll have to consult with the
14 construction crews on where we need to do those
15 removals to start construction, and then if it is
16 deemed necessary that we need to have this removed
17 to stay within their schedule --

18 Q. Okay.

19 A. -- then we will talk with the Fish and
20 Wildlife Service on the necessary actions.

21 MR. HANSON: Okay. Thank you.

22 JUDGE HOGAN: Commissioner Kringstad.

23 COMMISSIONER KRINGSTAD: Thank you.

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EXAMINATION

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BY COMMISSIONER KRINGSTAD:

Q. Thank you for that clarification on the -- the survey access. I appreciate that a lot.

With regard to the state historic society, we talked about how -- or you testified that for the cultural and historic resources we're basically just waiting to hear back from SHPO on their concurrence. That also, just to be clear, would cover like the archeological --

A. Correct.

Q. -- sites as well?

A. Correct.

Q. Okay. Approximately when was that submitted to SHPO?

A. I have the dates if you let me go back. The Wheelock report was submitted on February 13 and the Tande report was submitted on February 20.

Q. Okay.

A. And they have received comment -- or Burns & McDonnell have received comments from SHPO --

Q. Okay.

A. -- and they're going to meet with them on Thursday to discuss them.

1 Q. Okay. With regards to the Dakota skipper,
2 I'm curious, to your knowledge, has there ever been
3 any confirmed sightings of the Dakota skipper in
4 the state?

5 A. Yeah.

6 Q. There has been?

7 A. Yes.

8 Q. Okay. That touches -- that was more so
9 for my own curiosity because we talk about it a lot
10 in siting hearings. It also touches other areas,
11 and I wasn't sure if we just thought the habitat
12 was here or if there had actually been confirmed
13 sightings, so --

14 Regarding like the piping plover and the
15 eagles, you had testified about doing like a
16 migratory bird nest survey. Tell me a little bit
17 more about that. Have you defined like the survey
18 area for that?

19 A. Yeah. So I guess to take a step back,
20 even before -- as part of the surveys, we do an
21 aerial nest survey --

22 Q. Okay.

23 A. -- as well. So within a mile buffer on
24 either side of the line, we -- we did an aerial
25 survey for eagle nests prior to any of these other

1 surveys.

2 Q. Okay.

3 A. And then, yeah, during -- for the
4 preconstruction one, that'll be remained within the
5 right-of-way limits and our access road limits.

6 Q. Okay. Mr. Martens touched a little bit on
7 the -- the structures in the wetland. I'm just
8 curious, did you look at -- were there other
9 alternatives besides placing those structures in
10 the -- in the wetlands?

11 A. Yeah. If you actually look at the map, it
12 has a very large wetland structure --

13 Q. Mm-hmm.

14 A. -- so to go around it in any way would
15 just be, you know, impractical.

16 Q. Okay.

17 A. So I believe we stayed within the -- the
18 line of the route on either side of that wetland --

19 Q. Okay.

20 A. -- and, you know, picked where we thought
21 would be the most minimal impact.

22 Q. Okay. With tree-clearing locations, I
23 know you referenced the maps here. And so it
24 appears that for some of them -- I guess are you
25 going to give a little more detail about, like, how

1 far you're planning to clear for those trees? Like
2 it just appears by looking at the map, some of them
3 are like the entire width of the corridor, some of
4 them would be a little less than that.

5 A. It would be whatever is highlighted --

6 Q. Okay.

7 A. -- on those maps, so those highlighted
8 portions are what has been deemed unacceptable for
9 the clearance violations.

10 Q. Okay. With regards to like the county and
11 township permitting, so just to clarify, you
12 haven't submitted any applications --

13 A. Correct.

14 Q. -- yet?

15 I'm just -- I'm a little curious as to the
16 reason why you haven't started that process, just
17 because I would say typically when we -- when we
18 see this, a lot of times that's -- their processes
19 are kind of in con -- going in -- moving in
20 conjunction with ours, and sometimes we even see --
21 I would say maybe frequently we see even approvals
22 from the county before they come to us. So I was
23 just curious about that.

24 A. No. That's a good question. And, you
25 know, we talk about that quite a bit in our office.

1 We've seen with recent projects that counties are
2 wanting all of the easements acquired before
3 submitting or before they will talk about that CUP
4 application. So for this one, it was our goal to
5 get all those easements in hand and then go to the
6 counties so there isn't that kind of issue or
7 pushback that we had received in the past.

8 Q. Okay. Did -- did you, like, touch base
9 with the counties first and explain that that's why
10 you were doing it and that was sort of their
11 request is, hey, wait until you're further along in
12 the easement process, or was that just a decision
13 kind of the company kind of unilaterally made?

14 A. It was a decision we made based on, you
15 know, our right-of-way department still having
16 discussions with landowners, too, and us not
17 wanting to go to a county and then saying, you
18 know, next week the route shifted due to a
19 landowner negotiation.

20 Q. Mm-hmm.

21 A. So we -- we understand that we are -- I
22 don't want to say late on that on this project, but
23 we are waiting because we have had so many recent
24 landowner discussions and have structure shifts.

25 Q. Okay. That's -- that's helpful. I guess

1 maybe just from my perspective, maybe -- maybe
2 something to think about and consider is if you
3 haven't communicated that to the county, I could
4 see where that would be helpful. Otherwise, the
5 perception is it could be viewed as essentially
6 you're waiting till you may or may not get a permit
7 from us and it's sort of seen as like over --
8 overlooking them, strong-arming them a little bit,
9 not coordinating with them. Just --

10 A. Yeah. And --

11 Q. -- something to consider.

12 A. -- in my discussions, you know, some of
13 them will give me a deadline, hey, you've got to
14 submit by March --

15 Q. Mm-hmm.

16 A. -- to be on the April one. And --

17 Q. Okay.

18 A. -- you know, when I talked to them then, I
19 said, yeah, we'll try to make that deadline, and
20 then if won't or are getting close to not, I'll
21 say, hey -- you know, I generally tend to reach out
22 and say, hey, we are not going to make this
23 deadline; we'll plan to be on the next month's
24 because we do have some route iterations that we
25 are going through.

1 Q. Okay. With the two townships that you
2 mentioned that also need additional permitting, do
3 you know, does like the county have to wait to make
4 a decision until the townships have made their
5 decision?

6 A. Not that I've been aware of.

7 Q. Okay. So those can move at the same time.
8 Have you had any discussions with the
9 counties regarding their road use agreement?

10 A. Yes. Our right-of-way department
11 typically handles the road use agreements
12 themselves --

13 Q. Mm-hmm.

14 A. -- but I'm generally in discussions when
15 those are sent out by the county engineers or --

16 Q. Okay. But those discussions have started?

17 A. And same with the townships.

18 COMMISSIONER KRINGSTAD: Okay. Okay. I
19 think those are all the questions I had. Thank
20 you.

21 JUDGE HOGAN: Commissioner Christmann.

22 **EXAMINATION**

23 **BY COMMISSIONER CHRISTMANN:**

24 Q. Well, that explained my question on why
25 the conditional use permits haven't been applied

1 for yet.

2 I did have a question, though, also on the
3 noxious weed plans that are laid out in here, which
4 seem pretty standard for applications like this
5 that end up getting approved. But among these
6 counties or townships, how many of them require
7 that they approve your weed management plans?

8 A. Divide County. Divide County's -- the CUP
9 application is contingent on weed management plan
10 approval.

11 Q. Okay. The rest of them don't require --

12 A. They don't require, but they have --

13 Q. -- themselves to approve it?

14 A. -- they have told me that this plan looks
15 good.

16 Q. Okay. And "they" being Divide County or
17 the other ones?

18 A. "They" being Mountrail, Burke and
19 Williams.

20 Q. And have you applied for -- for approval
21 of your weed management plan with Divide?

22 A. I have sent it to him, and then that
23 formal approval will come as part of the
24 conditional use permit --

25 Q. Okay.

1 A. -- application.

2 Q. It all comes as one. Okay.

3 COMMISSIONER CHRISTMANN: That was the
4 only question I had remaining.

5 JUDGE HOGAN: Commissioner Haugen-Hoffart.

6 COMMISSIONER HAUGEN-HOFFART: Thank you.
7 I just have one question.

8 **EXAMINATION**

9 **BY COMMISSIONER HAUGEN-HOFFART:**

10 Q. If this application is approved and during
11 construction --

12 COMMISSIONER CHRISTMANN: I -- go ahead.

13 Q. (COMMISSIONER HAUGEN-HOFFART CONTINUING)
14 -- are there any federal or state agencies that
15 come on site during construction for observation or
16 for any reason?

17 A. State agencies would just be your guys'
18 third-party inspector.

19 Q. Okay. But no federal agencies come?

20 A. I guess if the Fish and Wildlife Service
21 put a condition on that they need to go review
22 those grassland easements, they certainly can, and
23 then if the Army Corps does the same thing, if they
24 want to go check out that one wetland and the
25 construction being built there.

1 Q. Okay. So just to rephrase, federally if
2 they put on a requirement, then they may come and
3 review --

4 A. Correct.

5 Q. -- that requirement?

6 A. Yeah.

7 COMMISSIONER HAUGEN-HOFFART: Okay. Thank
8 you. No further questions.

9 JUDGE HOGAN: Commissioner Christmann.

10 COMMISSIONER CHRISTMANN: What made you
11 think, Your Honor, that I had another question?

12 JUDGE HOGAN: Instinct.

13 **FURTHER EXAMINATION**

14 **BY COMMISSIONER CHRISTMANN:**

15 Q. You mentioned the three structures that
16 are in a low area. Did you say that they are in a
17 wetland that just occasionally has water in it or
18 in a water body?

19 A. It's a wetland. It would be not
20 considered a water body. It's kind of a giant
21 complex. If you look at the map, there is kind of
22 a flowage in the middle there with the, you know,
23 outer portion being kind of this fringe wetland
24 area.

25 Q. And so what's going to be your

1 construction plan? Is that something that you'll
2 come in in the winter when it's completely frozen
3 over and do your work around it or how do you
4 construct within that?

5 A. Yeah. We'll be using construction mats.
6 Through our consultant, they did some research for
7 us on if matting would be feasible, you know, how
8 wet is this area in the wettest times of the year.
9 So we all believe that the construction matting
10 will -- will be okay for that. And I have sent
11 that to the Corps on our access and our footprint
12 around each structure that will be matted.

13 COMMISSIONER CHRISTMANN: Okay. Thank
14 you. And thank you, Your Honor.

15 JUDGE HOGAN: Any redirect, Ms. Olson?

16 MS. OLSON: Just a couple questions, Your
17 Honor.

18 **FURTHER EXAMINATION**

19 **BY MS. OLSON:**

20 Q. Mr. King, you discussed that Basin
21 Electric hasn't submitted conditional use permit
22 applications to the counties yet, but has Basin
23 Electric been consulting or in contact at all with
24 the counties about this project?

25 A. Yeah, we've consulted with all the

1 counties.

2 Q. And for the -- the NEPA public process,
3 could you just explain a little bit more that
4 public comment process. Like was there a public
5 hearing or what happened there?

6 A. Yeah. So the -- the DOE had us send out
7 notifications. They sent us a big list of
8 notifications, which included landowners in the
9 area and then representative agencies which
10 include, you know, government agencies, tribal
11 agencies, county agencies that we sent our public
12 scoping meeting invite out to and then had those
13 two public scoping meetings, one in Crosby here and
14 then one in Tioga.

15 MS. OLSON: Okay. Nothing further.

16 JUDGE HOGAN: Mr. Martens, any other
17 questions?

18 MR. MARTENS: No, Your Honor.

19 JUDGE HOGAN: Mr. Hanson?

20 MR. HANSON: No, Your Honor.

21 JUDGE HOGAN: Any other commissioner
22 questions? All right. Thank you, Mr. King.

23 Ms. Olson, you can call your next witness.

24 MS. OLSON: Okay. I'll call Mr. Mike
25 Murray.

1 JUDGE HOGAN: Good afternoon. I'll have
2 you start with stating your full name for the
3 record and spelling your last name.

4 MR. MURRAY: Michael Murray, and my last
5 name is M-u-r-r-a-y.

6 JUDGE HOGAN: Mr. Murray, did you hear me
7 go through the penalties for perjury earlier today?

8 MR. MURRAY: Yes, I did.

9 JUDGE HOGAN: And do you understand what
10 perjury is?

11 MR. MURRAY: Yes, I do.

12 (Witness sworn.)

13 JUDGE HOGAN: All right. Thank you.

14 Go ahead, Ms. Olson.

15 **MICHAEL MURRAY,**

16 having been first duly sworn, was examined and
17 testified as follows:

18 **EXAMINATION**

19 **BY MS. OLSON:**

20 Q. Good morning. To start, please state your
21 name and employer.

22 A. My name is Mike Murray. And my employer
23 is Basin Electric Power Cooperative.

24 Q. What is your position with Basin Electric?

25 A. I am the director of property and

1 right-of-way for Basin Electric. My
2 responsibilities include managing our team's
3 efforts with the negotiation and acquisition of
4 land rights, coordination with landowners during
5 construction and reclamation, and then management
6 of our rights-of-ways during operation of those
7 transmission lines.

8 Q. Please describe your educational and
9 professional background.

10 A. I received an associate's degree in
11 business administration from Bismarck State College
12 back in 2007 and more recently a bachelor's degree
13 in management from Minot State University in 2019.
14 I have been employed by Basin Electric since 1990,
15 in the right-of-way department since 2000. And I
16 have acquired or been involved in the acquisition
17 of over 900 miles of transmission lines.

18 Q. What is your role with respect to this
19 transmission line project?

20 A. So my role is as the director for property
21 and right-of-way for this project. I have a lot of
22 oversight over this project. I have assigned one
23 of our Basin Electric senior right-of-way
24 specialists to take the lead on this project, as
25 well as added a team of contracted agents through

1 Northwest -- Northwestern Land LLC and Contract
2 Land Staff.

3 My role is to oversee the activity and the
4 progress of the project's landowner relations,
5 negotiations, acquisition of land rights and then
6 provide direction and assistance where necessary.
7 I also participate in meetings with various team
8 members to stay informed and provide guidance in an
9 attempt to achieve a successful outcome in
10 acquisition of those land rights.

11 Q. Are you familiar with the contents of
12 Basin Electric's applications for this project?

13 A. Yes, I am.

14 Q. What is the purpose of your testimony
15 today?

16 A. So the purpose of my testimony is to
17 provide information related to Basin Electric's
18 acquisition of right-of-way easements; the project
19 route description, which I'll go through; and then
20 post-construction reclamation activities.

21 Q. First let's talk about landowner contacts.
22 Please summarize the right-of-way team's contact
23 with the landowners within the project corridor.

24 A. So the right-of-way -- right-of-way team
25 has contacted every landowner on the project routes

1 for both the Wheelock circuit and the Tande
2 circuit. We've also contacted or attempted to
3 contact landowners along all of the other alternate
4 routes that were studied.

5 In March of 2023, our right-of-way team
6 began contacting landowners along the project
7 corridor of both line circuits to introduce the
8 project and seek survey permissions.

9 In June 2023, we acquired our first option
10 of easement for the project, and that was to lock
11 down the border crossing between the U.S. and
12 Canada. Border crossing locations, plural.

13 There were six border crossing locations
14 that we did evaluate to accommodate alternative
15 route studies. I'm assuming they all have a map
16 book in front of you. That would make it easier
17 than pulling out the individual map sheets.

18 There was -- we did bring some map books.
19 Were those distributed?

20 Q. Yeah.

21 A. Okay. So as we go through those map
22 books, you'll notice that the crossings that were
23 identified, to date we have acquired 101 of the 106
24 landowner easements or options of easement needed
25 for the Wheelock circuit, which is 95.3 percent,

1 and 109 of the 117 easements or options of
2 easements needed for the Tande circuit, or
3 93.2 percent, for a total acquisition to date of
4 93.4 percent of the landowners for the entire
5 project.

6 In miles, that equates to we have acquired
7 49.6 of the 53 miles, or 93.65 percent, secured on
8 the Wheelock circuit and 52.4 of the 58 miles, or
9 91.1 percent, on the Tande circuit.

10 Most of our landowner contacts were made
11 in person. Where in-person contact was not
12 possible, we also contacted landowners by phone or
13 mail.

14 Q. How does the right-of-way team address
15 landowner requests or comments?

16 A. So the right-of-way team works
17 cooperatively with landowners to try and address
18 their requests or concerns. If a landowner has any
19 questions regarding the routing efforts or
20 structure locations that were shared with us, our
21 right-of-way team, we let them know that the
22 structure locations at that time were only
23 preliminary and discuss why those locations were
24 chosen.

25 Should that landowner desire to shift one

1 or more specific structures or propose a route
2 adjustment, we take that information back and we
3 discuss the request with Basin Electric's
4 engineering staff to see what is feasible and share
5 the results back with the landowner.

6 Q. What types of adjustments has Basin
7 Electric made to address landowner requests?

8 A. Basin Electric has made shifts in
9 structure locations specific to the routes,
10 including accommodations to route the proposed
11 circuits within or near existing utility corridors,
12 along property lines, within fence lines, spot
13 structures within tree rows, minimize tree removal,
14 minimize impacts to farming and ranching
15 operations, accommodate spacing for farm equipment
16 sizes, and avoid existing or proposed oil and gas
17 facilities.

18 Q. Next let's talk about route selection.
19 And I'm going to ask you about Exhibits 11 and 12
20 to the prefiled testimony, and I think those were
21 what you were referencing for the larger maps that
22 were provided. They are the same as 11 and 12 in
23 your books. They're just larger versions.

24 Are you familiar with those maps that are
25 Exhibits 11 and 12, Mr. Murray?

1 A. Yes, I am. Exhibit 11 includes a series
2 of maps produced by Basin Electric showing the
3 project route for the 53-mile-long Wheelock
4 circuit. Exhibit 12 includes another series of
5 maps produced by Basin Electric showing the project
6 route for the 58-mile Tande circuit.

7 The first sheet in both exhibits is --
8 it's the key plan that kind of shows how all the
9 individual maps lay out, and then that is followed
10 by several individual detailed segment maps to
11 support my testimony.

12 Please also note that the maps in
13 Exhibits 11 and 12 replace the maps that were
14 included in Appendix A of both applications due to
15 recent route adjustments that have been made since
16 the application was submitted.

17 Q. Starting with the Wheelock circuit, can
18 you please turn to the second page of Exhibit 11,
19 which is the first page of the Wheelock circuit map
20 book. And then beginning on the most southern
21 point of the Wheelock circuit shown on Segment 1 of
22 Exhibit 11, please describe the project route and
23 any significant alternate route segments Basin
24 Electric considered for Segment 1, which is the
25 Wheelock substation takeoff structure to angle

1 point located at structure 385-070.

2 A. Yes. So Segment 1 begins on page 1 of the
3 map book and continues through page 5 for the
4 Wheelock circuit. It's approximately 11.6 miles in
5 length. The Wheelock substation is the starting
6 point for this segment, and that substation is
7 located approximately 6 miles west of Ray, North
8 Dakota, in Williams County.

9 Basin Electric evaluated several other
10 routing iterations related to this line segment.
11 This segment's proposed route was largely selected
12 due to an approved Highway 2 crossing location, a
13 higher percentage of participating landowners,
14 avoidance of homes and avoidance of a significant
15 number of oil and gas sites.

16 Q. And now beginning on page 5 of the map
17 book, can you please continue with Segment 2, which
18 is structure 385-070 to 385-144 or the
19 Williams/Divide County line?

20 A. Yes. So Segment 2 does begin on page 5 of
21 the map book and continues through page 9 of the
22 map book. It's approximately 12.5 miles in length.
23 From structure 385-070, the line continues due
24 north along a quarter line to structure 385-144.

25 Basin Electric evaluated several other

1 routes related to this segment. The proposed route
2 was selected due to the avoidance of residences,
3 avoidance of wind turbines to the east, has a
4 higher percentage of participating landowners,
5 includes a couple of North Dakota Department of
6 Trust Lands parcels and was ideal in being able to
7 stay on the quarter line for the entire distance.
8 Quarter lines are many times also property lines,
9 so they tend to be much less unobstructed -- or
10 much more unobstructed. I'm sorry.

11 The North Dakota Department of Trust Lands
12 also provided correspondence for the record stating
13 that Basin is currently working through the process
14 to obtain an easement.

15 Q. Beginning on page 9 of the map book,
16 please continue with Segment 3, which is structure
17 385-144, or the Williams/Divide County line, to
18 385-268.

19 A. So Segment 3 begins on page 9 of the map
20 book, continues through page 14 and is
21 approximately 21.6 miles in length. Continuing
22 north from structure 385-144, this segment has many
23 route deviations with a significant amount of angle
24 points ending at structure 385-268, which is
25 located approximately 2 miles east of Crosby.

1 Of the various route alternatives studied,
2 this proposed route was -- route avoided a high
3 density of wetlands, avoided a United States Fish
4 and Wildlife parcel -- production area parcel, and
5 balanced landowner feedback with routing, resulting
6 in a high percentage of participating landowners.

7 Many route adjustments were made to
8 accommodate landowner concerns where it was
9 feasible. And, actually, the route from structure
10 385-147 through 385-185 was proposed by -- entirely
11 by landowners, reviewed by Basin Electric and
12 accepted by Basin Electric as a feasible route.
13 And that -- that segment is located on pages 9 and
14 10 of the map book.

15 Q. And, finally, beginning on page 14 of the
16 map book, please continue with Segment 4, which is
17 structure 385-268 to 385-309, or the United
18 States/Canadian border.

19 A. So Segment 4 begins on page 14 of the map
20 book and continues through page 16 and is
21 approximately 7.3 miles in length. This segment
22 continues in a north/northeast direction to the
23 United States/Canadian border.

24 There were many route alternatives
25 evaluated, but this preferred route was selected

1 due to a high success rate with participating
2 landowners and ideal location to cross Highway 5,
3 avoidance of residences and keeping a sufficient
4 distance from the town of Crosby, avoiding impacts
5 to wetlands and getting to a landowner-approved
6 United States/Canadian border crossing location.

7 Q. Now for the Tande circuit, can you please
8 turn to the second page of Exhibit 12 which is the
9 first page of the Tande circuit map book.

10 Beginning on the most southern point of
11 the Tande circuit shown on Segment 1 of Exhibit 12,
12 please describe the project route and any
13 significant alternate route segments Basin Electric
14 considered for Segment 1, which is the Tande
15 substation takeoff structure to the angle point
16 located at structure 386-022.

17 A. Yes. So Segment 1 begins on page 1 of the
18 Tande circuit map book and continues into page 2.
19 It's approximately 3.7 miles in length. The Tande
20 substation is the starting point for this segment.
21 This substation is located approximately 3 miles
22 east of Tioga in Mountrail County, North Dakota.

23 Basin Electric evaluated several other
24 routing iterations related to this line segment.
25 This segment's route -- proposed route was largely

1 selected due to participating landowners, avoidance
2 of homes, avoidance of oil and gas facilities and
3 avoidance of a significant number of pipelines to
4 the west. Alternate routes to the west had
5 significant landowner resistance. And that was a
6 typo in my prefiled application. The word "east"
7 is replaced with the word "west." I had the
8 directions mixed up on that, so it is to the west.

9 The first mile north out of the Tande
10 substation was routed in a way that the line could
11 be designed to cross several other power lines
12 before heading due north along the 1/16 line to
13 structure 386-022.

14 Q. Beginning on page 2 of the map book,
15 please continue with Segment 2, which is structure
16 386-022 to 386-063, or the Mountrail/Burke County
17 line.

18 A. So Segment 2 begins on page 2 of the Tande
19 map book and continues into page 4. It's
20 approximately 7.25 miles in length. From structure
21 386-022, the line angles due west for
22 three-quarters of a mile to structure 386-026,
23 which aligns with the east side of the section
24 line, which is also 101st Avenue Northwest.

25 This was done to accommodate the proposed

1 Mountrail Wind project turbine sites and
2 accommodate landowner requests not to interfere
3 with their wind leases.

4 From structure 386-026, the route heads
5 due north for one and a half miles to structure
6 386-035, at which point our route jumps to the west
7 side of 101st Avenue Northwest to avoid a farmyard
8 and then continues north for one mile and then
9 transitions back to the east side of 101st Avenue
10 Northwest to avoid a residence, and then continuing
11 north to structure 386-063.

12 Basin Electric evaluated several other
13 routes related to this segment, but ultimately the
14 proposed route was selected due to the Mountrail
15 Wind project leases and proposed turbine location
16 sites, also avoidance of homes, avoidance of oil
17 and gas facilities, and having receptive landowners
18 through a lot of routing discussions.

19 Q. Beginning on page 4 of the map book,
20 please continue with Segment 3, which is structure
21 386-063, or the Mountrail/Burke County line, to
22 386-144.

23 A. So Segment 3 begins on page 4 of the Tande
24 circuit map book and continues into page 9 and is
25 approximately 14.2 miles in length. From structure

1 386-063, the route angles due west for
2 approximately three-quarters of a mile to structure
3 386-067 to accommodate a landowner request. The
4 route then heads north for one and a quarter miles
5 before jogging slightly to the east to align with
6 the quarter section line at structure 386-075.

7 The route then heads due north along the
8 quarter section line for 6 miles to structure
9 386-111. From that point, the route heads due west
10 along a quarter section line for 5 miles, crossing
11 into Williams County, to structure 386-138 and then
12 angling slightly to the northwest to structure
13 386-144 at the landowner's request to avoid his
14 grain bins.

15 Of the various route alternatives studied,
16 this proposed route avoided a wind farm to the
17 west, the town of McGregor to the west, lots of oil
18 and gas facilities, and homes to the east and the
19 west. The proposed route also had the highest
20 percentage of landowner acceptance.

21 Q. Beginning on page 9 of the map book,
22 please continue with Segment 4, which is structure
23 386-144 to 386-272.

24 A. Segment 4 begins on page 9 of the Tande
25 circuit map book and continues into page 16 and is

1 approximately 22.9 miles in length. This segment
2 continues due north for approximately 7.25 miles
3 along a quarter section line to structure 386-182,
4 then westerly for 4.5 miles to structure 386-207,
5 then due north for 8 miles to structure 386-252,
6 then west for a half a mile and then turning north
7 again for 3 miles to structure 386-272.

8 Of the various route alternatives studied,
9 this proposed route had a very high level of
10 landowner acceptance compared to the others,
11 avoided another wind farm to the northwest of our
12 proposed route, avoided homes, avoided impacts to
13 wetlands, and avoided oil and gas facilities.

14 Alternative routes to the west had a very
15 high level of landowner resistance.

16 Q. And, finally, beginning on page 16 of the
17 map book, please continue with Segment 5, which is
18 structure 386-272 to 386-327, or the United
19 States/Canadian border.

20 A. Yes. So Segment 5 begins on page 16 of
21 the Tande circuit map book and continues into
22 page 18 and is approximately 10.25 miles in length.
23 This segment continues westerly for approximately 2
24 and a half miles along a quarter section line to
25 structure 386-286, then due north for 4 miles to

1 structure 386-307, then westerly for 2 and a half
2 miles to structure 386-318, then due north for 1
3 and three-quarter miles terminating at structure
4 386-327, which is the United States/Canadian
5 border.

6 And in my prefiled testimony, I had it
7 terminating at 386-207 instead of 327, so that was
8 a typo and I corrected that here.

9 Other alternate routes were studied, but
10 the proposed route provided the highest level of
11 landowner acceptance, an ideal crossing location of
12 Highway 5, and aligned well with a
13 landowner-approved United States/Canadian border
14 crossing location.

15 Q. Turning to reclamation, what is the role
16 of Basin Electric's right-of-way team in reclaiming
17 the project corridor at the completion of
18 construction?

19 A. The right-of-way team will oversee the
20 entire reclamation process. A licensed and
21 certified reclamation contractor will report
22 directly to our property and right-of-way team, and
23 we will be on site on a regular basis to monitor
24 progress and make sure that reclamation is
25 completed to the landowners' and Basin Electric's

1 satisfaction.

2 Q. Please describe the reclamation practices
3 Basin Electric will follow for the project
4 corridor.

5 A. Basin Electric will retain a licensed
6 local contractor who specializes in the reclamation
7 techniques required to stabilize the soils to
8 reestablish the growth or cover in the disturbed
9 areas of the project in consultation with the local
10 Natural Resources Conservation Service, the Farm
11 Service Agency offices.

12 In pastureland, our reclamation contractor
13 will re-seed to the same species of grasses present
14 prior to construction unless otherwise directed by
15 the landowner.

16 In the Conservation Reserve Program, CRP
17 fields, we will replant the cover based on local
18 FSA office rules and guidance.

19 On all lands, compaction and grading will
20 be addressed. Any rocks, 4 inches in size or
21 greater, brought to the surface while addressing
22 compaction will be picked and taken off site or
23 dumped at a site deemed acceptable by the
24 landowner.

25 Disturbed areas will be monitored for

1 erosion. Erosion control may include the
2 installation and maintenance of necessary measures
3 for both temporary and permanent erosion,
4 sedimentation and dust control as required by
5 relevant agencies and the landowner. Basin
6 Electric will complete inspection and maintenance
7 to ensure compliance with project reclamation
8 specifications.

9 Basin Electric will work with landowners
10 regarding tree replacements. This will be done
11 according to the Commission's tree and shrub
12 mitigation plan. And Basin Electric will also be
13 responsible for weeds, providing weed control
14 within the easement area both during construction
15 and reclamation.

16 Q. How will Basin Electric address landowner
17 concerns during the project's construction,
18 reclamation and operation?

19 A. All damages associated with our activities
20 will be addressed with the landowner for settlement
21 at the completion of construction. Basin Electric
22 will compensate landowners for damage to any crops
23 or pasture during construction, as well as any
24 prevent-plant situations due to the construction
25 activity. Landowners will be consulted throughout

1 the reclamation process to ensure successful
2 reclamation has taken place and any outstanding
3 issues have been resolved.

4 During operation of the transmission line,
5 Basin Electric will continue to reclaim the route
6 corridor and settle any damages caused by
7 maintenance activities.

8 Q. To conclude your testimony, can you please
9 tell us, based on your knowledge of the project,
10 will its construction, operation and maintenance
11 produce minimal adverse effects on the environment
12 and human welfare?

13 A. Yes.

14 MS. OLSON: Thank you. I have no further
15 questions for Mr. Murray.

16 JUDGE HOGAN: Mr. Martens, any questions?

17 MR. MARTENS: Yes, Your Honor.

18 **EXAMINATION**

19 **BY MR. MARTENS:**

20 Q. Mr. Murray, just want to touch a bit -- I
21 know you went into it in your -- your prefiled
22 testimony and your testimony you gave today, but of
23 the -- I know the goal was to keep things as close
24 to section lines and other property boundaries as
25 possible. Can you roughly quantify how many

1 structures that wasn't possible for, percentage,
2 loose percentage? I won't hold you to exacts here.

3 A. Percentage of how many landowners -- or
4 structures could not be on a quarter line or a
5 section line?

6 Q. So, yeah, I guess to state it clearly, how
7 many structures are, I guess, more out in the open
8 and in the middle of day-to-day life.

9 A. Well, that can happen with both quarter
10 lines and section lines. So the -- there seems to
11 be a preference from landowners to put it on a
12 quarter line because a lot of times that's on a
13 property line. When you're on a section line,
14 because of county setbacks, you're actually further
15 out into the landowner's field, so it's more
16 impactful. And sometimes they even ask you to move
17 it even further out so they can fit the larger
18 equipment that they use these days to fit around
19 those structure locations.

20 I would struggle to give you a percentage
21 of how many because there's so many variables in
22 that based on the setback off of a section line or
23 quarter lines that actually do sometimes
24 unfortunately split crop fields.

25 Q. And that's fine. I'm going to let you off

1 the hook on that one because I'm the lawyer asking
2 questions about things I'm probably not qualified
3 to ask about anyway.

4 The bottom line is and what I'm trying to
5 get at here is you mentioned some restrictions to
6 what they can do in the areas of those structures.
7 As the reality sits, how do these structures impact
8 the landowners that you've been dealing with and
9 what's the most significant way, I guess, that it's
10 impacting them?

11 A. I would say the most significant way that
12 it has been impacting them is farming their -- the
13 crop fields. Obviously, there is -- there can be
14 impacts in pastures as well, but it's primarily the
15 ag -- the crop fields because equipment's just
16 larger these days and it keeps getting larger. So
17 to be able to maneuver around these structure
18 locations -- and we were doing structure placement
19 adjustments just as recent as last week trying to
20 accommodate requests that are still coming in.

21 MR. MARTENS: Okay. Thank you. No
22 further questions.

23 MS. OLSON: Mr. Hanson, any questions?
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EXAMINATION

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2 **BY MR. HANSON:**

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Q. Yes. I want to follow up on that question. Along those lines, it seems like there's also a consideration for aerial spraying and also probably an increasing use of drone usage in combination with farming. Has that impacted your decision-making on this at all? Because that seems like it's -- it's a little more impactful than just the space that gets taken up by the structure and farming around it. Have you had discussions about the impact of that?

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A. There have been several concerns with that. That -- honestly, I'll be honest with that, that is a tough one to address because aerial spraying varies from landowner to landowner on the direction that it goes. You know, they may spray east to west or they may spray north to south, and, you know, it's an iterative process trying to put all this criteria together to come up with a route that provides the least impact.

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Obviously, we know this is not something you can accommodate every landowner request, but we try very hard to do that. It's just aerial spraying is a concern. We're hearing more and more

1 about the drones. That's a little bit new to us
2 still, but that is something definitely that we
3 take a look at. We're adding that to our routing
4 criteria.

5 But the unfortunate answer is the
6 transmission lines have to go somewhere and it's
7 always going to have those impacts.

8 Q. And just as a note, there was an inquiry
9 from a land -- a landowner that was talking about
10 John Deere giving guidelines on having any drones
11 that work with their equipment, avoiding like
12 200 feet from power lines or some -- some criteria
13 like that. Just something maybe to take into
14 consideration in the future.

15 My other questions are following up on the
16 maps. On the Wheelock line on page 6 of 16, on
17 structure 385-095, I'm not quite sure what that
18 area -- if that's a DASK buffer, if -- if basically
19 that's a potential Dakota skipper area.

20 A. Yeah. It's a half-a-mile buffer for an
21 identified Dakota skipper habitat.

22 Q. Okay. And then I think that 385-182 is
23 probably -- okay. So then on -- or sorry, 385-187
24 on page 11 of 16, I'm not quite -- is that also a
25 DASK buffer or DASK area that we're -- you're kind

1 of in there?

2 A. Yes. Yes.

3 MR. HANSON: Okay. All right. I was just
4 not quite sure of your -- of the coding on this
5 stuff.

6 Okay. That's all my questions.

7 JUDGE HOGAN: Commissioner Kringstad.

8 **EXAMINATION**

9 **BY COMMISSIONER KRINGSTAD:**

10 Q. Just a couple follow-ups. So on this
11 Exhibit 21, the easement chart, I maybe wrote this
12 down wrong initially, but for the Tande circuit, I
13 had that now the easements were increased from 109
14 to 113, and maybe I just wrote that down wrong
15 earlier.

16 A. So I think -- I think that the comment on
17 that is we have verbal commitments that they're in
18 the mail and on the way.

19 Q. Yeah.

20 A. So when they would get received, that's
21 when it would go.

22 Q. That's when it's going to go. Okay.

23 Okay. You had mentioned earlier about
24 like a Highway 2 crossing location. Did that get
25 coordinated through NDDOT?

1 A. I would have to defer to Ryan on that, but
2 I believe all the crossing locations have been
3 approved.

4 Q. Okay. And we can follow up with that on
5 Friday if we need to.

6 Can you just explain the North Dakota
7 Department of Trust Lands process a little bit. If
8 I'm recalling correctly, and you can correct me if
9 I'm wrong, but my recollection is that they -- any
10 time we talk about getting an easement from them,
11 that they -- their process is to sort of wait until
12 we have rendered whatever decision we are going to
13 make. Is that accurate?

14 A. That is correct.

15 Q. Okay.

16 A. Their process has evolved a little bit
17 over recent years. It used to be that they would
18 withhold granting their easement until the adjacent
19 easements on both sides of their parcel had been
20 acquired.

21 Q. Okay.

22 A. Now they tend to prefer to wait until
23 after the public PSC process to grant it, but they
24 did -- they always usually provide a letter just to
25 let everybody know we are working through the

1 process. They're just --

2 Q. Sure.

3 A. -- not ready.

4 Q. Okay. That's helpful.

5 With the tree replacement process that you
6 talked about, can you go into just a little more
7 detail about, you know, like when and how early
8 you're going to start that process with landowners,
9 what landowner engagement there would -- would look
10 like and what type of preferences landowners would
11 have for tree replacement and things like that?

12 A. Yes. So as we are going through the
13 construction process, starting to gear up for the
14 reclamation process, obviously there's timing
15 considerations on when you have to order these
16 trees from the counties.

17 Q. Mm-hmm.

18 A. So we -- we have those conversations prior
19 to that. And basically there's -- some landowners
20 want the trees back, some don't. If they don't, we
21 will provide compensation in lieu of the trees.
22 Regardless, we still have to plant those trees
23 somewhere else. So Basin -- you know, we're
24 usually visiting with the North Dakota Game and
25 Fish or parks -- or state parks and just trying to

1 figure out where these other locations could be. I
2 know MHA wants some trees.

3 So there's never a shortage of trees to be
4 planted, but we do coordinate closely with
5 landowners on whether or not they want the trees
6 back, and if so, what location. Obviously not
7 under the transmission line, but anywhere else on
8 their properties. So we're very flexible and
9 accommodating to that.

10 Q. Okay. And does that apply to, say, like
11 the type of trees that they may want planted as
12 well?

13 A. As long as they're North Dakota
14 compatible, yes.

15 COMMISSIONER KRINGSTAD: Okay. I think
16 those are all my questions. Thank you.

17 MR. MURRAY: You're welcome.

18 JUDGE HOGAN: Commissioner Christmann.

19 **EXAMINATION**

20 **BY COMMISSIONER CHRISTMANN:**

21 Q. I only have one thing I want to clarify on
22 this -- I think it's Exhibit 21 that was handed
23 out. In the footnotes it points out that like the
24 total landowners -- you combine them when a
25 landowner has property in more than one of the

1 counties. So I'm reading into that -- correct me
2 if I'm wrong -- that if a landowner within a county
3 has a parcel here and then there's a mile of
4 someone else's and then another parcel here, that's
5 still considered one property owner; correct?

6 A. Correct. Now it is. Yeah, we initially
7 had that counted as two.

8 Q. Okay. And regarding the Department of
9 Trust Lands, which I think most ag producers refer
10 to school lands, if anybody's wondering what
11 Department of Trust Lands land is, there's just the
12 one parcel between the two projects?

13 A. There are two parcels on the Wheelock
14 circuit. There are no Trust Land parcels on the
15 Tande circuit.

16 COMMISSIONER CHRISTMANN: Okay. No other
17 questions, Your Honor.

18 JUDGE HOGAN: Just to clarify, because
19 the -- the exhibits in our packet were numbered
20 different than the list I got this morning, the one
21 you were referring to, Commissioner Christmann, is
22 Exhibit 15 --

23 COMMISSIONER CHRISTMANN: 15.

24 JUDGE HOGAN: -- so our record's clear.

25 COMMISSIONER CHRISTMANN: Boy, I was

1 close.

2 JUDGE HOGAN: No, it wasn't your error.
3 It was -- I did say that at the beginning. I just
4 want our record clear which document you're
5 referring to.

6 Commissioner Haugen-Hoffart.

7 COMMISSIONER HAUGEN-HOFFART: I have no
8 questions. Thank you.

9 JUDGE HOGAN: Ms. Olson, any redirect?

10 MS. OLSON: No, Your Honor.

11 JUDGE HOGAN: Mr. Martens, any other
12 questions?

13 MR. MARTENS: No, Your Honor.

14 JUDGE HOGAN: Mr. Hanson?

15 MR. HANSON: No, Your Honor.

16 JUDGE HOGAN: Any other commissioner
17 questions? All right. Thank you, Mr. Murray.

18 MR. MURRAY: Thank you.

19 JUDGE HOGAN: And, Ms. Olson, does that
20 conclude testimony that Basin intends to provide
21 today?

22 MS. OLSON: Yes, Your Honor.

23 JUDGE HOGAN: All right. Well, then that
24 brings us to the public testimony portion of our
25 hearing.

1 Like I mentioned before, even if you're
2 just deciding you want to testify today, that is
3 fine. If you do want to testify, I'm going to have
4 you come up one by one and take a seat at our
5 witness chair. Just like our other witnesses, you
6 will be sworn in. If you're representing a group
7 or an entity, if you could identify that for the
8 commissioners, that would be helpful. Likewise, if
9 you are an affected landowner, if you could let
10 them know where your property is, that would be
11 helpful as well. Once you conclude your testimony,
12 like with our other witnesses, we'll go around the
13 room and see if there's any questions for you.

14 And just to clarify, this is an
15 opportunity for the public to provide information
16 to the Commission. It's not an opportunity to ask
17 witnesses at Basin or to ask commissioners
18 questions. It's really your opportunity to provide
19 information as part of this process.

20 So with that said, is there anyone who
21 would like to provide public testimony? Come on
22 up, sir.

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

25 MR. VERLINDE: Bruce Verlinde. It's

1 spelled V-e-r-l-i-n-d-e.

2 JUDGE HOGAN: And, Mr. Verlinde, did you
3 hear me go through the penalties for perjury this
4 morning?

5 MR. VERLINDE: Yes.

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

8 MR. VERLINDE: Yes.

9 (Witness sworn.)

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

12 **BRUCE VERLINDE,**
13 having been first duly sworn, was examined and
14 testified as follows:

15 **STATEMENT**

16 **BY MR. VERLINDE:**

17 MR. VERLINDE: You were ask -- I'm a
18 member of the -- I'm on the zoning commission for
19 Blooming Valley Township, which has 6 miles of
20 the -- the proposed power line will cross. I don't
21 own land directly affected by this power line, but
22 I have farmed the land that it will cross for over
23 50 years.

24 And I first -- I just wanted to point out,
25 to me -- I guess some of this is my own opinion --

1 what are the obvious facts. The electoral
2 information administration reported that power
3 consumption hit a record in 2025 of 4,195 billion
4 kilowatts and it will hit a record of 4,260
5 kilowatts in 2026.

6 We as a country, the U.S., have no
7 business selling any power to Canada. Our regional
8 power authority says power will flow both ways, but
9 will it? SaskPower, according to their website,
10 has two small modular reactors capable of producing
11 30 megawatts each -- I'm not sure about the
12 megawatts on that -- but the timeline for these
13 reactors, if everything goes to plan, will not be
14 built until -- and online until after 2035, almost
15 ten years down the road.

16 Also, the plans call for construction by
17 Estevan, which is straight north of our -- where we
18 live by Noonan, and it's within 15 miles of the
19 U.S. border, these two reactors, and I personally
20 don't really want a nuclear reactor that close to
21 my house or to the U.S. border.

22 According to SaskPower's own numbers, they
23 only generate enough electricity to meet their own
24 needs at this time, and I don't see where they will
25 be exporting to the U.S. in the immediate future.

1 The -- Basin already owns corridor, as you
2 know, further east of us, and they -- we've asked
3 over and over why that can't be updated to be a
4 bigger size. I've never really got an answer on
5 that. But that power line, when it went in, I
6 remember the discussion on that. Power was going
7 to flow both ways, and I don't know -- we've never
8 heard how much moves either way on that power line
9 right now, but it is a pretty big power line.

10 Of the 6 miles that the Tande line crosses
11 of our township, 70 percent is owned by the people
12 who do not live anywhere near the area. I mean,
13 I'm talking most of them live at Minot or further
14 away, and that's the landowners that are always
15 referred to as agreeing to this and that. And the
16 owned land -- it's going to cross a mile and a half
17 of my land or what land I farm, and we were never
18 approached by anyone. The land -- the person that
19 owns the land never talked to us either before it
20 was -- she gave permission.

21 Predatory land people were hired by Basin
22 Electric to perceive to them that it was all good
23 and that this power line would have no effect on
24 the farmers that will have to put up with it.
25 Another thing that seemed odd is that all the

1 landowners that have signed on this project are
2 getting paid in advance, even though the PSC and
3 the Presidential permit is not yet approved, and
4 none of our -- our township has not been approached
5 at all by Basin yet for permits.

6 One major concern also is the whooping
7 crane. On page 30 of the Presidential permit
8 application, it states that the project is outside
9 a critical area, yet -- excuse me -- critical
10 habitat; yet, the report goes on further to state
11 that 75 percent of migratory birds, including
12 whooping cranes, pass through the same corridor
13 that Basin has proposed to build two major power
14 lines. And if you notice on the map, they get
15 really close together right at the border, and
16 that's their migratory pathway because I -- you
17 know, I know myself where they cross. I have
18 neighbors that live up there and they've told me
19 when they've seen them.

20 Whooping cranes are an endangered species.
21 If I were to accidentally kill one, it could be a
22 fine up to \$70,000. What will SaskPower pay for
23 each one of these birds that hits these lines and
24 is killed?

25 When I first heard of this project, I put

1 in a call to Basin Electric voicing my concern. I
2 was told that this is where the line needs to go,
3 and if I had any complaints, take it up with the
4 Public Service Commission. So here I am.

5 I'm on the zoning commission for Blooming
6 Valley, and not once did Basin ask for any local
7 input on the power placement. There are at least
8 two places within our township that we would like
9 the path to be adjusted a little bit for local
10 residents, but nobody will ever listen to us or
11 give us the time of day.

12 The project was already in full progress
13 when the first hearings were -- had been. Because
14 of the south -- or the southern power authority --
15 I'm sorry, I can't remember its proper name --
16 they -- when they -- when they came up to us at the
17 meeting that you were talking about, the first one,
18 we weren't told -- we were told it has to go and it
19 has to go through these corridors and maybe we can
20 adjust it a little. There was nothing like why
21 does this have to be; why can't we, you know, be --
22 why can't it be considered; why can't the other
23 power line -- it was just this is where it has to
24 be. It has to pass through Divide County, and we
25 have no say or we can't stop it.

1 I wanted to -- I'm not against power
2 lines. I have one on my property right now. It's
3 not a major one. It's a pretty big one. If you'd
4 see on the southern -- it runs right across the
5 hills all the way across Divide County. I also
6 have a Basin CO₂ line -- pipeline, and we know how
7 controversial the CO₂ pipelines are, and that passes
8 across my property and it's within a half mile of
9 my residence.

10 And Basin and I get -- they -- we -- that
11 was an agreement when that went in a long time ago
12 from Dakota Gasification.

13 I've been told that SaskPower was paying
14 for most of this cost so far. So if it were to be
15 terminated, which you always hear, Basin would not
16 be adversely affected financially. And I guess, in
17 my opinion, this project has very little merit and
18 should not proceed this far. It should not have
19 proceeded this far, but -- and then most of this is
20 my opinion here again.

21 But I did base this -- I wanted to say I
22 based this on the SaskPower website. I based it on
23 the Presidential permit website and the other
24 power -- the electrical information administration.

25 That's all I can say.

1 JUDGE HOGAN: All right. Thank you.

2 Ms. Olson, any questions?

3 MS. OLSON: No, Your Honor.

4 JUDGE HOGAN: Mr. Martens, any questions?

5 MR. MARTENS: No, Your Honor.

6 JUDGE HOGAN: Mr. Hanson?

7 MR. HANSON: No, Your Honor.

8 JUDGE HOGAN: Commissioner Kringstad.

9 COMMISSIONER KRINGSTAD: Thank you.

10 **EXAMINATION**

11 **BY COMMISSIONER KRINGSTAD:**

12 Q. So I just want to verify because I have to
13 admit I'm not familiar with all the townships and
14 all the counties, but you said that Blooming Valley
15 Township is in Divide --

16 A. Yes.

17 Q. -- County; correct? Okay.

18 A. And under the Tande line. I'm sorry, I
19 didn't --

20 Q. Under the Tande line. Okay.

21 Okay. So with the land that you farm that
22 you said the -- the landowner has signed an
23 easement --

24 A. Yes.

25 Q. -- seeing those plans, do you foresee any

1 issues to your farming operations?

2 A. I'm sorry?

3 Q. Do you -- do you see any -- or do you have
4 any concerns with like --

5 A. Yes.

6 Q. -- where that line is to your farming
7 operations?

8 A. We do a lot of aerial spraying for the
9 midge and for scab Fusarium, and it has to be done
10 aerially pretty much anyway, and I foresee that'll
11 be a problem with it in the future. And working
12 around the poles too.

13 Q. Okay.

14 A. Well, it's within a half mile -- we have
15 some pristine area there that's good hunting area
16 and stuff like that. In fact, the sharp-tailed
17 grouse has nesting areas around there, too, and
18 it's within three-quarters of a mile of that. I
19 just -- I guess -- and maybe I just aesthetically
20 don't want to look at it every night when the sun
21 goes down --

22 Q. Mm-hmm.

23 A. -- which is probably pretty selfish, I
24 guess, but --

25 Q. Sorry. Sorry, did you --

1 A. Go ahead.

2 Q. I didn't want to interrupt.

3 Okay. You had also mentioned like a wider
4 corridor; right?

5 A. Yeah.

6 Q. So tell me -- like help me understand,
7 like, is that to get a bigger setback or --

8 A. No. When they first came up --

9 Q. Yep.

10 A. -- they had different lines in the
11 corridor. You know, it didn't really change its
12 route much. It's just that it, you know, would get
13 along with different landowners --

14 Q. Okay.

15 A. -- at the time. You know, they'd say,
16 well, maybe we'll go around this farm. The three
17 that they proposed originally through Blooming
18 Valley went over three different farmsteads --

19 Q. Mm-hmm.

20 A. -- and that's what we were working on,
21 too, trying to -- but -- and so it was adjusted
22 somewhat there.

23 Q. Okay. I know you -- you kind of came up
24 and testified personally. Just -- I'm curious
25 from -- from like the zoning commission side, is

1 there requirements that this project will have to
2 meet from like a township zoning side?

3 A. I've -- I've met with the county
4 commissioners and it's kind of like -- we kind of
5 wonder why we even zoned because we don't have any
6 clout to hardly do anything except maybe for
7 cleanup, environmental or the roads.

8 Q. Okay.

9 A. But as far as stipulating where it goes, I
10 don't think as a township and -- we probably don't
11 have any power at all. It's just a title.

12 Q. Okay. Okay. With -- you had also
13 mentioned the -- the whooping crane habitat and
14 your concern with that.

15 A. Yeah.

16 Q. Like I know that was testified to a little
17 bit by Mr. King. Did that -- did hearing how the
18 company is planning to mitigate those, did that --
19 was that helpful to you? Did that alleviate some
20 of your concerns?

21 A. No. You understand, it's the height of
22 the power lines and the lines and when they're
23 migrating, whether the birds will hit them or not.

24 Q. Mm-hmm.

25 A. And I -- I don't want to, you know, go

1 into -- I don't want to use that as an
2 environmental reason, but it does seem pretty
3 strange because they are so protected. When they
4 come through here, it's even listed, you know,
5 they're whooping cranes, don't disturb them, all
6 this and that, and these two power lines are
7 exactly -- almost exactly where the whooping cranes
8 come through here every year in our county.

9 But I had talked to the local wildlife,
10 and he said it does seem like they're shifting to a
11 different area, and maybe they will, you know, pick
12 a different migratory path. But now we're going to
13 have three lines. Not just two, it'll be three.

14 And then today was the first I heard, too,
15 that part of the reason we're getting two is
16 because Canada can't handle one big one. Is
17 that -- isn't that what I gathered from -- you
18 know, from the testimony before? That's why we're
19 getting two instead of -- just one would be easier
20 to cope with, I think, but --

21 Q. Yeah. And I think -- I don't know if this
22 was said. I can't recall if this was said here in
23 person or if I just read it in the testimony, so
24 like one of the things I guess that the company had
25 pointed to, if there was like one power line that

1 would be bigger is that, like, you know, it's a
2 single line but then it's larger, so there are
3 additional --

4 A. Mm-hmm.

5 Q. -- environmental impacts as well, so --

6 A. Yeah.

7 Q. -- kind of that balance, but --

8 COMMISSIONER KRINGSTAD: Okay. Thank you
9 for answering all my questions. I appreciate it.
10 And thank you for going first. Nobody ever wants
11 to go first, so thank you.

12 JUDGE HOGAN: Commissioner Christmann, any
13 questions?

14 COMMISSIONER CHRISTMANN: I don't have any
15 questions, but it's not selfish. You're why we're
16 here.

17 MR. VERLINDE: Okay.

18 JUDGE HOGAN: Commissioner Haugen-Hoffart.

19 COMMISSIONER HAUGEN-HOFFART: I have no
20 further questions. Thank you, Bruce.

21 JUDGE HOGAN: All right. Thank you, sir.

22 MR. VERLINDE: Thank you.

23 JUDGE HOGAN: Who would like to go next?

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

1 MR. DHUYVETTER: Chuck Dhuyvetter,
2 D-h-u-y-v-e-t-t-e-r.

3 JUDGE HOGAN: And did you hear me go
4 through the penalties for perjury earlier?

5 MR. DHUYVETTER: Yes.

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

8 MR. DHUYVETTER: Yes.

9 (Witness sworn.)

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

12 **CHUCK DHUYVETTER,**
13 having been first duly sworn, was examined and
14 testified as follows:

15 **STATEMENT**

16 **BY MR. DHUYVETTER:**

17 MR. DHUYVETTER: I guess I'm -- I'm out of
18 the landowner purview of this because I -- I live
19 right across the road from where this line is
20 going, and they -- you know, they -- they state
21 that we're going to have a 500-yard or half-a-mile,
22 say, buffer for wildlife and everything, but why
23 won't they do that for human beings? I mean, I'm
24 600 feet from where their proposed pole is going to
25 be, and I've spent 15 years building my farmstead

1 and I've invested a lot. And I've asked them to
2 run it kitty-corner to keep it a half a mile away.

3 I mean, I've got my grandkids coming
4 through our yard all the time and I'm -- I'm
5 worried that, you know, this line is going to --
6 for one thing, we're going to hear it, I'm sure.
7 There will be noise associated with it. And it's
8 just -- it's -- I don't want to be selfish, either,
9 but I've asked and asked that they run this line
10 kitty-corner across a quarter for the person that
11 doesn't even live here and look at it ever, you
12 know, and they just don't -- they just kind of,
13 yeah, whatever.

14 So, I mean, I know I don't have any land
15 in the actual area of this transmission line, but
16 it's very close to my home, and I -- I really would
17 like to see it moved.

18 They put neighbor against neighbor. My
19 neighbor to the north -- a half mile to the north,
20 the line was proposed to go by his house -- or not
21 his house, but a little bit off to the side of his
22 farmstead. And they went to him and they said, you
23 know, We want you to sign off on this. And they
24 said, Well, if you move it over to the road over
25 there, we'll sign off on it. So, boom, they moved

1 it over to the road right next to my house, and it
2 creates a lot of animosity between neighbors,
3 unfortunately. It really does.

4 So that's what I've got.

5 JUDGE HOGAN: All right. Thank you.

6 Ms. Olson, any questions?

7 MS. OLSON: No, Your Honor.

8 JUDGE HOGAN: Mr. Martens, any questions?

9 MR. MARTENS: Just real quick.

10 **EXAMINATION**

11 **BY MR. MARTENS:**

12 Q. Sir -- and you're under no obligation
13 here -- do you feel comfortable giving us the
14 address of where your home is or where your land
15 is, the description?

16 A. Yes. Yes. It's 10035 110th Avenue
17 Northwest, Noonan.

18 MR. MARTENS: Thank you, sir. I have no
19 further questions, Your Honor.

20 JUDGE HOGAN: Mr. Hanson, any questions?

21 MR. HANSON: Could you respell your last
22 name?

23 MR. DHUYVETTER: D-h-u-y-v-e-t-t-e-r. Do
24 you have trouble with that?

25 MR. HANSON: Just like it sounds; right?

1 MR. DHUYVETTER: Yeah.

2 MR. HANSON: Thanks.

3 JUDGE HOGAN: Commissioner Kringstad.

4 **EXAMINATION**

5 **BY COMMISSIONER KRINGSTAD:**

6 Q. Just one question. Like you -- you
7 mentioned specifically concerns about like the
8 noise from the line. Have you ever had a
9 conversation with the company about --

10 A. They --

11 Q. -- about that?

12 A. Yes. Their first meeting here they
13 said --

14 Q. Mm-hmm.

15 A. -- there's really not a lot of noise
16 associated with it, but there could be some, is
17 what they said.

18 Q. Okay.

19 A. But -- and, you know, it's pretty close.

20 Q. Yeah. And, you know, we -- we as a
21 Commission, I would say, hear -- hear quite a bit
22 about like the setbacks from homes, and I will say
23 that it is -- it is written in State law that the
24 setback is 500 feet from an inhabited residence.
25 So, you know, like I'm not -- I'm not asking you to

1 agree with that, about if that's an appropriate
2 distance or not, but just if you're not aware,
3 that's -- that's where it comes from.

4 A. I'm aware.

5 COMMISSIONER KRINGSTAD: Okay. Thank you
6 for being here today.

7 JUDGE HOGAN: Commissioner Christmann.

8 **EXAMINATION**

9 **BY COMMISSIONER CHRISTMANN:**

10 Q. You mentioned that the neighbor on the
11 other side of the road as far as angling it across
12 their property instead of staying straight and they
13 don't even live in the area, is that farmland or --

14 A. Yeah, it is.

15 Q. -- pasture?

16 A. It's farmland.

17 Q. So do you think that the tenant who
18 probably does live here would be objecting to that
19 with their -- with their --

20 A. I'm sure they would object. Yeah.

21 COMMISSIONER CHRISTMANN: Okay. No other
22 questions. Thank you.

23 JUDGE HOGAN: Commissioner Haugen-Hoffart.

24 COMMISSIONER HAUGEN-HOFFART: Commissioner
25 Kringstad explained the 500-foot setback, so that's

1 what I was going to talk to you about. So I have
2 no further questions.

3 JUDGE HOGAN: Thank you, sir.

4 MR. LARSON: Hello.

5 JUDGE HOGAN: Good afternoon. I'll have
6 you state your name for the record and spell your
7 last name.

8 MR. LARSON: Conrad Larson, L-a-r-s-o-n.

9 JUDGE HOGAN: Mr. Larson, did you hear me
10 go through the penalties for perjury this morning?

11 MR. LARSON: Yes, I did.

12 JUDGE HOGAN: And do you understand what
13 perjury is?

14 MR. LARSON: Yes, I do.

15 (Witness sworn.)

16 JUDGE HOGAN: All right. Thank you. Go
17 ahead.

18 **CONRAD LARSON,**

19 having been first duly sworn, was examined and
20 testified as follows:

21 **STATEMENT**

22 **BY MR. LARSON:**

23 MR. LARSON: When this project was
24 proposed, I was asked by Basin's landman if I
25 wished to participate in it. This is on the Tande

1 line. I said I did not. The next thing I knew,
2 they had routed it through most of the farm and
3 within a quarter mile of the house. I feel it
4 would be only common courtesy to place the line
5 farther from farmsteads, especially since the area
6 is so sparsely populated. Our closest neighbors
7 live three miles away.

8 I believe this would devalue the farmstead
9 for future sale. No one wants to live this close
10 to a transmission line.

11 Some health experts believe people
12 shouldn't live closer than 1200 meters, around
13 three-quarters of a mile, from transmission lines.
14 The line will be west of the farmstead, which is
15 the direction we receive our cell phone and TV
16 signal. This could also cause problems.

17 I called Basin to tell them that it was
18 too close and to give them plenty of time for a
19 reroute. When I spoke to Jerry Haas at Basin and
20 told him of my concerns, he said that a quarter
21 mile wasn't too bad. He also said that if I wanted
22 a reroute, I should go to other landowners and sign
23 them up for it. I feel that is their job, not
24 mine.

25 I requested that the line run on the south

1 edge of the quarter and continue east so it would
2 be about a half mile away. Those landowners who
3 don't live in the township would likely accept the
4 payment. This was also rejected.

5 I am aware that Basin has rerouted the
6 line away from farmsteads for others when
7 requested, even though they didn't offer their own
8 property. The only reroute they have proposed is
9 one which would run through and destroy a Native
10 American cultural site and still end up a quarter
11 mile from the house. This shows the lack of
12 concern Basin has for the land and for the people
13 who live on it.

14 We were told in the beginning that the
15 transmission line was being built to supply power
16 to Canada since they were shutting down their coal
17 and natural gas power plants. SaskPower was paying
18 for the entire project. If the line is supposed to
19 benefit northwest North Dakota, shouldn't it end at
20 one of our substations instead of one in Canada?
21 It seems that Basin has placed a foreign
22 corporation ahead of its own co-op members.

23 I believe this project should be rejected
24 or at the very least be required to be a half mile
25 or more from my residence.

1 Thank you.

2 JUDGE HOGAN: All right. Thank you.

3 Ms. Olson, any questions?

4 MS. OLSON: No, Your Honor.

5 JUDGE HOGAN: Mr. Martens?

6 **EXAMINATION**

7 **BY MR. MARTENS:**

8 Q. Mr. Larson, do you feel comfortable
9 providing us with the location of your property?

10 A. 10910 97th Street Northwest.

11 MR. MARTENS: Thank you, sir. That's all
12 the questions I have, Your Honor.

13 JUDGE HOGAN: Mr. Hanson, any questions?

14 MR. HANSON: No questions.

15 JUDGE HOGAN: Commissioner Kringstad.

16 **EXAMINATION**

17 **BY COMMISSIONER KRINGSTAD:**

18 Q. You -- you had indicated that you had
19 submitted like a reroute request to the company --

20 A. Yeah.

21 Q. -- right?

22 A. Yeah.

23 Q. Did they -- what was the indication for
24 why they couldn't accept that reroute?

25 A. I don't -- they didn't really have any

1 specific explanation.

2 Q. Okay. And then I heard -- and I may leave
3 this up to the attorneys to describe if I don't do
4 a good enough job, but you also brought up cell
5 phone -- like concerns about cell phone coverage
6 and TV signal. It probably wasn't talked about in
7 this hearing, but the Commission does have
8 certifications related to order provisions that if
9 this project is approved the company would have to
10 sign and agree to, and one of the things in there
11 does involve if it would have impacts on, like,
12 television signal and things like that. So I'm
13 going to look at the attorneys, and if they feel
14 that's inaccurate, they can jump in, but --

15 JUDGE HOGAN: I guess they agree with you,
16 so --

17 COMMISSIONER KRINGSTAD: Those are all my
18 questions. Thank you.

19 JUDGE HOGAN: Commissioner Christmann.

20 **EXAMINATION**

21 **BY COMMISSIONER CHRISTMANN:**

22 Q. I was unable to write fast enough. How
23 far did you say this crosses your land?

24 A. It's a quarter mile away.

25 Q. A quarter mile from your residence?

1 A. Yeah.

2 Q. But like does it go a half mile across
3 your land or a mile or --

4 A. It goes a mile and a half.

5 Q. It's on a mile and a half of yours.

6 A. Yes.

7 COMMISSIONER CHRISTMANN: Okay. Thank
8 you. No other questions.

9 JUDGE HOGAN: Commissioner Haugen-Hoffart.

10 COMMISSIONER HAUGEN-HOFFART: Yes.

11 **EXAMINATION**

12 **BY COMMISSIONER HAUGEN-HOFFART:**

13 Q. Conrad, you first said that with your
14 concerns, you called Basin and talked to Jerry;
15 correct?

16 A. Yep.

17 Q. When you submitted your reroute, who did
18 you submit that to? Did you mail it in to Basin or
19 did you --

20 A. I just talked to Jerry about it.

21 Q. So the only person you've been talking to
22 with Basin is Jerry?

23 A. And the land -- landman too.

24 Q. And the landman?

25 A. Yep.

1 Q. Can I have you get closer to the speaker?

2 I'm sorry.

3 A. Sorry. The landman.

4 Q. Do you know his name?

5 A. Ken -- Kendrick.

6 Q. So what did you talk to Ken about?

7 A. About rerouting it so it's not so close to
8 the house. I mean, it's three miles to the
9 neighbor. It don't have to be a quarter mile from
10 the house.

11 Q. And -- but the submitted reroute was to
12 Jerry and then you were talking to Ken --

13 A. I talked to them both about it, but I
14 haven't gotten anyplace with it.

15 Q. So who told you -- I mean who said no?

16 A. Jerry I think to start with.

17 Q. Jerry told you no --

18 A. Yeah.

19 Q. -- on --

20 Did he tell you why?

21 A. Not really. I suppose it costs more
22 money, but, I mean, if it's -- if SaskPower's
23 paying for the whole thing, then a little bit -- a
24 little bit of help for the residents shouldn't be
25 that big a deal with that big a project, I wouldn't

1 think.

2 Q. So at first you said there was no
3 specifics given to why they declined it. Now you
4 said it's for money.

5 A. I'm just guessing that. I don't know for
6 sure.

7 Q. So I just want to be clear. You're
8 stating that you never received a reason from Basin
9 on why the reroute was not possible?

10 A. Not that I am aware of.

11 COMMISSIONER HAUGEN-HOFFART: Okay. No
12 further questions.

13 MR. LARSON: Okay. Thank you.

14 JUDGE HOGAN: All right. Thank you.

15 Are there others that want to provide
16 public testimony? All right.

17 MR. JACOBSON: I'll go. I'm Rider
18 Jacobson, J-a-c-o-b-s-o-n. Rider, R-i-d-e-r. I'm
19 not --

20 JUDGE HOGAN: Hang on. Hang on. I've got
21 to swear you in. Mr. Jacobson, did you hear me go
22 through the penalties for perjury earlier today?

23 MR. JACOBSON: Yes.

24 JUDGE HOGAN: And do you understand what
25 perjury is?

1 MR. JACOBSON: Yes.

2 (Witness sworn.)

3 JUDGE HOGAN: All right. Thank you. Good
4 ahead.

5 **RIDER JACOBSON,**

6 having been first duly sworn, was examined and
7 testified as follows:

8 **STATEMENT**

9 **BY MR. JACOBSON:**

10 MR. JACOBSON: I'm not a landman. My
11 family does own land. I was reading on SaskPower,
12 and they were saying that in two years they will
13 pick out where they're going to build this nuclear
14 site in 2029 and by 2030 they're phasing out coal
15 plants. And then by 2035, they're building a
16 nuclear plant. So I'm wondering -- like I feel
17 like with us having to connect our -- supply the
18 power, are we going to be overburdening -- like
19 putting more power to our power system. And I feel
20 like when we have power outs and they will, too,
21 because we -- the weather, they will be affecting
22 our power system down here more than anything. And
23 I also don't want to look at that ugly thing
24 either.

25 JUDGE HOGAN: All right. Thank you.

1 Ms. Olson, any questions?

2 MS. OLSON: No, Your Honor.

3 JUDGE HOGAN: Mr. Martens?

4 MR. MARTENS: No, Your Honor.

5 JUDGE HOGAN: Mr. Hanson?

6 MR. HANSON: Yeah.

7 **EXAMINATION**

8 **BY MR. HANSON:**

9 Q. Does your family own land on the power
10 line or near the power line?

11 A. We live near the Wheelock.

12 MR. HANSON: Okay. Thank you.

13 JUDGE HOGAN: Commissioner Kringstad.

14 COMMISSIONER KRINGSTAD: I don't have any
15 questions. That was my -- that was my question is
16 where your family land was located. So thank you.
17 Thanks for your testimony.

18 JUDGE HOGAN: Commissioner Christmann.

19 COMMISSIONER CHRISTMANN: You weren't real
20 close to the mike. I didn't catch your first name,
21 Mr. Jacobson.

22 MR. JACOBSON: Rider.

23 COMMISSIONER CHRISTMANN: Rider?

24 MR. JACOBSON: Yep.

25 COMMISSIONER CHRISTMANN: Okay. Thanks

1 for being here.

2 MR. JACOBSON: Mm-hmm.

3 JUDGE HOGAN: Commissioner Haugen-Hoffart.

4 COMMISSIONER HAUGEN-HOFFART: Thank you.

5 No further questions.

6 JUDGE HOGAN: All right. Thank you.

7 Is there anyone else who'd like to provide
8 testimony?

9 All right. Seeing none, that will
10 conclude the public testimony portion of our
11 hearing and brings us to the end of our hearing for
12 today. I'll just ask the parties if there's any
13 other matters we need to address before we
14 conclude.

15 Ms. Olson, did you have anything?

16 MS. OLSON: Nothing for us.

17 JUDGE HOGAN: Mr. Martens?

18 MR. MARTENS: No, Your Honor.

19 JUDGE HOGAN: All right. I'll ask if
20 there's any closing remarks from the commissioners.
21 Commissioner Kringstad.

22 COMMISSIONER KRINGSTAD: I will keep mine
23 very short, especially because we've kept you all
24 through lunch. So thank you so much for being here
25 today.

1 I do want to say we talked initially about
2 how on Friday we're going to be in Ray, North
3 Dakota. It'll be a very similar setup to this and
4 what we went through today. Obviously, anybody is
5 welcome to come to that hearing as well. However,
6 it -- as you can see from all the cameras and the
7 microphones around here, this will be broadcast on
8 our website, so it's available for you guys to
9 watch live if you would prefer. It's also going to
10 be saved and docketed in the case, which may take a
11 couple days, but it ultimately will be available on
12 our website as well if you would want to go back
13 and listen to it as well.

14 So thank you again for all the testimony
15 today and for being here.

16 JUDGE HOGAN: Commissioner Christmann.

17 COMMISSIONER CHRISTMANN: The only thing
18 is if someone is interested in the Friday hearing,
19 I agree it's going to be probably mostly the same.
20 There's going to be a little more response to the
21 questions I was asking about with how SPP's process
22 works with -- with the recovery of the costs here,
23 and we don't know what other information people
24 from the public will bring forward.

25 And so if you're real interested in this,

1 you know, it may be somewhat repetitive. We'll be
2 asking the company to go through the details again
3 for the people who weren't here today. We'll
4 probably even ask some of the same questions, even
5 though we know the answer, to help the public down
6 there understand it. So, like I say, it will be
7 somewhat repetitive, but there could be new things
8 too.

9 So make up your own minds whether you want
10 to tune in or drive down and spend another day with
11 us. We'd love to see you.

12 JUDGE HOGAN: Commissioner Haugen-Hoffart.

13 COMMISSIONER HAUGEN-HOFFART: Thank you.

14 I want to extend a huge thank you for all
15 of you attending today. I know it takes a lot of
16 time away from your day-to-day stuff, but we do
17 appreciate you being here and learning more about
18 this project and bringing forth your concerns. I
19 look forward to seeing many of you maybe in Ray.

20 And on a final note, Happy St. Patrick's
21 Day and go and enjoy a good meal.

22 JUDGE HOGAN: All right. Thank you. I
23 will note for the record it's 1:24 p.m., and we
24 will stand in recess in Case Numbers PU-25-283 and
25 PU-25-284.

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(Recessed at 1:25 p.m., the 17th day of
March, 2026.)

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CERTIFICATE OF COURT REPORTER

I, Stephanie A. Smith, a Registered Professional Reporter,

DO HEREBY CERTIFY that I recorded in shorthand the foregoing proceedings had and made of record at the time and place hereinbefore indicated.

I DO HEREBY FURTHER CERTIFY that the foregoing typewritten pages contain an accurate transcript of my shorthand notes then and there taken.

Dated at Bismarck, North Dakota, this 9th day of April, 2026.

Stephanie A. Smith
Registered Professional Reporter

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