

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 --

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A P P E A R A N C E S

COMMISSIONERS PRESENT:

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

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

FOR THE APPLICANT.

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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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21

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1 (The following proceedings were had and  
 2 made of record herein, commencing at 10:02 a.m.,  
 3 Tuesday, the 17th day of March, 2026:)  
 4 JUDGE HOGAN: All right. Good morning.  
 5 We are going to get started. Today is March 17,  
 6 2026. It's 10:02 a.m.  
 7 This is the first of two hearings set by a  
 8 notice of consolidated hearings issued by the North  
 9 Dakota Public Service Commission on January 28,  
 10 2026, for Case Numbers PU-25-283 and PU-25-284.  
 11 My name is Hope Hogan, and I'm the hearing  
 12 officer that's been designated for today's hearing.  
 13 Today's hearing is being held at the Divide County  
 14 Courthouse in Crosby, North Dakota.  
 15 As we begin today, I'd ask that everybody  
 16 please check your cell phones to make sure they're  
 17 either turned off or silenced so that we don't have  
 18 cell phone interruptions throughout our hearing  
 19 today.  
 20 There is an attendance sheet that's being  
 21 passed around right now. The Commission would ask  
 22 that everybody sign the attendance sheet so that  
 23 there's a record of all who attended today's  
 24 hearing.  
 25 This is a joint hearing on two Basin

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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

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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.

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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

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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.

12

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

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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

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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

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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

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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

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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

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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.

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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

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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"?

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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.

22

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

23

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

24

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

25

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.

26

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.

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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.

28

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

29

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

30

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

31

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

32

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

33

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.

**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

34

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.

35

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

36

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

37

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 --

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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

39

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.

40

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 --

41

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

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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

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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.

44

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

45

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 --

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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,

47

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

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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

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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

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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 prefilled 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

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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?

52

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?

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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:

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1 **EXAMINATION**

2 **BY MS. OLSON:**

3 Q. Good morning. To start, please state your

4 name and employer.

5 A. My name is Philip Westby, and I'm employed

6 by Basin Electric Power Cooperative.

7 Q. What is your position with Basin Electric?

8 A. I am the manager of transmission services,

9 and my responsibilities include supervising

10 transmission studies that affect Basin Electric and

11 its customers. As part of this, I complete and

12 review any study that would affect Basin Electric's

13 transmission system.

14 Q. Please describe your educational and

15 professional background.

16 A. I received a bachelor's of science degree

17 in computer engineering from North Dakota State

18 University in 2008. I am a licensed professional

19 engineer in North Dakota. And I have been employed

20 by Basin Electric Power Cooperative since 2009 in

21 the transmission planning division. I was hired as

22 an electrical engineer and was promoted to manager

23 of transmission services in April of 2023.

24 Q. What is your role with respect to this

25 transmission line project?

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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?

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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.

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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

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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

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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

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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?

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1 A. Yes. The project will ensure continued  
2 system reliability and integrity by enabling both  
3 exports and imports between the SPP system and  
4 SaskPower system to the north, allowing the  
5 transmission network to be utilized more  
6 efficiently and operated with greater flexibility.

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

9 JUDGE HOGAN: Mr. Martens, any questions?

10 MR. MARTENS: Yes, Your Honor.

### EXAMINATION

11 BY MR. MARTENS:

12 Q. Going back, you mentioned briefly what if  
13 Basin chose not to construct this. Could -- I  
14 guess zoom out a little bit from the RTO  
15 perspective. What happens at that point? Does it  
16 just not get built or --

17 A. So if Basin Electric is -- we have been  
18 designated as the designated transmission owner,  
19 and that's because we own the facilities that  
20 they're connecting to, so we have basically the  
21 right of first refusal on the project. If we  
22 refuse those rights, SPP will issue a notice to  
23 construct to somebody else, and that could be an  
24 independent transmission company or a different  
25

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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.

### EXAMINATION

7 BY MR. HANSON:

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

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

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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

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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.

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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

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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

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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?

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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

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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?

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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.

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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

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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.

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1 A. My understanding is they're paying for the

2 line. We're getting additional revenue back,

3 significant amount back, and there's going to be no

4 costs to North Dakota.

5 Q. So what I'll be looking for affirmation is

6 that for sure this is a point-to-point thing and

7 not just base plan funded for Wednesday -- or for

8 Friday, I mean.

9 A. Okay.

10 COMMISSIONER CHRISTMANN: Let me just see

11 if there's anything else that I wanted to deal

12 with.

13 No. My other questions are for the other

14 witnesses. Thank you, though.

15 MR. WESTBY: Thank you.

16 COMMISSIONER CHRISTMANN: Appreciate that

17 explanation about SaskPower's capabilities that you

18 mentioned.

19 JUDGE HOGAN: Commissioner Haugen-Hoffart.

20 COMMISSIONER HAUGEN-HOFFART: Thank you.

21 **EXAMINATION**

22 **BY COMMISSIONER HAUGEN-HOFFART:**

23 Q. You indicated that in the study process it

24 concluded that the existing 230-kV facilities were

25 insufficient. My question for you is were any

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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.

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1 **FURTHER EXAMINATION**

2 **BY MS. OLSON:**

3 Q. Mr. Westby, I know you talked with

4 Commissioner Christmann about bringing some more

5 details on the cost and payment of the project for

6 Friday's hearing, but just generally to clarify

7 today, will SaskPower be paying for the project?

8 **A.** Yes.

9 MS. OLSON: Thank you. Nothing else.

10 JUDGE HOGAN: Mr. Martens, any other

11 questions?

12 MR. MARTENS: No, Your Honor.

13 JUDGE HOGAN: Mr. Hanson?

14 MR. HANSON: No, Your Honor.

15 JUDGE HOGAN: Any other commissioner

16 questions?

17 All right. Thank you, Mr. Westby.

18 MR. WESTBY: Thank you.

19 JUDGE HOGAN: We are going to take our

20 morning break. Let's reconvene at 11:40.

21 (Recessed at 11:23 a.m. and reconvened at

22 11:42 a.m.)

23 JUDGE HOGAN: All right. We're going to

24 get started again.

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

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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?

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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?

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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

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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

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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

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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.

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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

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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.

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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

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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

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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

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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

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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

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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

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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

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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

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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

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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

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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,

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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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1 **EXAMINATION**

2 **BY COMMISSIONER KRINGSTAD:**

3 Q. Thank you for that clarification on the --

4 the survey access. I appreciate that a lot.

5 With regard to the state historic society,

6 we talked about how -- or you testified that for

7 the cultural and historic resources we're basically

8 just waiting to hear back from SHPO on their

9 concurrence. That also, just to be clear, would

10 cover like the archeological --

11 A. Correct.

12 Q. -- sites as well?

13 A. Correct.

14 Q. Okay. Approximately when was that

15 submitted to SHPO?

16 A. I have the dates if you let me go back.

17 The Wheelock report was submitted on February 13

18 and the Tande report was submitted on February 20.

19 Q. Okay.

20 A. And they have received comment -- or

21 Burns & McDonnell have received comments from

22 SHPO --

23 Q. Okay.

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

25 Thursday to discuss them.

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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

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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

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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 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.

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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 **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

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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.

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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.

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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

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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

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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.

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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

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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

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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

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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,

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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

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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?

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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

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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

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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.

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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

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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

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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

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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

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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

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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

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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

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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

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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

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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

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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

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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?  
24  
25

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**EXAMINATION**

2 **BY MR. HANSON:**

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

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

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

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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

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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 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

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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 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

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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

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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.

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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

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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 --**

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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.

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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

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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

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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.

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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 CO<sub>2</sub> line -- pipeline, and we know how  
 7 controversial the CO<sub>2</sub> 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 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 --

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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 **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

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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

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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 **Q.** 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 **A.** 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

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

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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

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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 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

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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 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

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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

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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

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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.

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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

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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.

**EXAMINATION**

**20 BY COMMISSIONER CHRISTMANN:**

21 Q. I was unable to write fast enough. How

22 far did you say this crosses your land?

23 A. It's a quarter mile away.

24 Q. A quarter mile from your residence?

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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.

**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.

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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

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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?

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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.

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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

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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.

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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.

1 CERTIFICATE OF COURT REPORTER

2

3 I, Stephanie A. Smith, a Registered  
 4 Professional Reporter,

5 DO HEREBY CERTIFY that I recorded in  
 6 shorthand the foregoing proceedings had and made of  
 7 record at the time and place hereinbefore  
 8 indicated.

9 I DO HEREBY FURTHER CERTIFY that the  
 10 foregoing typewritten pages contain an accurate  
 11 transcript of my shorthand notes then and there  
 12 taken.

13 Dated at Bismarck, North Dakota, this 9th  
 14 day of April, 2026.

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Stephanie A. Smith  
 Registered Professional Reporter

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1 (Recessed at 1:25 p.m., the 17th day of  
 2 March, 2026.)

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