

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  
215 Main Street  
Ray, North Dakota  
March 20, 2026

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



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1 (The following proceedings were had and  
 2 made of record herein, commencing at 10:07 a.m.,  
 3 Friday, the 20th day of March, 2026:)  
 4 JUDGE HOGAN: All right. Good morning.  
 5 We are going to get started. Sorry for being  
 6 delayed a few minutes. I'll note for the record,  
 7 it's March 20, 2026, at 10:07 a.m.  
 8 This is the second of two hearings set by  
 9 the notice of consolidated hearings issued by the  
 10 North Dakota Public Service Commission on  
 11 January 28, 2026, for Case Numbers PU-25-283 and  
 12 PU-25-284.  
 13 My name is Hope Hogan, and I have been  
 14 designated as the hearing officer for today's  
 15 hearing. Our hearing today is being held at the  
 16 Ray Auditorium in Ray, North Dakota.  
 17 As we begin our hearing, I'd ask everybody  
 18 to please check your cell phones to make sure  
 19 they're either turned off or silenced so that we  
 20 don't have cell phone interruptions throughout our  
 21 hearing today.  
 22 Also, there's an attendance sheet that's  
 23 being passed around. The Commission would ask that  
 24 you please sign it so that they have a record of  
 25 everyone who attended today's hearing.

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1 This is a combined hearing on two Basin  
 2 Electric Power Cooperative applications. The first  
 3 application is for a certificate of corridor  
 4 compatibility and route permit for a 53-mile 230-kV  
 5 electrical transmission line located in Divide and  
 6 Williams County, North Dakota. The proposed  
 7 project will originate at the Wheelock substation  
 8 near Ray and terminate at the Canadian border near  
 9 Crosby, North 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 I'd also note that on November 11, 2025,  
 18 Basin Electric filed amended applications that  
 19 contained minor corrections to both applications.  
 20 The notice of a consolidated hearing  
 21 specified the following issues to be considered and  
 22 determined in this hearing:  
 23 Number 1, will the construction, operation  
 24 and maintenance of the facility at the proposed  
 25 location produce minimal adverse effects on the

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1 environment and upon the welfare of the citizens of  
 2 North Dakota?  
 3 Number 2, will the proposed facilities be  
 4 compatible with the environmental preservation and  
 5 the efficient use of resources?  
 6 And, number 3, will the construction,  
 7 operation and maintenance of the facility at the  
 8 proposed location minimize adverse human and  
 9 environmental impact while ensuring continuing  
 10 system reliability and integrity and ensuring that  
 11 energy needs are met and fulfilled in an orderly  
 12 and timely fashion?  
 13 I'm now going to ask the parties to state  
 14 their appearance for the record, and I'll start  
 15 with you, Ms. Anderson -- or I'm sorry --  
 16 Ms. Olson. If you'll please note your appearance  
 17 for the record and introduce the witnesses you  
 18 intend to call today.  
 19 MS. OLSON: Maggie Olson, senior staff  
 20 counsel, for Basin Electric Power Cooperative.  
 21 Today I will be calling three witnesses. First,  
 22 Mr. Bobby Nasset. He's the project manager. He'll  
 23 give an overview of the project and answer some of  
 24 the Commission's questions from our hearing on  
 25 Tuesday.

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1 Next we'll have Mr. Philip Westby. He's  
 2 the manager of transmission services. He will  
 3 discuss the project need and benefits and address  
 4 some of the Commission's questions from Tuesday as  
 5 well.  
 6 And then last, Mr. Ryan King. He's the  
 7 environmental coordinator, and he will be  
 8 clarifying and updating the Commission on one of  
 9 their questions from Tuesday.  
 10 Also with us here today we have Mr. Mike  
 11 Murray. He's the director of property and  
 12 right-of-way. I'm not planning to call Mr. Murray,  
 13 but he is available to answer any of the  
 14 Commission's questions should they arise.  
 15 JUDGE HOGAN: All right. Thank you.  
 16 Mr. Martens, do you want to state your  
 17 appearance for the record and introduce the  
 18 Commission staff who's appearing with you today?  
 19 MR. MARTENS: Yes. Thank you. Good  
 20 morning. Chris Martens, Special Assistant Attorney  
 21 General and general counsel, for the North Dakota  
 22 Public Service Commission. Seated with me to my  
 23 right today is Mr. Chris Hanson, analyst for the  
 24 public utilities division of the North Dakota  
 25 Public Service Commission. And I'd ask that

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1 Mr. Hanson be able to ask questions, if need be,  
 2 Your Honor.  
 3 JUDGE HOGAN: All right. Thank you.  
 4 Testimony from the public will be taken  
 5 after the completion of Basin's witness testimony.  
 6 I encourage anyone from the public to take this  
 7 opportunity to tell the commissioners anything you  
 8 think they should know about this matter. I assure  
 9 you that what you have to say is important to the  
 10 Commission and will be considered by the  
 11 Commission.  
 12 When you sign the attendance sheet, if you  
 13 want to mark whether you intend to testify or not,  
 14 that'd be great. It just gives us an idea of how  
 15 many people plan to testify, but you're not held to  
 16 that. If you choose to testify or not testify  
 17 later, that's fine as well. And if you have any  
 18 questions about testifying, please don't hesitate  
 19 to ask me during our first break.  
 20 We'll now take opening comments from the  
 21 commissioners, and I'll start with Commissioner  
 22 Kringstad.  
 23 COMMISSIONER KRINGSTAD: Thank you.  
 24 Welcome, everybody. Happy Friday. Thank you for  
 25 having us here today.

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1 Just to kind of reiterate some of what  
 2 Judge Hogan said, so first what's going to happen  
 3 today is we're going to hear from the company  
 4 witnesses just to make sure that we have the most  
 5 up-to-date information on the project. You may  
 6 have -- I'm sure you've heard of this project  
 7 around town. It's kind of a living, breathing  
 8 thing, and so as they get feedback from communities  
 9 and landowners, some things may change and be  
 10 adjusted. So it's an opportunity for us to hear  
 11 the most recent information.  
 12 We also had a hearing in Crosby earlier  
 13 this week on Tuesday, so we had about a  
 14 three-and-a-half-hour-long hearing already. So  
 15 this is the first time that you have the  
 16 opportunity to hear from the -- the company in a  
 17 hearing like this, but we've heard from them for  
 18 three and a half hours already and asked them a lot  
 19 of questions earlier in the week.  
 20 So if you're sitting here thinking, gosh,  
 21 they really don't have much to say, we've kind of  
 22 already done that and we're trying to be respectful  
 23 of your time. But if -- I wanted to let you know,  
 24 if you guys are interested in listening to that,  
 25 that is available on our website, so you can

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1 certainly go there and hear the full hearing.  
 2 But if there are questions after you've  
 3 heard from -- from the company that you still have,  
 4 you know, I really would encourage you during the  
 5 break to go up and ask. I mean, that's also the  
 6 benefit that -- of -- of hearings like this is  
 7 because we kind of get the company and the public  
 8 in the same room as well.  
 9 And then, of course, the main reason why  
 10 we're here and why we come and do this is because  
 11 we want to hear from you. If there is something  
 12 about this project that we should know, please come  
 13 up and share that with us.  
 14 No matter how much time we spend looking  
 15 through all this paper -- and, actually, I would  
 16 say just looking at it, I left some of it behind in  
 17 Bismarck. So there's even more to these  
 18 applications than what is maybe on this table. But  
 19 there's always something that comes out in these  
 20 hearings that we wouldn't know unless the public  
 21 brought it to our attention, and so it really does  
 22 help us get all the information so we can make the  
 23 best decision that we can.  
 24 So if you have something to share with us,  
 25 I would encourage you to please come up. I promise

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1 it's -- it's not scary. We're going to be nice.  
 2 We're not going to grill you on anything. So  
 3 please just come up.  
 4 And with that, let's get started. Thanks.  
 5 JUDGE HOGAN: Thank you.  
 6 Commissioner Christmann.  
 7 COMMISSIONER CHRISTMANN: Yeah, Your  
 8 Honor. I also don't have a lot of questions. In  
 9 fact, unless something comes up that spurs  
 10 something else, I really only have one that kind of  
 11 was unresolved on Tuesday, I guess it was. But  
 12 we've studied it, we had a hearing the other day,  
 13 and that's why you'll see that we don't have a lot  
 14 of questions.  
 15 And also, these siting applications, some  
 16 are just put together better than others, and I  
 17 commend Basin. This was one that was put together  
 18 pretty well and I will say -- because there's two  
 19 power lines and we're dealing with both of them in  
 20 each hearing and so you can talk about either one.  
 21 It appeared to me that as I was going  
 22 through each of them, the pertinent information  
 23 that I was taking notes down was always on the same  
 24 page of each of them, and so I think they even did  
 25 some creative spacing to keep things set -- you

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1 know, topics starting on the same corresponding  
 2 pages. So appreciate that kind of effort to make a  
 3 clear application.  
 4 I do have a little question for -- not a  
 5 lot of people here that don't appear to be  
 6 associated with either Basin or Mountrail-Williams  
 7 Electric, but for you locals I want to say  
 8 congratulations to the Ray Jays. Growing up a  
 9 small town guy, I know that these trips to the  
 10 state tournament don't come all that often, and  
 11 especially to have a performance like they had last  
 12 night has got to be exciting, so congratulations on  
 13 that.  
 14 And a little quiz for those of you who are  
 15 from the area here. How many of you know who Mary  
 16 Sherman Morgan is? I don't know if she's real  
 17 famous up here or what. I don't see any hands.  
 18 She grew up in a very rough childhood, didn't get  
 19 to start school until she was nine years old,  
 20 caught up, graduated with her class as  
 21 valedictorian, went on to invent a product called  
 22 Hydryne which was mixed with liquid natural gas to  
 23 propel our first rockets into space in the late  
 24 '50s, so --  
 25 UNIDENTIFIED SPEAKER: Rocket Girl.

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1 COMMISSIONER CHRISTMANN: Yes.  
 2 UNIDENTIFIED SPEAKER: Grew up in the  
 3 northwest.  
 4 COMMISSIONER CHRISTMANN: Oh, you're  
 5 familiar with her. I didn't see a hand go up.  
 6 COMMISSIONER HAUGEN-HOFFART: He was  
 7 holding out.  
 8 COMMISSIONER CHRISTMANN: Okay. Be proud,  
 9 people of Ray.  
 10 I have nothing else, Your Honor.  
 11 JUDGE HOGAN: All right. Thank you.  
 12 Commissioner Haugen-Hoffart.  
 13 COMMISSIONER HAUGEN-HOFFART: Good  
 14 morning, everyone. It's good to be here.  
 15 I was just telling my fellow  
 16 commissioners, I think this is the first time I've  
 17 been in Ray. I've maybe passed through it, so I'm  
 18 hoping -- I'm going to hint to the driver that  
 19 before we leave, can we go down Main Street at  
 20 least.  
 21 So it's good to see you guys here. I look  
 22 forward to hearing from the public on this project  
 23 and look forward to an eventful day.  
 24 Thank you.  
 25 JUDGE HOGAN: All right. Thank you.

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1 During our first hearing, we entered into  
 2 the record 21 exhibits, and Basin has presented two  
 3 additional exhibits this morning. Exhibit 22 is an  
 4 updated easement acquisition chart. And Exhibit 23  
 5 is an SPP notification to construct.  
 6 Mr. Martens, any objection to making these  
 7 exhibits for our case?  
 8 MR. MARTENS: No, Your Honor. No  
 9 objection.  
 10 JUDGE HOGAN: All right. So Exhibits 22  
 11 and 23 will be entered into the record as well.  
 12 I'll just ask the parties if there's any  
 13 additional preliminary matters we need to address  
 14 before we get started. Ms. Olson, do you have  
 15 anything?  
 16 MS. OLSON: No, Your Honor.  
 17 JUDGE HOGAN: Mr. Martens?  
 18 MR. MARTENS: No, Your Honor.  
 19 JUDGE HOGAN: All right. Then, Ms. Olson,  
 20 you can call your first witness.  
 21 MS. OLSON: Okay. I'll call Mr. Bobby  
 22 Nasset.  
 23 JUDGE HOGAN: Good morning --  
 24 MR. NASSET: Morning.  
 25 JUDGE HOGAN: -- Mr. Nasset. I'll have

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1 you start by stating your full name for the record  
 2 and spelling your last name.  
 3 MR. NASSET: My name is Bobby Nasset.  
 4 Last name is spelled N-a-a-s-s-e-t.  
 5 JUDGE HOGAN: And, Mr. Nasset, before you  
 6 testify today, I'm required by law to advise you on  
 7 the penalties for perjury in the state of North  
 8 Dakota. Perjury is a Class C felony, punishable by  
 9 a maximum fine of \$10,000, a maximum five years'  
 10 imprisonment or both. Do you understand what  
 11 perjury is?  
 12 MR. NASSET: Yes, Your Honor.  
 13 (Witness sworn.)  
 14 JUDGE HOGAN: All right. Thank you.  
 15 Go ahead, Ms. Olson.  
 16 MS. OLSON: Thank you.  
 17 **BOBBY NASSET,**  
 18 having been first duly sworn, was examined and  
 19 testified as follows:  
 20 **EXAMINATION**  
 21 **BY MS. OLSON:**  
 22 **Q.** Mr. Nasset, what is your position with  
 23 Basin Electric?  
 24 **A.** I am the civil engineering supervisor. So  
 25 my responsibilities include the planning and design

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1 of new and existing infrastructure in both  
 2 transmission and generation facilities for Basin  
 3 Electric.  
 4 Q. And you are the project manager on this  
 5 project; is that correct?  
 6 A. That's correct.  
 7 Q. What is the purpose of your testimony  
 8 today?  
 9 A. The purpose of my testimony today will be  
 10 to define the project and describe the routing and  
 11 design process that Basin Electric went through to  
 12 select these alignments.  
 13 Q. Can you please provide a general  
 14 description of the project and its location?  
 15 A. For this question, if you could refer to  
 16 Exhibit 1, which is a map Basin Electric produced.  
 17 It's also a map that is publicly displayed here  
 18 today.  
 19 This just shows the project area, and the  
 20 two blue lines represent the transmission circuits  
 21 that we are proposing. One will start at the  
 22 existing Wheelock substation, which is just several  
 23 miles west of here, and that line will go up to the  
 24 U.S./Canada border.  
 25 And then the second circuit will start at

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1 the Tande substation near Tioga, and that line will  
 2 also go up to the U.S./Canada border. The line  
 3 lengths respectively are 53 miles for the Wheelock  
 4 circuit and 58 miles for the Tande circuit.  
 5 Q. Can you explain how this project fits in  
 6 with the ongoing Basin Electric transmission  
 7 buildout?  
 8 A. Yes. And for this question, if you could  
 9 refer to Exhibit 2. We also have a regional  
 10 transmission map in the back for public reference.  
 11 This shows an aerial overview of existing  
 12 transmission in northwest North Dakota. The red  
 13 lines are the existing 345-kV transmission system,  
 14 which is our highest voltage class, and the blue  
 15 lines is the 230-kV transmission system.  
 16 So you'll see that the Tande substation is  
 17 a critical node on both the 230-kV and 345-kV  
 18 systems. The red-and-white dashed line is a line  
 19 that's currently under construction --  
 20 construction. This was approved by the Commission  
 21 last year. That's called the LOS to Tande project.  
 22 And then just for additional context at  
 23 Wheelock, one mile south of Wheelock is the new  
 24 proposed Bison Generation Station which will also  
 25 interconnect into that substation.

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1 Q. Will Basin Electric own the project?  
 2 A. Yes. The segments that are within the  
 3 United States up to the border will be owned and  
 4 operated by Basin Electric.  
 5 Q. Can you please describe the schedule for  
 6 the project?  
 7 A. We intend to start construction this  
 8 summer pending approval of all remaining permits.  
 9 Q. What is the estimated cost of the project?  
 10 A. The total cost projection for both  
 11 circuits is 179 million. That breaks down to 81  
 12 million for Wheelock and 97 million for Tande, with  
 13 some rounding there to get to the total.  
 14 We did get a question from Commissioner  
 15 Christmann at the Tuesday hearing on the  
 16 dollar-per-mile cost for each one of those, so I  
 17 did want to clarify that a little bit.  
 18 When we set out to budget any of these  
 19 projects, typically we would use the same price for  
 20 a 230-kV project. But in this one we didn't have  
 21 the mileage lengths yet, so there was mileage  
 22 assumptions that went into that project. And then  
 23 as we got the Tableland location specified, we now  
 24 have the exact lengths of each circuit, which did  
 25 change roughly what those budgets per mile were for

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1 each one.  
 2 But in addition to that, we did estimate  
 3 the Tande circuit to be a higher cost. And at a  
 4 later question on the utility crossings, but of the  
 5 325 utility crossings we have, about 220 of them  
 6 are on the Tande circuit. And so we have a lot  
 7 higher costs just with the -- the additional  
 8 transmission crossings, and there are more dead-end  
 9 structures, the more expensive angle structures on  
 10 that circuit.  
 11 In addition to that, with all of the  
 12 pipeline crossings, we also worked with the  
 13 pipeline operators to do AC mitigation studies on  
 14 their pipelines, which often sometimes require  
 15 additional cathodic protection. So all those do  
 16 add up to real costs.  
 17 So one thing when we do budgeting for  
 18 these projects is we look at how much existing  
 19 infrastructure is there and add contingency budget  
 20 to deal with those.  
 21 Two other items on the Tande circuit is in  
 22 working with both Burke-Divide Electric and  
 23 Mountrail-Williams, there's areas that we ended up  
 24 using existing distribution line corridors where  
 25 we're going to bury those distribution lines so we

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1 can use that corridor with our line and maintain  
 2 electric clearance. But the cost to bury those is  
 3 also quite expensive, so that -- those items  
 4 together are why the -- the Tande circuit is a  
 5 higher dollar per mile than the Wheelock one.  
 6 Q. Now let's turn to the route selection.  
 7 Can you first summarize how the general project  
 8 route was selected?  
 9 A. So the project was originally selected and  
 10 approved by Southwest Power Pool, which is the RTO  
 11 that Basin is a member of, and Phil Westby will  
 12 provide more context on that process. Once it was  
 13 approved by SPP, the project was presented to Basin  
 14 Electric's board of directors. When they approved  
 15 it, we then had the authorization to begin  
 16 coordinating the project with SaskPower.  
 17 So our first step was really to define the  
 18 boundaries of the project in the area, and the  
 19 Tableland site still had not been selected. So we  
 20 worked with landowners at the -- the border area to  
 21 secure a number of different options so that we'd  
 22 have some flexibility for routing when that was  
 23 determined.  
 24 Then as both Basin Electric and -- and  
 25 SaskPower's routing took shape, we secured two

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1 locations that represented the border crossings for  
 2 each circuit and then based our routing study on  
 3 that.  
 4 And at that point we began meeting with  
 5 landowners, requested survey permissions to get  
 6 feedback and began the field survey collection data  
 7 and engineering and routing process.  
 8 Through that process we went through  
 9 numerous iterations. If you would refer to  
 10 Exhibit 3, it's a map produced by Basin that does  
 11 show a number of routes that were entertained or  
 12 evaluated as part of this project, and ultimately  
 13 we made adjustments based on landowner feedback  
 14 where we could maximize easement options to select  
 15 the routes that we presented to the Commission here  
 16 today.  
 17 Q. What was Basin Electric's philosophy when  
 18 routing the project?  
 19 A. Our philosophy to route the projects is  
 20 pretty similar on all of our transmission lines.  
 21 We start with a study area and then first look to  
 22 comply with all the Commission's avoidance and  
 23 exclusion criteria to first identify areas we  
 24 cannot legally build transmission lines.  
 25 And then the next step really is during

24

1 the outreach phase to landowners looking to  
 2 minimize disturbances to cultivated croplands.  
 3 Avoid areas of identified recreational  
 4 significance. Limit interference with oil and gas  
 5 development. On this project there are a  
 6 considerable amount of wetlands, so we try to avoid  
 7 those or span them when possible. And then just  
 8 from a cost perspective, looking to avoid areas of  
 9 less suitable for construction both for the  
 10 construction costs and the operation and  
 11 maintenance costs of that.  
 12 Finally, when the alignment is selected,  
 13 we do spend a lot of time optimizing the structure  
 14 locations within that alignment, both height and  
 15 spacing, to optimize that for costs.  
 16 Q. What opportunities did landowners have to  
 17 provide input on the route selection?  
 18 A. Near the beginning of the project in early  
 19 2023, once we had the study area identified, we  
 20 sent out project brochures to all the landowners in  
 21 that area and began reaching out to them to discuss  
 22 potential project routes and to request survey  
 23 permission and get feedback on -- on these ideas.  
 24 We also scheduled two open houses for that  
 25 summer in June of 2023. Those were held in Crosby

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1 and Tioga.  
 2 At our last hearing, Commissioner  
 3 Haugen-Hoffart had a question on how many attended.  
 4 For those first hearings, we had 24 in Crosby and  
 5 14 in Tioga. The following year as part of the  
 6 NEPA process with the Department of Energy, we held  
 7 two more public scoping meetings. At those ones we  
 8 had 45 in Crosby and 20 in Tioga.  
 9 But we continued to receive feedback from  
 10 agencies and landowners throughout the routing  
 11 process.  
 12 Q. Can you please summarize the current  
 13 right-of-way acquisition?  
 14 A. So we prepared a new table last night.  
 15 There was several updates here, and so we're now  
 16 at -- on the Wheelock circuit, we have 106  
 17 individual landowners that we need easements from.  
 18 We've signed 103 of those to date for 97 percent.  
 19 And on the Tande circuit, we have 117 total  
 20 landowners and 111 have been signed for  
 21 approximately 95 percent secured.  
 22 Q. Mr. Nasset, that was Exhibit 22 you were  
 23 referencing?  
 24 A. That's correct. Yep.  
 25 Q. How is Basin Electric coordinating

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1 facilities with area utilities?  
 2 **A.** So that is another large effort when we're  
 3 routing the transmission line, in addition to  
 4 getting landowner feedback, is trying not to have  
 5 conflicts with existing utilities. This is  
 6 challenging in most of northwest North Dakota,  
 7 particularly challenging in the Tande area and  
 8 Mountrail County.  
 9 So we did have over 326 utility crossings,  
 10 104 on the Wheelock circuit, 222 on the Tande  
 11 circuit, but we coordinated throughout the project.  
 12 Most of them require an individual crossing permit  
 13 for each location where we have to show our  
 14 electric clearances as well as proximity of the  
 15 structure to those crossings. And as mentioned  
 16 before, coordinate with the pipeline companies on  
 17 any potential AC mitigation for the pipelines  
 18 themselves.  
 19 We had one other question last hearing on  
 20 the Highway 2 crossing itself, so on I think every  
 21 one of our projects we've had a highway crossing,  
 22 so we've done a number of permits with the DOT on  
 23 that. They have a policy of the -- the permit  
 24 expires after one year, so we do submit our  
 25 crossing to them, get their informal approval of

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1 that, but then we wait to submit the formal permit  
 2 until we're within one year of actually  
 3 constructing that crossing. So we intend to submit  
 4 that sometime this summer to line up with our  
 5 construction schedule.  
 6 **Q.** What efforts has Basin Electric made to  
 7 economize the project's costs of construction and  
 8 operation?  
 9 **A.** Each project we do, the simplest way to  
 10 lower cost is to try to limit the length of the  
 11 transmission line and limit the number of angle  
 12 structures. So a 90-degree angle structure is  
 13 probably four times or five times the price of a  
 14 tangent structure. So just looking for corridors  
 15 that we can have straight lines with reasonable  
 16 access is the best way we can minimize the cost of  
 17 the project, but a lot of that is really determined  
 18 on where we can get successful easement  
 19 acquisition.  
 20 Once the route is selected, as I mentioned  
 21 before, we optimize the line for the structure  
 22 locations, the selected heights and adjust those to  
 23 meet our design requirements. And then at that  
 24 point we also bid all of our material and  
 25 construction services to qualified bidders.

28

1 **Q.** Now let's talk about design. First, can  
 2 you please describe the proposed transmission  
 3 structure design.  
 4 **A.** If you could refer to Exhibit 6 for this  
 5 question. We also have a public display of a  
 6 typical tangent structure in the back as well as  
 7 its geometry. So the -- our standard tangent  
 8 monopole structure that we'll use for this voltage  
 9 class is what we call a delta configuration. It  
 10 includes three steel davit arms for the conductor  
 11 and then also a connection for the optical ground  
 12 wire at the top of the structure.  
 13 At this voltage class, we do direct  
 14 embedded poles for the tangents, and for angle  
 15 structures we'll use concrete -- drilled concrete  
 16 pier foundations.  
 17 Again, the structure heights vary  
 18 throughout the project, but on this project the  
 19 average height is approximately 105 feet  
 20 aboveground, but we do have heights ranging from 80  
 21 to 160 feet on the project. The average span  
 22 length is approximately 950 feet, but we have span  
 23 lengths up to 1300 feet on the project.  
 24 **Q.** What conductor is Basin Electric proposing  
 25 to use for the project?

29

1 **A.** For this project we'll be using an  
 2 aluminum conductor with a composite carbon fiber  
 3 conductor core. The size is 1.31 inches in  
 4 diameter. And this morning I shared a sample with  
 5 Chris so you guys could see what that looks like.  
 6 That's the exact size and type of conductor that'll  
 7 be used on -- on this project.  
 8 So this will be the fourth project that we  
 9 use carbon fiber core. It has a lot of advantages  
 10 over the traditional steel core. It's a more  
 11 expensive product, but because the carbon fiber  
 12 does not thermally expand under heat, the wire  
 13 doesn't sag when it's heavily loaded, so what that  
 14 translates into is a lot of savings in the  
 15 structure heights. So we can either do longer  
 16 spans or shorter structures or a combination of the  
 17 two.  
 18 So this will be -- the Neset to North  
 19 Shore project we completed in 2021 used this, and  
 20 then also the east loop, Roundup to Kummer Ridge  
 21 and Pioneer to Judson projects, all used a carbon  
 22 fiber core conductor.  
 23 **Q.** To conclude your testimony, can you please  
 24 tell us, based on your knowledge of the project,  
 25 will its construction, operation and maintenance

30

1 produce minimal adverse effects on the environment  
2 and human welfare?

3 **A.** Yes.

4 **Q.** Based on your knowledge of the project, is  
5 it compatible with environmental preservation and  
6 efficient use of resources?

7 **A.** Yes.

8 **Q.** And, finally, based on your knowledge of  
9 the project, will it ensure continuing system  
10 reliability and integrity needs are met?

11 **A.** Yes.

12 MS. OLSON: Thank you. I have no further  
13 questions for Mr. Nasset.

14 JUDGE HOGAN: Mr. Martens, any questions?

15 MR. MARTENS: Just one, Your Honor.

16 **EXAMINATION**

17 **BY MR. MARTENS:**

18 **Q.** And this -- this might be a better  
19 question for Mr. Westby, but you did kind of go  
20 into it. Just speaking with the -- I guess the  
21 origin of the project, you said it originated with  
22 SPP; correct, sir?

23 **A.** Correct.

24 **Q.** When they're developing projects, is it --  
25 am I correct that those projects are not -- I guess

31

1 the focus of those projects are not for purposes or  
2 benefits unique to just one state? Is -- is it a  
3 larger scope that they're looking at for  
4 strategywise, future transmission strategies or --

5 **A.** For SPP you're saying?

6 **Q.** Yes.

7 **A.** Yes. Yeah, they're evaluating the entire  
8 system of projects and looking even at multiple  
9 solutions, you know, that could solve the same  
10 problem. And so throughout that process, we're  
11 often asked by Phil's team to put together  
12 budgetary cost estimates for different solutions.  
13 Those go into the study process and then are part  
14 of what they select as the solution.

15 MR. MARTENS: Thank you. No more  
16 questions, Your Honor.

17 JUDGE HOGAN: Mr. Hanson, any questions?

18 MR. HANSON: Yeah, a couple.

19 **EXAMINATION**

20 **BY MR. HANSON:**

21 **Q.** So following up on Mr. Martens' questions,  
22 so SaskPower is -- is -- is the company that you're  
23 going to be interconnecting to on this. Could you  
24 give kind of a brief breakdown on, like, how Sask  
25 is associated with Southwest Power Pool and -- you

32

1 know, it kind of follows up on his point a little  
2 bit.

3 **A.** They weren't originally a member, but  
4 through this process they have asked, through the  
5 Aggregate Transmission Service Study process, to  
6 become -- to have access to the SPP market. So  
7 they don't have a contract with Basin Electric to  
8 supply them power. They want access to the SPP  
9 market to both import and export up to 650  
10 megawatts.

11 So while we have coordinated with them,  
12 you know, throughout this process really just on  
13 the technical side, the -- all the contractual  
14 agreements is between SaskPower and SPP, and then  
15 our agreement is with SPP as well for the project.

16 **Q.** And this has the potential to be mutually  
17 beneficial?

18 **A.** Correct.

19 **Q.** Okay. I had a quick question on the  
20 siting on the Tande line. I was noticing, why --  
21 considering that the Tableland substation was a  
22 little bit to the east and that Sask is going to be  
23 moving that to the northeast, I was just curious  
24 why -- why you ended up coming so far west on the  
25 Tande.

33

1 **A.** Yeah, I think that map makes -- that's a  
2 good question from that map. So that area on the  
3 Canada side was an area we did investigate. We did  
4 have three alternatives over there, and each of  
5 those ones, it was SaskPower's decision to move  
6 the -- the crossing further west. I think there  
7 was environmentally sensitive ground in that  
8 location.

9 MR. HANSON: Okay. Thank you. That's all  
10 I have.

11 JUDGE HOGAN: Commissioner Kringstad.

12 **EXAMINATION**

13 **BY COMMISSIONER KRINGSTAD:**

14 **Q.** Just a couple follow-up questions. So you  
15 had said you're -- if the project is approved, that  
16 you're hoping to start construction this summer;  
17 correct?

18 **A.** Correct.

19 **Q.** Is the company planning to do any winter  
20 construction at all?

21 **A.** We are planning on winter construction on  
22 this as well. So this is a fairly -- if we're able  
23 to start in June as we're hoping, that should be --  
24 leave a lot of float for bad weather. But the idea  
25 is once the contractor is mobilized, it's most

34

1 efficient just to continue with construction  
 2 throughout the winter.  
 3           There have been times -- for example, on  
 4 the one that we're building right now, we've  
 5 demobilized a crew for a month when we had the  
 6 spring thaw and just -- we don't want them on the  
 7 right-of-way. So having a little bit longer  
 8 construction schedule for us does give us a little  
 9 bit of flexibility with -- with the weather.  
 10           But as I mentioned Tuesday, there's a lot  
 11 of advantages during the winter to do construction  
 12 too. The frozen ground lets us provide a lot less  
 13 impact for construction vehicles, so it -- it is  
 14 something we've now done on -- on the past several  
 15 projects a few times.  
 16       Q. Okay. Perfect. Yes, I know we -- we had  
 17 this discussion a little bit on Tuesday, but I  
 18 just --  
 19       A. Yep.  
 20       Q. -- kind of wanted for the --  
 21       A. Yep.  
 22       Q. -- the people here who are maybe hearing  
 23 it for the first time to get an idea of what to  
 24 expect if winter construction does occur.  
 25           Thank you for providing the update on

35

1 easements. For the remaining landowners, are you  
 2 still in active negotiations with them?  
 3       A. For the majority of them, yes. In fact,  
 4 there are several others that have provided verbal  
 5 agreements. We just don't have the signed  
 6 documents yet, so we haven't added them to the  
 7 table. So we're very close. There are a handful  
 8 yet that -- and we heard from some on Tuesday, too,  
 9 that we just have a really difficult routing  
 10 situation where, I think, there's no change we can  
 11 make. We're open to changes that wouldn't have  
 12 another landowner that wouldn't sign an easement  
 13 either, so we're looking at, in those situations,  
 14 what's kind of the lowest-cost option here and also  
 15 just to maximize the easements.  
 16           So any of these other route alternatives  
 17 we'd consider would probably trade one remaining  
 18 landowner for several at this point.  
 19       Q. When you were walking through kind of  
 20 the -- why there's a difference in cost between the  
 21 Wheelock line and the Tande line, one of the things  
 22 that you mentioned was the increased cost in Tande  
 23 was because you're going to potentially bury some  
 24 of the distribution line. So I know it's in your  
 25 prefiled testimony and you mentioned it on Tuesday,

36

1 but since it got brought up here, can you maybe  
 2 just explain -- because I guess if you hear like  
 3 you're going to bury someone's, I could see  
 4 somebody just saying, why don't you bury all the  
 5 lines. So can you respond to that?  
 6       A. Yeah. Again, from a cost-management  
 7 perspective, we'd rather avoid the distribution  
 8 lines all together because either we'd need taller  
 9 structures to maintain clearance. It does cause  
 10 maintenance issues. In some areas we have tight  
 11 locations where there are homes, there's other  
 12 avoidance areas that we have no option except to  
 13 use that distribution corridor. Oftentimes it  
 14 doesn't work because most distribution lines go  
 15 right next to houses and we have the 500-foot  
 16 setback.  
 17           But there are a handful of areas where it  
 18 made sense for the project. It was the lowest  
 19 option route alternative there to build that with  
 20 burying the distribution in those cases. So I  
 21 think we have around four miles or five miles on  
 22 the -- on the entire project that we're -- we're  
 23 working with the co-ops to bury those there.  
 24       Q. Okay. But would it -- like would it be  
 25 feasible for, like, the Tande line or the Wheelock

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1 line to bury significant portions of that project?  
 2       A. We usually budget for like a contingency  
 3 amount of that, like around 10 percent of the line  
 4 and try to keep that within that boundary. Again,  
 5 our first routes will be to avoid distribution. In  
 6 most areas it's not feasible for us anyway because  
 7 of the home proximity, but in locations where it's  
 8 a good route and it's saving us length, perhaps, of  
 9 rerouting around it, then the cost is probably  
 10 worth it. In these cases we thought it was the  
 11 best place for the project.  
 12       Q. And just since you gave us kind of that  
 13 carbon fiber line today, I was just curious, since  
 14 it's newer, are there any other benefits to having  
 15 a line like that? Like durability? Does it hold  
 16 up better in, like, extreme North Dakota weather?  
 17 Are there lower maintenance costs?  
 18       A. Yeah. I think there's a lot of benefits  
 19 to it. It's -- it's been used by utilities now for  
 20 10 to 20 years, but it's still not widely adopted.  
 21       Q. Mm-hmm.  
 22       A. I think part of it has worked for us  
 23 because when we've gotten these new SPP projects,  
 24 they all require a much higher ampacity than what  
 25 our standard conductor was. So we were going back

38

1 to the drawing board on what conductor to use  
 2 anyway, and so we just looked at really the newest  
 3 technology where we could have a single conductor  
 4 instead of a bundled conductor and still get the  
 5 same ampacity we needed. Because it has a much  
 6 higher tensile capacity, it's much stronger in  
 7 tension capacity, we can also pull the line  
 8 tighter, which also in addition to it not thermally  
 9 expanding saves on sag.  
 10 Q. Mm-hmm.  
 11 A. There's trade-offs there because then your  
 12 angle structures end up more expensive because  
 13 they're now carrying more longitudinal load, but  
 14 for the overall project cost it saves considerable  
 15 money. We'll continue evaluating it. There's a  
 16 price point if the conductor gets too expensive,  
 17 it's no longer a low-cost solution for us. But for  
 18 now, our maintenance staff likes working with it  
 19 because it installs just like standard steel core  
 20 conductor. It's lighter so it's a little bit  
 21 easier to work with.  
 22 It does have some drawbacks. It's more  
 23 brittle, so it has -- if you bend it, it can crack.  
 24 So you have to be careful when handling it, but once  
 25 it's installed, it's been a really good product for

39

1 us.  
 2 COMMISSIONER KRINGSTAD: Those are all my  
 3 questions. Thank you.  
 4 JUDGE HOGAN: Commissioner Christmann.  
 5 **EXAMINATION**  
 6 **BY COMMISSIONER CHRISTMANN:**  
 7 Q. First I'll say thank you for that  
 8 additional explanation on why Tande was more  
 9 expensive per mile. For people who weren't at the  
 10 hearing the other day, these lines are, what, like  
 11 a little over a million and a half dollars a mile,  
 12 and Tande's about 140,000 or something more per  
 13 mile than Wheelock, but that was a good  
 14 explanation. I hadn't thought of some of those  
 15 concerns.  
 16 I think the thing that I was asking about  
 17 the other day with the -- the notice to construct  
 18 and the different Southwest Power Pool issues,  
 19 those are questions for Philip; right?  
 20 A. Correct. Yep. He'll best -- be best able  
 21 to answer those.  
 22 Q. And on the -- just the cost of the project  
 23 compared to what SPP projected, are those questions  
 24 for you or Philip?  
 25 A. I can answer those. Yep.

40

1 Q. Okay. My understanding is that SPP, when  
 2 they do a notice to construct, if a project exceeds  
 3 20 percent over what their initial estimate was,  
 4 there's some additional process to deal with that.  
 5 And when I look at the numbers in the notice to  
 6 construct -- and I don't know if you said it today.  
 7 I'm going by my notes from the other day when I  
 8 wrote it down, but I think your estimate Tuesday  
 9 was like 20.1 percent over the numbers SPP --  
 10 A. Yeah.  
 11 Q. -- has in here and we haven't even started  
 12 building anything yet. So are there concerns  
 13 there? And to the extent that -- that SaskPower  
 14 requested this and -- and will be paying for it,  
 15 does that include the overage of costs?  
 16 A. Yeah. That's a very good question, and I  
 17 think this comes down to how SPP presents the cost.  
 18 So in the study process when they're evaluating  
 19 cost, we provide budgetary costs, and they're  
 20 actually plus or minus 30 percent because there's  
 21 just a lot unknown in the project. Then when a  
 22 project gets selected, now it becomes a plus or  
 23 minus 20 percent project. Then when it's sent to  
 24 the board and when Basin accepts the project, we're  
 25 accepting it with that bandwidth.

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1 So the cost in the NTC is called the  
 2 baseline cost, which includes plus or minus  
 3 20 percent. So the budget we take to Basin  
 4 Electric's board is always the plus 20 percent of  
 5 that, so we account for that just for a contingency  
 6 in the budget. And when we put these costs  
 7 projections in here, that's still the full budget  
 8 of a project.  
 9 Our final costs are going to be less than  
 10 that. You know, as the line is taking shape, you  
 11 know, we're tracking at, you know, being under that  
 12 cost. I think we're going to end up being in the 5  
 13 to 6 percent higher than the original baseline  
 14 cost.  
 15 However, the other thing SPP does is that  
 16 was the baseline cost estimate in 2022. That gets  
 17 escalated every year at 2 and a half percent just  
 18 for inflation. So what they're approving in 2022,  
 19 that number does go up until the project is  
 20 energized.  
 21 But you're correct, if we did go over  
 22 20 percent at any time, we'd have to stop the  
 23 project at that point and it would go back to SPP  
 24 for reevaluation. They could choose to continue  
 25 the project or not at that point. We haven't yet

42

1 had that happen on any of our projects.

2 Q. So I think I just got a more clearer

3 explanation than I've ever been able to get from

4 SPP, but let me make sure I understood you right.

5 Okay?

6 A. Mm-hmm.

7 Q. So they do the notice to construct and it

8 has a baseline figure. You take it to the Basin

9 board and you add the 20 percent so that you're --

10 they're kind of looking at the top end of what it

11 could be, but with the assumption and the history

12 of it usually not going that far over.

13 A. Correct.

14 Q. And so the numbers you're giving out are

15 just automatically assuming that 20 percent but

16 expecting less?

17 A. Correct. They want the baseline estimates

18 because a lot of times they're evaluating cost

19 against other utilities throughout the whole

20 region, so it's more of an apples to apples because

21 different utilities have risk profiles and how much

22 contingency should we have in this budget because

23 there are -- there are always unknowns. We don't

24 have a route yet. There's a lot of material, risks

25 and pricing.

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1 So we have to have contingencies. Even

2 though we know what steel costs in 2022, we don't

3 know what it'll cost when we're building the line

4 in 2025. So we do -- we've got enough history

5 where we have, I think, our arms around that

6 enough, but there's still just unknowns that we use

7 that bandwidth for. And what SPP is really

8 tracking is, like, how well do utilities stay

9 within that plus or minus 20 percent bandwidth.

10 So once our projections actually go above

11 10 percent over that baseline, they want additional

12 information if they have questions about, you know,

13 why are you tracking upwards towards the top of

14 that estimate.

15 The numbers we included in the

16 application, we're just trying to stay consistent

17 with Basin's publications. We always present the

18 approved budget for the project that the Basin

19 board has approved, which is always the top end of

20 that SPP bandwidth.

21 COMMISSIONER CHRISTMANN: Thank you.

22 That -- my other questions are for Philip then.

23 Thanks.

24 JUDGE HOGAN: Commissioner Haugen-Hoffart.

25 COMMISSIONER HAUGEN-HOFFART: Thank you.

44

1 I just have one.

2 **EXAMINATION**

3 **BY COMMISSIONER HAUGEN-HOFFART:**

4 Q. Can you go to Exhibit 1. And I know that

5 exhibit's in the back of the room, too, but I just

6 want you to walk through what existing transmission

7 you have in this area right now.

8 A. It may be a little bit difficult to see on

9 this image, but near Tande alone there are six

10 different high-voltage transmission crossings. So

11 there's two other substations. One's called Neset,

12 one's called Tioga. MDU has 115 lines out of

13 there. We have our own 230-kV line that goes up to

14 Boundary Dam that we talked about that we cross.

15 There's also two wind farms that have 345-kV lines

16 that come into Tande. We have to cross both of

17 those as well. And then another Mountrail-Williams

18 115-kV line.

19 So a lot of them are really within that

20 first couple of miles at Tande. And we didn't go

21 over it today, but on Exhibit 5, which is that map

22 of Tande, you can see some of them. It doesn't

23 show all of the crossings, but also nearly every

24 structure for the first six or seven structures out

25 of Tande are dead-end structures, so we need

45

1 concrete foundations. A lot of those are two- or

2 three-pole structures.

3 This was a really challenging area for us

4 because we have to go both under 345 and then over

5 230-kV lines, so -- a lot of it just on standard

6 design, so a lot of those costs are really in

7 the -- and that was one of our concerns in this

8 project was the -- the congestion around Tande and

9 getting another transmission line into it.

10 There is another area further north. I'll

11 see if I can -- we cross a Mountrail-Williams

12 115-kV line. We have to cross it right at one of

13 their switch structures, so their line's already a

14 very tall structure. That's our -- our 160-foot

15 structure I said is at that location to get over

16 their line. So there's a number of other 115 lines

17 as we get further north on -- on Tande for

18 crossings as well.

19 Q. Okay. So from where that Tande structure

20 is, that gray line going up to -- over by Tioga,

21 all the way up north, that's not a 230 line?

22 A. That is a 230 line, yep.

23 Q. Okay. So -- so you're going to have three

24 230 lines there. Why -- that wasn't enough, I

25 mean, why you needed the second one?

46

1       **A.** Yeah. This, I think, came up a little bit  
 2 in Phil's testimony too. And it was, I think, when  
 3 they were evaluating the process, and a lot of that  
 4 comes with the limitation of SaskPower's, the  
 5 maximum capacity they can have per circuit. So to  
 6 get to the 650 megawatts -- and I think this will  
 7 be a question better for Phil too -- they really  
 8 needed the redundancy of the three different  
 9 circuits now.

10           COMMISSIONER HAUGEN-HOFFART: Okay. Thank  
 11 you. I have no further questions.

12           JUDGE HOGAN: Ms. Olson, any redirect?  
 13           MS. OLSON: No, Your Honor.

14           JUDGE HOGAN: Mr. Martens, any other  
 15 questions.

**FURTHER EXAMINATION**

17 **BY MR. MARTENS:**  
 18       **Q.** Just -- just one. And I think you've  
 19 already answered it for Commissioner Kringstad, but  
 20 you answered it like an accountant and I'm a  
 21 lawyer, and even we hire people when it comes to  
 22 numbers.  
 23           So from the -- I guess the cost efficiency  
 24 standpoint, why do we not bury the entire thing?  
 25       **A.** Bury our transmission line?

47

1       **Q.** Why -- why don't we bury -- you're only  
 2 burying part of it. Why not bury the whole thing?  
 3 In very simple terms, if you don't mind.

4       **A.** Yes. To be clear, we're only burying  
 5 existing distribution lines. Yep. And just where  
 6 we cross -- just where we coincide with that line,  
 7 where it covers that --

8       **Q.** Why don't we -- why can't we bury  
 9 transmission lines?  
 10       **A.** At this voltage class and ampacity, that  
 11 is extremely high cost, so it's something you  
 12 pretty much only see in, like, urban environments  
 13 where -- where an overhead line crossing is not  
 14 even physically possible. So I think if we're at  
 15 around 1 and a half million dollars a mile here,  
 16 we'd be looking at 15 to \$30 million a mile for  
 17 burying it, so --

18           MR. MARTENS: Thank you for clearing that  
 19 up for me.

20           JUDGE HOGAN: Mr. Hanson, any other  
 21 questions?  
 22           MR. HANSON: No further questions.  
 23           JUDGE HOGAN: Any other commissioner  
 24 questions? All right. Thank you, Mr. Nasset.  
 25           Ms. Olson, you can call your next witness.

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1           MS. OLSON: I'll call Mr. Philip Westby.

2           JUDGE HOGAN: Good morning. I'll have you  
 3 state your full name for the record and spell your  
 4 last name.

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

7           JUDGE HOGAN: And, Mr. Westby, did you  
 8 hear me go through the penalties for perjury  
 9 earlier?  
 10          MR. WESTBY: Yes, I did.

11          JUDGE HOGAN: And do you understand what  
 12 perjury is?  
 13          MR. WESTBY: Yes, I do.  
 14          (Witness sworn.)

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

**PHILIP WESTBY,**

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

**EXAMINATION**

21 **BY MS. OLSON:**  
 22       **Q.** Good morning. To start, what is your  
 23 position with Basin Electric?  
 24       **A.** I am the manager of transmission services,  
 25 and my responsibilities include supervising the

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1 transmission studies that affect Basin Electric and  
 2 its customers.

3       **Q.** And for this project you were involved  
 4 with the transmission planning; is that correct?  
 5       **A.** Yes.

6       **Q.** Okay. Let's talk about the project's need  
 7 and benefits. SPP or the Southwest Power Pool  
 8 conducted a study in 2021, the Aggregate  
 9 Transmission Service Study. Could you tell us what  
 10 that 2021 study concluded?  
 11       **A.** The 2021 study concluded that additional  
 12 230-kV transmission capability was required at the  
 13 northern edge of the SPP footprint to reliably  
 14 approve -- to reliably support approved long-term  
 15 firm transmission service between SPP and  
 16 SaskPower.

17           To meet SPP reliability standards and  
 18 accommodate the long-term service requests, the  
 19 study identified the need for two new 230-kV  
 20 transmission lines extending from Wheelock and  
 21 Tande to the United States/Canadian border.

22           Based on these findings, SPP assigned the  
 23 required network upgrades to Basin Electric and  
 24 issued a notification to construct directing Basin  
 25 Electric to proceed with construction of the two

50

1 new 230-kV transmission lines.

2 Q. Are you familiar with the notification to

3 construct issued by SPP for this project, including

4 the revised version which is identified as

5 Exhibit 23, and can you explain what it is and why

6 it is included in the record?

7 A. Yes. I am familiar with the revised

8 notification to construct, or NTC, labeled as

9 Exhibit 23. The NTC is the formal directive issued

10 by SPP to Basin Electric as a designated

11 transmission owner confirming Basin Electric's

12 obligation to construct the network upgrades

13 identified in the SPP -- through SPP's 2021 study,

14 setting forth the applicable project scope,

15 technical requirements and cost responsibility

16 under the SPP tariff.

17 The original NTC was issued on June 9,

18 2023. After the NTC was issued, Basin Electric

19 identified that the document contained an

20 inaccurate cost allocation. Basin Electric worked

21 with SPP to address that issue, and on October 2,

22 2023, SPP issued a revised NTC correcting the cost

23 allocation.

24 The revision addressed a clerical area

25 only and did not change the project scope or need

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1 determination. As a result, SPP did not issue a

2 new NTC number or issuance date, and the revised

3 document retained the same identifying information

4 as the original NTC.

5 Because the NTC number and date remained

6 unchanged, an earlier version of the NTC was

7 inadvertently submitted into the record as

8 Exhibit 8. The revised NTC submitted today as

9 Exhibit 23 is the most current and accurate version

10 and reflects what is publicly posted on SPP's

11 website.

12 Specifically what changed in the revised

13 NTC is only clarification that the project costs

14 are recovered in accordance with the SPP tariff

15 provisions applicable to long-term firm

16 point-to-point transmission service. Under those

17 tariff provisions, Basin Electric is compensated

18 for the construction and operation of the

19 facilities, and the project does not impose

20 inappropriate costs on Basin Electric's members or

21 other North Dakota transmission owners.

22 Q. Can you describe the project benefits to

23 North Dakota?

24 A. The project provides multiple reliability,

25 operational and economic benefits to North Dakota.

52

1 By adding two new 230-kV transmission paths at the

2 northern edge of the SPP footprint, the project

3 strengthens the transmission network in northwest

4 North Dakota, improving voltage support, enhancing

5 system robustness and increasing operational

6 flexibility during contingencies, maintenance

7 outages and high load conditions.

8 The new facilities also expand transfer

9 capability in both directions, allowing North

10 Dakota-generated electricity to be exported to

11 other energy markets while also enabling imports of

12 power into the state when needed for reliability or

13 market conditions.

14 In addition, the project creates a new

15 high-voltage infrastructure that can support future

16 load interconnections in an area that is currently

17 served by a long radial 115-kV line originating

18 from the Neset 115-kV substation near Tioga. This

19 existing radial configuration limits redundancy and

20 voltage support for the communities along the

21 corridor.

22 The introduction of new 230-kV facilities

23 provides opportunities for future delivery points

24 that would enhance local reliability, reduce

25 dependence on the long radial feed and improve

53

1 service resilience for the surrounding community.

2 The existing 230-kV transmission line from

3 Tioga to Boundary Dam already plays an important

4 role in supporting regional power flows. Based on

5 hourly operating data averaged over the past two

6 years, the line has been importing power into North

7 Dakota approximately 75 percent of the time and

8 exporting power roughly 25 percent of the time.

9 This pattern reflects the line's function as a

10 bidirectional interface that responds to changing

11 regional generation, load and market conditions.

12 The project's two new 230-kV paths are

13 designed to bolster this interface ensuring that

14 the region can continue to support these

15 significant bidirectional flows with greater

16 reliability and resilience.

17 Q. And to conclude your testimony today, can

18 you please tell us, based on your knowledge of the

19 project, will it ensure continued system

20 reliability and integrity?

21 A. Yes. The project will ensure continued

22 system reliability and integrity by enabling both

23 exports and imports between the SPP system and

24 SaskPower system to the north, allowing the

25 transmission network to be utilized more

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1 efficiently and operated with greater flexibility.  
 2 MS. OLSON: Thank you. I have no further  
 3 questions for Mr. Westby.  
 4 JUDGE HOGAN: Mr. Martens, any questions?  
 5 MR. MARTENS: No, I don't have any  
 6 questions, Your Honor. Thank you.  
 7 JUDGE HOGAN: Mr. Hanson?  
 8 MR. HANSON: No, Your Honor.  
 9 JUDGE HOGAN: Commissioner Kringstad.  
 10 COMMISSIONER KRINGSTAD: Just one.

**EXAMINATION****BY COMMISSIONER KRINGSTAD:**

13 Q. And I know that you had -- had answered  
 14 this on Tuesday for us, and you did such a good job  
 15 that I just kind of want you to repeat it so people  
 16 here can -- can hear it as well.  
 17 So why -- like can you just kind of  
 18 explain the -- the system limitations of SaskPower  
 19 as far as, like, why we just couldn't build say,  
 20 like, one 230 line or why we need two and -- or why  
 21 couldn't we build, say, one larger 345 line.  
 22 A. Yep. I'll do my best. So SaskPower is  
 23 their own balancing authority, and they're kind of  
 24 a smaller system in general. As your own balancing  
 25 authority, you need to essentially match your

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1 generation and load, and if you have a generation  
 2 outage, if the load and generation aren't matched,  
 3 you go into what's called frequency decline or you  
 4 can have -- basically the system can castigate into  
 5 a blackout.  
 6 So today their largest generation plant is  
 7 290 megawatts roughly, so the whole system  
 8 throughout their history has been designed around  
 9 that. They're just not able to withstand a larger  
 10 single generation outage. So if this line is  
 11 importing into their system, it will be acting as a  
 12 generator.  
 13 COMMISSIONER KRINGSTAD: No further  
 14 questions. Thank you.  
 15 JUDGE HOGAN: Commissioner Christmann.  
 16 **EXAMINATION**  
 17 **BY COMMISSIONER CHRISTMANN:**  
 18 Q. I think you explained all of my questions.  
 19 So the original application, though, when this was  
 20 listed as just base plan funding, there Basin just  
 21 made a mistake and got an old copy from before SPP  
 22 revised it; right?  
 23 A. That's correct. We just submitted the old  
 24 version.  
 25 COMMISSIONER CHRISTMANN: Okay. Well, I'm

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1 going to be talking to Southwest Power Pool. I  
 2 think they need to do something different to  
 3 prevent that kind of thing, like mention that the  
 4 old one was revised or something, because our  
 5 attorney can tell you that I was about at my  
 6 maximum alarm level when I saw that, and that  
 7 usually only happens if somebody runs through the  
 8 fence and the cows are out.  
 9 JUDGE HOGAN: Commissioner Haugen-Hoffart.  
 10 COMMISSIONER HAUGEN-HOFFART: I have no  
 11 questions. Thank you.  
 12 MR. WESTBY: Thank you.  
 13 JUDGE HOGAN: Any redirect, Ms. Olson?  
 14 MS. OLSON: No, Your Honor.  
 15 JUDGE HOGAN: Mr. Martens, any questions?  
 16 MR. MARTENS: No, Your Honor.  
 17 JUDGE HOGAN: Mr. Hanson?  
 18 MR. HANSON: No, Your Honor.  
 19 JUDGE HOGAN: Any other commissioner  
 20 questions? Short and sweet today. Thanks,  
 21 Mr. Westby.  
 22 MR. WESTBY: Thank you.  
 23 JUDGE HOGAN: You can call your next  
 24 witness.  
 25 MS. OLSON: Okay. I'll call Mr. Ryan

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1 King.  
 2 JUDGE HOGAN: Good morning. I'll have you  
 3 start by stating your full name for the record and  
 4 spelling your last name.  
 5 MR. KING: Ryan King, K-i-n-g.  
 6 JUDGE HOGAN: Mr. King, did you hear me go  
 7 through the penalties for perjury earlier?  
 8 MR. KING: I did.  
 9 JUDGE HOGAN: Do you understand what  
 10 perjury is?  
 11 MR. KING: Yes.  
 12 (Witness sworn.)  
 13 JUDGE HOGAN: All right. Thank you.  
 14 Go ahead, Ms. Olson.  
 15 **RYAN KING,**  
 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, what is your  
 21 position with Basin Electric?  
 22 A. I'm an environmental coordinator. My  
 23 responsibilities include facilitating the  
 24 environmental assessments for new projects and  
 25 ensuring compliance with environmental laws and

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1 permits.

2 Q. And you worked on the environmental

3 analysis for this project; correct?

4 A. Correct.

5 Q. And on Tuesday you testified in detail

6 about the environmental analysis, but today I'll

7 just ask you about the northern long-eared bat to

8 follow up on a question from Tuesday's hearing.

9 Can you described the measures being taken to

10 protect the northern long-eared bat and how the

11 tree clearing will work.

12 A. Yeah. So to reduce potential impacts to

13 the northern long-eared bat, at the tree-clearing

14 locations that are within the U.S. Fish and

15 Wildlife Service designated range for the northern

16 long-eared bat, we'll be conducting those

17 activities outside of their active range. So we'll

18 be conducting those tree-clearing activities from

19 November 1 to April 14.

20 And if you have the Tande application

21 handy, in Appendix G, page 13 actually shows the

22 northern long-eared bat range, and it's just the

23 first, I want to say, seven, eight miles of the

24 Tande route. So within there our tree-clearing

25 activities are only restricted to four clearing

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1 locations that total about one acre.

2 And then the Wheelock is outside of this

3 range, so we will have no tree-clearing activity

4 restrictions for the Wheelock line.

5 MS. OLSON: Thank you. I have no further

6 questions for Mr. King.

7 JUDGE HOGAN: Mr. Martens, any questions?

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

9 **EXAMINATION**

10 **BY MR. MARTENS:**

11 Q. Just one question, and this is going back

12 to something I had asked you on Tuesday. It's just

13 kind of helpful information. Because of the

14 federal land involved or the federal permitting

15 processes involved, the NEPA process was originally

16 invoked in this project. I know it's since -- due

17 to recent rule changes in the administration, it's

18 no longer there.

19 In proceeding down that path, you were

20 never directed that an environmental impact

21 statement was necessary. It was always just the

22 environmental assessment; correct?

23 A. Correct.

24 Q. Okay. And do you feel comfortable

25 explaining the difference between an environmental

60

1 assessment and environmental impact statement?

2 A. Yeah. Typically, you know, you start with

3 an environmental assessment, and once you submit

4 that environmental assessment to that federal

5 governing body, through their review process if

6 they need that bigger, larger analysis that comes

7 with an EIS, they will determine that --

8 Q. Okay.

9 A. -- unless the project is big enough where

10 you have some assumptions where they make you do an

11 EIS right away.

12 Q. Is it correct that that EIS is normally

13 invoked when there is a likelihood of negative

14 impact to a protected species or protected area?

15 A. Yeah. Yep, generally.

16 MR. MARTENS: All right. Thank you. No

17 further questions, Your Honor.

18 JUDGE HOGAN: Mr. Hanson, any questions?

19 MR. HANSON: Yeah. One question.

20 **EXAMINATION**

21 **BY MR. HANSON:**

22 Q. First I was going to thank you for

23 clarifying that question on the tree clearing.

24 That came up in the last meeting and that was a

25 great answer.

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1 I did have a question -- pardon my

2 ignorance on this, but if I'm looking at the

3 Wheelock line, on page 6 of 16, there's structure

4 385-095. It seems like that's dead-on on an

5 exclusion area with -- with the half-mile DASK

6 buffer.

7 A. Can you repeat the structure number?

8 Q. Yeah. 385-095. So I'm kind of curious

9 when that's falling, like, right within an

10 exclusion zone, like, what was -- I mean I'm trying

11 to understand how that worked.

12 A. Yeah. So that's a good question.

13 Those -- those two larger circles you see around

14 385-095 are the two buffer zones that we placed on

15 the Dakota skipper habitat. So if we were to zoom

16 in further into that structure, I would assume just

17 based on the -- the buffer there, it'd be northeast

18 of there is actually where the habitat is.

19 Q. Okay.

20 A. So just that structure is within that

21 500-meter no-construction buffer.

22 Q. So, technically speaking, this -- this

23 doesn't have the detailed resolution which shows

24 the actual habitat, and you would be creating

25 buffers around that actual habitat to avoid --

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1 A. Correct.

2 Q. -- that?

3 A. Correct.

4 MR. HANSON: Okay. Thank you. No further

5 questions.

6 JUDGE HOGAN: Commissioner Kringstad.

7 COMMISSIONER KRINGSTAD: Just one.

8 **EXAMINATION**

9 **BY COMMISSIONER KRINGSTAD:**

10 Q. So this was a question that I think -- or

11 I should say a comment that came up on Tuesday when

12 we were taking public comments and so it was after

13 you had gotten to speak, and actually I think I see

14 the gentleman here in the crowd again today. So

15 one of the things that got brought up was just some

16 concerns about whooping crane habitat. So can you

17 maybe just talk about that a little more?

18 A. Yeah. So our consultant, Western

19 Ecosystems, did an evaluation for whooping crane.

20 And an industry practice for that, they use the

21 Habitat and Population Evaluation Team model, the

22 HAPET model. And that model -- it takes a lot of

23 things into factor as far as, like, roosting

24 locations next to wetlands and food sources for

25 these whooping cranes. And that habitat model

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1 spits out a one through ten likelihood probability

2 of each area.

3 And for the Tande line, 80 percent of the

4 corridor was within the first probability decile

5 and 17 percent was within the second probability

6 decile. So, again, that's on a one-to-ten scale

7 with 97 percent being within the first two. And

8 then Wheelock, similarly, was 72 percent within the

9 first decile and 26 within the second decile. And

10 then the remainder of those 3 and 2 percents were

11 spread out pretty significantly between the third

12 to eighth, I think.

13 And there, again, in the -- in that

14 Appendix G, they -- this map sort of lays out --

15 the red areas are the lower probability uses, where

16 the blue areas are the higher probability uses.

17 Q. And so -- so I appreciate that

18 explanation. So with -- with maybe some of the

19 areas that you -- that there is a higher

20 probability, like, whether it's, say, sixth,

21 seventh or eighth, what -- can you speak to what

22 mitigations the company will plan to take in those

23 particular areas?

24 A. Yeah. Through our conversations with U.S.

25 Fish and Wildlife Service throughout the years, it

64

1 is generally accepted that the way that we mark our

2 lines is acceptable for them. And then with these

3 larger transmission lines, unlike distribution, the

4 conductor is more visible to these cranes. So

5 through those mitigation measures, we've been

6 successful with our talks about mitigation with the

7 Fish and Wildlife Service.

8 Q. Okay. And just to verify, and I'm not

9 going to get this exact acronym right, but you are

10 going to put avian -- the company is going to put

11 avian diverters --

12 A. Correct.

13 Q. -- on the -- on both lines --

14 A. Correct.

15 Q. -- correct?

16 A. Correct.

17 COMMISSIONER KRINGSTAD: Okay. Thank you.

18 JUDGE HOGAN: Commissioner Christmann.

19 COMMISSIONER CHRISTMANN: I have no

20 additional environmental questions, Your Honor.

21 JUDGE HOGAN: Commissioner Haugen-Hoffart.

22 COMMISSIONER HAUGEN-HOFFART: One.

23 **EXAMINATION**

24 **BY COMMISSIONER HAUGEN-HOFFART:**

25 Q. If it's known, like, during construction

65

1 working with the agencies that there may be

2 migration during construction time, do any state or

3 federal agencies come on-site during construction

4 to ensure that things are being followed, barriers

5 are set up?

6 A. Outside of their jurisdiction, like we are

7 crossing one grassland easement for the U.S. Fish

8 and Wildlife Service and outside of the -- the

9 scope in which we're submitting our permit for the

10 U.S. Army Corps, I don't think they would, but

11 within those two certain areas they definitely can

12 and will. I know the U.S. Fish and Wildlife

13 Service will come out just to make sure we're

14 putting our structures where we said we were and --

15 for the grassland easement.

16 COMMISSIONER HAUGEN-HOFFART: Okay. Thank

17 you. No further questions.

18 JUDGE HOGAN: Ms. Olson, any redirect?

19 MS. OLSON: Yep. Just one, Your Honor.

20 **FURTHER EXAMINATION**

21 **BY MS. OLSON:**

22 Q. Mr. King, can you explain what measures

23 would be taken if there were to be a whooping crane

24 sighting during the construction time?

25 A. Yeah. So if a construction contractor or

66

1 anybody sees one within one mile of the  
 2 construction site, all activity within that area  
 3 will stop and we will contact the Fish and Wildlife  
 4 Service to determine next steps.  
 5 MS. OLSON: Thank you. I have nothing  
 6 further.  
 7 JUDGE HOGAN: Mr. Martens, any other  
 8 questions?  
 9 MR. MARTENS: No, Your Honor. Thank you.  
 10 JUDGE HOGAN: Mr. Hanson?  
 11 MR. HANSON: Just following up on  
 12 Commissioner Kringstad's question.  
 13 **FURTHER EXAMINATION**  
 14 **BY MR. HANSON:**  
 15 Q. For those of us that aren't really versed  
 16 in this, what -- what does a flight -- how does a  
 17 flight diverter work? What does that look like?  
 18 What does it act like? How does it deter the birds  
 19 from flying into the lines?  
 20 A. You'd have to ask Mr. Nasset what they're  
 21 going to look like, if they're the spiral ones on  
 22 top. But generally it just makes the transmission  
 23 line more visible. You put these markers at a  
 24 certain distance along the line just so that  
 25 there's more visibility in, you know, especially

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1 like low fog areas. And there's -- you know, you  
 2 can look at hundreds of different markers out  
 3 there. Each do what the company that makes them  
 4 says they do.  
 5 MR. HANSON: Thank you. No further  
 6 questions.  
 7 JUDGE HOGAN: Any other commissioners  
 8 questions?  
 9 All right. Thank you, Mr. King.  
 10 Any further testimony, Ms. Olson?  
 11 MS. OLSON: No, Your Honor.  
 12 JUDGE HOGAN: All right. Well, that  
 13 brings us to the public testimony portion of our  
 14 hearing. And I'll just ask by a show of hands, do  
 15 we have members of the public that want to provide  
 16 testimony today?  
 17 All right. I'll have you come up and sit  
 18 at our witness chair, and like our other witnesses,  
 19 you'll be sworn in. And then once you -- after you  
 20 provide your testimony, we'll go around the room  
 21 and see if there's any questions.  
 22 Good morning.  
 23 MR. FENSTER: Morning. I'm Clyde Fenster.  
 24 JUDGE HOGAN: Can you spell your last  
 25 name?

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1 MR. FENSTER: F-e-n-s-t-e-r.  
 2 JUDGE HOGAN: All right. And,  
 3 Mr. Fenster, did you hear me go through the  
 4 penalties for perjury earlier?  
 5 MR. FENSTER: Yes.  
 6 JUDGE HOGAN: And do you understand what  
 7 perjury is?  
 8 MR. FENSTER: Yes.  
 9 (Witness sworn.)  
 10 JUDGE HOGAN: All right. Thank you. Go  
 11 ahead.  
 12 **CLYDE FENSTER,**  
 13 being first duly sworn, was examined and testified  
 14 as follows:  
 15 **STATEMENT**  
 16 **BY MR. FENSTER:**  
 17 MR. FENSTER: Okay. I'm not much of a  
 18 speaker, so I wrote things down here and I'm just  
 19 going to read from this. There might be some  
 20 questions that might come up, and I know this forum  
 21 was not meant to answer our questions basically,  
 22 but just take it into context, I guess.  
 23 Dear PSC representatives here, I'm Clyde  
 24 Fenster, landowner. That Tande line for  
 25 Basin/Sask's transmission line goes across my land.

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1 I'm a third-generation landowner and former farmer  
 2 of our homestead land that is registered with the  
 3 State of North Dakota as a centennial farm. It has  
 4 been in our family since 1910 and farmed 30 years  
 5 by my grandfather, 60 years by my father and 36 by  
 6 my Fenster siblings here.  
 7 I hope you would put yourself in my shoes  
 8 and see if you would also protest against this  
 9 permit. I respectfully request that you do not  
 10 give Basin Electric this permit until Basin  
 11 negotiates in good faith with the minority of us  
 12 landowners that are affected by this transmission  
 13 line, many times worse than the majority of the  
 14 landowners that have already signed off.  
 15 Basin has forced their way across our  
 16 quarter of land without acknowledging what they are  
 17 negatively doing to our farming operations compared  
 18 to the majority of landowners under the lines.  
 19 For the vast majority of the landowners  
 20 these poles and lines are going down their property  
 21 line, fence line or greenways, not affecting their  
 22 cropland operations. To me, they are putting poles  
 23 and lines across the middle of our quarter of  
 24 cropland. Basin refuses to admit or compensate us  
 25 for them putting a major liability and hazard on us

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1 because we will have to farm and crop around the  
 2 poles, and our aerial spraying will now have the  
 3 liability and hazard of trying to avoid this  
 4 transmission line, which we never had to worry  
 5 about for the last 116 years.  
 6 They refuse to admit that they are  
 7 reducing my cropland valuation because of their  
 8 forever permit easement. Our homestead farmhouse  
 9 is surrounded on three sides by hills, and our only  
 10 viewshed for 116 years is now going to be  
 11 obstructed by Basin's poles and lines a half mile  
 12 from our farmstead here.  
 13 Adding insult to injury, they are putting  
 14 this on our land. According to the federal retail  
 15 company, Conterra Ag Capital -- Capital Investment,  
 16 any easement or obstruction of viewshed devalues  
 17 any individual property and will lessen the amount  
 18 a farmer can borrow against said land for loan for  
 19 working capital on said land.  
 20 As you can see, most of the other  
 21 landowners are not affected as badly as we are by  
 22 this Basin/SaskPower line, and Basin refuses to  
 23 give us just compensation compared to the other  
 24 landowners that don't have to put up with all these  
 25 hazards, liabilities and devaluation to our

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1 property.  
 2 I have tried to negotiate with Basin since  
 3 2023, and all they say is I'm getting compensated  
 4 the same as every other landowner. I've had to  
 5 hire an attorney at \$6,000 so far to get Basin to  
 6 even negotiate to put their poles on our slough  
 7 greenway and out of our cropland. They've refused  
 8 to go around our quarter of land since 2023. This  
 9 still doesn't solve the liability and hazards of  
 10 our aerial spraying on our property, though.  
 11 It has been a nightmare trying to work  
 12 with Basin since 2023. I've put in close to  
 13 150 hours of my own time and labor talking,  
 14 texting, writing certified letters and 15 to  
 15 20 hours of lawyer time just to get Basin to move  
 16 two poles out of our cropland as they refuse to  
 17 compensate for our cropland.  
 18 From day one Basin has said they will give  
 19 compensation, the same amount to every landowner no  
 20 matter how badly it affects one landowner over  
 21 another, and they're still doing this. Their  
 22 original proposal was 2,500 an acre for greenway  
 23 and 5,000 per acre for cropland. Many absentee  
 24 landowners, absentee farmers and farmers that this  
 25 line doesn't affect their farming operation signed

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1 off on these way back then in '23 and '24. Basin  
 2 changed the dollar amount for 5,000 across the  
 3 board for greenway and cropland, so everything is  
 4 penciled out the same now per acre.  
 5 MS. OLSON: Your Honor --  
 6 MR. FENSTER: Yes.  
 7 MS. OLSON: -- we would object to any  
 8 discussion of specific compensation amounts.  
 9 JUDGE HOGAN: So the Commission doesn't  
 10 have jurisdiction over the compensation or the  
 11 easement process. So instead of getting into  
 12 specifics, you can probably provide the Commission  
 13 general -- generally or a general overview of what  
 14 the issues have been, but I'd ask you to stay away  
 15 from providing specifics as far as dollar amounts  
 16 and things like that.  
 17 MR. FENSTER: Okay.  
 18 JUDGE HOGAN: Thank you.  
 19 MR. FENSTER: Well, I just want you to  
 20 look at the -- you know, compare compensation  
 21 because I'm in touch with everybody down in  
 22 southern North Dakota, too, where they're  
 23 providing -- they're going to build a power line --  
 24 I'm sure you're aware of that one -- that's going  
 25 from Center, North Dakota, to Colstrip, Montana,

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1 and I've been -- and this has been all happening  
 2 around the same time as it's been happening here.  
 3 And those individuals down there are getting  
 4 compensated about --  
 5 JUDGE HOGAN: Again, don't --  
 6 MR. FENSTER: Okay.  
 7 JUDGE HOGAN: -- not dollar amounts.  
 8 MR. FENSTER: Okay.  
 9 JUDGE HOGAN: I think it's fair to just  
 10 say --  
 11 THE WITNESS: Not dollar amount. It's  
 12 five times, though, what we're getting offered up  
 13 here.  
 14 And the only thing that I don't like about  
 15 this whole scenario is this is being built for  
 16 Canada, for foreign -- a foreign country. The  
 17 other one is being built within the United States,  
 18 in North Dakota and South -- or in Montana. I can  
 19 see that and hear that for all the power that we  
 20 have here, but for now -- and I'm -- I'm sure -- I  
 21 don't -- you know, I don't -- hate to say it's  
 22 hearsay or not, but SaskPower is shutting down all  
 23 their coal-fired plants up in Canada and they need  
 24 power, and they've contracted for Basin to build  
 25 this.

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1 Now, I might be wrong or not, but based --  
 2 what I heard is SaskPower is paying to build this  
 3 line. I don't know if that's correct or not. And  
 4 Basin is taking it on for building it. And that  
 5 was one thing I seen -- or you brought up here a  
 6 little while ago about 179 million to build this  
 7 line. Does that include the easement compensations  
 8 or is that a separate package?  
 9 And one of the things that I have a  
 10 problem with here, on one of their package deals  
 11 they've got -- they cannot get ingress or egress on  
 12 my quarter of land because of -- on both the east  
 13 and west sides it's steep grades and it goes down  
 14 into water and sloughs, and that's where they got  
 15 their permanent easement across our land.  
 16 So they came out with this access easement  
 17 agreement that they're only going to pay us by the  
 18 rod, and this goes over a different area of our  
 19 cropland, and really the original -- the permanent  
 20 easement, if you look at that, it states that  
 21 they're paying by the acre for going across the  
 22 land, whereas this one going across my cropland for  
 23 this -- and this is a permanent forever easement,  
 24 these are. They're never going to go away.  
 25 And this easement -- this access easement

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1 I think should be the same as what the other  
 2 easement is and be paid by the acre, not by the  
 3 rod. I mean, there's a big -- a compensation --  
 4 what do you want to call it -- a discrepancy on  
 5 something like that.  
 6 But, finally, I guess I respectfully  
 7 request that you at this time look at this permit  
 8 that they're wanting you to sign off and have them  
 9 go back to some of us minority landowners that are  
 10 being unjustly harmed by how they're putting this  
 11 across our land.  
 12 When you were talking before about putting  
 13 underground and everything, I know it's a lot more  
 14 expensive, but there would be one scenario there  
 15 where it would have really helped us out on our  
 16 land with something like that.  
 17 And I guess if you have any other requests  
 18 or any of the Basin's -- or Basin's lawyers or  
 19 something want to respond to this terminology, I  
 20 have the research and documentation and everything  
 21 here that I've saved from the beginning when this  
 22 project -- we were first approached by it back in  
 23 '22 and '23.  
 24 And I thank you for taking the time to  
 25 hear my gripes.

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1 JUDGE HOGAN: All right. Thank you.  
 2 Ms. Olson, did you have any questions?  
 3 MS. OLSON: No, Your Honor.  
 4 JUDGE HOGAN: Mr. Martens?  
 5 MR. MARTENS: Yes, Your Honor.  
 6 **EXAMINATION**  
 7 **BY MR. MARTENS:**  
 8 Q. Mr. Fenster, would you be willing to just  
 9 step over and speak to me afterwards just to  
 10 provide a land description or address or anything  
 11 for us to --  
 12 A. Yeah, I've got everything right here.  
 13 MR. MARTENS: Okay. Thank you.  
 14 And then I just -- I see your hat. If I  
 15 can just say, Vietnam vet, I appreciate your  
 16 service, sir. Vets of your generation made life a  
 17 lot easier for vets of mine. So thank you for your  
 18 service, sir.  
 19 JUDGE HOGAN: Mr. Hanson, any questions?  
 20 MR. HANSON: No further questions.  
 21 JUDGE HOGAN: Commissioner Kringstad.  
 22 **EXAMINATION**  
 23 **BY COMMISSIONER KRINGSTAD:**  
 24 Q. Just a couple. So I know you said you're  
 25 not much of a speaker, but I have to commend you,

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1 you did a very good job. And --  
 2 A. What was that again?  
 3 Q. I said --  
 4 A. My hearing is bad.  
 5 Q. Yeah. No. I said I know you said you're  
 6 not much of a speaker when you started, but you did  
 7 a very good job, so I want to commend you on that.  
 8 And thank you for coming to be first. Usually like  
 9 nobody wants to come up and be first, so I  
 10 appreciate that.  
 11 I know you said you'd get the legal  
 12 description to Mr. Hanson, which would be great  
 13 because then we can just see where it's at in  
 14 the -- in the map books to get a good idea.  
 15 When you said that your farmstead is  
 16 registered as a centennial farm, I think you said  
 17 that was with the State; correct? Is that like the  
 18 State Historical --  
 19 A. Yep.  
 20 Q. -- Society?  
 21 A. Yep.  
 22 Q. Okay. Okay. I just wanted to verify  
 23 that.  
 24 A. Actually, the records are up at Washburn.  
 25 They're -- they're handling the ag part of the

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1 centennial farm.

2 Q. Okay. Okay. And then as you were

3 talking -- I just want to make sure I have this

4 clear -- so it sounds -- it sounds like you did

5 propose some reroutes to the company, correct, and

6 they --

7 A. They would not respond until we hired a

8 lawyer.

9 Q. Okay. And then -- but they did -- they

10 did move two of the --

11 A. Well, as of now --

12 Q. -- poles?

13 A. -- from the last aerial photo that they

14 sent us --

15 Q. Mm-hmm.

16 A. -- they show it on the greenway by our

17 sloughs for now. But there's some language --

18 they've got spacing language in there where I don't

19 trust it because they could still -- the footage

20 that they're using, they could still turn around

21 and put it in my cropland.

22 Q. So if -- and, again, we -- we don't

23 have -- the Commission doesn't have jurisdiction

24 over, like, the -- the easement amounts or terms or

25 anything like that --

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1 A. Right.

2 Q. -- because that's just a private contract

3 between, you know, like a landowner --

4 A. Right.

5 Q. -- and the company --

6 A. Right.

7 Q. -- that I've always thought like people

8 probably don't want nor should the government get

9 in the middle of that. Right?

10 But so if -- if those two poles are moved

11 out of your cropland, does that -- does that solve

12 some of your concerns as far as like locationwise?

13 A. Yes. That -- that -- for farming, I mean,

14 cropping and everything, you know, with big

15 equipment and stuff, you know, because we don't --

16 we've got a very small farm. You know, we've only

17 got 600 acres and only 250 are cropable, and any

18 time you're doing something to our cropland, you're

19 really -- it hurts a small farmer really bad

20 compared to a larger farmer, you know.

21 Q. Okay. But --

22 A. But, yeah, where -- if they put them where

23 they are designating now, you know, I mean it's

24 good with us.

25 Q. Okay. Okay. So that would -- that may

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1 not solve the --

2 A. I mean, other than the liability for, you

3 know --

4 Q. Lia -- yep, or your --

5 A. -- spraying and all that stuff and I know,

6 you know, there's a lot of that around all over the

7 state anyway. You know, but for us being a

8 centennial farm, you know, this land was

9 homesteaded by my grandpa and stuff and everything

10 and we've never had any easements or encumbrances

11 or anything on our land until now.

12 COMMISSIONER KRINGSTAD: Mm-hmm. Okay.

13 Thank you. I think that's all. Thanks for coming

14 up and testifying today.

15 MR. FENSTER: Yep.

16 JUDGE HOGAN: Commissioner Christmann.

17 COMMISSIONER CHRISTMANN: Commissioner

18 Kringstad asked exactly what I was going to, so no

19 other questions. But thank you for being here, and

20 as Chris said, thank you for your service.

21 JUDGE HOGAN: Commissioner Haugen-Hoffart.

22 COMMISSIONER HAUGEN-HOFFART: My questions

23 have been answered. So thank you for testifying

24 and your service.

25 MR. FENSTER: Okay. Thank you.

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1 JUDGE HOGAN: Thank you, sir.

2 Do we have others that want to provide

3 public testimony?

4 MR. VERLINDE: I guess my questions -- I

5 had some questions that I wasn't able to ask later,

6 you know. I --

7 JUDGE HOGAN: I've got to swear you in

8 again just --

9 MR. VERLINDE: Yes, I'm sorry.

10 JUDGE HOGAN: -- because we've got a

11 different day and --

12 MR. VERLINDE: Bruce -- Bruce Verlinde

13 from Noonan, the Tande line. And --

14 JUDGE HOGAN: Hang on. Did you hear me go

15 through the penalties for perjury?

16 MR. VERLINDE: Yes.

17 JUDGE HOGAN: And you understand what

18 perjury is?

19 MR. VERLINDE: Yes.

20 (Witness sworn.)

21 JUDGE HOGAN: All right. Thank you.

22 And I just want to clear up again that,

23 you know, it's not for the commissioners to be

24 answering questions, but I just want to make that

25 clear.

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1 MR. VERLINDE: That's why, I guess, I just  
 2 wanted to voice my questions and I just --  
 3 JUDGE HOGAN: Sure. Yep. That's  
 4 perfectly fine.  
 5 **BRUCE VERLINDE,**  
 6 being first duly sworn, was examined and testified  
 7 as follows:  
 8 **STATEMENT**  
 9 **BY MR. VERLINDE:**  
 10 MR. VERLINDE: You know, because I had  
 11 them the other -- I testified the other day. I'm  
 12 on the Blooming Valley Township zoning committee,  
 13 which I think is mostly just a title.  
 14 I had one question that I heard today.  
 15 Now, if this were to go 20 percent over the  
 16 original cost, it would have to be reevaluated. Is  
 17 that what I heard today? I'm not -- I don't know.  
 18 JUDGE HOGAN: Again, you can --  
 19 MR. VERLINDE: I didn't --  
 20 JUDGE HOGAN: -- chat with one of our  
 21 Basin representatives after the hearing --  
 22 MR. VERLINDE: Okay.  
 23 JUDGE HOGAN: -- and I'm sure they're --  
 24 MR. VERLINDE: The one comment --  
 25 JUDGE HOGAN: -- more than happy to answer

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1 you.  
 2 MR. VERLINDE: -- I had, now, just the  
 3 other day I drove -- and I don't know which way,  
 4 Commissioners, you came up here, but if you drive  
 5 on Highway 2 and you go past Tioga, you are going  
 6 to see the biggest mess of overhead power lines  
 7 there is. I mean, it's embarrassing the way  
 8 they're -- because of the Tande station and the  
 9 other ones, we have no power plant within -- over  
 10 by Williston, a new power plant; otherwise, I  
 11 cannot figure out why we have so many power lines  
 12 right in that area crisscrossing, running parallel  
 13 and everything. It's just a mess. And it's an  
 14 embarrassment, I mean, for anybody crossing the  
 15 state to see what's going on right there right now.  
 16 And I guess that's one of my one  
 17 questions. You know, we talked about that the  
 18 other day, the two -- we need two power lines, they  
 19 said, because the Canadians can't match,  
 20 apparently, our system. But if this is going to  
 21 help them a lot and they're helping to pay for it,  
 22 it just seems like SaskPower should be working out  
 23 their system to match our system more because it's  
 24 more for their benefit to sell or to buy and  
 25 they're going to be paying for it. And if we could

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1 get it down to one power line, it seems like that  
 2 would be better for everybody instead of running  
 3 two basically because of this reason, is what I'm  
 4 understanding and hearing.  
 5 And then the whooping crane determined --  
 6 I -- I kind of laughed because I have a high --  
 7 high power line that goes across my land now, and I  
 8 don't know if you've ever seen these. They've even  
 9 fell off the power line. They're just a little  
 10 plastic coil about so long (indicating) that goes  
 11 on the power line and that's supposed to deter all  
 12 the birds from hitting the power line. It's kind  
 13 of -- I don't know. Maybe to the birds it's not a  
 14 joke, but to me it is.  
 15 I did have a question and I think that was  
 16 answered at the last meeting about weed control.  
 17 Basin, I think, is going to do it for so many  
 18 years. I don't know. We have a lot of noxious  
 19 weeds in North Dakota right now, and it -- because  
 20 the last high power line, I'm still trying to clean  
 21 up hawksbeard and Canadian thistle that grew up  
 22 along the power poles, and the local co-op didn't  
 23 take care of any of it. I think that was a local  
 24 co-op line.  
 25 Let's see. I'm trying to go through my

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1 notes that I had.  
 2 I guess it would be curious to know -- I  
 3 mean, I have really -- Basin has a CO<sub>2</sub> line that  
 4 crosses my property now, and I have a good --  
 5 they've been really nice to me about cleaning up  
 6 anything. Any environmental stuff they've been  
 7 really good. And in some ways -- I was thinking  
 8 about this later -- I guess I can't blame them.  
 9 They were hired by this SPP to do this. I'm just  
 10 curious, in the original part, who approached who?  
 11 Was it SaskPower or was it this -- you know, the  
 12 SPP that -- who approached who here?  
 13 It just seems like it's a strange deal and  
 14 it's -- it -- you know, by the time we got to see  
 15 any plans on it, it was already arranged between  
 16 SaskPower and then Basin is supposed to do it. I  
 17 mean, because the original meeting they came up and  
 18 told us, well, if we didn't do it, who would, and  
 19 it would have to be an outside -- I mean, it's nice  
 20 that our local co-op is doing the power line. I  
 21 just can't -- it just seems like in political  
 22 powers that be, somebody got a really sweet deal  
 23 here in the beginning and it's still going on,  
 24 but --  
 25 And then I guess one of my other things is

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1 the land people. I've had more and more examples  
 2 when they get the land -- or who do we go to to get  
 3 responsibility for that? Do we have to go to  
 4 our -- hire our own lawyers or what? I mean,  
 5 they -- we know that they lied -- the land people,  
 6 when they got the original easements, they lied to  
 7 different people. They would tell them things that  
 8 weren't true. But I don't know how you -- how do  
 9 you get responsibility for land people and how do  
 10 they get the easements originally? I guess that's  
 11 the question.

12 And then the other question, I guess, too,  
 13 as farm tenants, we don't have any power. I mean,  
 14 they're always saying that the landowners will be  
 15 compensated for the crops. We don't necessarily  
 16 see that at all. They don't even have to. The  
 17 tenants [sic] can take the whole check and they can  
 18 decide whether they want to give anything to the  
 19 tenants themselves. There's nothing in writing or  
 20 anything. You know, we're share crop. My landlady  
 21 could take the whole check. She doesn't have to  
 22 even tell us what she got or what, you know,  
 23 because there's nothing written in there for the  
 24 tenants. The tenants are basically nobodies when  
 25 it comes to the list of the -- you know, when it

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1 comes to damages.

2 And I guess that's about all. And I thank  
 3 you for your time too.

4 JUDGE HOGAN: All right. Thank you.  
 5 Ms. Olson, any questions?  
 6 MS. OLSON: No, Your Honor.  
 7 JUDGE HOGAN: Mr. Martens?  
 8 MR. MARTENS: No, Your Honor.  
 9 JUDGE HOGAN: Mr. Hanson?  
 10 MR. HANSON: No, Your Honor.  
 11 JUDGE HOGAN: Commissioner Kringstad.  
 12 COMMISSIONER KRINGSTAD: I don't have any  
 13 questions, but thanks again for being here, Bruce.  
 14 And I would say, like, some of those questions that  
 15 you still have, the company representatives are  
 16 here, so I'd encourage you to ask them and  
 17 hopefully get some additional clarification.  
 18 JUDGE HOGAN: Commissioner Christmann.  
 19 COMMISSIONER CHRISTMANN: Agreed with what  
 20 was just said. The one thing I'm going to comment  
 21 on was your frustration or suspicion towards the  
 22 amount of authority that regional transmission  
 23 organizations like SPP have.

24 And I will tell you that I have shared  
 25 that concern for 20 years since the U.S. Congress

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1 and working with the Federal Energy Regulatory  
 2 Commission have created them. And, really, it's  
 3 great on paper, and these regional transmission  
 4 organizations have, in fact, contained costs and  
 5 increased reliability by having a better  
 6 organizational structure to make it larger instead  
 7 of one company like Basin maybe calling another  
 8 company like MDU and saying, we have to bring a  
 9 plant down for a while, can you make sure yours is  
 10 really going? This is more organized and over a  
 11 larger area, and so in concept it was very  
 12 efficient.

13 But I do regret the amount of authority  
 14 that has been removed from state regulatory  
 15 commissions like us, especially in states like  
 16 North Dakota where we're elected and answerable to  
 17 the people, and granted to the regional  
 18 transmission organizations. Hopefully they use it  
 19 wisely, but there's just a lot of authority that  
 20 that has pulled away from us.

21 JUDGE HOGAN: Commissioner Haugen-Hoffart.  
 22 COMMISSIONER HAUGEN-HOFFART: No  
 23 questions, but thank you again for being here,  
 24 Bruce.  
 25 JUDGE HOGAN: Thank you, sir.

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1 MR. VERLINDE: Yeah. I apologize for  
 2 bugging you twice. I -- I didn't plan to even come  
 3 today, but then I had some more questions.

4 COMMISSIONER HAUGEN-HOFFART: That's why  
 5 we're here.

6 MR. VERLINDE: Thank you again for your  
 7 time.

8 JUDGE HOGAN: No apology necessary.  
 9 That's --

10 MR. VERLINDE: I'm glad you visited our  
 11 northwest corner of the state.

12 JUDGE HOGAN: Do we have others that want  
 13 to provide testimony?  
 14 All right. Well, that concludes the  
 15 public testimony portion of our hearing. And that  
 16 brings us to the end of our hearing.

17 Ms. Olson, will Basin be providing  
 18 proposed findings of fact, conclusions of law and a  
 19 proposed order?  
 20 MS. OLSON: Yes, Your Honor.  
 21 JUDGE HOGAN: And do we want to set a  
 22 deadline for that?  
 23 MS. OLSON: We would propose April 1.  
 24 JUDGE HOGAN: April 1.  
 25 Is that acceptable, Mr. Martens?

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1 COMMISSIONER HAUGEN-HOFFART: That's no  
 2 fooling, is it?  
 3 MR. MARTENS: That works for me, Your  
 4 Honor.  
 5 JUDGE HOGAN: All right. Okay. I'll set  
 6 a deadline for April 1.  
 7 Any other matters we need to address?  
 8 Ms. Olson?  
 9 MS. OLSON: No, Your Honor.  
 10 JUDGE HOGAN: Mr. Martens?  
 11 MR. MARTENS: No, Your Honor.  
 12 JUDGE HOGAN: All right. Then we will  
 13 take closing remarks from the commissioners. I'll  
 14 start with you, Commissioner Kringstad.  
 15 COMMISSIONER KRINGSTAD: Well, thank you,  
 16 everybody, for having us here today, and for those  
 17 of you who did come and provide testimony, we  
 18 really appreciate it.  
 19 I see a lot of you are good notetakers and  
 20 you're out there taking notes, but again I want to  
 21 encourage you that this -- this hearing today was  
 22 recorded and will be on the website -- on our  
 23 website. If you want to go back and review  
 24 everything that you maybe couldn't jot down today,  
 25 that's available to you, as is the full hearing

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1 that we had on Tuesday as well.  
 2 So thank you again for having us, and have  
 3 a good weekend.  
 4 JUDGE HOGAN: Commissioner Christmann.  
 5 COMMISSIONER CHRISTMANN: I'll also say  
 6 thank you to everyone for being here and if they're  
 7 maybe listening today, the ones that were there on  
 8 Tuesday. The information we get, like was said,  
 9 helps us to make the best decision that we possibly  
 10 can.  
 11 And also, I think, long-term and under  
 12 North Dakota law when the utilities have to come in  
 13 to do siting like this and they know that there's  
 14 going to be public hearings like this, I think it  
 15 helps the whole system knowing that this will  
 16 happen along the way in making them as responsive  
 17 to the public as possible.  
 18 And so thank you for being here and  
 19 spending your time with us this morning.  
 20 JUDGE HOGAN: Commissioner Haugen-Hoffart.  
 21 COMMISSIONER HAUGEN-HOFFART: Thank you.  
 22 I think these are -- hearings are very important,  
 23 and I'm glad we go out into the communities because  
 24 it's an opportunity for you guys -- for the  
 25 communities to learn what we do and the process of

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1 it.  
 2 I have to say it starts at the very  
 3 beginning when those open houses occur. The  
 4 communication goes out to the people affected in  
 5 the area. It's a learning process. And I'm glad  
 6 to see so many of you here are engaged and willing  
 7 to be a part of the process and learn.  
 8 So thank you again for being here. I wish  
 9 you all the best. And I look forward to Main  
 10 Street in Ray -- hint. So take care. God bless.  
 11 JUDGE HOGAN: All right. Thank you.  
 12 We'll note for our record it's 11:43 a.m.,  
 13 and that will conclude the hearing for Case Numbers  
 14 PU-25-283 and PU-25-284.  
 15 (Concluded at 11:44 a.m., the same day.)  
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1 CERTIFICATE OF COURT REPORTER  
 2  
 3 I, Stephanie A. Smith, a Registered  
 4 Professional Reporter,  
 5 DO HEREBY CERTIFY that I recorded in  
 6 shorthand the foregoing proceedings had and made of  
 7 record at the time and place hereinbefore  
 8 indicated.  
 9 I DO HEREBY FURTHER CERTIFY that the  
 10 foregoing typewritten pages contain an accurate  
 11 transcript of my shorthand notes then and there  
 12 taken.  
 13 Dated at Bismarck, North Dakota, this 9th  
 14 day of April, 2026.  
 15  
 16  
 17 \_\_\_\_\_  
 18 Stephanie A. Smith  
 19 Registered Professional Reporter  
 20  
 21  
 22  
 23  
 24  
 25

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