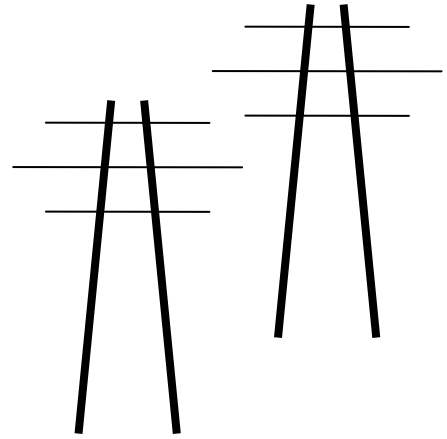


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August 24, 2014

Dr. Burl Haar, Executive Secretary
Public Utilities Commission
121 – 7th Place East, Suite 350
St. Paul, MN 55101

via eFile and email only: burl.haar@state.mn.us

In Re: Motion for Leave to File Comments Out-of-Time and Comments
In the Matter of the Application of Minnesota Power for a Route Permit for the
Great Northern Transmission Line Project in Roseau, Lake of the Woods,
Beltrami, Koochiching and Itasca Counties
PUC Docket No.: E15/TL-14-21
OAH Docket No.: 65-2500-31637

Dear Dr. Haar:

Enclosed and eFiled please find Motion for Leave to File Comments Out-of-Time, and
Comments of Carol A. Overland.

Very truly yours,

Carol A. Overland
Attorney at Law

cc: eFile Service List

**STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS
FOR THE PUBLIC UTILITIES COMMISSION**

**Beverly Jones Heydinger
David C. Boyd
Nancy Lange
Dan Lipschultz
Betsy Wergin**

**Chair
Commissioner
Commissioner
Commissioner
Commissioner**

In the Matter of the Application of Minnesota
Power for a Route Permit for the Great
Great Northern Transmission Line Project in
Roseau, Lake of the Woods, Beltrami,
Koochiching and Itasca Counties

OAH Docket No.: 65-2500-31637
PUC Docket No.: E15/TL-14-21

MOTION FOR LEAVE TO FILE OUT-OF-TIME COMMENT

I am the attorney for Residents and Ratepayers Against the Not-so-Great-Northern Transmission Line Project, Intervenors with full party status in the Great Northern Certificate of Need Docket. RRANT has not yet intervened in this route permit docket nor has RRANT taken any position on routing. For two years now, first as an individual and then as counsel for RRANT, I have been working to increase public awareness and knowledge of this project and facilitate public participation in the administrative process through meetings and communications with Applicant, landowners, interested parties in Minnesota and Canada, and state and federal agency staff.

Over the last 20 years of participation in administrative proceedings, Citizen Advisory Task Forces has been a primary focal point, having filed many petitions for Task Forces, advised clients as they participated in Task Forces, worked in dockets and in PUC rulemaking to keep

Task Forces a vibrant part of PUC process, and even pushed to assure that Advisory Task Force Reports were entered in the record (see CapX 2020 Brookings-Hampton, 08-1474).

That said, three client deadlines last week made that intense work a priority over this routing permit pro bono work and Friday's deadline for Comments came and went – not a good reason – but the reality of practice as a sole practitioner.

No party will be prejudiced by receipt of these Comments at the opening of business Monday, the first business day after the Friday close of business deadline. The Applicant Minnesota Power, and Commerce and staff Bill Storm, and Commission and staff too, would not be surprised or caught unawares of these Comments as they've been a recurring theme over the last 20 years.

With this Motion, I ask for leave to file, and that the Commission accept, these Comments out-of-time.

DATE: August 24, 2014



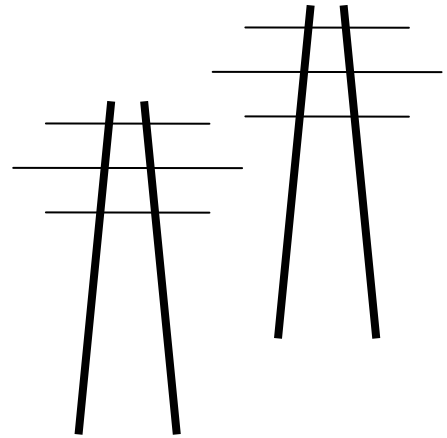
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August 24, 2014

Dr. Burl Haar, Executive Secretary
Public Utilities Commission
121 – 7th Place East, Suite 350
St. Paul, MN 55101

via eFile and email only: burl.haar@state.mn.us

In Re: Comments of Carol A. Overland regarding Commerce Request to Reconsider
In the Matter of the Application of Minnesota Power for a Route Permit for the
Great Northern Transmission Line Project
PUC Docket No.: E15/TL-14-21; OAH Docket No.: 65-2500-31637

Dear Dr. Haar:

Thank you for the opportunity to make this Comment.

Commerce “EERA is requesting that the Commission reconsider the question of establishing an ATF” due to “light and insufficient” interest to meet the ATF statutory requirements. The outreach thus far has not been sufficient to justify a Commission Order to throw in the towel.

The short version:

The Task Authorization must stand and additional time be provided to establish at least one, if not two Task Forces. Task Forces are a necessary part of EIS scoping, gathering route alternatives, and a crucial early point for public participation (not just local government officials). The Task Force is the time that participants first look at an application and begin to understand what is proposed.

Over the last twenty years, I’ve filed numerous Petitions for Task Forces because I’ve seen the good they produce. The Power Plant Siting Act is clear about the role of the public in routing proceedings:

Minn. Stat. §216E.08 PUBLIC PARTICIPATION, Subd. 2. Other public participation.

The commission shall adopt broad spectrum citizen participation as a principal of operation. The form of public participation shall not be limited to public hearings and advisory task forces and shall be consistent with the commission's rules and guidelines as provided for in section [216E.16](#).

The Commission's Order in which Task Forces were authorized was the best I can recall, with the most specific charge and procedures YEA!. The ALJ was also very clear in supporting the Commission's Order authorizing Task Forces for this project:

Citizens Advisory Task Force

9. Pursuant to the Commission's Order Finding Application Complete and Referring Matter to the Office of Administrative Hearings (Order), the DOC-EERA is charged with the responsibility to appoint three (3) citizens advisory task forces to, among other things, identify additional routes or impacts to be evaluated in the EIS. The task forces shall be located in each of the western, central, and eastern thirds of the project area. Specific requirements for the task forces' composition, appointment, and duties are set forth in the Order, and the DOC-EERA is directed to carefully review those requirements. A schedule of proposed task force meeting dates and a plan must be filed with the Commission as soon as possible to ensure that the task forces are involved early in the routing process.

In the past, the Commerce interpretation of appointments and charge, and timing of the Task Force meetings have been a significant problem. Commerce and its chosen facilitator's interpretation has thrown up barriers to participation and skewing input through skewed facilitation (CapX Hampton-LaX, 09-1448, requesting narrowing of issues, prioritizing issues, for scoping), and in failure to enter Task Force reports in the record after Task Force refused to vote (CapX Brookings-Hampton 08-1474, Task Force Report entered by No CapX 2020 with objection by Commerce), and not allowing public comment period (Prairie Island uprate, CapX Brookings-Hampton, CapX Hampton-LaX), and timing such that local governments had insufficient time to appoint representative (Chisago III, Hampton-LaX), and appointing few or no members of the public (CapX Hampton to LaX).

The Commission's Public Advisor has a role here.

Minn. Stat. §216E.08, PUBLIC PARTICIPATION, Subd. 3. Public advisor.

The commission shall designate one staff person for the sole purpose of assisting and advising those affected and interested citizens on how to effectively participate in site or route proceedings.

We urgently need more than one Public Advisor to handle the many dockets open at the Commission. Regarding Advisory Task Forces, and this Commerce request, specifically, the Public Advisor should assist or take on the task of notifying local governments AND THE PUBLIC that the Commission has authorized a Task Force and how to apply.

Commerce is improperly limiting this notice and contact to "local governments" which is not the spirit and intent of the statute, which states:

216E.08 PUBLIC PARTICIPATION. Subdivision 1. Advisory task force.

The commission may appoint one or more advisory task forces to assist it in carrying out its duties. Task forces appointed to evaluate sites or routes considered for designation **shall be comprised of as many persons as may be designated by the commission, but at least one representative from each of the following:** Regional development commissions, counties and municipal corporations and one town board member from each county in which a site or route is proposed to be located. No officer, agent, or employee of a utility shall serve on an advisory task force...

Minn. Stat. §216E.08, Subd. 1.

Please take the time to look at the record of the Commerce calls attached to the Request – do those contacted have authority to deliver a “NOT INTERESTED” determination? I’ve heard from one Town Supervisor who was disturbed to learn that the Town Clerk had said they weren’t interested when in fact they are, that there are already two transmission lines in the Township and this would be the third. That Supervisor has said he’d requested a spot on the Task Force. I’d guess there are other similar situations.

For a project this large, it’s crucial to have a Task Force. There is a geographic problem in that the area covered by the routes are thinly populated, but those communities deserve representation as does any other community.

Specifically, based on my extensive experience and interest in Citizens Advisory Task Forces, I ask that the Commission:

- Reaffirm the Commission’s Order authorizing the Advisory Task Forces; and
- Enlist the help of the Public Advisor to contact local governments and departments and citizens, residents and landowners, soliciting interest and membership in the Advisory Task Force through electronic contact, Public Service Announcements to local newspapers, television and radio stations, and to project interest and service lists.
- Direct that interested citizens, residents and landowners be appointed to the Task Forces together with representatives of local governments.

Thank you for consideration of these Comments.

Very truly yours,



Carol A. Overland
Attorney at Law

cc: eFile Service List