

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

In the Matter of the Application of Dairyland
Power Cooperative for a Route Permit for
the Beaver Creek 161-kV Transmission
Line in Fillmore County, Minnesota

**FIRST PREHEARING ORDER
(CORRECTED)**

This matter came before Administrative Law Judge Suzanne Todnem for a prehearing conference on December 2, 2024. The prehearing conference was held virtually via video conference using the Microsoft Teams platform.

Bridget A. Duffus, Fredrickson & Byron, P.A., appeared on behalf of Dairyland Power Cooperative (Applicant or Dairyland), with Caleb Hefti and Rob Maly.

Larry B. Hartman, Project Manager, appeared on behalf of the Energy Environmental Review Analysis (EERA) staff of the Department of Commerce (Department or DOC).

Trevor Culbertson, Public Utilities Commission (Commission or PUC), appeared on behalf of the Commission staff.

The Commission referred the route permit application matter to the Office of Administrative Hearings for a contested case proceedings in its October 15, 2024, Order (Commission's Order).¹

Based upon the record herein and the agreement of the parties,

IT IS HEREBY ORDERED:

1. **Parties.** The parties to this matter are Dairyland and the Department.
2. **Filing.** The parties have agreed to e-File all documents, including pre-filed testimony, using the eDockets system of the Department and the Commission. The parties agree that such e-Filing constitutes effective service. If a document cannot be filed

¹ The Commission's consent calendar subcommittee issued the decision pursuant to its delegated authority under Minn. Stat. § 216A.03, subd. 8(a). Commission's Order (October 15, 2024).

using the eDocket system, the original document must be filed by delivery or mail with the Administrative Law Judge, and copies served on all parties by the same method.

3. **Public Participation.** Members of the public are invited and encouraged to participate in this informal process and do not need to become formal parties to the contested case litigation to participate in these proceedings. Members of the public may participate in the public hearings, ask questions of the Applicant or the Department, and may offer oral or written testimony and exhibits as part of those proceedings.² They should subscribe to the case using the PUC Docket number in eDockets and monitor filings. Interested persons should address whether the proposed project meets criteria under Minn. Stat. ch. 216E (2022)³ and Minn. R. ch. 7850 (2023).

4. **Schedule.** The following is the upcoming schedule of events in this informal proceeding:

Event	Date	Notes
Scoping decision	Estimated: December 27, 2024	Flexibility allowed to accommodate time for signatures
Environmental assessment issued	March 27, 2025	
Pre-filed Direct Testimony, if needed	April 8, 2025	
Notice of Public Hearings filed	April 8, 2025	
In-Person and Remote-Access Public Hearings	April 22-23, 2025	One in-person and one virtual hearing
Close of Public Comment Period	May 13, 2025	
Applicant's Proposed Findings and Response to Public Comments	May 27, 2025	
The Department's Response to Public Comments and Revisions to Applicant's Proposed Findings	June 10, 2025	
Administrative Law Judge (ALJ) Report	July 30, 2025	
Exceptions to ALJ Report	August 12, 2025	

² Minn. R. 1400.6200, subp. 5, 1400.7150, subp. 1, and 7829.0900 (2023).

³ Minn. Stat. § 216E was repealed or renumbered in 2024, effective July 1, 2025.

Event	Date	Notes
Commission Meeting on Route Permit Issuance	TBD	Anticipated: August or September 2025

5. **Filing and Exhibit Practice.** Pre-filed testimony and exhibits may be in any reasonable format that is understandable, logically organized, and capable of being readily cited (either by page and line number, paragraph number, or similar identifier). The parties have agreed to e-File all documents, including pre-filed testimony, using the eDockets system of the Minnesota Department of Commerce. The parties agree that such e-Filing constitutes effective service. If a document cannot be filed using the eDocket system, the original document must be filed by delivery or mail with the Administrative Law Judge, and copies served on all parties by the same method.

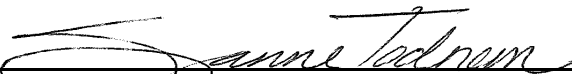
If there is a filing of Protected Data in this matter, access to nonpublic materials shall be governed by a later Protective Order.

The parties are directed to pre-label their exhibits sequentially, beginning with the following monikers:

- (a) Dairyland DYL – [the Exhibit Number]
- (b) EERA EERA – [the Exhibit Number]
- (c) PUC PUC – [the Exhibit Number]

Any other participant who wishes to offer exhibits shall similarly pre-label their exhibits with a unique identifier preceding their exhibit number.

Dated: December 4, 2024


 SUZANNE TODNEM
 Administrative Law Judge

December 4, 2024

See Attached Service List

**Re: *In the Matter of the Application of Dairyland Power Cooperative for a
Route Permit for the Beaver Creek 161-kV Transmission Line in
Fillmore County, MN***
OAH 23-2500-40403
MPUC ET3/TL-24-95

To All Persons on the Attached Service List:

Enclosed and served upon you is the Administrative Law Judge's **FIRST
PREHEARING ORDER (CORRECTED)** in the above-entitled matter.

If you have any questions, please contact me at (651) 361-7845,
samantha.cosgriff@state.mn.us, or via facsimile at (651) 539-0310.

Sincerely,


SAMANTHA COSGRIFF
Legal Assistant

Enclosure

cc: Docket Coordinator

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS
PO BOX 64620
600 NORTH ROBERT STREET
ST. PAUL, MINNESOTA 55164

CERTIFICATE OF SERVICE

In the Matter of the Application of Dairyland Power Cooperative for a Route Permit for the Beaver Creek 161-kV Transmission Line in Fillmore County, MN	OAH Docket No.: 23-2500-40403 MPUC ET3/TL-24-95
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On December 4, 2024, a true and correct copy of the **FIRST PREHEARING ORDER (CORRECTED)** was served by eService, and United States mail, (in the manner indicated below) to the following individuals:

First Name	Last Name	Email	Organization	Agency	Delivery Method
Justin	Chasco	jchasco@fredlaw.com	Fredrikson & Byron, P.A.		Electronic Service
Generic	Commerce Attorneys	commerce.attorneys@ag.state.mn.us		Office of the Attorney General - Department of Commerce	Electronic Service
Bridget	Duffus	bduffus@fredlaw.com	Fredrikson & Byron, P.A.		Electronic Service
Sharon	Ferguson	sharon.ferguson@state.mn.us		Department of Commerce	Electronic Service
Caleb J	Hefti	caleb.hefti@dairylandpower.com	Dairyland Power Cooperative		Electronic Service
Breann	Jurek	bjurek@fredlaw.com	Fredrikson & Byron PA		Electronic Service
Generic Notice	Residential Utilities Division	residential.utilities@ag.state.mn.us		Office of the Attorney General - Residential Utilities Division	Electronic Service
Jessica A.	Sandry	jessica.sandry@dairylandpower.com	Dairyland Power Cooperative		Electronic Service
Will	Seuffert	will.seuffert@state.mn.us		Public Utilities Commission	Electronic Service
Janet	Shaddix Elling	jshaddix@janetshaddix.com	Shaddix And Associates		Electronic Service
Suzanne	Todnem	suzanne.todnem@state.mn.us		Office of Administrative Hearings	Electronic Service