

1 PUBLIC HEARING - 24-263, 24-264

2 WEBEX - SEPTEMBER 4, 2025 - 6:00 P.M.

3 BEFORE THE COURT OF ADMINISTRATIVE HEARINGS

4 FOR THE MINNESOTA PUBLIC UTILITIES COMMISSION

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7 In the Matter of the Application of Great River Energy,
8 Otter Tail Power Co., Western Minnesota Municipal Power
9 Agency, Agralite Electric Co-op., and the City of Benson
for a Certificate of Need and Route Permit for the
Appleton to Benson 115-Kilovolt Transmission Line Project

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MPUC DOCKET NOS:

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ET-2, E-017, ET-6135, E-100/CN-24-263; TL-24-264

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CAH DOCKET NO: 23-2500-40748

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Hearing held remotely via:
Webex and Telephone

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September 4, 2025

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24 BEFORE: Judge Suzanne Todnem

25 STENOGRAPHIC COURT REPORTER: Christine Simons, RMR, RPR

1 APPEARANCES:

2 CODY BAUER, Attorney at Law, Fredrikson &
3 Byron, P.A., appeared on behalf of Applicant.

4 PUC STAFF:

5 Sam Lobby

6 PUC EIP STAFF:

7 Sam Weaver

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1 JUDGE TODNEM: All right. It's 6:00, so
2 I would like to get started. Good evening. My name
3 is Suzanne Todnem, and I'm an Administrative Law
4 Judge with the Court of Administrative Hearings.
5 And I'd like to welcome you to this public hearing
6 In the Matter of the Application of Great River
7 Energy, Otter Tail Power Company, Western Minnesota
8 Municipal Power Agency, Agralite Electric
9 Cooperative, and the City of Benson for a
10 Certificate of Need and Route Permit for the
11 Appleton to Benson 115-kilovolt Transmission Line
12 Project.

19 | Next slide.

20 Today I will briefly introduce myself,
21 and then you will hear from the Commission, then the
22 applicants, and the environmental review staff.
23 Lastly, and perhaps most importantly, we will have
24 time for you, the public, to make comments or ask
25 questions. I encourage you to comment today. If

1 you would like to speak at the hearing, you can
2 indicate that by raising your hand using the icon,
3 or *3 if you are attending by phone. And you can do
4 that when I open the floor to comment.

5 All right. Next slide.

6 Again, I'm Judge Todnem, and I am with
7 the Court of Administrative Hearings. The Court of
8 Administrative Hearings is an independent court and
9 it is not a part of, or affiliated with, the
10 Minnesota Public Utilities Commission, the
11 environmental review staff, or the applicants in
12 this matter.

13 I have been assigned to preside over this
14 hearing, compile a record of the -- for the Public
15 Utilities Commission to consider in making a final
16 decision on the applicant's request for a
17 certificate of need and route permit, and to prepare
18 a report consisting of findings of fact, conclusions
19 of law, and recommendations on the joint certificate
20 of need and route permit application.

21 My report will be issued on or about
22 December 5th, 2025. My report will apply to the
23 certificate of need and route permit criteria set
24 forth in statute and rule. And those statutes and
25 rules can be found in Minnesota Statutes Chapters

1 216B and 216E, and Minnesota Rules Chapters 7849 and
2 7850.

3 My report, however, is not a final
4 decision. The purpose of my report is to summarize
5 all the information presented in a neutral and
6 fact-based manner without advocacy, and to give a
7 recommendation as to whether the applicant's request
8 for a certificate of need and route permit should be
9 granted by the Commission.

10 The Commission will then take my report
11 and recommendation under advisement and base its
12 decision on the record, which includes input from
13 the applicants, the environmental review staff,
14 interested parties, and from citizens. The
15 Commission will make a final decision on the joint
16 permit application at a separate meeting.

17 Next slide.

18 Today is an opportunity for the public to
19 hear from the applicant, but also to provide
20 comments and obtain information from the parties in
21 this matter. Part of my role is to ensure that all
22 relevant information is gathered fairly, including
23 comments from the public, and that to the extent
24 possible, questions from members of the public are
25 answered.

1 Because my review is limited to the
2 record, the comments you make here or in writing are
3 the only way to get them into the record. So I
4 encourage you to comment in whatever form you are
5 comfortable.

6 Your comments here are entered into the
7 record through the transcript. At this time, I'd
8 like to note that we do have a court reporter
9 present. The court reporter's role is to record
10 everything that is said as part of the record.
11 Therefore, it's important that only one person speak
12 at a time, and that speakers talk loudly and
13 clearly. And that you do not use gestures, such as
14 shaking your head, if you do make a comment on
15 video.

16 If anyone wants to see a transcript of
17 the public hearings, including the one here today,
18 you may contact the court reporter at
19 reporters@janetshaddix.com, and that's
20 S-H-A-D-D-I-X.com, to purchase a copy of the
21 transcript. Or you may contact the Commission to
22 make arrangements to review a transcript in person
23 in St. Paul, Minnesota.

24 At this time, I'd like to review the
25 exhibits that have been offered and received into

1 the record. They are Exhibits PUC 1 through PUC 10,
2 EERA 1 through EERA 6, APP 1 through APP 34, and a
3 placeholder for APP 35. The exhibits were received
4 into the record initially at yesterday's public
5 hearing. Let's see here, copies of the prefilled
6 testimony are available to the public through the
7 eDocket system with the exception of portions that
8 contain trade secret information, if any.

9 And with that, I will turn it over to the
10 Commission.

11 MR. SAM LOBBY: Thank you, Your Honor.

12 And good evening, everyone. I just want
13 to first start out by thanking members of the public
14 very much for taking time out of your evening to
15 come and attend this meeting. We really appreciate
16 any input, comments, questions that you have.

17 Just, I always like to tell folks that
18 participate that the Commissioners do review all the
19 comments that we get, they do read through all the
20 transcripts, and so you taking your time tonight to
21 participate in this, it really is helpful for
22 Commissioners in making a decision. So we do want
23 to afford the public an opportunity for their voice
24 to be heard. So thank you for your participation
25 this evening.

1 So I am Sam Lobby with the Commission.
2 The Commission isn't for or against projects. We
3 just want to provide an opportunity for members of
4 the public to get their input in so that that can
5 help Commissioners either decide if a permit is
6 going to be granted or how it will be granted. So,
7 again, thank you very much for your attendance this
8 evening.

20 So the government units -- I'll just
21 explain this real quick. This is probably not
22 something that is critically important for members
23 of the public to understand, but I will still
24 explain it. It's just a little bit kind of
25 confusing, but when this project originally came to

1 us, the application was submitted in late December
2 of 2024, I was in charge of the permitting side of
3 setting up public hearings and all that, which I
4 still am.

5 And my counterpart, Sam Weaver, was with
6 the Department of Commerce doing the environmental
7 review. So that's the environmental assessment or
8 the study that was done on this project. But since
9 that time, starting on July 1st, Sam's unit at the
10 Department of Commerce has come over and fused with
11 the Public Utilities Commission. So he is now with
12 our agency.

13 As far as the project is concerned, it
14 really doesn't change anything. Sam is still in a
15 separate independent role from me. He is taking
16 charge of the environmental review side, and I am
17 taking care of the application review process.

18 So that's kind of a long explanation, but
19 essentially -- so the facilities planning staff,
20 that's me. I manage the overall application and
21 review process that eventually will lead to a
22 decision on issuing certificates of need or route
23 permits. And Sam is the environmental review staff
24 who manages the environmental assessment for the
25 project.

1 And so here is my contact information.
2 I'll just leave this up for a minute. Just so folks
3 know, Judge Todnem did talk about the September 30th
4 deadline for the written comment period. And that
5 is the hard deadline for getting comments into the
6 record that can be reviewed. But if you ever, at
7 any time, have a question and you just want to
8 understand the process or reach out and talk to
9 somebody because you're not sure what's going on,
10 you can always either e-mail or call me.

11 So in order for this project to be
12 permitted there's a few things that they need to
13 get. First, a certificate of need, which is for any
14 high-voltage transmission line with a capacity of
15 100 kilovolts or more and with more than ten miles
16 of its length in Minnesota. And the route permit,
17 in this case, they are following the alternative
18 review process. And that is for any high-voltage
19 transmission line operating at a nominal voltage of
20 100 kilovolts or more and greater than 1,500 feet in
21 length.

22 So just to quickly go over the timeline
23 here so you know what's happened and what's going to
24 be coming up next. The application was filed at the
25 end of the year in 2024, and the Commission accepted

1 their application on March 6th of 2025. Then, in
2 March, on the 12th and 13th, we held public
3 information and scoping meetings. So just like
4 tonight and yesterday. Yesterday we went out to,
5 first, Appleton in the morning and then Benson in
6 the evening. We did that same thing back in March.

19 So we have the meeting, of course,
20 happening right now, and then the written comment
21 period associated with this goes through
22 September 30th. So you can speak at the hearing
23 tonight, and your comments will be put into the
24 record. You can also submit written comments, which
25 I'll have some instructions here in a minute on

1 that, or you can do both. We encourage as many
2 comments and questions as you would like to submit.

3 And, just, if you do submit written
4 questions, you won't get a response to it right
5 away, or potentially depending on the type of
6 question, you may not get a response. But that
7 doesn't mean that we haven't been reading it. It's
8 just that sometimes the way these processes work is
9 that we get that information, and a lot of it folks
10 won't necessarily know what happened until the
11 decision meeting. But I do assure you that the
12 Commissioners are reading all the comments.

13 Judge Todnem -- excuse me, Judge Todnem,
14 as she mentioned, will file her report on or about
15 December 5th, 2025, and the Commission will
16 tentatively consider the site -- the route permit,
17 excuse me, I changed that in another slide. I
18 missed it there. Route permit in January of 2026.

19 So the environmental assessment and other
20 documents can be viewed on the PUC website, that's
21 right here below at eDockets.state.mn.us. And in
22 that box that is squared in red, the top one where
23 it says docket numbers, you can put the docket
24 number, either 24-263 or 24-264. And then hit
25 search, and it will bring you to everything that's

1 in the record.

2 If there's one slide tonight that you
3 want to take a screenshot of or something, this
4 would be a good one. Because I -- just before the
5 meeting started, I did put this presentation into
6 eDockets. So members of the public can access this
7 presentation online, and then you can get all the
8 information in there. There's a couple of other
9 slides you could take screenshots of, too, but this
10 is a good one if you want to access all the
11 information and get this entire presentation.

12 So this is another one that's a good
13 screenshot as far as information about how to get
14 things to us. So as we mentioned, written comments
15 accepted through September 30th, 2025, and then
16 below there we have information on online, e-mail,
17 or U.S. mail of how you can get this information to
18 us.

19 So if you can please focus your comments
20 on the following: Should the Commission grant a
21 route permit for the proposed 115-kilovolt Appleton
22 to Benson transmission line? And, if granted, what
23 additional conditions or requirements should be
24 included in the route permit? I did correct "route"
25 from "site" in this. I just missed it on the last

1 slide. Should the Commission grant the certificate
2 of need for the proposed project? And, if granted,
3 what additional conditions or requirements, if any,
4 should be included in the certificate of need?

5 We've also got our contact information up
6 here. My name is the first name, and so you can
7 contact me. Right below that is Sam Weaver. So
8 both -- excuse me, both named Sam, but you can reach
9 out to either one of us. And if you get the wrong
10 Sam, we will point you to the other one. And if we
11 don't know the answer, we will find the answer for
12 you.

13 And then below that is Mr. Strohfus's
14 information from the company, and beneath that are
15 some good websites and where you can find some more
16 information on the project.

17 So with that, I will hand it over to
18 Mr. Strohfus with GRE.

19 MR. MARK STROHFUS: Thank you.

20 So this intro slide here shows all of the
21 logos for our project participants. I myself, I'm
22 Mark Strohfus. I work with Great River Energy. I'm
23 the lead on this project team for all of the
24 permitting information.

25 Next slide, please.

1 This particular slide gives some basic
2 information as to what everybody's role, each of the
3 applicants' role is in the project.

4 Mr. Birkholz, I understand we have one
5 parcel ownership for you. We'll talk a little bit
6 more as we get into this, but I believe that you're
7 on Otter Tail's line segment, for your information.
8 Nevertheless, you can reach out to me. I expect
9 that staff from Otter Tail Power may have already
10 reached out to you regarding this project. I know
11 that Carly, she is not currently on the line
12 tonight, I don't believe, but she has reached out to
13 many of the landowners on their segments of the
14 project already.

15 Next slide, please.

16 This is the proposed route that we have
17 for the transmission line. As it notes up here in
18 the corner, there's the upper left corner, the
19 line -- the overall project is about 29 miles.
20 miles of that is following and overtaking Otter
21 Tail's existing 41.6-kilovolt substation -- or
22 transmission line.

23 The parcel where you live, Mr. Birkholz,
24 is somewhere, I believe, in this area here. And
25 this is the only transmission line segment -- or

1 primarily the largest length of transmission line
2 segment that will be new. It does not overtake the
3 existing 41.6.

4 Next slide, please.

5 This is some information on the proposed
6 Appleton substation. The current substation is on
7 the south side here.

8 Can you -- you can't see my cursor, I
9 don't believe, can you?

10 Okay. So it notes in the bottom part of
11 this slide that this is the existing substation
12 application. As part of this project, we're going
13 to move that to the north side of the highway, and
14 there's some issues with our original route width.
15 We are expanding it to include the three acres in
16 the upper left corner of the slide here.

17 Next slide, please.

18 Why do we need this project? It's all
19 about keeping the lights on. This area was
20 supported significantly by the Fibrominn plant, the
21 turkey manure plant over near the city of Benson.
22 It was providing electrical support system for the
23 transmission system around here. When they shut
24 down, there were weaknesses, there are potential low
25 voltages issues, there are potential outages issues.

1 This proposed project will resolve all of those
2 issues.

3 Next slide, please.

4 Mostly what people who participate in
5 these meetings wants to know is, if you're impacting
6 my land, what are you going to do to involve me?
7 This slide kind of talks a little bit about that.
8 So the first thing, once after the route permit is
9 issued, we will go out and we will survey property.
10 We will give you notice that we are coming out to
11 survey and stake out the right-of-way.

12 Then, we would come -- one of our land
13 agents -- and, again, this is probably going to be
14 Carly from Otter Tail who would come and talk to
15 you, Mr. Birkholz, about structure locations and get
16 your initial reactions. We can typically move
17 structure locations, you know, five to ten feet if
18 you want to move it some to a different location.
19 And we'll talk a little more then with you about the
20 overall process as we move forward into
21 construction. They'll talk about the easement
22 documents, give you an offer price.

23 The project itself, we will be seeking a
24 100-foot-wide right-of-way. That's 50 feet on each
25 side of the line. We will -- I say "we," what Otter

1 Tail agreed to as well -- place structures as close
2 to the road right-of-way as possible. So if --
3 Great River Energy likes to say we'd be within five
4 feet.

5 So for five feet inside your property, we
6 would be seeking a 55-foot easement from you. If we
7 are closer, if we are one foot outside, we would be
8 seeking a 51-foot easement from you. We don't
9 actually get easements from the roadway
10 right-of-way, but they don't ever have problems --
11 but we don't ever have problems with them because
12 they're not allowing trees to grow and trying to
13 build buildings in the middle of their road.
14 They'll talk about tree removal. I think I -- there
15 may be some trees on your property, so that would
16 possibly be a topic of interest to you.

17 And then the construction process. This
18 will be built in phases. So even we haven't quite
19 figured out what the phasing will be. So your
20 project, your segment of line may be one of the
21 first projects; it may be one of the last projects.
22 So there could be a yearlong difference between the
23 people on the east end and the people on the west
24 end.

25 Next slide, please.

1 We talked a little bit about this. This
2 is a nice slide, though, because you can see the
3 structures. This is the typical structure here.
4 It's a 115-kv line image. The first one has all the
5 conductors stacked on one side, the second one has
6 what we call a delta configuration, and the third
7 one is a dead-end structure. And it's often used
8 when there's angles in the line. This looks
9 relatively straight in this picture, but there's
10 actually an angle. So we need stronger foundations,
11 stronger holes.

12 You know, my quick look at your property,
13 Mr. Birkholz, I would expect that we're going to
14 have primarily wood poles, and either the first or
15 second example there. Eventually during
16 construction, we'll drop a pole at our pole location
17 once we have the easement worked out with you.
18 Those -- our crews will come through, they'll drill
19 a hole into the ground, they'll set that pole into
20 the hole. They'll come back later on and they'll
21 attach pulleys to the insulator arms, and then pull
22 the line through and clip it in eventually.

23 Next slide, please.

24 So, again, here's contact information.
25 And, again, we have Carly's number down here. But

1 if you call any of us, we'll make sure you get to
2 the right person, call or e-mail. We can figure
3 this out amongst ourselves and make sure that the
4 right person gets back to you.

5 Next slide. Thank you.

6 MR. SAM WEAVER: All right. Thank you,
7 everyone, for coming. My name is Sam Weaver. I am
8 the environmental review manager for this project,
9 and I am just going to talk about what we did for
10 the environmental review process.

11 So for this project we prepared an
12 environmental assessment. So this document serves
13 as the environmental review document for both the
14 route permit application and the certificate of need
15 application into that EA. It generally analyzes the
16 potential human and environmental impacts of this
17 project. And this document will be used by the
18 Commission in making decisions about the project and
19 whether or not to issue a route permit and a
20 certificate of need.

21 If you would like to view this
22 document -- and, again, this is important, it
23 details all of the potential human and natural
24 impacts of the project and how we mitigate for those
25 potential impacts -- you can visit the EIP website.

1 You can follow that link there, go to the
2 transmission line section, and then the Appleton to
3 Benson is one of the first ones that pops up. You
4 can access it through the eDockets website that Sam
5 highlighted earlier. Look for Docket Numbers 24-263
6 or 24-264. There are copies at the Appleton City
7 Library and the Benson Public Library.

8 And, finally, if you want a print copy or
9 if you want, you know, a pdf but you don't want to
10 download it from a website, you can e-mail me and I
11 will do whatever it takes to get you a copy.

12 JUDGE TODNEM: Thank you for those
13 presentations.

14 All right. Next slide.

15 So as I mentioned, I will open the floor
16 to anyone who would like to make a comment or ask a
17 question. I will just -- when I call on you, you
18 can -- you will be unmuted, and then I would just
19 ask that you please state and spell your name. And
20 you can address your comments and questions to me,
21 and I will field out the questions to the panel as
22 appropriate. Again, we are really looking for
23 comments and questions at this time. Or as Mr.
24 Lobby had mentioned, you can also submit comments
25 using the written comment option, and they just have

1 to be submitted by 4:30 p.m. on September 30th.

2 So let's see here, I guess, we don't
3 really have a sign-up on the virtual, but just raise
4 your hand using the hand icon towards the bottom of
5 your screen, or if you're participating by phone,
6 you can hit *3. And then when it's your turn to
7 speak, like I said, just state your name, spell your
8 name, and then you can proceed with your question or
9 a comment.

10 And are there any questions or comments
11 from members of the public at this time?

12 MR. SAM LOBBY: I just got --
13 Mr. Birkholz raised his hand. Would you like me to
14 unmute him?

15 JUDGE TODNEM: Yes, please.

16 MR. SAM LOBBY: All right. Mr. Birkholz.

17 MR. CRAIG BIRKHOLZ: Can you guys hear me
18 okay?

19 MR. SAM LOBBY: We can.

20 JUDGE TODNEM: Yes.

21 MR. CRAIG BIRKHOLZ: Oh, great. Cool.

22 Just a couple quick questions. One, first,
23 pertaining to the right-of-way. I received a couple
24 letters here that have, basically, conflicting
25 information on the proposed amount of right-of-way

1 requested. I know today you guys mentioned
2 100 feet, basically 50 feet on each side of the
3 utility, but I've also received letters saying that,
4 you know, they're requesting as much as 400 feet or
5 200 feet on either side. Is 100 feet kind of where
6 you're sitting right now for that proposed
7 right-of-way or --

8 JUDGE TODNEM: Mr. Strohfus.

9 MR. MARK STROHFUS: Thank you, Your
10 Honor.

11 Yeah, the right-of-way will be 100 feet.
12 The 200 and 400 numbers are the route width. That
13 is a, kind of, term of art that's part of the
14 permitting process. Ultimately, we are required in
15 our permit application to define a route width, and
16 that route width we have defined as 200 feet from
17 each side of existing transmission center line -- or
18 road center line in your case where there isn't
19 existing transmission -- for a total of 400 feet.

20 It is certainly confusing, but clearly
21 our intention here -- and I can say -- speak on
22 behalf of Otter Tail Power here that we always
23 prefer to build our transmission lines along road
24 right-of-way. It allows us to overlap and share
25 that right-of-way with the road itself. It's less

1 maintenance, it's easier for us to access that
2 transmission line.

3 So, yes, we would be seeking, as I
4 mentioned, somewhere -- Otter Tail would seeking a
5 right-of-way -- an easement for a right-of-way
6 something on the order of 50-plus feet. Certainly I
7 can't expect them doing anything near 100 feet.

8 MR. CRAIG BIRKHOLZ: Okay. Thanks for
9 answering that.

10 MR. MARK STROHFUS: Does that answer
11 that?

12 MR. CRAIG BIRKHOLZ: It does, yeah.

13 Just to kind of piggyback off that, if
14 you don't mind, regarding the construction process,
15 will that impact the property outside of the
16 proposed right-of-way?

17 JUDGE TODNEM: Mr. Strohfus.

18 MR. MARK STROHFUS: No. On a
19 straight-line run like you have across your
20 property, there shouldn't be any interference
21 outside of the right-of-way itself. Great River
22 Energy and Otter Tail Power expect to be able to
23 work within our agreed upon right-of-way.

24 If there is some need for doing something
25 outside of that, we would -- Otter Tail would set up

1 a separate agreement. Sometimes we like to build --
2 build up access roads. If you have existing field
3 access and it helps us, we might get in there and
4 improve that for our trucks. And we'd have
5 conversations with you about that before doing any
6 of that type of work.

7 MR. CRAIG BIRKHOLZ: Okay.

8 JUDGE TODNEM: Mr. Birkholz, if I could
9 just ask a quick clarifying question, were you
10 asking about just during the construction period if
11 there would be any need outside of the route, or
12 were you asking for additional projects, I guess?

13 MR. CRAIG BIRKHOLZ: To answer your
14 question, Judge, it was just pertaining to the
15 proposed 100-foot route and if there would be any
16 additional construction outside of that proposed
17 100-foot right-of-way.

18 JUDGE TODNEM: Okay. Okay. Thank you.

19 MR. CRAIG BIRKHOLZ: Yeah, um-hmm.

20 JUDGE TODNEM: All right. And do you
21 have any other questions or comments that you would
22 like to make, Mr. Birkholz?

23 MR. CRAIG BIRKHOLZ: Yeah, you know, if
24 you don't mind. One other question I had was
25 regarding meeting on the site. Is the company

1 pretty flexible with dates and times for that? I'll
2 be traveling a little bit, so I'll need kind of an
3 advanced notice to schedule that.

4 JUDGE TODNEM: All right. Mr. Strohfus.

5 MR. MARK STROHFUS: Yes. We fully expect
6 people will be on vacation, they may be snowbirds.
7 Otter Tail and Great River Energy are very familiar
8 with having to be flexible with landowners on
9 those -- on those issues. We can work across the
10 phone and delay on-site meetings, or we can send you
11 drawings and that type of thing, if you'd rather do
12 something if you're out of the country for a stretch
13 of time.

14 And, you know, honestly, the negotiations
15 won't happen until after the route permit is issued.
16 We want to be assured that the Public Utilities
17 Commission issues our requested alignment in here
18 and right route width.

19 There are situations where sometimes they
20 move it. On this particular project, I don't see
21 that to be an issue. We've had nobody from the
22 public asking for alignment changes or route
23 changes. But for that reason, we typically will not
24 engage in full landowner negotiations until the
25 route permit is issued, which is going back to the

1 slide, it's somewhere around January of 2026 here.

2 MR. CRAIG BIRKHOLZ: Okay. Thank you.

3 JUDGE TODNEM: All right. Any other
4 questions or comments at this time, Mr. Birkholz?

5 MR. CRAIG BIRKHOLZ: I do have one more,
6 if you don't mind here.

7 JUDGE TODNEM: Certainly.

8 MR. CRAIG BIRKHOLZ: Thank you.

9 Regarding ongoing maintenance, once the project's
10 completed, obviously there's going to be some
11 maintenance of the right-of-way. What's the
12 expectation from the electrical company in regards
13 to, I guess, maintenance, and what does that
14 schedule kind of look like?

15 JUDGE TODNEM: Mr. Strohfus.

16 MR. MARK STROHFUS: Thank you, Your
17 Honor.

18 Yeah. That's -- it's kind of a follow-up
19 to your earlier question, so I'm going to go back a
20 little bit on the initial question about the
21 right-of-way and construction. You know, absolutely
22 the right-of-way is what we plan to use for
23 construction. It's also the area we plan to use for
24 maintenance. If something extraordinary happens,
25 Otter Tail would come back to you, ask for

1 permission. And if by chance they damaged property
2 outside of our right-of-way, they would provide
3 mitigation for that. So, yeah, everything is going
4 to be done for maintenance within the right-of-way.
5 Typically we follow NERC guidance, national electric
6 reliability corporation. Did I get that right, Jim?

7 Okay. We should -- we do not allow tall
8 growing species within our right-of-way, so that --
9 anything that grows over 15 feet. So if you have
10 trees in there, we will come back through and we
11 will be cutting and trimming those trees.

12 We typically like to use some herbicide
13 to treat the stumps to avoid having them grow back,
14 because that way we can come out on more of a three-
15 to five-year cycle, I think, to do maintenance. If
16 you don't want us to use herbicides, then we'll have
17 to come back out. And we might mow those
18 rights-of-way as well with like a brush cutter.

19 Does that answer those questions?

20 MR. CRAIG BIRKHOLZ: It does, yeah. I
21 really appreciate it. Thank you.

22 MR. MARK STROHFUS: Thank you.

23 JUDGE TODNEM: All right. Thank you,
24 Mr. Birkholz.

25 Are there any other questions or comments

1 from members of the public?

2 MR. SAM LOBBY: I am not seeing any hands
3 being raised. There is a call-in user, 320-368. I
4 don't know if they're with the company or a
5 landowner. So that call-in user, if you're a
6 landowner or a member of the public and you'd like
7 to make a comment, you can just press *3.

8 And, also, just as a reminder, if you do
9 not comment right now, there is the written comment
10 period that goes through September 30th. So there's
11 still plenty of time to get a comment in if you
12 don't want to speak publicly tonight.

13 I'm still not seeing a hand up from
14 anybody.

15 JUDGE TODNEM: Okay. All right. Second
16 call for any questions or comments this evening.
17 Again, you can use the raise hand icon.

18 Mr. Birkholz, I'll just note that I do
19 see a hand next to yours, but I assume it is from
20 your initial comments?

21 Okay. And it's now removed.

22 So last call for any questions or
23 comments this evening.

24 MR. SAM LOBBY: I'm not seeing any hands
25 raised.

1 JUDGE TODNEM: All right. Then seeing
2 none, I'll just, again, remind everyone that you can
3 submit comments in writing by 4:30 p.m. on
4 September 30th. Please be sure to include the MPUC
5 Docket Number ET-2/TL-24-263 and 24-264 and OAH
6 Docket Number 23-2500-40748. You can submit your
7 comments online, by e-mail, or by U.S. postal mail.

12 (Public hearing adjourned at 6:34 p.m.)

1 STATE OF MINNESOTA)
2) ss.
2 COUNTY OF RAMSEY)

3
4
5

6 REPORTER'S CERTIFICATE

7
8

9 I, Christine Simons, do hereby
10 certify that the above and foregoing transcript,
11 consisting of the preceding 30 pages is a
12 correct transcript of my stenographic notes, and is
13 a full, true and complete transcript of the
14 proceedings to the best of my ability.

15 Dated September 15, 2025.

16
17
18

19 /s/ Christine Simons
20 CHRISTINE SIMONS
21 Registered Merit Reporter
22 Registered Professional Reporter

23
24
25

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