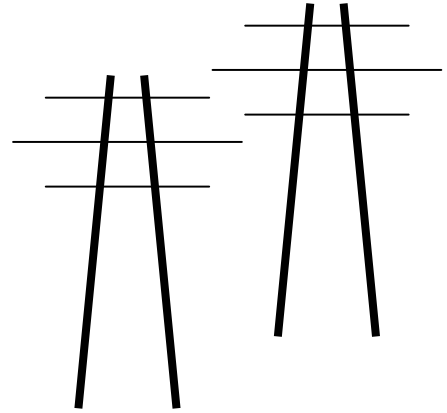


Legalelectric, Inc.

Carol Overland Attorney at Law, MN #254617
Energy Consultant—Transmission, Power Plants, Nuclear Waste
overland@legalelectric.org

1110 West Avenue
Red Wing, Minnesota 55066
612.227.8638



September 30, 2016

Daniel P. Wolf, Executive Secretary
Minnesota Public Utilities Commission
121 Seventh Place East, Suite 350
Saint Paul, MN 55101-2147

RE: In the Matter of the Clearbrook to Clearbrook-West 115 kV Transmission Line
PUC Docket: ET6/TL-14-665

Dear Mr. Wolf:

On behalf of the Erie-Bourdeaux Family Revocable Trust, attached please find comments on Minnkota Power Cooperative's request for withdrawal of the Clearbrook-Clearbrook West transmission line application.

The Erie-Bourdeaux Trust appreciates and supports withdrawal of this transmission application, with prejudice. These landowners should be removed from transmission limbo.

Thank you for your consideration.

Very truly yours,

Carol A. Overland
Attorney at Law

Enclosure: Comment and Attachment A – map of existing and proposed pipeline and transmission routes on Erie-Bourdeaux property

cc: Erie-Bourdeaux Family Revocable Trust

**STATE OF MINNESOTA
BEFORE THE
MINNESOTA PUBLIC UTILITIES COMMISSION**

**Beverly Jones Heydinger
Nancy Lange
Dan Lipschultz
Matt Schuerger
John A. Tuma**

**Chair
Commissioner
Commissioner
Commissioner
Commissioner**

In the Matter of the Clearbrook to Clearbrook-West 115 kV Transmission Line
PUC Docket: ET6/TL-14-665

COMMENT OF THE ERIE-BOURDEAUX FAMILY REVOCABLE TRUST

On behalf of the Erie-Bourdeaux Family Revocable Trust above-named (hereinafter “Erie-Bourdeaux Trust”), thank you for the opportunity to make this Comment on the request of Minnkota Power Cooperative, Inc. (hereinafter “Minnkota”) to withdraw its Route application for the Sandpiper Pipeline support transmission project known as the Clearbrook to Clearbrook West 115 kV HVTL Transmission Line (hereinafter “Clearbrook”). These Comments are offered as provided by Minn. R. 7829.0430 and Minn. R. 1400.6600 and the Commission’s Notice of September 19, 2016.

On September 13, 2016, Minnkota filed a request to withdraw the Clearbrook route application. The Erie-Bourdeaux Trust appreciates Minnkota’s prompt request for withdrawal, and supports withdrawal of the Clearbrook application. The Minnkota request was filed shortly after the NDPC/Enbridge request to withdraw the Applications for the Sandpiper pipeline, which

has now been certified to the Commission.¹ Shortly after the NDPC request for withdrawal, the Earie-Bourdeaux Trust filed a Comment and request in the Sandpiper and Clearbrook dockets to similarly withdraw the Clearbrook transmission project because this project provides electricity for the Sandpiper Clearbrook West tank farm and pumping station. In its withdrawal filing, Minnkota stated that NDPC had requested that the Route Permit be withdrawn and acknowledged the link between Sandpiper and Clearbrook, stating that because the transmission line would provide power for the Sandpiper pipeline, “the transmission line for that specific load is not needed at this time.”² The need has been eliminated.

As the Commission considers this request for withdrawal, whether to approve, reject, or approve with conditions, we ask that the Commission recognize that the only justification for this project was in conjunction with the soon-to-be withdrawn Sandpiper pipeline project, that this transmission project to the Clearbrook West pumping station and tank farm was only for support of the Sandpiper pipeline, and with elimination of the Sandpiper pipeline from consideration, this transmission project should be eliminated as well, permanently eliminated by approval of withdrawal with prejudice.

I. THE WITHDRAWAL OF SANDPIPER AND FOCUS BY ENBRIDGE ON DAKOTA ACCESS PIPELINE MEANS THAT THE NEED FOR THIS PROJECT NO LONGER EXISTS – WITHDRAWAL SHOULD BE WITH PREJUDICE.

As above, the only need for the Clearbrook-Clearbrook West transmission line, according to the application, is specifically for electric power for the pumping station and the new

¹

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² Cover Letter, September 13, 2016.

Clearbrook West tank farm for the Sandpiper Pipeline:

North Dakota Pipeline Company, LLC is planning to construct a new pumping station west of Clearbrook, Minnesota, as part of the new Sandpiper Pipeline. North Dakota Pipeline Company, LLC has requested electric service for a pumping station from Clearwater-Polk Electric, a distribution cooperative and member-owner of Minnkota. This new facility is relatively large and is located in a rural area. The proposed Project will require a distribution voltage which is different than the typical distribution voltage for Clearwater-Polk Electric volts. To serve this load, Minnkota will design, procure, and construct approximately 5.3 miles of 115 kV HVTL, a 115 kV line switch to tap an existing line, and an industrial substation suitable to serve the load to be located directly adjacent to the pumping station.

Minnkota Clearbrook Application, p. 10.³

With the Sandpiper application is withdrawn, there is no Sandpiper pipeline, there is no need for a Clearwater tank farm or pumping station for the Sandpiper pipeline, there is no need for electrical service for a pumping station for the Sandpiper pipeline and tank farm at the parcel surrounded by the Erie-Bourdeaux Family Revocable Trust land. If the Sandpiper pipeline applications are withdrawn, there is no need, now or in the future, for the Clearbrook-Clearbrook West 115 kV transmission line. Withdrawal of the Sandpiper pipeline Certificate of Need and Route permits renders moot any need claim for the Clearbrook-Clearbrook West 115 kV transmission line.

Because the Sandpiper pipeline is to be withdrawn, and the reason for the Clearbrook-Clearbrook West 115kV transmission no longer exists, the Erie-Bourdeaux Trust requests that this Clearbrook transmission project be permanently withdrawn, with prejudice, to remove the specter of an overhead line on this property.

II. THE COMMISSION SHOULD APPROVE WITHDRAWAL WITH PREJUDICE BECAUSE THE ERIE-BOURDEAUX TRUST LAND IS

³

201511-115970-01	PUBLIC	14-665	<input type="checkbox"/>	TL	MINNKOTA POWER COOPERATIVE, INC.	INITIAL FILING- -PART 1 OF 4	11/25/2015
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OVERBURDENED WITH INFRASTRUCTURE

The Erie-Bourdeaux Trust supports withdrawal of this transmission route application, and ask that withdrawal be granted, with prejudice. The Trust asks that this withdrawal be “with prejudice” because this project has had a substantial impact on the land of the Erie-Bourdeaux Trust, an impact that, when added to the already existing pipeline infrastructure on this property, is an impossible to ignore intrusion. The impacts of this project on the land of the Erie-Bourdeaux trust are heightened due to the proposal to add an overhead transmission line where the land is already heavily burdened by pipelines.

The Clearbrook transmission project is “a 5.3 mile long 115 kV high voltage transmission line located in Leon and Pine Lake Townships, Clearwater County, MN (“Clearbrook-Clearbrook West”), and a new 115/41.6 kV substation in Pine Lake Township.”⁴ This Sandpiper dependent Clearbrook transmission line would cross land between Erie Lake and Klongerbo Lake, a narrow isthmus between two lakes where there are many pipelines, as shown in drawing submitted in the Clearbrook record. Exhibit A, attached.⁵ This short, relatively low voltage 115 kV line would have extreme impacts.

The Clearbrook West tank farm was proposed on land next to and surrounded on three sides by the Erie-Bourdeaux Family Revocable Trust land – they are overwhelmingly affected landowners due to the natural features of their property which form a “pinch point” through which these many pipelines and the proposed Clearbrook-Clearbrook West transmission line would be routed. Ex. A, attached. There is no other landowner affected by the Clearbrook

⁴ Minnkota’s Clearbrook-Clearbrook West 115 kV Transmission Project application, Cover Letter:

201511-115970-01	PUBLIC	14-665	<input type="checkbox"/>	TL	MINNKOTA POWER COOPERATIVE, INC.	INITIAL FILING- -PART 1 OF 4	11/25/2015
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⁵ See Exhibit A, Updated Drawing Showing Projects and Impacts to Erie-Bourdeaux Family Revocable Trust Property (attached).

transmission project, no other landowner as heavily encumbered by infrastructure, and there likely is no other landowner as heavily encumbered with pipeline infrastructure.

Because the only need for this project is linked to the Sandpiper pipeline, and the Sandpiper Certificate of Need and Route applications will be withdrawn, removing any need for this line. There would be no need for this project in the future, and because there is no foreseeable need, this application should be withdrawn with prejudice.

If the applications are withdrawn, it should only be allowed to be withdrawn with prejudice, so that people will not be in limbo, and will not have the specter of this project hanging over their heads forever. Equity requires that this permit, if withdrawn, be withdrawn with prejudice.

Again, thank you for the opportunity to present comments on Minnkota's request for Withdrawal of the Clearbrook route permit application.

September 30, 2016



Carol A. Overland #254617
Attorney at Law
1110 West Avenue
Red Wing, MN 55066
(612) 227-8638
overland@legalelectric.org

**UPDATED DRAWING SHOWING PROJECTS AND IMPACTS TO
ERIE-BOURDEAUX FAMILY REVOCABLE TRUST PROPERTY**

Erie - Bourdeaux Family
 Revocable Trust
 MN-CL-011.000
 MN-CL-014.000
 MN-CL-013.000

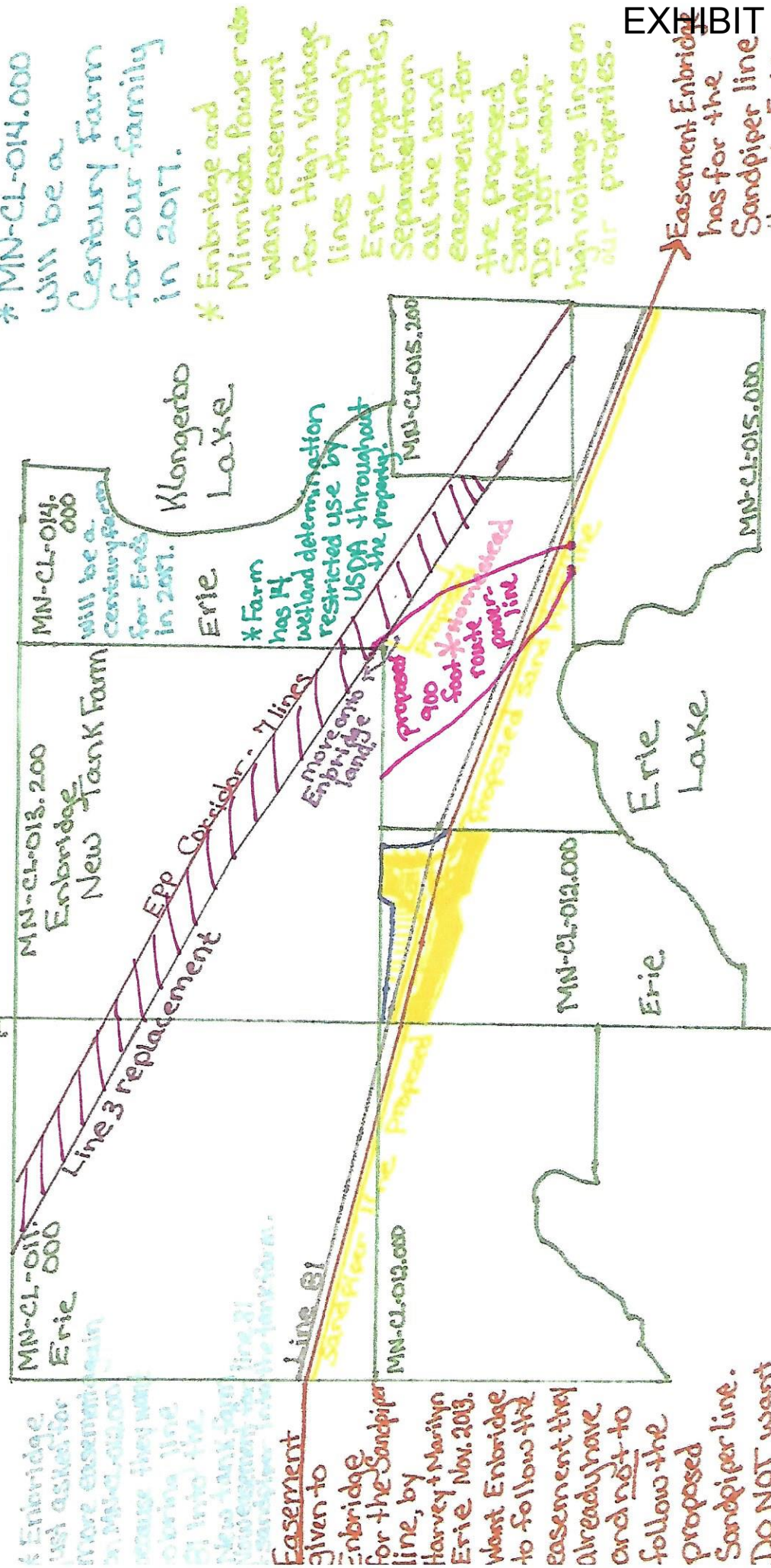
PUC Docket Numbers: PL-9/CN-14-916
 PL-9/PL-15-137
 CN-13-473
 PPL-13-474
 9a
 Docket # 14-665
 ET-6/12-14-665

*** Homestead on Old Farm**

* MN-CL-014.000 will be a Century Farm for our family in 2017.
 * Enbridge and Minnesota Power want easement for High Voltage lines through Erie properties, Separately from all the land easements for the proposed Sandpiper line. **DO NOT** want high voltage lines on our properties.

EXHIBIT A
 Easement Enbridge has for the Sandpiper line through Erie - Bourdeaux Family Revocable Trust Properties.

Yellow - Sandpiper proposed route
Orange - Easement already given for Sandpiper line
Silver - line 81
Darkred - line 3 replacement
Red - EPP corridor



Easement given to Enbridge for the Sandpiper line, by Harvey + Marilyn Erie Nov. 2013. Want Enbridge to follow the easement they already have and not to follow the proposed Sandpiper line. **DO NOT** want the Sandpiper Proposed line/centerline. Enbridge wants way to much easement for the Sandpiper line to go straight through, that easements Erie's already given easement for the Sandpiper Proposed line to happen, need to follow easement already have. needs to be honored and not to let the Sandpiper Proposed line to happen, need to follow easement already have.