

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

In the Matter of the Application for a
Route Permit for the Big Stone South to
Alexandria 345- kV Transmission
Project in West-Central Minnesota

**FIRST PREHEARING ORDER AND
ORDER GRANTING INTERVENTION
PETITION OF CEOS**

This matter came before Administrative Law Judge Christa L. Moseng for a telephone prehearing conference on February 24, 2025.

Christina K. Brusven, Fredrikson & Byron, P.A., appeared on behalf of Otter Tail Power Company and Western Minnesota Municipal Power Agency, through its agent, Missouri River Energy Services (together, Applicants). Richard Dornfeld, Assistant Attorney General, appeared on behalf of the Minnesota Department of Commerce Energy, Environmental Review, and Analysis (DOC-EERA). Abigail Hencheck appeared on behalf of the Clean Energy Organizations (CEOs).¹ Lee Hanson, attorney at law, appeared on behalf of interested landowners. Staff member Sam Lobby appeared on behalf of the Minnesota Public Utilities Commission (PUC or Commission).

Based upon the submissions of counsel and the hearing record,

IT IS HEREBY ORDERED:

1. **Parties.** The parties to this proceeding are the Applicant, DOC-EERA and CEOs.²

Service and Filing of Documents

2. **Service List.** A copy of this Prehearing Order shall be served according to the Service List maintained by the Commission. Thereafter, the Service List shall be established by the Office of Administrative Hearings. All documents filed in this contested case proceeding shall be served in accordance with the Office of Administrative Hearings Service List. Interested members of the public who are not on the service list are invited to receive notifications through the "Subscriptions" feature of the PUC's eFiling system. All other interested individuals shall subscribe to the docket on the PUC's eFiling system.

¹ Minnesota Center for Environmental Advocacy, Fresh Energy, and Clean Grid Alliance.

² The unopposed Petition for Intervention of the Clean Energy Organizations, filed Jan. 21, 2025, satisfies the requirements of Minn. R. 1405.0900 and is hereby granted.

Filing a notice of appearance does not place a person or group on the official service list, nor does it grant a person or group party status.

3. **eFiling.** Original documents shall be filed using the Commission's eFiling system where feasible, in accordance with Minn. Stat. § 216.17, subd. 3 (2024), and the Commission's standards. The parties are not required to file documents with the Office of Administrative Hearings. All public comments received by the Commission and at hearing shall be entered into eFiling for public review.

4. **Effective Time of Filing.** The effective date and time of filing shall be the date and time the document is filed and accepted into eFiling. Parties using the eFiling system should retain the unique document identifier as proof of filing through that system.

5. **Public Participation.** Members of the public are welcome and encouraged to attend and provide comment at the public hearings. Members of the public may receive notices of filings and access to public documents filed in the case by subscribing to the docket on the PUC's eFiling system at <https://www.edockets.state.mn.us/>. To subscribe, create a subscription after selecting the "Subscriptions" menu item in the eService menu. Upon subscribing to the docket, you will be provided with electronic notice of all filings, as well as access to the public documents filed in the case.

Procedural Schedule

6. Below is this proceeding's procedural schedule. The dates set forth below will only be modified by the Judge for good cause shown.

Milestone	Date
Environmental Impact Statement (EIS) scoping decision	March 28, 2025 (est.)
Intervention Deadline ³	April 25, 2025
Applicants' direct testimony	August 16, 2025
Draft EIS issued	September 4, 2025
Rebuttal testimony	September 15, 2025
Surrebuttal Testimony	September 22, 2025
In-person and remote public hearings on Draft EIS and Application	September 30, October 1 and 2, 2025
Evidentiary Hearing	October 8 – 9, 2025

³ "Timeliness will be determined by the administrative law judge in each case based on circumstances at the time of filing." Minn. R. 1405.0900, subp. 1.

Milestone	Date
Close of public comment period	October 20, 2025
Initial post-hearing briefs, applicant responses to hearing comments, and proposed findings of fact	November 24, 2025
Final EIS issued	December 19, 2025
Final EIS adequacy comment deadline, post-hearing reply briefs, and replies to Applicants' Proposed Findings	January 16, 2026
Administrative Law Judge report issued	February 20, 2026
Exceptions to ALJ's Report	March 9, 2026
MPUC meeting	April 2026 (tentative)

7. **Official Record.** The documents filed in eFiling constitute the official record of the proceeding, including any public comments submitted.

Public Hearings

8. **Order of Presentation.** The Judge shall conduct the public hearings. At the start of the hearing, the Applicant shall prepare a short presentation describing the project, the Application, and the Amendments to the Application. Next, the DOC-EERA will have the opportunity to summarize its Environmental Assessment and Supplemental Environmental Assessment. Thereafter, the Judge will open the floor for public comments. Representatives from the Applicant and the DOC-EERA, as well as at least one Commission staff member shall be present to address questions from members of the public and interested parties.

9. **Court Reporter.** Commission staff shall arrange for a court reporter to be present at both public hearings. Transcripts of the hearings shall be provided to the Judge, the parties, and the Commission. Transcripts of the hearing shall also be filed in eFiling as part of the official record of the public hearings.

Comments

10. **Public Comments.** Public comments may be submitted: (1) electronically using the PUC's eDocket system; (2) by hand delivery or U.S. Mail addressed to the Public Utilities Commission Office in St. Paul, MN; and (3) offered orally or in writing at the public hearing. Persons who provide oral comments at the hearing will also be invited to submit their written comments as an exhibit in the hearing record. The Notice of Public Hearing shall provide detailed instruction on how to submit public comments.

11. **Deadline.** All comments regarding the Application or Draft EIS must be received **by 4:30 p.m. on October 20, 2025**. Comments on the adequacy of the Final EIS must be received **by 4:30 p.m. on January 16, 2026**. Late comments may not be included in the Judge's Report and may not be considered by the Commission.

Requests for Accommodation and Contact with Judge

12. **Accommodations or Interpreters.** Any person requesting accommodations for disability or interpreters shall contact the Commission in writing at least one week prior to the public hearing. The Commission shall be responsible for providing all necessary accommodations and interpreters.

13. **Contact with Judge.** Ex parte contact with the Judge is strictly prohibited. Procedural questions or concerns can be directed to Judge Moseng's legal assistant, Cara Hunter at cara.hunter@state.mn.us. Communications directed to the Judge must include all other parties.

Dated: February 25, 2025



CHRISTA MOSENG
Administrative Law Judge

February 25, 2025

See Attached Service List

Re: *In the Matter of the Application for a Route Permit for the Big Stone South to Alexandria 345- kV Transmission Project in West-Central Minnesota*

**OAH 22-2500-40506
MPUC E-017,ET-10/TL-23-160**

To All Persons on the Attached Service List:

Enclosed and served upon you is the Administrative Law Judge's **FIRST PREHEARING ORDER AND GRANTING INTERVENTION PETITION OF CEOS** 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 for a Route Permit for the Big Stone South to Alexandria 345- kV Transmission Project in West-Central Minnesota	OAH Docket No.: 22-2500-40506 MPUC E-017,ET-10/TL-23-160
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On February 25, 2025, a true and correct copy of the **FIRST PREHEARING ORDER AND GRANTING INTERVENTION PETITION OF CEOS** was served by eService, and United States mail, (in the manner indicated on the attached service list) to the following individuals:

#	First Name	Last Name	Email	Organization	Agency	Address	Delivery Method	Alternate Delivery Method	View Trade Secret	Service List Name
1	Katherine	Arnold	katherine.arnold@ag.state.mn.us		Office of the Attorney General - Department of Commerce	445 Minnesota Street Suite 1400 St. Paul MN, 55101 United States	Electronic Service		No	23-160Official CC Service List
2	Jon	Brekke	jbrekke@greenergy.com	Great River Energy		12300 Elm Creek Boulevard Maple Grove MN, 55369-4718 United States	Electronic Service		No	23-160Official CC Service List
3	Christina	Brusven	cbrusven@fredlaw.com	Fredrikson Byron		60 S 6th St Ste 1500 Minneapolis MN, 55402-4400 United States	Electronic Service		No	23-160Official CC Service List
4	Generic	Commerce Attorneys	commerce.attorneys@ag.state.mn.us		Office of the Attorney General - Department of Commerce	445 Minnesota Street Suite 1400 St. Paul MN, 55101 United States	Electronic Service		No	23-160Official CC Service List
5	Richard	Dahl	richard.dahl@mrenergy.com	Missouri River Energy Services		3724 West Avera Drive Sioux Falls SD, 57108 United States	Electronic Service		No	23-160Official CC Service List
6	Richard	Dornfeld	richard.dornfeld@ag.state.mn.us		Office of the Attorney General - Department of Commerce	Minnesota Attorney General's Office 445 Minnesota Street, Suite 1800 Saint Paul MN, 55101 United States	Electronic Service		No	23-160Official CC Service List
7	Bridget	Duffus	bduffus@fredlaw.com	Fredrikson & Byron, P.A.		60 S Sixth St Ste 1500 Minneapolis MN, 55402-4400 United States	Electronic Service		No	23-160Official CC Service List
8	Robert M.	Endris	rendris@otpc.com	Otter Tail Power Company		215 South Cascade St. Fergus Falls MN, 56537 United States	Electronic Service		No	23-160Official CC Service List
9	Sharon	Ferguson	sharon.ferguson@state.mn.us		Department of Commerce	85 7th Place E Ste 280 Saint Paul MN, 55101-2198 United States	Electronic Service		No	23-160Official CC Service List
10	Jessica	Fyhrie	jfyhrie@otpc.com	Otter Tail Power Company		PO Box 496 Fergus Falls MN, 56538-0496 United States	Electronic Service		No	23-160Official CC Service List
11	Barton	Gernander	bgernander@burnshansen.com			8401 Wayzata Blvd., Ste. 300 Minneapolis MN, 55426 United States	Electronic Service		No	23-160Official CC Service List
12	Erik	Gravley	egravley@earthlink.net			3871 Woodsmen Ln SW Alexandria	Electronic Service		No	23-160Official CC Service List

#	First Name	Last Name	Email	Organization	Agency	Address	Delivery Method	Alternate Delivery Method	View Trade Secret	Service List Name
						MN, 56308 United States				
13	Amber	Grenier	agrenier@otpc.com	Otter Tail Power Company		215 S. Cascade St. Fergus Falls MN, 56537 United States	Electronic Service		No	23-160Official CC Service List
14	Adam	Heinen	aheinen@dakotaelectric.com	Dakota Electric Association		4300 220th St W Farmington MN, 55024 United States	Electronic Service		No	23-160Official CC Service List
15	Abigail	Hencheck	ahencheck@mncenter.org	Minnesota Center for Environmental Advocacy		1919 University Ave W Suite 515 St. Paul MN, 55104 United States	Electronic Service		No	23-160Official CC Service List
16	Lori	JohnsonWarner	lori.johnson@earthlink.net			18198 145th St. NW Elk River MN, 55330 United States	Electronic Service		No	23-160Official CC Service List
17	Nick	Kaneski	nick.kaneski@enbridge.com	Enbridge Energy Company, Inc.		11 East Superior St Ste 125 Duluth MN, 55802 United States	Electronic Service		No	23-160Official CC Service List
18	James D.	Larson	james.larson@avantenergy.com	Avant Energy Services		220 S 6th St Ste 1300 Minneapolis MN, 55402 United States	Electronic Service		No	23-160Official CC Service List
19	Benjamin	Levine	blevine@mnpower.com	Minnesota Power		30 West Superior Street Duluth MN, 55802 United States	Electronic Service		No	23-160Official CC Service List
20	Patrick	Mahlberg	pmahlberg@fredlaw.com	Fredrikson & Byron, P.A.		60 S Sixth St Ste 1500 Minneapolis MN, 55402-4400 United States	Electronic Service		No	23-160Official CC Service List
21	Kavita	Maini	kmains@wi.rr.com	KM Energy Consulting, LLC		961 N Lost Woods Rd Oconomowoc WI, 53066 United States	Electronic Service		No	23-160Official CC Service List
22	Andrew	Moratzka	andrew.moratzka@stoel.com	Stoel Rives LLP		33 South Sixth St Ste 4200 Minneapolis MN, 55402 United States	Electronic Service		No	23-160Official CC Service List
23	Christa	Moseng	christa.moseng@state.mn.us		Office of Administrative Hearings	P.O. Box 64620 Saint Paul MN, 55164-0620 United States	Electronic Service		Yes	23-160Official CC Service List
24	Matthew	Olsen	molsen@otpc.com	Otter Tail Power Company		215 South Cascade Street Fergus Falls MN, 56537 United States	Electronic Service		No	23-160Official CC Service List
25	Kevin	Pranis	kpranis@liunagroc.com	Laborers' District Council of MN and ND		81 E Little Canada Road St. Paul MN, 55117 United States	Electronic Service		No	23-160Official CC Service List

#	First Name	Last Name	Email	Organization	Agency	Address	Delivery Method	Alternate Delivery Method	View Trade Secret	Service List Name
26	Generic Notice	Regulatory	regulatory_filing_coordinators@otpc.com	Otter Tail Power Company		215 S. Cascade Street Fergus Falls MN, 56537 United States	Electronic Service		No	23-160Official CC Service List
27	Generic Notice	Residential Utilities Division	residential.utilities@ag.state.mn.us		Office of the Attorney General - Residential Utilities Division	1400 BRM Tower 445 Minnesota St St. Paul MN, 55101-2131 United States	Electronic Service		No	23-160Official CC Service List
28	Stephan	Roos	stephan.roos@state.mn.us		Minnesota Department of Agriculture	625 Robert St N Saint Paul MN, 55155-2538 United States	Electronic Service		No	23-160Official CC Service List
29	J.P.	Schumacher	jps@mrenergy.com	Missouri River Energy Services		null null, null United States	Electronic Service		No	23-160Official CC Service List
30	Christine	Schwartz	regulatory.records@xcelenergy.com	Xcel Energy		414 Nicollet Mall FL 7 Minneapolis MN, 55401-1993 United States	Electronic Service		No	23-160Official CC Service List
31	Will	Seuffert	will.seuffert@state.mn.us		Public Utilities Commission	121 7th Pl E Ste 350 Saint Paul MN, 55101 United States	Electronic Service		No	23-160Official CC Service List
32	Janet	Shaddix Elling	jshaddix@janetshaddix.com	Shaddix And Associates		7400 Lyndale Ave S Ste 190 Richfield MN, 55423 United States	Electronic Service		Yes	23-160Official CC Service List
33	Dalah	Smith	jjsmithmn@gmail.com			4972 Broadmoor Drive Independence MN, 55359 United States	Electronic Service		No	23-160Official CC Service List
34	Cary	Stephenson	cstephenson@otpc.com	Otter Tail Power Company		215 South Cascade Street Fergus Falls MN, 56537 United States	Electronic Service		No	23-160Official CC Service List
35	Stuart	Tommerdahl	stommerdahl@otpc.com	Otter Tail Power Company		215 S Cascade St PO Box 496 Fergus Falls MN, 56537 United States	Electronic Service		No	23-160Official CC Service List
36	Amelia	Vohs	avohs@mncenter.org	Minnesota Center for Environmental Advocacy		1919 University Avenue West Suite 515 St. Paul MN, 55104 United States	Electronic Service		No	23-160Official CC Service List
37	Stacy	Wahlund	swahlund@otpc.com	Otter Tail Power Company		215 S. Cascade St Fergus Falls MN, 56537 United States	Electronic Service		No	23-160Official CC Service List
38	Jason	Weiers	jweiers@otpc.com	Otter Tail Power Company		215 South Cascade Street PO Box 496 Fergus Falls	Electronic Service		No	23-160Official CC Service List

#	First Name	Last Name	Email	Organization	Agency	Address	Delivery Method	Alternate Delivery Method	View Trade Secret	Service List Name
						MN, 56538 United States				
39	Brian	Zavesky	brian.zavesky@mrenergy.com	Missouri River Energy Services		3724 West Avera Dr PO Box 88920 Sioux Falls SD, 57108 United States	Electronic Service		No	23-160Official CC Service List