

MINNESOTA POWERLINE CONSTRUCTION ORAL HISTORY PROJECT

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NARRATOR**

**EDWARD P. NELSON
INTERVIEWER**

MINNESOTA HISTORICAL SOCIETY

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MINNESOTA HISTORICAL SOCIETY

ORAL HISTORY OFFICE

Cover photograph by Robert Sheldon, courtesy of Cooperative Power Association.

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PREFACE

The Minnesota Historical Society has been collecting oral history for many years, dating to J. Fletcher Williams' interviews with territorial pioneers in the 1860s and 1870s. In 1949, Lucile M. Kane undertook a series of interviews on lumbering in the St. Croix River Valley, which became the foundation of the modern oral history collection.

The Society's oral history program was formalized in 1967 with the creation of the Oral History Office, headed by Lila Johnson Goff. Among major projects completed since that time are those concerning environmental issues, the Minnesota farm economy, the state's resort and recreation industry, Minnesota business, and interviews with representatives of a number of groups that immigrated to Minnesota during the past thirty years.

The Minnesota Powerline Construction Oral History Project represents the Society's largest single venture in the documentation of current events. The project was begun in October, 1977 and continued through December, 1979. A single researcher and interviewer was employed during the project's two-year duration. Edward P. Nelson performed all of the basic research, maintained project files, and conducted all of the interviews. He framed interview questions in consultation with James E. Fogerty, who participated in several interviews concerning electric utility operations.

Research for the Minnesota Powerline Construction Oral History Project began early in 1977, and included preliminary interviews with individuals on all sides of the issues. It also included review of local and regional newspapers and radio broadcasts for the preceding two years to provide background for the project and the interviewers. In addition, data was gathered from the Rural Electrification Administration and other federal agencies, from Minnesota state government, and from the utilities. Included were transcripts of public hearings, copies of relevant legislation, maps, and special reports. At the same time, project personnel were placed on the mailing lists of protest organization newsletters, and received notices of their meetings.

Narrators were carefully selected from long lists of those representing all major viewpoints, and the final group included farmers and townspeople from the affected areas, both opponents and proponents of the line; state officials from the Department of Natural Resources, the Minnesota Environmental Quality Board, and the Governor's Office; officers and board members of the cooperatives building the line as well as from retail electric cooperatives; a county sheriff; and several state legislators. The interviews varied with the nature of each narrator's involvement in the controversy, but all were correlated to provide a firm base for comparison of views and motivation.



POWERLINE PROJECT PROTESTERS AND THE STATE PATROL

INTRODUCTION

With the establishment of the Rural Electrification Administration (REA) in 1935, the United States government gave strong impetus to the development of electric power distribution networks for rural America. Formed to provide low cost loans to develop those networks, the REA has distributed nearly \$20 billion through direct and guaranteed loans in support of cooperative and other public power projects.

Until the mid-1960s, power channeled to customers of the electric cooperatives was largely purchased by them from investor-owned utilities and from federal power projects. The expanding threat of an energy shortage led the retail power cooperatives to pool their resources by forming generation and transmission cooperatives to provide them wholesale power. Projected power shortages and the lack of firm guarantees for purchased power in turn led the generation and transmission cooperatives to construct their own power generating facilities.

Most of Minnesota's retail electric cooperatives are served by one of two generation and transmission organizations: United Power Association (UPA) and Cooperative Power Association (CPA). Both UPA and CPA have since merged into Great River Energy.

United Power, with headquarters thirty-five miles northwest of Minneapolis in Elk River, is the older of the two organizations. It was formed in 1963 by the Rural Cooperative Power Association and the Northern Minnesota Power Association to construct and operate a 166 megawatt coal-fired generating plant near Stanton, North Dakota. In 1972, UPA became the survivor of a merger with its two parent cooperatives. UPA wholesales power to fifteen retail cooperatives serving 175,000 customers in twenty-three Minnesota counties.

Cooperative Power Association, headquartered in the Minneapolis suburb of Edina, was created in 1956 to supply wholesale power to the 135,000 customers of nineteen retail cooperatives in southern and western Minnesota. CPA did not operate any generating facilities prior to 1979.

In 1972, UPA and CPA undertook a feasibility study covering construction of a major generating facility. In 1973, the two cooperatives announced plans to construct a coal-fired generating station near Underwood, North Dakota. The plant was designed to include two 550 megawatt generators, both of which are now in service. The location of the plant in an area well outside the cooperatives' service area was dictated by its proximity to North Dakota's lignite fields, in particular to the North American Coal Corporation's Falkirk Mine. Lignite is a low-grade coal, and cannot be transported economically to distant generating stations as, for instance, can

western low-sulfur coal from Wyoming's Powder River Basin. One simply needs more lignite per kilowatt hour, and the costs of transport generally outpace the benefits of the fuel's initially lower cost.

The Underwood facility is a mine-mouth plant, called the Coal Creek Station, and was designed, together with a 400 kilovolt direct-current transmission line, to produce power for market in Minnesota. The line stretches 425 miles from the plant to a converting station at Dickinson, a town 17 miles west of Minneapolis; 170 of those miles cross nine western and central Minnesota counties and include a total of 659 towers placed at intervals of one-quarter mile on the property of 476 landowners. Western Minnesota is rich agricultural country, heavily planted with corn, wheat, soybeans, and sugar beets, and the powerline route passes through the heart of this land.

Easements for construction of the line were obtained without problem in North Dakota, and in Minnesota's Traverse County. Arrival of the cooperatives' easement agents in Grant and Pope counties, however, provoked a storm of protest over the powerline route, and for the first time its construction became widely controversial. Failing to secure easements from landowners and some county boards, the cooperatives asked the State of Minnesota to route the line. The decision to allow this change brought the state and its officials into the controversy.

Initial development of the line had been preceded by two years of hearings—on corridor selection, routing within the corridor, and finally before county commissions in the areas affected. In all, thirty-three meetings were held in North Dakota and forty-eight in Minnesota. By 1977, when the Minnesota Historical Society organized the Minnesota Powerline Construction Oral History Project, it was obvious that local resentment against the line had become a major issue within the state, although its future national importance was not yet apparent. Resentment was triggered by the line's placement, which the protesters felt had not been adequately reviewed by those whose land was directly affected; and by concern over rapid escalation of the power plant's cost, from an initial estimate of \$537 million to a later figure of nearly \$1.2 billion. Costs were driven up in part by higher than expected inflation rates, by increasingly stringent federal and state environmental and siting laws, and ultimately by costs attributable to the protest itself.

Additional frustration was created by cumbersome review processes, and by what many protesters saw as excessive concern by the federal and Minnesota state governments for wildlife areas and highway right of way at the expense of protection for productive farmland. In addition to local and state governments, the controversy involved political parties, churches, civic organizations, and businesses in communities throughout west central Minnesota. Several candidates used the powerline issue as a major platform in their campaigns for state office. Attorneys for both sides engaged in a series of protracted legal battles, the legislature was asked for changes in powerline siting laws, and the Governor met pressure and opposition from all

sides. The state patrol confronted protesters in the fields, and the destruction of utility equipment and powerline towers became an expensive crisis and an issue in itself.

The Powerline Construction Oral History Project succeeded in large part because those operating it were outsiders, without a stake in the outcome and without evident bias. Maintaining objectivity is not simple, especially when one is documenting a highly emotional issue, but as emotions rise objectivity is all the more necessary to the maintenance of interview discipline. The careful structure and execution of the powerline project has paid dividends; in 1981 it is already evident that the information available on tape would not have been preserved through any other means, and that it was gathered none too soon. Today would have been too late to capture quite what exists on tape.

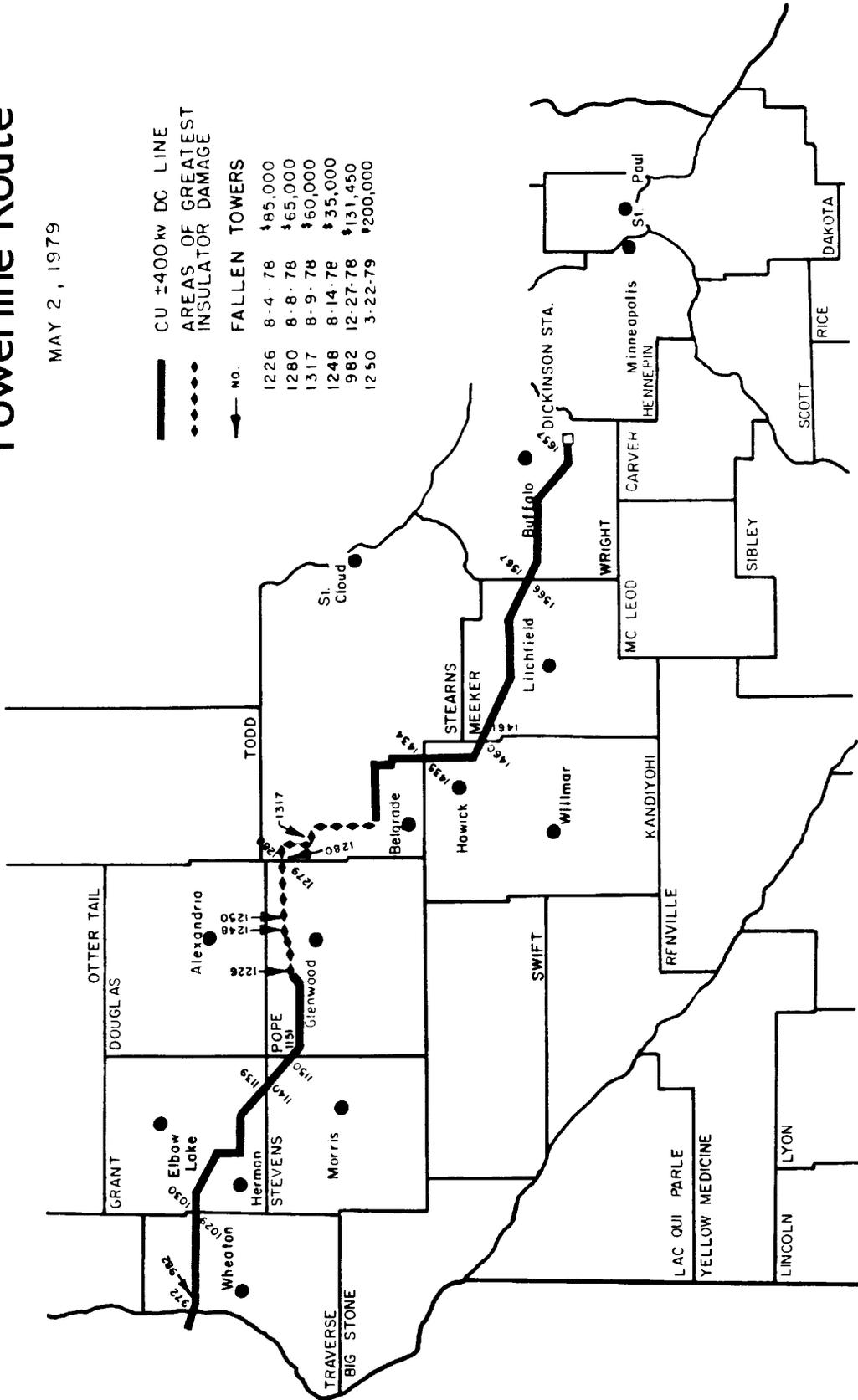
James E. Fogerty
Minnesota Historical Society
March 12, 1981

Updated November 2002

Powerline Route

MAY 2, 1979

| CU ±400kv DC LINE | AREAS OF GREATEST INSULATOR DAMAGE | FALLEN TOWERS |
|-------------------|------------------------------------|------------------------|
| — | ◆◆◆◆ | — NO. — |
| | | 1226 8-4-78 \$85,000 |
| | | 1280 8-8-78 \$65,000 |
| | | 1317 8-9-78 \$60,000 |
| | | 1248 8-14-78 \$35,000 |
| | | 982 12-27-78 \$131,450 |
| | | 1250 3-22-79 \$200,000 |



FREQUENTLY USED ABBREVIATIONS

| | |
|------------|---|
| CPA | Cooperative Power Association |
| CU Project | Short term for the powerline construction project. (“C” from CPA/”U” from UPA) |
| DFL | Democratic-Farmer-Labor Party—the Minnesota branch of the national Democratic Party |
| kV | kilovolt |
| MEQB | Minnesota Environmental Quality Board |
| MPIRG | Minnesota Public Interest Research Group |
| MW | megawatt |
| PCA | Minnesota Pollution Control Agency |
| REA | Rural Electrification Administration |
| UPA | United Power Association |

Powerline Protest Organizations

| | |
|--------|---|
| CO-REG | Coalition of Rural Environmental Groups |
| CURE | Counties United for a Rural Environment |
| FACT | Families Are Concerned Too |
| GASP | General Assembly to Stop the Powerline |
| KTO | Keep Towers Out |
| NP | No Powerlines |
| SOC | Save Our Countryside |
| SURE | States United for a Rural Environment |

CHRONOLOGY OF COAL CREEK PROJECT*

1972

- Mid-year CPA and UPA began discussing the possibility of the two cooperatives jointly constructing a major generating complex.
- October REA completes CPA and UPA Power Requirements Study.
- November 2 CPA and UPA authorize the firm of Burns and McDonnell to prepare feasibility studies and analyses for a joint power supply project to fulfill requirements through 1982.

1973

- May 19 Minnesota Environmental Quality Council created.
- May 23 Minnesota Power Plant Siting Act enacted.
- July 15 Feasibility study completed by Burns and McDonnell.
- July 27 CPA and UPA sign "Memorandum of Understanding."
- July 31 Environmental analysis of plant prepared by Burns and McDonnell.
- September 14 Environmental Report on Transmission System prepared by Commonwealth Associates.
- October 2 Draft Federal environmental impact statement issued by the REA and sent to all cognizant Federal and State agencies. No public hearings were held by the Administrator.
- October Coal Creek project exempted from Minnesota Power Plant Siting Act.
- November 29 CPA and UPA applied to REA for \$82,887,000 in insured loan funds and to guarantee loan funds in the amount of \$453,792,000.
- December Black and Veatch employed as A&E contractor.

1974

- February 6 REA granted initial loan approval and guarantee in the amount of \$537 million.
- April 28 Minnesota Energy Agency created.
- April 1974 to March 1975
A total of 48 public meetings held in eight Minnesota counties.
- August 2 Rules under the Minnesota Power Plant Siting Act adopted.
- August 6 Final Federal environmental impact statement issued by the REA.
- September 11 CPA/UPA applied to the North Dakota State Department of Health for a construction permit.

* Taken from "Coal Creek: A Power Project with Continuing Controversies Over Costs, Siting, and Potential Health Hazards," Report by the Comptroller General of the United States, November 26, 1979.

October 3 Board of Directors of CPA resolved to apply to REA for \$96,000,000 in insured or guaranteed loan funds to meet capital costs of developing Falkirk coal mine.

October 14 CAP/UPA signed “Coal Sales Agreement with Falkirk Mining Company,” dated July 1, 1974.

October Planned generating plant construction start delayed to May 5, 1975.

November REA approved an additional loan guarantee for \$96,000,000 for CPA/UPA to finance the development of a coal mining operation.

1975

March 28 CPA/UPA applied to the State of Minnesota for corridor designation under the Power Plant Siting Act. This action was taken because some countries would not issue necessary permits.

April 9 The North Dakota Energy Conversion and Transmission Facility Siting Laws were enacted.

April 11 Construction permit issued by the North Dakota Department of Health.

May 5 Black and Veatch start generating plant construction.

September 30 Rules are adopted by the Minnesota Energy Agency concerning certificate of need.
Note: These rules were not promulgated until six months after CPA/UPA applied for corridor designation.

October 3 Minnesota issued CPA/UPA a permit of corridor compatibility.

October 6 CPA/UPA applied to the Minnesota Energy Agency for a certificate of need.

November 11 Contract issued for clearing North Dakota right of way.

November 12 Appeal on corridor designation was filed in Pope County District Court.

November 24 CPA/UPA filed an application for route designation and construction permit.

December 2 Appeal on corridor designation was filed in Grant County.

December 12 Contract issued for high voltage transmission line construction.

December 23 North Dakota siting regulations under the Energy Conversion and Transmission Facility Siting Act adopted.

1976

February Jurisdictional hearing in North Dakota on right of way.

February 25 Draft environmental impact statement issued by the Minnesota Department of Natural Resources.

March 6 North Dakota Public Service Commission assumes control over Coal Creek transmission system.

March 10 Grant County District Court dismisses appeal on corridor designation.

| | |
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| Spring | Planned construction start for transmission line in Minnesota. |
| April | Planned transmission line construction in North Dakota delayed until April 1977 |
| April 2 | Certificate of Need issued by Director Minnesota Energy Agency. Note: Need was determined about six months after the corridor had been approved. |
| May 5 | Final State environmental impact statement issued by Minnesota Department of Natural Resources. |
| May 5 | CPA/UPA apply for North Dakota DC route designation and construction permit. |
| June 3 | Route designation and construction permit issued by Minnesota Environmental Quality Council. |
| July - August | Appeals on line construction permit filed in Stearns, Grant and Traverse county district courts. |
| August 11 | District Court order prohibited CPA/UPA from doing any work or contacting landowners in Stearns County. |
| September | REA approved \$325,352,000 in additional loan guarantees for a new total of \$958,031,000. |
| October 4 | Appeal on line construction permit filed in Meeker County District Court. |
| October 21 | Temporary Injunction Order issued against plaintiffs. |
| October 27 | Action filed in U.S. District Court against the State of Minnesota. |
| November 8 | U.S. District Court action dismissed. |
| December 17 | Route designation and construction permit issued by the North Dakota PSC. |
| December 22 | CPA/UPA apply to U.S. Army Corps of Engineers for a water intake permit. |
| 1977 | |
| January | MHS Powerline Construction Oral History Project begins. |
| January 12 | A joint Minnesota House-Senate legislative hearing was held in St. Cloud to gather testimony on the powerline dispute. |
| February 3 | Minnesota legislative group persuades Governor Perpich to call in an outside mediator to help the opposing sides resolve the dispute. |
| March 1 | Minnesota Supreme Court consolidated seven powerline court cases into one to be heard by a panel of three district court judges. |
| March 16 | American Arbitration Association Vice President held his first mediation session with a delegation of powerline opponents and power cooperative officials. The session ended in an impasse. |
| March 22 | The three-judge District Court panel met to hear consolidated powerline cases. The panel ordered a halt to all surveying and construction activities on the CPA/UPA project in Minnesota. |
| April | Transmission line construction started in North Dakota. |

| | |
|--------------|---|
| April 22 | CPA/UPA applied to North Dakota PSC for an AC line route permit from Stanton to Coal Creek. The application process for this permit began on August 6, 1976. |
| May 2 | CPA/UPA applied to the U.S. Fish and Wildlife Service for a permit to cross a Federal wildlife refuge. |
| July 14 | The three-judge District Court panel unanimously ruled in favor of the power cooperatives in the consolidated powerline appeals. |
| August | Bid solicitation for constructing transmission line in Minnesota. |
| September 8 | North Dakota PSC issued a route permit for the Stanton to Coal Creek AC line. This process took 13 months to complete. |
| September 13 | Construction contract for Minnesota transmission line awarded. |
| September 30 | Minnesota Supreme Court ruled unanimously in favor of the power cooperatives in the consolidated powerline appeals. |
| October 25 | Restraining order issued which bars interference with powerline construction in six Minnesota counties. |
| November 1 | Transmission line construction started in Minnesota. |
| November 8 | Minnesota Department of Health released its study of public health and safety effects of high voltage lines. |
| November 13 | Powerline opponents filed a \$5 million damage suit in U.S. District Court against the power cooperatives, various state agencies in Minnesota and North Dakota, and various officials. |
| December 6 | North Dakota and Minnesota powerline opponents filed suit in U.S. District Court seeking a temporary restraining order halting further construction contending that the project failed to follow Federal environmental regulations. |
| December 15 | Powerline opponents in Minnesota agreed to demand that the Governor set up a science court. |
| December 20 | Powerline opponents decided not to support a science court unless a construction moratorium is included. |
| 1978 | |
| January | About 50 powerline opponents were arrested or cited for obstructing a legal process, damage to property, etc. |
| January 5 | Minnesota Governor Rudy Perpich authorized sending up to 175 state troopers to Pope County. |
| January 9 | U.S. District Judge denied powerline opponents' request for a temporary restraining order halting construction. All defendants except the utilities and the sheriffs were dismissed from the powerline opponents' damage suit. |
| January 13 | U.S. District Judge denied the powerline opponents' request for a temporary injunction against the sheriff and utilities. |

- March 9 CPA/UPA flew more than 90 people to visit a similar power line in Oregon. Although invited, scant interest was shown by protesters or Minnesota legislators. As of this date, over 70 people in Minnesota had been arrested as a result of protest.
- March 9 State troopers were withdrawn from powerline guard duties.
- April 17 Section 10 permit for the water intake facilities issued by the U.S. Army Corps of Engineers. Sixteen months expired between application and issuance.
- June 9 Permit to cross wildlife refuges issued by the U.S. Fish and Wildlife Services. Thirteen months expired between application and issuance.
- June 12 CPA/UPA engage private security force to guard line and equipment. At times this force numbered about 300 people.
- August 25 Minnesota Governor Rudy Perpich requested FBI assistance in investigating the attacks on powerline towers.
- October REA approved \$214,053,000 in additional loan guarantees, which when added to \$73,947,000 from pollution bond financing, made \$288 million in additional financing available for a new total of \$1,246,031,000.
- October 17 Transmission line energized for first test.
- December Between August 1978 and January 1979, five transmission towers were toppled and over 900 insulators damaged.
- 1979**
- January 10 Minnesota Governor Al Quie stated that the eminent domain law needs to be modified.
- January 14 CPA/UPA released private security force.
- March 1 A total of 3,155 insulators on the transmission line have been damaged.
- April 19 The Minnesota House passed a resolution on a 110-11 vote condemning the destruction of equipment on the high-voltage line and urging the Governor, the State Bureau of Criminal Apprehension and other law enforcement agencies to bring the violence and vandalism to a halt.
- May 9 Generating unit Number One first tested.
- June 25 Over 20 people testify as to health irritants attributed to the powerline at a meeting in Sauk Centre, Minnesota.
- June 28 Commercial operation of the Coal Creek plant delayed by a month due to faulty operation of coal pulverizers. As of this date, about 5,500 insulators have been damaged, mostly by gun fire.
- August 1 Coal Creek unit Number One put into commercial service.
- August Three powerline towers toppled by vandals.
- December MHS Powerline Construction Oral History Project Completed.

1980

October Powerline ownership transferred to REA.

Five powerline towers toppled by vandals during the year.

LIST OF NARRATORS*

- Anderson, Charles L. President, board of directors of Cooperative Power Association. Farmer from Litchfield, Meeker County. Recorded February 14, 1979.
- Anderson, Willard. Manager, Agralite Cooperative, Benson, Swift County. Recorded January 3, 1978.
- Banks, Robert S. Minnesota Department of Health. Author of health study report on powerline construction. Recorded March 13, 1978
- Barsness, Nancy C. Farmer from Cyrus, Pope County. Freelance reporter on powerline issues for KMRS Radio and several newspapers in Pope County. Recorded February 20 and June 5, 1979.
- Berg, Charles. State Senator and farmer from Chokio, Stevens County. Recorded June 13, 1977.
- Bradley, Wendell. Professor of physics and environmental science, Gustavus Adolphus College in St. Peter, Sibley County. Member of CO-REG. Recorded March 19, 1978.
- Brooks, Ronnie. Aide to Governor Rudy Perpich. Governor's representative to the MEQB. Recorded August 8, 1979
- Crocker, George. Powerline opponent and long-time anti-war activist. Resident of Lowry, Pope County, during the powerline protest. Recorded February 21, 1979.
- Emmons, Ira Dale. Pope County sheriff, Glenwood. Recorded April 29, 1977.
- Fjoslien, David. State Representative and farmer from Douglas County. Recorded February 1, 1978.
- Fuchs, Virgil and Jane H. Farmers and protest leaders from Belgrade, Stearns County. Recorded December 6, 1977.
- Gelbman, James. MPIRG Coordinator from University of Minnesota-Morris. Recorded December 8, 1978.
- Hagen, Harold. Farmer from Pope County and president of CURE. Recorded June 1, 1977.
- Hanson, Richard A. Farmer and university student from Pope County. Manager of Alice Tripp's gubernatorial campaign in 1978. Recorded February 14, 1979.

* Listed occupation and place of residence for each narrator is current as of December 31, 1979.

Hartman, Lawrence B. Project Manager for MEQB. Managed siting process for the CU Project. Recorded February 27, 1978, and April 6, 1979.

Hayenga, Wallace. Staff Assistant at Blue Earth-Nicollet-Faribault Cooperative Electric Association, Mankato, Blue Earth County. Recorded March 14, 1978.

Hedner, Gordon and Helen B. Farmers from Pope County; members of FACT. Recorded April 5, 1977.

Hirsch, Merle N. Professor of Physics and Chairman of the Science and Mathematics Division, University of Minnesota-Morris. Recorded February 20, 1979.

Jacobson, Donald G. Public Relations Manager, United Power Association. Recorded August 24 and August 30, 1978.

Jenks, Scott and Lorraine. Farmers in Pope County. Members of FACT. Recorded April 20, 1977.

Jost, Paul J. Vice-President, board of directors of Cooperative Power Association. Member, board of directors of Agralite Cooperative. Farmer near Morris, Stevens County. Recorded February 14, 1979.

Koudela, Carolyn. Farmer from Alexandria, Douglas County. President, SOC. Recorded February 21, 1979

Lennick, Ted V. General Manager, Cooperative Power Association. Recorded September 12 and September 19, 1978.

Martin, Philip O. General Manager, United Power Association. Recorded July 27 and August 2, 1978.

Millhone, John. Director, Minnesota Energy Agency; member of MEQB. Recorded April 10, 1978.

Nelson, C. David. Pope County attorney. Recorded April 22, 1977.

Nelson, James. Farmer and protest leader from Grant County. Member SOC and NP. Recorded May 31, 1977.

Olhoft, Wayne. State Senator from Herman, Grant County. Recorded December 29, 1977.

Olson, Donald. Powerline opponent, protest organizer, and long-time anti-war and anti-nuclear activist from Minneapolis. Recorded April 18, 1978.

Pick, Deborah. Powerline opponent and anti-nuclear activist. Resident of Lowry, Pope County, during the powerline protest. Recorded February 13, 1979.

Richardson, Hervey. Retired farmer and member of Agralite Cooperative board of directors. Recorded December 7, 1977.

Rutledge, Dennis and Nina H. Farmers from Lowry, Pope County. Members of FACT and SOC. Recorded December 6, 1978.

Schrom, Ed. State Senator and farmer from Albany, Stearns County. Recorded February 1, 1978.

Schumacher, Wayne. Former State Representative and farmer from Glenwood, Pope County. Recorded May 31, 1977.

Sheldon, Robert. Public Relations Manager, Cooperative Power Association. Recorded August 7, 1979.

Sieling, Louis. Farmer from Perham, Otter Tail County, and director of Lake Region Cooperative Electrical Association. Recorded May 18, 1977.

Stone, John R. Editor, *Pope County Tribune*. Recorded February 21, 1979.

Strand, Roger E. State Senator and farmer from Pope County. Recorded February 2, 1978.

Tollefson, Paul. Farmer and powerline supporter from Northfield, Rice County. Recorded March 20, 1978.

Torborg, Rev. Elmer. Catholic priest and director of Rural Life Office, Sauk Centre, Stearns County. Recorded January 4, 1978.

Tripp, Alice. Protest leader, candidate for Governor in 1978, and farmer from Belgrade, Stearns County. Member KTO, CURE, SURE. Recorded December 6, 1977.

Vanderpoel, Peter. Director, State Planning Agency and MEQB. Recorded March 17, 1978.

Wald, Kenneth. Environmental use planner for the State Department of Natural Resources. Recorded March 24, 1978.

Woida, Math and Gloria B. Farmers and powerline opponents from Sauk Centre, Stearns County. Recorded February 13, 1979.

THE INTERVIEW

Roger E. Strand
Narrator

Edward P. Nelson
Interviewer

February 2, 1978

EN: Today is February 2, 1978 and I'm at the office of Senator Roger Strand, Democratic Senator from District 15, Cyrus, Minnesota. My name is Ed Nelson. Senator Strand, what's your home town?

RS: My hometown is Cyrus Minnesota. I live on a farm about nine miles northwest of Cyrus and I've lived there all my life.

EN: And your occupation prior to being elected?

RS: Primarily it was helping out on the farm and also working the year or two before election about eight and a half months a year at the U.S. Central Experiment Station in Morris, in agricultural research on the plat crew.

EN: How long have you been in Legislature?

RS: I was elected in November of 1976 so it's been about thirteen months right now.

EN: What committees have you served on?

RS: Right now I serve on the...this being the second year of the Legislature, I'm still serving on the original committee assignments I received in 1977, and they are ag [agricultural] and natural resources number one, number two education, number three governmental operations and number four judiciary. Those are the committees that I serve on. I also serve on the one commission, which is the legislative commission on pensions and retirements.

EN: Which of these have been involved in powerline legislation and related matters?

RS: Ag and natural resources, of course, was the committee. The environmental protection committee or sub-committee of ag and natural resources was the one that spent most of the time in the Senate on the powerline legislation in 1977. They held quite a few hearings. I was not a member of that sub-committee, however, I did attend and sit in on quite a few meetings that they did have.

EN: What legislation were you involved in a little more specifically to do with the powerline?

RS: I introduced various bills in 1977 related to some of the powerline questions. It was a decision made by the committee chairman that all powerline legislation introduced by various

Senators would be merged into one specific bill. So we wouldn't pass Senator Strand's powerline legislation and then look at Senator Olhoft's. We let it all go into one big picture, so to speak. I had various bills that were introduced and I also was somewhat active on the committee level introducing amendments and so forth. Basically, I introduced bills in section lines, re-routing, different types of hearings to be held. But most of that was just preliminary to the real big job that was done on the committee level, especially in the subcommittee, looking at these things. I remember one day we started the subcommittee about two in the afternoon, went to about five or five thirty, then started up again at seven in the evening. And by eleven o'clock everybody knew where every period and comma was at that time, so we just kept on going and I got out of the capitol at two thirty in the morning. So there was a lot of work on that one.

EN: When did you first become involved in this whole issue?

RS: Well, really I would have to say that before I became a candidate I was aware that things were going on but I never really made the time to go and find out about it. There were various rumors, but I would have to admit that I was like many other farmers in the area in that it didn't affect me directly, it wasn't going over the farm I live on and and I suppose you could say it was somebody else's problem. The hearings were publicized and everything, but a lot of people, including myself, didn't realize how important they would be at a later time. As to my involvement, I started to get a lot more involved once I became a candidate. Even before I declared my candidacy I went to several meetings that were of an informational nature that are required by law, and especially when they were held in the Morris area.

The law required that every county that the line goes through have a hearing, usually in the county seat or something like that. And although there's only eight miles of line in Stevens County, they had to meet the requirements of the law, so they had a hearing in Morris. And I went to several of those. I have neighbors two miles to the north of me who were directly affected by the line and also two miles to the east. And the people to the north had irrigation problems. They had a stationary type of system at that time and they were planning on going to the center pivot system. The plan for the line was to go directly across them, and that would have been impossible under certain circumstances. As an aside, that's when the effort began to get the line higher. The lowest point at that time was scheduled to be thirty-five feet. The line was then raised through the efforts of the farmers, mainly irrigators, for safety reasons and whatever, and the EQB agreed that it should be fifty feet. As a result of that, the base of the towers had to be expanded another five feet because of the additional height and the towers themselves are going to be approximately twenty feet higher than they normally would because of meeting the requests of the local landowners. So, you know, you can't really argue with good faith that nothing has been done. Because various concerns have been addressed over the last few years, not as many as I would have liked, but some you have to say have been addressed.

Getting back to my neighbors, they contacted the power companies and the various state agencies and they were able to work out a compromise over two years ago in that an angle tower would be put on each end and they'd string the line about one third of a mile instead of one fourth of a mile. So they had to put in extra strength towers and so forth and it would angle off instead of going diagonally, but it was a very acceptable compromise. As a result of that there was a two-way communication going on over two years ago, and because of that all of my

neighbors in Stevens County signed easements.

EN: What were the issues at this time at the information hearings going back that far?

RS: Basically the issues at that time of the information hearings were primarily to tell people where the corridor was. We had information hearings at various levels. First of all, the powerline company came with the corridor they preferred. And there were two representatives from each county on the corridor selection committee and they went over and made their selections. Sometimes their decisions meshed with what the power company wanted, sometimes they didn't. The informational meetings were primarily to inform people as to what corridors they were looking at and after a decision had been made on that then they came back with another informational meeting telling everybody where the corridor was, who was going to be affected, things of that nature. So basically it was not a time of presenting testimony or anything, but rather informational, and then based on that information getting yes and no comments on what they had done.

EN: Was your farm included in one of the corridors?

RS: No it was not, the corridor to the north of us was always there, it was never really moved at all. But then once you got a couple miles to the east of us in Pope County, then it split up into four different corridors and one of those had to be chosen. And that was the seed, I think, of some of problems that came up in 1976, 1977 and 1978.

EN: Maybe you could explain why Pope County has been more the center of attention than Traverse County.

RS: I would say that Traverse County versus Pope County and comparisons and so forth . . . in Traverse County you have many more absentee landlords. The people who farm it don't necessarily own the land, they rent it, and the people who own it don't live there so their feelings about it aren't that high. Also, the people live far apart in that area so getting an organization together is a little harder. Another reason would be . . . I'm trying to think of how to put it . . . the people in Traverse County, like they had distances and so forth, but they also do a different type of farming, in that it's mainly small grains combining. Wheat, oats, barley, things of that nature. And when you have that type of a tower in the middle of a field, you know, you can drive around it without too much of a problem. But when you've got a row crop and that tower disturbs your cultivating and everything like that, it's something that is more of a nuisance to a row crop farmer than to a wheat farmer, for example.

Also, you know, I'm saying these things in Traverse. In Pope these conditions don't exist. In Pope County a lot of the farms have been in families for close to a hundred years. You know, everybody's land is precious to them, but because of the ancestry involved in the whole thing, they feel a very close relationship to it. There you have much smaller units closer together, which brings in availability of more people into a protest movement. As I mentioned, they have more of a row crop or more of a pasture economy in the terms of dairy. And so those are just some of the situations as to why certain things happened and certain things did not.

The relationship to the four corridors in Pope County . . . there were two that went north of Lake Minnewaska and two that went south of Lake Minnewaska, primarily because the powerline preferred the route that went south of Lake Minnewaska border number three. Number four was further south of the lake than number three was. This is all my understanding of the whole situation, as I wasn't present in 1974 or 1975 when a lot of this was being discussed and decisions we're trying to respond to right now were made. The conditions that are existing now, decisions were made three years ago or longer, that we're being affected by now. I wasn't paying that much attention at that time. We would get the paper and then they would show the corridors and so forth. UPA/CPA [United Power Association and Cooperative Power Association] wanted number three. However, there were some problems in that. By taking number three, the powerline had to pass between Lake Minnewaska and Glacial Lakes State Park.

The corridor routing committees were influenced to a great extent by people who had environmental concerns. And in that way a lot of the things they did were reflective of that, although it is my understanding that the 1973 log did not specifically state that wildlife lands had to be avoided. It was through the attitude of people working on this project; it was almost as if language was there in the first place. That created enormous resentment that we're still dealing with today. The favorite saying, "A skunk has more rights than I do," in terms of being bothered by a line. Another instance in the number three corridor was if I could get back the state park, the environmentalists thought that it was not the most aesthetically pleasing thing, to see a powerline when you're in a state park. They thought powerlines should be several miles away from a state park, and this would be impossible because there's only about six or seven miles, I believe, between the lake and the park. The line would have to run about two or three miles from the park. So that was one reason.

Also, long range planning for an airport in Starbuck to move the location was involved to some extent; nobody's really been able to track down how much. To this day, it has been called a paper airport as it exists only on paper, and to a great extent that's true. The DOT, Department of Transportation, does have plans for the Starbuck airport and the location. And the guide slope of the aircraft dictated that if an airport was going to be there, then the line would have some problems. Now people had been expecting the general scuttlebutt, I should say, or rumors or whatever that number three was the route. The people affected by number three were working very hard to change that. As a result of the EQB hearings and everything, taking into account, I believe, the state park argument, the argument that there was an airport being planned . . . And now you'd have to talk directly with the people involved in this, but I think the people in the Bonanza Valley put up a pretty good argument that a powerline running through that area was going to severely affect all the irrigation systems in that area in that it would always be a center pivot running into a line or tower. And they put a lot of work into building up that case and made a good case, whereas others didn't realize the importance of the line at that time and they didn't really present their case as to why they didn't feel it should be on their land.

Then all of a sudden (I forget the exact date) the number three was out and number one was in, so northern Pope County was the route. There were sighs of relief along number three and anger at number one. They hadn't expected it; they thought they were out of it, that they were safe. And it turned out that wasn't the case. So as a result of that some of the protestors along number three quit protesting and it wasn't any concern of theirs anymore. They were home free from it,

they weren't going to be bothered by the line and they quit. Then the people along number one had to start up. They weren't as familiar with everything that had gone on. All they knew was that all of a sudden there was a line coming through. And there was this anger and resentment that they still feel today.

EN: Weren't there citizens from the various communities supposedly on the advisory board or something?

RS: They were. And to a large extent . . . you know, we hear so much political rhetoric on this, and I can be as guilty as anybody of doing that. But we have one politician in west central Minnesota that lives north of the line and he is issuing releases that are saying that if we hadn't passed the 1973 legislation then local control would have been in existence and we wouldn't have had any problems. On that you have to say yes and no. Local control would have been there, but if you had no zoning . . . and most of these counties wouldn't touch zoning at that time, that was the worst word, you know, a bad word. Land use, zoning, these are words that they don't like to talk about. And the only reason that anything could have been done in Pope County was that they had zoning a thousand feet from any lake shore and the line was scheduled to come within a thousand feet of several bodies of water that were zoned. Other than that, they couldn't have covered anything. There would have been no public input into the whole process, nobody would have had a say. And I believe if the 1972 or earlier law had still been in effect perhaps the line would have been built by now.

The 1973 law was, in my opinion, a marvelous idea that didn't work out. In that the Legislature at that time stated that, you know, things have to be looked at. We have to look at the rights of the landowners and everything on this. And we opened up the process to the people. Committees were formed to decide where the corridor was going to be. Another public input was made into where the line should be within that corridor. And public comment was always asked and received in most instances, so it was a marvelous opportunity to get input into the system. However, at the same time, it increased expectations as to, "If I talk against it, then it's not going to go on my land." Well, it doesn't work that way. It's got to go someplace, and so while we gave them what I feel was a good opportunity for public input, it just didn't work out.

The corridor selection committee was an eleven or twelve county area in west central Minnesota. Where was the corridor going to go? They chose . . . they had about three different corridors at that time. All the people from the southern part of the district of the eleven or twelve counties, they voted to put the line up north. All the people from the northern area voted to put it in the south. So in some ways the public comment just resulted in trying to put it on the other guy. So in that way, it was a failure in that it increased people's expectations that all they had to do was comment on it and it would go away. It didn't turn out that way, of course.

So some of the public members were very responsible and others viewed their job as to keep it out of their area. And that started up a couple of the so-called scar tissues that we're dealing with today, as I like to call them. During those hearings—I did not see this in person—as many people have told me, described them to me, UPA/CPA would hire some of the best legal talent in the state. I'd come up against them myself at committee level and I can tell you it's no picnic at all. They are extremely sharp. Make one tiny stumble and they're on you right away and pointing out

your errors. And after dealing with them on the committee level I can appreciate the trauma that many people went through when they were being cross-examined by counsel in some of these hearings because they went overboard on it, drove people to tears and so forth, people who had viable concerns. And that was just some of what we now term the arrogance of UPA/CPA, that was some of the things that started way back in 1975, 1976. Now people are asking legislative remedies for it. And it's very hard to legislate in 1978 against arrogance that first started appearing in 1975.

EN: Has anything been done with the public input process to alleviate the problem that you mentioned, between putting citizen against citizen?

RS: We did some of that in the amendments in 1977 in that we got rid of the corridor process and the line location process. They were separate before, now they're all one, do the whole thing at one time. A lot of the other amendments were technical in nature, having to do with various changes in the law and so forth. And at this time I still have to refer to notes sometimes because they were so technical. I tried as one of my concerns was to get amendments drawn to take into account the section lines, natural division lines and things of that nature so we wouldn't have the diagonal crossings across a person's field all the time.

Now supposedly, from what UPA/CPA had told me, they were more than willing to negotiate these points with the landowners. And in 1978, they're still doing that a little bit. However, people were so opposed to the line that talking to UPA/CPA about the line itself wasn't, in my view, an admission that the line was actually going to be built. And they didn't want to admit to that fact, so therefore they didn't talk to them. And even when UPA/CPA made an effort to talk to them they just didn't want to do that. By doing that, the line would be there and if they didn't talk to them, they would go away. This might be a very simplistic explanation of it, but I do believe that at the core that was the reason that some of these things are coming up now. You know, it's technically feasible, you don't have to have a tower every quarter of a mile. You can stretch it to every one third of a mile every once in a while, and the line can take the stress of that, the towers can take the stress. So if there would have been more two-way communication, I think more of them could have been located near the edge of a field or at a natural division line or built close to a gully that nobody used or, you know, things of that nature instead of in a straight line diagonal.

I pushed for amendments like that in committee and we lost most of them. And some amendments that we got in in ag went out in judiciary, went back in energy committee and then went out in the tax committee. We had four committees that looked at the legislation on the Senate side. I believe on the House side only the natural resources and tax committees or something like that double checked; maybe it was just the natural resources committee. But we had four committees in the Senate that went through the bill. So sections would get in on one committee and out on the other, and so forth like that. So it was a time of working hard to get as much in as you could but at the same time realizing that at the end of the line you had to compromise.

EN: Why did this happen, why was there such reluctance to do anything with those amendments?

RS: One of the comments . . . I was working very closely with Harold Hagen and Jim Nelson the night we offered a lot of these. Generally, they got two or three votes out of about twelve to sixteen people that were there. People came up to me during the committee meeting when I was offering these amendments. Do you *really* believe in what you are doing? That was the question. Did you really write these up yourself or did you get them from somebody else? Where did you get these crappy amendments? The members of the committee were very ready to make technical adjustments in the law but they tended not to want to radically change it. They still wanted the basic design. We could change a sentence here or an emphasis here or whatever like that but they didn't want to radically change it. So we couldn't get anything in on section lines, for example. We had to try and compromise using the wording "natural division lines." Mandating it, we lost that one. Then we put it in that the corridor selection committee had to *consider* division lines and so that weakens it quite a bit there.

EN: Do you have any theories on why they wouldn't want to adopt something that to me doesn't seem that radical?

RS: There seems to be a general correlation between those who are affected by the line in their district with a greater appreciation of the depth of feeling of their constituents who are involved in this project versus those who get petitions from their constituents asking why they are even considering any amendments to the law. Because we had Senators who got petitions last year from their constituents expressing concern as to why the line wasn't being built and why we were looking at changes in the law, and they were afraid if we made changes, it would delay the project, primarily because they thought they were going to have brownouts and things like that if the line wasn't built. And there was a lot of concern especially from southern Minnesota on that point. Now, as we know today, there weren't any brownouts, but it was expressions of support for a line by the REAs . . . really of all of Minnesota at that time, because in May of 1977 we had fifteen hundred people here in the support of the powerline, and many of my constituents were here.

But there was nobody within a couple of miles of the route who was here in support of it. The further away from the line you get the more support it has, whereas if you can go . . . even a month ago when I went to the southern part, the southern western part of my district, down in Chippewa County and Big Stone County, people would ask me why the Governor was—this was before he sent the troops out—they wanted to know why the Governor was encouraging people to riot and demonstrate. Now that was their perception at that time. The Governor was bending over backwards to try and find an accommodation of peaceful settlement; this was viewed as appeasement and encouragement to riot by constituents. So it depends on your point of view.

The 400-kV line affects four State Senators in their district. Senator Burnhagen is a member of the board of directors of an REA. Then it's Senator Schrom for Stearns County and myself for Pope and Stevens and Senator Olhoft in Grant and Traverse. So that means there are sixty-three State Senators who are not affected by the 400-kV line. Granted, we're building a 500-kV line and it's going to be a 345-kV as a result of the 400-kV and that affects more people, of course. But on this particular project it's four State Senators, so that's sixty-three who don't have that deep concern about this. And it's been extremely difficult to relay that to the people or our other friends in the senate because a lot of them are in favor of the project in the first place, so they

have a built-in bias as to anything that was done wrong and believe me there were things done wrong in this project.

EN: Have there been any changes in attitudes with the recent events since the Legislature moved outstate and things like that?

RS: I would say that the visit before the end of January by the protestors to the Capitol, that was a positive thing, because it allowed other Senators and Representatives to find out that these people who were concerned, you know they were actual people, actual bodies standing where you could touch them and see them, talk to them on a one-to-one basis, feel from their hearts how they felt and everything. It was a very positive thing that happened. The problem is how do we legislatively respond at this point in time to those concerns? I find it very frustrating that 1978 started my second year in the Senate, and this project so far during the first three weeks of the session has taken up seventy-five percent or more of my time. I had plans for other legislation which may have to be postponed or lost or whatever because of the powerline situation. It's frustrating to realize that people expect me to do something; they don't necessarily know what they want me to do but they expect me to do something. And I am dealing with decisions that were made by Legislatures and other agencies before I even became a State Senator in 1977. So it's very hard to explain something like an exposed fact of the law to a protestor who is in your office saying, "Stop the damn line." Because they don't want to listen to that. "It may be in the constitution but so what, I want you to stop the line," that's what they're asking.

EN: When you were first thinking of running for the office and getting involved with it, was it a political issue then or was it something that you were aware of and concerned with at that time?

RS: In my campaign, as I told some people who had asked me to get more involved in this than I was, in the first part of January 1978 were demanding that I come out for a moratorium and everything which I felt I couldn't do at that particular time because I hadn't researched it enough and I didn't know what the legal implications were. I take my responsibilities very seriously, perhaps too seriously from a political point of view, but I wanted to research everything first before I would come out with any statement or position. At that meeting I was asked to, it was a local political meeting of the political party that I belonged to; I was asked to join the protestors in the field and get arrested the next day. I told them that in good conscience I could not do that, that I took an oath to uphold the laws of the state of Minnesota and I was going to keep that. People were very cool to me after I made those statements, but I think upon reflection they realized why I made them, why I had to say that. But so many legal problems were cropping up all the time and we still haven't resolved them. What will a moratorium cost? When you get estimates there is everything from a huge amount of lawyer's fees on one end of the spectrum all the way to paying for the entire project on the other end of the spectrum. So you've got lawyers fees versus \$925 million that the state would be responsible for. Now we haven't settled that issue yet, I believe it will be coming up in the hearings on the House side on the 7th and 9th of February as they look at the advisory bill.

We in the Senate have been a little slow in this respect because we've had to because our rules don't allow for a hearing on an idea; we've got to hear a bill that's before us in print. If you put a

bill before us right now in print, then somebody's going to look at it and then say, "That's what you want, this is what you're working for and we will judge you on your performances if you can get that thing through." That makes people's expectations rise. They think that we as legislators have promises to them, and we are bending overboard trying to remind people that we're not making any promises. We're looking at it, but we're not promising anything, because I think that's a policy that people will respect. They know we're working on it but we can't make promises right now. It would be foolish to do so. Now the House is hearing the advisory bill. They can do that because their rules say that you can have a hearing on an idea, so they're having a hearing, not on the moratorium, but on a feasibility of considering a moratorium. And it's worded in those exact words so they're having an hearing on an idea of an idea almost, which is a far cry from having legislation in front of your eyes. So that's kind of the situation that we're in right now.

EN: Would this . . . maybe you don't know too much about it, but is this involved with the health and safety aspect of the line? Is that one of the the things behind the moratorium?

RS: People have been talking about a moratorium for several years. In effect, we had one from for about eleven months from about the middle or the end of November 1976 to October 1977. There was no construction in Minnesota; we had a moratorium, so to speak. The public concern was addressed to the Legislature for the first six months of the year 1977. Then the Governor was pushing the idea for the last half of 1977 about the science court because of the health issues that were being raised. This has been one of the most frustrating things I've had to look at, because no matter who you talk to, you can never get a scientist or anybody who claims to be knowledgeable on this to agree with anybody else as to what possible effects there will be on this particular line. Generally, the data available to the Legislature and many other groups comes from the electric company themselves or people who are working for or have worked for electric utilities. Protestors don't trust any of that material. But it's most of the material that there is; it comes from the industry itself. The projections of need and so forth came from the Edison Electric Institute or the Upper Midwest Power Grid Association or whatever title you want to put on it that says that we're using this much. Protestors don't trust those figures. So we're getting in an avenue where we don't even trust each other. Now as to . . . what was your question again? To focus on it a little bit.

EN: The health and safety issue.

RS: Okay. In 1977, people were very concerned about this, of course. But in 1977 we in the Legislature made a decision in the first month of hearings that we were not going to focus on the health issue. We were going to focus on the statutes. Fixing them up so that if the courts . . . now this is another thing. We were hoping that the statute that we passed in May of 1977 could be used for the 400-kV line. Now certain parts have been, but the only way we could retroactively get the new language onto that line was if the judges looking at the case had ruled that yes, mistakes or errors were made, go back one, two or three steps and start over. The judges ruled that while there may have been errors or gaps in transcripts or things of that nature, the end result would still have been the same regardless of what actually happened. They were saying that even though seventy pages of transcript or whatever were missing from the official transcript of one of the hearings, because tape recordings were made of that hearing, they were then able to

reconstruct the transcript in a much more accurate manner. So, in essence, it was not missing after the reconstruction had been done. The court looked at the transcript, what was missing, what was said that evening, what was said in all the other hearings and made the judgment that that seventy-five pages or whatever it was would not have altered the end result. And that's what they had to base their decision on. It wasn't the fact that there was a gap or missing pages, just that it did not affect the final result. It still would have been the same if it was in or out.

People toward the end of 1977 got more concerned about the health issues. Mainly it has been a lot of rumor as to a farmer in Ohio whose cattle were not able to conceive supposedly because of a line. Then you have information in California that people and cattle are living under that line and nobody has died from any poison, or experienced sterility or anything like that, so it is misinformation going around. It's been one of my hardest jobs, trying to keep up with the latest fact or theory and trying to decide in my own mind if it is fact or theory. Then there are people who are very much concerned about the health aspects of this line. There are other people who are using the health aspects as a crutch, to say there is going to be no line. And if you can talk to them on a one-to-one basis, sometimes they will admit to you that they're using the health issue as a vehicle to stop the line, which is what they want to do. They don't want any line, period. So that throws another complication at the whole equation, those that are serious and those who aren't.

For those who are serious, I think a science court as proposed by the Governor would be a viable solution. It would have to be set up—as I told the people in Lowry in the middle of December—a science court, to have validity, would have to be set up by both sides agreeing to the structure. What rules of evidence are going to be used, is it going to be an adversary proceeding, can you cross examine witnesses, will you have a case manager approach? All of these questions have to be decided before you go because I can appoint a science court, the Governor can appoint a science court, but we leave it open to so many people to take shots at it because of the, “Well, I didn't agree to this,” or whatever. So the health issue is very much on the minds of many people, but I think you have to approach it from this point of view. I cannot predict that I will have cancer fifteen years from now. Nobody really knows. You have seen ample evidence in this state that we have technologies that we do not know the effects of [long term]. Reserve mining, we're dumping tailings in the lake for twenty years. Then our technology focused on the issue of asbestos and we started to realize all the mistakes that have been made in the past years on that. We acted because our technology had changed.

I cannot categorically say that there are no health hazards on the 400-kV line. Nobody can. Nobody can say that the line is one hundred percent safe. But I think what we have to do is look at the other side of the issue and then ask this question. Are there any health hazards that are unacceptable at this time? If there are, then we should act on them, point them out and take corrective steps. I think that's the way that we have to approach it, because nobody's going to be satisfied by trying to find out if there are any potential hazards because we won't really know one hundred percent sure. That's why we put in the monitoring of the line, after this bill, stable monitor it for at least three years and we can always extend that to find out how much ozone there is.

Another problem with data is that we have people who are very knowledgeable on alternating

current lines, then you ask them, have you studied a DC line and their answer is no. There is really no expert on a DC line in this country who's studied them for many years. Nobody has done that. AC lines have certain characteristics, DC lines have other characteristics. Now decisions were made that this was going to be a line project rather than a coal train project and that the coal was going to be mined in North Dakota and they were going to build their own railroad to haul it—I don't know how many miles, but it's not too many—to the power plant and it was going to be burned in the power plant. Because of the great distances involved, it was going to be shipped into Minnesota on a DC line so the waste wouldn't be as much. Okay, once you've made that decision then other decisions follow. If it's a DC line, you have extremely expensive conversion units at both ends. That means that nobody will get any current along the way. You can't put in a line and tap off of it, because you have to have a converter. I understand they cost five million dollars or whatever a piece, so that means you got to have one at the beginning and one at the end.

UPA/CPA has bought eighty-five percent of its power from other sources in previous years. They built up a distribution system that was centered at Delano where they would get into the grid of the private investor company of the metro area, NSP [Northern States Power Company]. They also bought from the Bureau of Reclamation. Now that comes in under the AC lines, that's different, but they had to go to the central point of distribution, change it back to AC current and then send it out to the co-ops. So some people in the protestors have been assuming that just because the addresses of the co-ops are in Edina and Elk River that the electricity is going to the metro area. Now nobody can prove to anybody's conclusion that it's not going to go there. A kilowatt generated in North Dakota and coming in on this line can be burned in the state capitol because we're on the grid sharing system. But that doesn't mean that the line is not necessary either, because you have to put into the system what you take out of it. So it doesn't really matter where the generation is done in that it just goes into the system and then you take out what you put in. And UPA/CPA wanted a source of power that they could depend on that wouldn't be subject to the whims of the latest happenings on the energy market in terms of the investor-owned companies or the Bureau of Reclamation, which they were buying power from on short term contracts. They wanted something solid that meant generating it themselves. And they decided not to go with the coal trains primarily because of cost. Also involved in that decision was the fact that this was a cooperative venture not an investor-owned venture.

You'll maybe have to contact Mr. Wayland of the energy agency on this, but I believe he stated in one of the subcommittees that if it had been an investor-owned project, it would have been built in Minnesota but because it was a cooperative it was built in North Dakota because of the financing arrangements that were available. And of course that had big implications right there. Because if you're talking a coal train, it's a lot different than a powerline, we're finding out. Although we're getting petitions from St. Cloud, Staples and other towns to use our highway money to build bridges over the railroad tracks because some railroad crossings can't be used twenty minutes out of every hour because there is a coal train going by.

Getting back to the health issue, as I mentioned, some are using it as a crutch, some are very sincere about it. The Department of Health of the State of Minnesota did a study. If you quote excerpts out of it you can build a good case for not having any powerlines. But I think you have to take it in a whole picture. One quote that's being used very readily by the protestors is that if

there's a health hazard, then you're going to fence in the line, but what they failed to read directly before and after that particular statement was that that is an avenue of last resort and it would be opposed by nearly everyone. Those two sentences aren't concentrated on, they're just concentrating on the reading of the fenced in words. That's why we've had people from our energy agencies examining all the data that they can find from other states, particularly in New York where they have a 765-kV line. At this time, there have been no proven health hazards in that state, but this information is not being publicized that much. And it's very hard to convince people that these studies are going on and they haven't found anything; I guess they don't want to accept that. So as to whether there is a health hazard or not, personally I don't think so, but I can't say for a hundred percent sure. Nobody can right now. And it appears that we're just going to have to try and keep testing and taking measurements, things of that nature.

In certain ways an AC line could be dangerous than a DC and vice versa. On an AC line you need more towers per mile so that's a minus on the environmental side. You lose more current, that's a minus. It's noisy, the current recycles itself a hundred twenty times per second so you get a hum, whereas the DC is constantly one frequency. You can use a smaller diameter cable therefore you only need four towers per mile instead of five, so that's on the plus side. On the minus side there is the unanswered question of how much ozone is produced off of the line, whereas the AC line doesn't produce much at all. What concentrations of ozone are unacceptable, and would these concentrations build up along that area or would it be dissipated into the atmosphere? Questions like that you can't really answer until you study the situation. Now the people in California who have a 400-kV line there or 800-kV as the protesters call it, they don't seem very concerned about any health hazard. People up in Canada with a 400-kV line that they have there supposedly don't feel too much concern about that one. But that remains to be seen. The one in California I believe is three years old and it remains to be seen if anything will come up at a later time as regards to the health question. It's one of those things where nobody has the answer right now and we may never have the answer to everybody's satisfaction.

EN: You mentioned that if this line is built, it will be monitored. And as to legislation regarding that aspect of it, does the state have the power to shut this line down? Is that written into legislation if something does prove hazardous?

RS: The Legislature wouldn't have to pass a bill that we shut it down but the language is very clear in the statute that if as a result of monitoring....

[Tape interruption]

RS: Legislation states very specifically that evidence gathered by state agencies or brought in by private parties to the Environmental Quality Board will be presented to that board and that board has the responsibility to examine the evidence and make a judgment on it. And if it finds that there is a hazard from the line they have the power to go all the way from reducing the voltage to doing anything necessary to protect the health of the people in Minnesota, including shutting the whole thing down. Now that would be the most drastic step, but the law is very specific on that. And that's what a lot of people forget; if a health hazard is proven, the state has the statute all ready to go and the power to take appropriate steps. And people will say that, yes, but it's an economic interest so nobody will really shut it down. I don't believe that, because if you can

prove a health factor in it, that's the overriding concern. People are the overriding concern. I think we've amply seen that in the reserve mining case and so forth that we were ready to shut that thing down. As the Legislature or bureaucracy or whatever, we were concerned about the twelve thousand people affected by that and at the same time we felt that steps had to be taken. And I think that the same thing would occur with the powerline. As the Governor told me today, if there is a hazard and you have to run 300-kV's through it instead of 400-kV's, we'll go with 300-kV's. And he would make sure that that's all that went through it. And so I'm confident that we can address any health issue that will come up because, as we know, the people in west central Minnesota have had a little experience in how to try and get things done on this issue. And I'm very confident that it wouldn't take them very long at all to start getting organized if they had to again sometime in the future.

EN: There have been some questions on the need for this line. People said that, well, we don't need the thing anyway. Do you have any comments on that?

RS: Well, as I mentioned before, UPA/CPA, an organization made up of thirty-four rural electric co-ops, felt that they wanted a more reliable source of energy. They made this decision roughly in 1971. At that time they had been informed by the Bureau of Reclamation that they could no longer increase the power usage of the Bureau's lines. They also had decisions on how long their long term contract would run with the private suppliers. At that time electric energy usage was increasing dramatically to the tune of over ten percent in some years and at that time it seemed like there wasn't going to be an end for a while. The projections of future usage weren't being met, they were being exceeded. And at the same time, we had the environmentalist concerns being translated into laws. As a result of that, if you want to build a coal-fired power plant to be on line at a certain date, you've got to backtrack seven years to start. If it's a nuclear plant, you've got to backtrack about ten years. If I wanted a nuclear plant generating electricity, I would have to start planning right now and about ten years from now the current can start flowing.

So is the line needed? In my opinion, yes, it is. Even though in the last few days we have seen that the growth rate for electricity in the upper Midwest, especially in the Northern States Power Company area, is not as great as it was being projected. And as a result they are postponing the building of some power plants that they had planned on. They are delaying them for several years but not really postponing indefinitely. I think this is a result of energy conservation, better use of our resources, more insulation and things of that nature. But I still think the line was needed because the coops wanted a reliable source, one that they own themselves and also one that would take care of their growing needs. Because it wasn't really apparent in 1971, but in 1975 and 1976 we had . . . traditionally an REA co-op will peak its usage in the wintertime, use the most current. In 1976 we had several co-ops in the state that peaked in the summertime. And you have to build for the peak capacity, which you don't reach that much, but we assume in this country and in this state that when you flip the switch the current's going to be there. So you've got to build for the peak capacity, plus your fifteen to twenty-five percent reserve capacity on top of that.

Now it is true that this line would not be needed if certain things would take place. If we managed better our load capacity so we didn't have to have many hours of the day when the

generators weren't on, if they were on constantly at a certain load factor and we spread our usage out to accommodate that, then we might not need it. If the stainless steel foundry in the city of Saint Paul would work its men from eleven o'clock at night to seven in the morning instead of eight to five, we could get rid of or we wouldn't have to build in the future half of a power plant, just by running at night. But we as yet have not had to make those decisions and I don't we're really going to for a few more years.

There are varying philosophies on this. We have been a nation of people who have always, we've had to work hard for what we've got, but we generally have been a nation of plenty, especially since World War II. We have our examples of people who don't have anything, but on the whole, the overwhelming percentage of the nation has always had what it wanted. The money was there to buy it, if you didn't make it yourself, you know, and so forth. And we're used to that electricity; we're used to large cars. Now we're changing that slowly, but its going to take time. It takes time to change people's attitudes. And until that time, we're going to need just to take care of the additional growth of our economy, the needs that the people feel they should have. I think we are seeing the effects of conservation now, but that's just postponing a power plant for a year or two, rather than not building one at all. So I think the line was needed for the reasons I mentioned and that future lines are going to be needed. Now perhaps fifteen years from now you can do another interview talking about the latest new technique in electrical transmission of a microwave or a laser or something like that. I do believe that some time in the future powerlines are going to be obsolete, especially the larger ones. You're still going to need the distribution ones, I think. But the larger ones like we're talking about may be a thing of the past, but we don't have the technology right now.

Protesters like Gloria Woida and John Tripp or Virgil Fuchs will mention that farmers want to become energy independent. I think ten years from now some of them will have the capacity to do that, be energy independent, but we have this ten-year gap that we're going to have to deal with, assuming that we can do it in ten years. That means that electricity is going to be the one big source of energy. We are downplaying natural gas and oil and we have the coal with which we generate our current. And electricity is going to play a very important part in the energy picture of our nation in the future. So I would say that all in all, sometime in the future we're going to have something different, I don't see how we can stop that, but right now the technology does not exist to put a 400-kV line underground. Because you disturb more soil and ruin more crop land by putting it underground than you would with towers. That's another trade-off we have. We have people six miles from the southern edge of my Senatorial district near Granite Falls protesting the possibility of using the land there for a site for an 800-megawatt coal-fired generator plant with the possibility of that plant taking up at least three thousand acres of land of which close to a thousand is rated as real good farmland.

Versus the other side of the picture, building a generating plant in North Dakota right by the coal mine on land that is not . . . you know, everybody rates their own land good, but the land out there based on the rainfall and so forth cannot produce as much as it can here in general terms. And bringing it in by a powerline that is close to four hundred miles long of which the entire length, I believe, will take up seventy-five acres of land. Now granted, it's going to be a big obstacle to farm around and everything and they're not including the land that's in the middle of those towers; they're just talking about the land that's displaced by the concrete pilings. But

that's the trade-off that we're involved in; to have the plant here, bring it in by coal train where it costs seventy cents for 1,000 BTUs or build the power plant in North Dakota where it costs twenty cents for 1,000 BTUs and then bring it in by the powerline. Those are the kind of trade-offs that we have to look at, and which were looked at by UPA/CPA when they made the decision for the line. If it was made today, knowing what they know today, I'm almost a hundred percent sure they would have built it Minnesota. Where [in Minnesota], who knows?

EN: One thing that I've heard repeatedly is that, well, this is only a sign of many lines to come, that there will be the emphasis on coal as the new resource, that it's going to become like a spider web effect. Is that a reasonable thing to expect, that there will be more lines coming?

RS: I think it's reasonable that there will be more lines. For energy it is projected that we'll need three thousand miles of lines by the turn of century, I believe, or something to that effect. If we keep on using a selected percentage increase of energy each year, by 1990 or the year 2000, between there, we'll need about three thousand miles more in lines in the state. Now hopefully by that time we won't be prisoner of our technology. We can use it to advance, but we may not need a line to transport the current for the energy. But unless we do something about the increase in use, we are looking at that amount. Now I don't have the figures right now on how many lines, how many miles of line we have right now, but this was three thousand miles for 200-kV or above. And I know in my area ten years from now they're projecting another bunch of lines, including one that I believe that goes very close to Lowry, so you might . . . This is another thing, I hope we can get this issue settled once and for all in the next year or two so that I or some other State Senator representing the west central Minnesota area won't have to go through this again ten years from now for that projected other project. Because it's a public issue but I hope they can settle it and by doing so making other people's jobs a lot easier.

Also, the certificate of need for power plants and everything has been tightened substantially and the state will be in the business of regulating reserve capacity and things of that nature in the future. We don't do it that much right now but in the next few years we'll be phasing that in. As I mentioned before, we've always been a nation of abundance. Now in various things, we're becoming a nation of scarcity. I was reading an article by Senator Hayakawa of California, the Senator was elected to the U.S. Senate in 1976, and he was talking about the nation of abundance in that there are always people, be they bureaucrats or other people, politicians even, who are more than willing to regulate scarcities. It could be electricity; other people are predicting that we're going to go through this whole thing in the next ten or fifteen years in regards to water. We're doing it with electricity right now but water will be the next thing. We're seeing the beginnings of that in the big debates over slurry lines and the amounts of water that will be needed to work in the oil shale in the western states. That's a possibility that's going to be one or the next big issues coming down the pipe, is what to do with water.

EN: There's been some talk of some legislation to change the eminent domain clause. Will this have an effect on future lines? Do you know anything about that?

RS: I got a lot of pressure put on me to do away with the laws of eminent domain. Senator Olhoft and I have requested Senate leadership to have some hearings on this particular matter. The eminent domain, while I have not studied it that much, I hope to after this session ends. I

believe it was put on the books primarily because the state, in building roads, bridges and whatever, is doing these projects in the so-called name of the public interest and the public good and that a man's properties rights are never absolute. You can go way back to the biblical quotation that the earth is the Lord's and that we are stewards. You can take that into account today in that our property rights are never absolute for the good of the order or for the good of society they can be abridged by the government for various projects.

It started out primarily in the 1920's and 1930's and building roads. And it's also been put there because of human nature. No matter how good for the public the project is, there is always somebody who is going to be the spoiler, that's human nature. And they will hold up a project for as much as they can get out of it. Now the protesters are saying if we didn't have eminent domain for utilities then they would have had to come and talk to me and take me very seriously. If you look at it from that point of view, then yes, we should get rid of eminent domain. But then even if we have that there is still a person or persons who are going to hold out no matter how nice you talk to them. And so we're going to be looking at that hopefully this summer. But maybe we can make a few changes. We've made many changes in the last few years. The other Senators who have been here longer than I have discussed that until about eight years ago we had eminent domain, period. And it was almost the public be damned. It was for the public but the public be damned in that there was no public hearings, no opportunity for citizen input or anything, the government would sign the papers and eminent domain was there.

Now you have to go through the hearing process. The state of Minnesota has an office that spends a lot of money called the Office of Hearing Examiners. We have examiners to investigate everything from consolidation of schools to powerlines to certificates of need for utilities. We give opportunity for input to almost everything now, so in essence we have modified eminent domain in the state in the last ten years much to the positive. Now protesters were asking a couple of weeks ago that you had to have a sixty percent sign up before you could have eminent domain. Now that would address itself to the so-called people who are the bad apples in the pot, that they couldn't hold up a project indefinitely and get all the all the money in the world, you know. I told them that they should shoot for twenty-five percent first and see if they could get enough votes to pass that because in the House of Representatives they tried for twenty-five percent and they got nineteen votes for it and eighty-some against it. So eminent domain will be looked at again but if I was guessing right now, today's the 2nd of February 1978, I would guess that we're not going to substantially alter it but we will be looking at some possibilities.

EN: What sort of experience has this controversy meant to you personally, been to you personally?

RS: Well it's put a few lines on my face, a few gray hairs. But no, I'm being a little facetious in that although that has happened. How has it affected me personally? It affects me personally in that, you know, I like to try and please my constituents and on this issue that's impossible. There's always going to be somebody who says that you didn't work hard enough, you didn't try this, you didn't try that. Or even if we successfully conclude this to most people's satisfaction there's always going to be a few that say we shouldn't have the line in the first place. So it's very hard to please people on this issue.

A lot of times we as politicians don't know the direction the protesters are going. We've seen them purge three sets of leaders in the last year. And I think purge is the correct word. They're leaders for awhile and then the group kinds of dies down a little bit and then a new leader will come up and overthrow the other one or the other one will voluntarily disappear or whatever. So the people that I dealt with in May of 1977 are no longer there. People I dealt with in December of 1977 are no longer there. We're dealing with a new group again and it's very frustrating to try and negotiate with those people because they say, "We have to take it back to the people," and they make commitments that they don't keep, which has been frustrating. That's the reason we have troops out in Pope County today. Because the Governor finally decided that he had been lied to once too many times. Because he had a commitment on a science court without a moratorium and it was just down to almost the picking of the case managers for the science court; it was that close. And they backed out. Now that is not fully explained, and I think it should be.

As to what it does to me personally . . . my effect on this as a Senator is diminished somewhat because it demands a lot of my time. I came into this session hoping that I could accomplish certain goals that I'd been working on in the summer and that I wanted to work on during the couple of weeks of the session. Now toward the end of the third week of the session, I haven't been able to do any research, it's taken at least seventy-five percent of my time. I haven't answered my mail for the last three weeks and so that builds up. Whereas I can see my colleagues down the hall, one is running for congress and getting all his work done at the same time, others are talking with constituents from all over their district, keeping in good communication. Whereas I have been focusing on two counties of the seven counties that I have. Now I've made the decision already that I cannot continue to do all of that and this week I am specifically taking the time to catch up in some ways. And I will continue to do that because I want to pass some of the bills that I've been working on. You know, some of these bills come from my other counties and I think that I owe it to them.

Also, from a personal point of view, I'm always wondering what's going to happen next, how will I be asked to react to it. I've got friends that are on both sides of this issue, people who are associated strongly with the REA's and people in the protest movement. One of the toughest nights was when they asked me to get arrested and I had to tell them no. They then, I sensed an extremely cool attitude that evening after I said that And that was hard to take a little bit because here were people that had worked extremely hard at my campaign and I won by a narrow margin. Everybody's contribution was important and these people had worked hard on my campaign but I had to tell them no. Now I realized that that time would come, but I wished that it had not been in that type of a confrontation fashion, so to speak. So, from a personal view, those are some of the things I go through.

From a political view, we really don't know what's it's going to be like. I have done what I felt is right. I will continue to do that. Naturally, I will not tell somebody off in the words that I maybe should use because I might know them or just don't want to embarrass them even if I don't agree with their position. I will play it cautious, so to speak. But at the same time, I do what I feel is right. I don't want to . . . being cautious also means that I try not to inflame the situation, which easily can be done, too. I purposely don't make any commitments on this thing. I *will* work on it, I *will* look into it but specifics, no. Because then expectations rise, you don't meet them, then

you get political liabilities built up. You know, on this issue political loyalties do and don't exist. I could be a hero tomorrow and an enemy a month from now, I just don't know. And also it's an issue that I feel people will remember what you did or did not do even more than two years from now when I'm up for election. Two and a half years from now. But it's a open question right now.

EN: How do you think it's affected the people in your district? Have you noticed a change?

RS: One of the pastors of the Lutheran church in my area described the people in his congregation as good God-fearing people who....

[Tape interruption]

RS: As I said, they never got more than a traffic ticket in terms of a misdemeanor or anything like that. You know, there were no criminal charges or anything brought. In a way, it's polarized some people. Attitudes have changed. People who were great supporters of industry, private enterprise and things of that nature now question their priorities in that area. The cooperative movement has been affected in that we are now seeing that co-ops, which were the heroes of many people for so many years, have a tendency to become large entities just like big business. And the common man does not really control them like he thought he did. The UPA/CPA are associations of cooperatives, but in essence they are the big business that we see on many main streets. The local people have merged in with the larger entity to the chains and all of that. And UPA/CPA have had the individual co-ops merge into them and then the individual co-ops are captives of them because they can capture with the long term commitment a long term contract for power. And if one co-op were to break off from them as they can do, the by-laws provide for that, but they then would have to find another supplier of electricity. And until they do that they'd have to buy it on the open market at three to four times the wholesale cost that they can get it from UPA/CPA.

So, in essence, the cooperative movement has suffered some in that the two boards of directors of UPA/CPA I do not think accurately reflect the wishes of the rank and file of the individual co-ops. And this has been another frustration. Because supposedly an issue like that should have been decided at the four or five township area that I live in where we elect a director to Runestone Co-op. It should have been decided at that local meeting, and then at the annual meeting of all the areas covered by Runestone Co-op, and then they would have taken the decision to Cooperative Power or United Power, whichever they belonged to, and all the other thirty-four co-ops should have done the same thing. Instead it was decided from the top and then it was then filtered down.

Now the protest movement, except for Morro Carlson from Litchfield, no director has been elected to their local co-op board that I am aware of, maybe there are others, but no director besides him, to my knowledge, has been elected to a co-op board on an anti-powerline platform. It really never became an issue. And therefore where it should have been fought out it was not fought out and then the Legislature becomes the battleground. People vote to the Legislature and we as legislators will try and address problems if we can, but I'm sure everybody in this Legislature would have preferred that it would have been discussed more thoroughly and

explained more thoroughly in the cooperative level itself. And part of the result of this bigness is that they hired people who were not sensitive to the people that they were supposedly working for. The idea that in a co-op a customer is a company, you know, and so forth. And they hired people who supposedly were working for this individual landowners and you wouldn't have known it by their attitudes. So those are some of the things that stand out my mind.

EN: You mentioned earlier the public pressure [unclear] in Lowry. Is there this sort of schism within the people out there in your community, sort of neighbor against neighbor?

RS: For a time it was in that . . . well, even among the protesters after route number one was chosen over number three, the protesters from two, three and four kind of dropped out and left it to the people in number one. Now that might be a harsh statement to make, but I think it has a lot of fact in it. A great majority of the protesters dropped out of the protest. If all four routes had kept their protesters in 1975 and 1976 we might be discussing a different subject right now.

You know, we can't say for sure, but in some areas it has been neighbor against neighbor. Right now we have instances in which agreements have even been made between the landowners and the co-ops as to moving to a different place some of the towers within the six-tenths corridor. And they're so afraid that they won't sign those agreements—it is not an easement, it's an agreement to move the tower and it's within the eminent domain law—and they're so afraid of what their neighbors will do. The public pressure is so great that I heard today about a person who sold gasoline to the Highway Patrol and now he is being boycotted and his business has been hurt already. He's a businessman and he sold to the Highway Patrol, so the public pressure is extremely great. Pressure has been put on main street and all the towns of Pope County. They feel they have to respond. Some respond out of pure concern and others because they think it's the thing to do, at least that's my impression. I do not honestly believe that a hundred percent of the businessmen are concerned about the powerline and the health factor. I just don't believe that. They believe that it's the thing to do to keep their business and they support the powerline people or the protestors, so it becomes a business situation. So the public pressure is there, there is no doubt about that.

EN: What effects has the presence of state troopers in the confrontations going on had on the situation as a whole? Did that radically change it?

RS: It upped the stakes, as they say, but I think people realized that they were going to come. I was hoping that they never would, but they are there. I suspected all along that it might end up that way. The troopers, regardless of what some people in Pope County will say, the troopers are there because the Sheriff of Pope County asked that they be there. Some people had the impression that the Governor sent them without asking. Well, he did send them, but under statute he has to have the request of the local law enforcement or the Sheriff to come into that area. The presence of the troopers solidified the opposition, although in some instances they had been solidified before when the co-ops was passing out these \$500,000 damage suits for people who were interfering with the construction and the surveying.

Now the presence of the troops has made people very irritable; they don't like them. They say that the county is under a state of siege and get the troops out. It works both ways. The protesters

say that they don't want them there and they're beating up people and everything. You can look at it from another point of view, too. Because another person whom I respect in this area, he pointed out to me one day, "You know who I got a call from today?" He said, "I got it from a union representative of the construction workers. And he wanted to know why I was making statements that supported the protesters on a couple of things. And he asked if I realized that the construction people were in danger." And they went over various comments on that and he concluded by saying, "Do you know that we construction workers are very handy with a twelve-inch iron wrench?" And so there's another side to this whole thing. The troopers are there to protect the protesters from the construction workers, too. Now luckily nothing like that has happened, but it's behind the surface there. It's there and hopefully it never happens. But I think that had to be brought up in this interview because I think that gives it a little better light on the situation. It is a two-sided street and there could be violence from either side.

Another thing about the troopers is the cost. That's the biggest public issue in Pope County right now as to who is going to pay the cost. And we're trying to work that out right now but we don't have any . . . I've got a bill in that state would pay all of it, perhaps they're going to have to wait until even the 1979 session of the Legislature and then work out something, some percentage agreement, but that remains to be seen. That's pure speculation. And I think some agreement could be worked out.

EN: You mentioned that you were talking with the Governor and the Lieutenant Governor today.

RS: Today I talked with the Attorney General and the Governor. The Pope County Commissioners called me this morning. And a little background on this, a couple of weeks ago the County Attorney in Pope County resigned saying that he was in sympathy with the protesters and he could not in good conscience prosecute. He couldn't prosecute those who had been arrested because he was on their side. The Board of County Commissioners then had to try and find another county attorney. They first tried to get another county attorney from those attorneys who live within Pope County. I believe there are eight or nine attorneys in that county. Several of those individuals said that they were interested and they would be more than willing to become the county attorney, but they too would not prosecute protesters. So nobody in Pope County wants to prosecute. The Attorney General's Office has been involved in trying to advise them as to who is available for the job and things of that nature.

The Commissioners are very concerned about the cost because they're facing over \$200,000 of trooper costs already, maybe close to \$250,000. And they're concerned about the cost of a outside attorney coming in at \$50 per hour, which is the going rate for attorneys right now. They have pointed to statutes . . . in the 1976 statute, 8.06, which states that the Governor, the Attorney General and the Chief Justice of the Supreme Court can appoint various prosecutors for various things. And if that is so, then the person from the Attorney General's Office could be appointed County Attorney and his salary would be paid by the State of Minnesota. I brought this up with the Attorney General. He stated that in no way, in no circumstances would he ever advise the Governor nor would he sign anything under 8.06 relating to Pope County, primarily because this section has never been used in the prosecution of criminal matters in the history of the state since 1858. It has been used on some occasions but in civil proceedings not criminal. The Attorney General's Office approaches it in this manner. Ever since the beginning of our

state, close to 120 years ago now, criminal prosecutions by our state constitution and all our state laws and case laws and statutes of 120 years, criminal prosecutions have always been a county proceeding. Local control. And we hear so much about local control being lost. Well, this is local control. People can be tried and are supposed to be tried in the area or county or jurisdiction in which crime is committed unless they have a change of venue. The Attorney General feels that he is upheld by his oath and his office to continue that. Therefore people resident in Pope County should be tried in Pope County by the County Attorney.

If County Board fails by, I would say, next Monday or Tuesday, and assuming that the 8.06 Statute will not be approved by the Governor, then the State Attorney General will go to the nearest District Judge, who is Tom Stahler of Morris, and inform him that certain conditions exist and under Minnesota statutes in the absence of the action by the Commissioners, the District Judge will appoint a county attorney to handle all matters of county business. And it'll cost them at least \$50 an hour and the county will have to pay the bill. Now perhaps we can work some arrangement into this in that the state can pickup some of the cost. Now the Attorney General did tell me that they are willing to do most of the background work. They will send a lawyer, they will send a secretary, they will send a typewriter or whatever they need to Pope County. They will pick up a substantial part of the cost involved in this but they will not lead it. They feel that this is a criminal matter for county courts and the Attorney General's Office should not be prosecuting. It should be a county attorney. And that's the law of the land, so to speak, and that's how they approach that position.

Now the County Commissioners will be meeting with the Governor and the Attorney General and the Chief Justice tomorrow or their representatives. I'm sure they'll meet the Governor. And they will have this explained to them at that time. As to if they voluntarily hire a county attorney or one is appointed, it remains to be seen. I'd prefer that they would hire one, and the closer to Pope County the better, to just keep the peace of the area. The Commissioners are very concerned about this. They feel that it's the Governor's fault that the troopers are there. They didn't ask for the troopers. However, their employee, the Sheriff, did. They don't feel responsible for this situation because it's a state agency that oversaw the various aspects of the powerline situation and brought it on Pope County. So it's not their concern but it's very hard to turn over 120 years of precedent on this, and I think rightly so. It should not be turned over. And we'll just have to see if we can work out a reasonable solution. It's interesting to note that the Governor does have power to replace County Commissioners. You know, I just throw that in for food for thought, but he does have that power. If the County Commissioners aren't doing their job, and I'm not suggesting that the ones in Pope County aren't, but the Governor does have power to replace them. So just like this situation has not been a holiday for me, neither has it been a holiday for the local officials either. Or the Commissioners, the Sheriff, the County Attorney.

The Governor did tell me today what I suspected all along, that he felt that he had bent backward enough on this issue. Since close to one year in office before he sent the state troopers, or more than one year in office before he sent the troopers to Pope County, he was, as I mentioned before, so close to a science court that you could almost feel it. I wasn't really aware of the total situation until the last several days. He was very close to it. But really after Dennis Rutledge—he was one of the leaders of the protest movement—after he was almost booed or thrown out of the

leadership role because he backed the science court, after the protesters said, yes, that's what they want, then the co-ops said that no they won't cooperate with the science court. And the Governor put a lot of pressure on them, finally got them to change their mind. Then the protesters said no. And the Governor was unable to get a trusting relationship between new leadership. I'm specifically speaking about Gloria Woida, Alice Tripp, Virgil Fuchs. But it was Gloria Woida who, in my opinion, made the Governor decide that he had gone long enough and that he felt he couldn't get a trusting relationship working with her because there were various things that she had agreed to and then backed out on concerning the science court. And so that's why we have troopers in Pope County right now. He felt that he had gone the extra mile and that he could not establish a working relationship with the new group of protesters and he had to start enforcing the law of the land.

EN: Do you have any feelings or predictions of what may be the outcome of this, where it's going?

RS: Well, that's a hard one. I guess when you come right down to it, I feel that the line will be built, that the current will flow. As to when that will happen, I don't know. It could be as early as November of this year or else at a later date. Whether there will be continued disruptions to the line . . . as the Pope County Sheriff said, it's going to be built, but I don't guarantee how long it's going to be standing up. Other predictions . . . the situation is just so volatile now. It's reasonably non-violent at the present time, they haven't gone any further than breaking brakes on cement trucks and pouring water into cement and standing in front of surveyors, transient things of that nature. But there has been a lot of pushing and shoving and some injuries by the patrolmen that should not have taken place on the protesters. But as to where it's going to go, if anybody knew that he would be proposing solutions and be the hero of the day. Right now, we don't have any heroes of the day, so to speak, on this. Nobody really knows how to legislate against four years of mistreatment, mistrust. It's scars built over scars over scars; scar tissue, as I tend to call it, and we sometimes can't see how this protest really began or what was the key four years ago. What incident happened that put this person on the road to becoming a protester? A person who many people would have described as an apathetic person who never got involved in anything. Who never campaigned, who was never in politics or anything, just lived their lives without getting involved in any movement, so to speak. So I guess that's about all the predictions I would really want to make. I predict that we don't know what is going to happen.

EN: I think I've exhausted most of the questions unless there is something on here that you wanted to comment on or whatever. I'll just open it up for any additional comments or final comments you may have.

RS: Okay. I have a question here on the roles of Governor Wendell Anderson and Governor Rudy Perpich. I think Wendell Anderson viewed this as a problem that hopefully would go away. I think every politician in the state has viewed it as that, even myself. I just wish it would go away but it doesn't. We realize that, I think he realized that, too. What role should the Governor have? When Rudy went out to the protest areas a week or two after he was inaugurated, unannounced, knocking on doors, he was most popular man out there. You've got an election coming up in eight or nine months, and how many votes you'll get out in that area right now is highly speculative. They don't like him now, he's on the opposite side. He increased

expectations by going out there. He didn't deliver. I don't think he constitutionally could have delivered because we don't have a one man dictatorial ruling in the state. And just by lifting a finger he can not impose a moratorium, he can't do that, it's not constitutional. So there is a risk like anything else as to how much involved should you be on this, but it's an issue that is important to people so you have to be involved. That's why we as legislators are trying to make crystal clear that we aren't making promises but at the same time just by recognizing, by coming to a meeting, we are recognizing that they do in fact exist and that their organization has validity in our eyes, so it works both ways.

In terms of some of the other . . . basically, the question is asked if this a rural versus an urban struggle. No. We never had agreement among the rural Senators that I've dealt with on this. People up north, people in southern Minnesota, they don't agree with the four Senators who had the line crossing their districts. Those four Senators don't agree with each other. They have the REA director on one end and maybe the other three in the middle, so to speak, on the spectrum. So it's been very hard to get agreement on that. It's across political lines, although this is an election year, so we do have to make an effort to try and keep politics out of it as much as possible. Because it is an election year, the tendency is to make comments about the opposition party. And that doesn't really help in this situation, because once it becomes a political issue, your colleagues draw up sides based on what party you are on, the personality or whatever. That really doesn't benefit that many people, especially on an issue like this, so we try and keep as much politics out of it as possible.

[Tape interruption]

RS: I think the minority is a little harder. If I was in the minority, I would be very hard pressed to resist any comments of the opposition party but on the whole we have been successful.

The question is asked what are my views on various statements. The whole farm option. We put that in because that was one of the separate bills that I co-sponsored, I believe. People said that, well, if the line is going to cross my farm, I want to sell the whole thing and move out. Well, we gave them the option to do that. Unfortunately it hasn't worked too well because we put a sixty-day limit on that. Once the condemnation proceedings had been filed, you had sixty days to make up your mind. We may address that this session, by extending that. We do get some comment from consumers. Now a lot of things we've been taking about affect the 400-kV line, but really they affect all powerlines in the state. They were addressed to that particular 400-kV but they have statewide implications. We are getting a little feedback from consumer groups that they don't like the whole farm option because they said the companies will spend too much money buying a whole farm. They can only keep it for three years and they have to sell it to the highest bidder, and that they will always lose money doing that, therefore, the rates will be higher. And they don't want higher rates so they don't like the whole farm option. Easement payments were made . . . not only lump sum easement payments, that's a private matter between the co-ops and the individual owners. We did go to annual easement payments in addition to the lump sum amounts; this was related to the property tax on the line. I think that's a good step. It's an annual payment and hopefully will make living with the line a little easier in the farming operation and things of that nature.

Another aspect that was covered was the property tax cut or property credit to those who are disadvantaged by powerlines. The utilities were in favor of that because the State Department of Taxation would have to do all the paperwork for them. This way for the annual easement payment the co-ops have to do more of the work, and I think that's more fair position. We also, as I mentioned before, we didn't specifically state in the old law that wildlife areas were exempt, but everybody assumed or whatever and it became law anyway, by assumption, which specifically put wildlife land on equal par with agricultural land for future lines. I think that will remove some problems. The liability question of powerlines is always a question mark because you can never really write a good statute on liability, it's almost impossible, so we haven't attempted to do that. There were proposals to do that in last year's bill, however, the Attorney General's Office advised the chief author of it, I believe, that by doing so we would impair the constitutionality of the entire law we were working on. If one section is thrown out, they might throw out the whole thing. So on the advice of the Attorney General's Office they did not address liability that much in that legislation.

Basically then we have to look at case law that was built up over the years, as to our guide. If something happened to a powerline tower, the line itself, a person would be liable if the power company can prove beyond a reasonable doubt in a court that the damage you did to the line was of a willful, deliberative nature. And that if it was within reason, it could be called accidental, and you are not liable to any damage that might happen. If you ran a machine into something like that. If you took a shot at an insulator, and something happened, that's an entirely different matter. It would be deemed willful destruction of property and you're liable for whatever would happen. We also in the new legislation allowed in an environmental quality board to have a staff member at all hearings whose only job would be to assist citizens in gaining information how they can work from a citizen point of view; whatever they want to be on, this person would help them. We haven't cited any lines under the new law as of yet, so it remains to be seen if that's a viable alternative or not.

I guess that's about all the questions that I feel that I need to answer that are on the pages that you have given me here. There is another question here about what responsibilities do I have as a legislator to consumers, constituents, and low cost energy conflicting with adequate supplies. Electricity is going to go up at least fifty percent in the next five years, in my view. It's not going to be "penny cheap" as they used to say in all the ads. But it still going to be a source of energy that's there at the flip of the switch, as we said. The responsibilities I have to consumers puts me right in the middle. I have many people who are actively constituents of my mine who are actively protesting the building of this line. Okay, let's assume the line was built and there were no other sources. I would have, I would dare say, quite a few people actively protesting against me if we had brownouts and they couldn't run their milking machines at seven o'clock in the morning. They would have to wait until the peak period was over. Or if the current was in full force, if the box were slowing down five seconds per minute because we were lowering the cycles and everything. You know, it puts me in the middle in terms of that. As I said before, we've always assumed it's going to be there and maybe someday we will be coming to a point where we're going to have to restructure our lifestyles because we either won't or can't afford to have the tremendous peaking and reserve capacity that we think is necessary at the present time.

Primarily, reserve capacity is there because a good generating plant is only on line seventy-five

to eighty percent of the time. It's off the line twenty percent. And also you need some reserve. I have a power plant about 3,400 MW right across my district in South Dakota and right after the heat wave in July two of the blades of the turbine decided to go along their merry way, and that thing was shut down for two months while they fixed the turbine blades. And if we didn't have the interconnections on power supplies and everything, if people were dependent on that one plant for electricity, they wouldn't have had any for two months. That's why we have to have the interconnections and reserve supplies to make up for various mechanical things. So I would say that this has been an issue that's been on my mind almost every day that I have been in the Legislature, thirteen months. And I daresay it's going to be with me in some form for the rest of my term. But what form it will be, I wouldn't . . . well, it's either going to be an active problem or one that I feel strong enough about that we will have to keep pursuing amendments to the law and so forth in future times. It's going to be hard to do that, however, because various areas of the state seem to be affected at different times by this law. And shortcomings aren't listened to that much by the people who aren't directly affected.

Now I feel that the Legislature and the Governor worked very hard on this in 1977 session. The language that we got out of the conference committee was as much as we could get out of the legislative process. The conference committee rejected I don't know how many reports within their own conference, even to the point of House members voting against the acceptance of their own House bill because they didn't feel it was good enough, and improvements were made in the conference committee. And I think after the hearings started on the feasibility of moratoriums and so forth this year, we may make an effort to address some of the liability questions more clearly in statute perhaps, and stress the existing laws, giving them a little more publicity in terms of what we can and cannot do in regards to shutting off the line and so forth in the future if it's found to be harmful. So it's going to be a subject of conversation for the next six weeks in the Legislature, no doubt about that. As to what we do, I would predict that I don't think we're going to see a moratorium law, primarily because of the arguments on legality. Also, the cost figure scares some legislators because interfering with private contracts, which were worth \$60 million, I believe, and just the interest on this project is \$1.5 million per week and if we put a moratorium on for six months we're talking over \$30 million, \$45 million in interest and the votes aren't there to spend that money right now.

Now other people approach it by saying that the Legislature can do whatever it wants to. I would agree with that, but we also have to be responsible for what we do. And I suppose we could try it by passing a moratorium bill and then hoping that we could put public pressure on UPA/CPA not to challenge anything in a court of law. But based on their previous actions in the last few years, I don't see that's there much hope that they will accept the corporate responsibility or whatever title you want to put on it. I think they would challenge. I personally believe that some of their rights have been vested and a court of law would uphold those vested rights and we would have to pay some damages. Now maybe that would be a cheap way to do it, try and settle it once and for all. But I'm of the opinion that even if we do have a science court, and I do hope that we do have one, that even a clean bill of health by a science court on a powerline will not satisfy everybody. I think it would satisfy the general rank and file person in Minnesota. But perhaps not that hard core protestor whatever. So those are just some of the thoughts that I have as we discussed this.

EN: Are you working on any legislation with respect to alternative energy sources? There's been some talk of gasohol now in the state.

RS: Gasohol has been set back in the state because of the way of the scientific community that works with the Legislature has approached it. They look only at BTUs in terms of how many BTUs it takes to distill a given amount of BTUs of alcohol out of a bushel of grain, for example. It has to be looked at in several different ways. The avenue that is not being looked at is that we can have centralized plants in which the mash that's left over would not need to be dried for transport, but could be transported to feed lots within a reasonable distance. And you also look at the balanced payments that we would have to import less oil. I think you could work in an equation that would come out pretty close, but right now, as some scientists work at it, they build up an equation in which you have an energy deficit. I don't feel that the State Legislature at this time is prepared to do what Nebraska did to give an incentive of lowering the gas tax four cents per gallon. Because I think we're going to have to raise the gas tax about a nickel within the next three years because we're going to run out of money and we won't even have enough money to make up the ten percent that the state has to put together to get the ninety percent of the federal funds. Our gas consumption in this state, because we are watching it in terms of smaller cars and more efficient automobiles, the amount of gasoline we burn in the states is relatively stable for the last year or two, therefore, the income will be stable. And if the income is stable, then we're actually losing because of inflation so the income has to be raised just to keep pace with inflation.

The Legislature is looking at alternatives and has generally left most energy research to the federal government, The State of Minnesota, the Senate position has always been that we should give tax credits for solar collectors and things of that nature. However the House position has not been the same, so we haven't been able to pass anything like that. The position is that generally the Minnesota Energy Agency and Minnesota Housing Finance Agency have been encouraging insulation and energy conservation programs on existing structures and we are now starting to give grants to designers to build energy efficient homes, earthen wall homes, for which grants will go out within the next two or three months. So we're concentrating primarily on increasing the efficiency of existing homes and designing new energy efficient houses through the private market assisting private designers and things of that nature.

So we aren't spending that much money or time on alternatives take gasohol. But we are tending to try and conserve existing facilities, things of that nature, leaving most of the technical research to the federal government and the energy research administration in development. And I think on the whole its a wise decision because we in this state have certain priorities and we cannot be constantly putting more and more state funds into various research programs that detract from our primary goal of funding education, which takes up over half of our budget. And then there is state aid to local governments to keep property taxes down, which takes another twenty-five percent of our budget. All the remaining programs of the state have to come from the other twenty-five percent of the budget. And right now energy research is not number one within that twenty-five percent, maybe some day it will change. We are, however, laying the groundwork and trying to educate ourselves as legislators on energy questions. We began what we call the Office of Science and Technology in 1977 in which we hired a staff to advise us not only on

science courts and powerlines but salt and roads and other technical aspects that we as legislators without a lot of scientific training have to make the decisions on. So those are some of the things we're looking at.

EN: Well, I guess that's all I have. Unless you have anything else, I thank you for the interview.

RS: And I thank you.

