

# Minnesota

## House of Representatives

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February 6, 1978

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TO: Environment and Natural Resources Committee  
FROM: John Helland, Legislative Analyst  
RE: Chronology of Power Line Controversy

The following chronology of the CPA/UPA + 400 kilovolt transmission line--running from North Dakota through eight Minnesota counties to Delano--begins with its inception in 1972 until the recent announcement to hold legislative hearings in 1978.

Legislative and judicial actions, state agency proceedings, and various meetings are presented here, with most of the events detailed in 1977 when the power line issue reached the peak of activity.

<u>DATE</u>	<u>EVENT</u>
1972	Cooperative Power Association (CPA) and United Power Association (UPA) begin discussion of construction of a jointly owned generation and transmission project.
May 19, 1973	Minnesota Environmental Policy Act, requiring state environmental impact statements, enacted by <u>Laws</u> 1973, Ch. 412.
May 19, 1973	Minnesota Environmental Quality Council (MEQC) created by <u>Laws</u> 1973, Ch. 342.
May 23, 1973	Minnesota Power Plant Siting Act (PPSA), requiring citizen input and public hearings, enacted by <u>Laws</u> 1973, Ch. 591.
March 28, 1974	Minnesota Energy Agency (MEA), providing review of the need for power lines, created by <u>Laws</u> 1974, Ch. 307.
April 8, 1975	CPA and UPA apply to the MEQC for corridor designation for a + 400 kV dc HVTL and a 345 kV ac double circuit HVTL (CU-TC-1).

Public Information Meetings on Above Application:

June 16, 1975 - Olivia, Renville County  
 June 17, 1975 - Benson, Swift County  
 June 18, 1975 - Glenwood, Pope County  
 June 19, 1975 - Buffalo, Wright County  
 June 23, 1975 - Paynesville, Stearns County  
 June 24, 1975 - Long Prairie, Todd County  
 June 25, 1975 - Elbow Lake, Grant County  
 June 26, 1975 - Osseo, Hennepin County  
 June 30, 1975 - Glencoe, McLeod County

Public Hearings:

July 21, 1975 - Olivia, Renville County  
 July 22, 1975 - Benson, Swift County  
 July 23, 1975 - Paynesville, Stearns County  
 July 24, 1975 - Glencoe, McLeod County  
 July 28, 1975 - Glenwood, Pope County  
 July 29, 1975 - Long Prairie, Todd County  
 July 30, 1975 - Elbow Lake, Grant County  
 July 31, 1975 - Buffalo, Wright County  
 Aug. 4, 1975 - Osseo, Hennepin County  
 Aug. 26, 1975 - St. Paul, Ramsey County  
 Aug. 27, 1975 - St. Paul, Ramsey County

<u>DATE</u>	<u>EVENT</u>
October 3, 1975	MEQC adopts Hearing Officer's Recommended Corridor as the Designated Corridor and issues a Certificate of Corridor Compatibility (CU-TC-1).
October 6, 1975	CPA and UPA file Application for Certificate of Need with Minnesota Energy Agency.
November 10, 1975	CPA and UPA file Application for Corridor Designation for a 345 kV ac single circuit HVTL (CU-TC-2).
November 12, 1975	<u>CURE (Counties United for Rural Environment) vs. MEQC (Pope County District Court) filed (appeal of CU-TC-1).</u>
December 2, 1975	<u>SOC, (Save Our Countryside) Inc., NPL, (No Power Line) Inc. and PGC (Preserve Grant County vs. MEQC (Grant County District Court) filed (appeal of CU-TC-1).</u>
December 9, 1975	CPA and UPA file Application for Route Designation and a Construction Permit (CU-TR-1).

Public Information Meetings on Above Application:

February 17, 1976 - Morris, Swift County  
 February 17, 1976 - Wheaton, Traverse County  
 February 18, 1976 - Elbow Lake, Grant County  
 February 19, 1976 - Glenwood, Pope County  
 February 23, 1976 - Long Prairie, Todd County  
 February 23, 1976 - Alexandria, Douglas County  
 March 1, 1976 - Buffalo, Wright County  
 March 2, 1976 - Anoka, Anoka County  
 March 2, 1976 - Osseo, Hennepin County  
 March 3, 1976 - Paynesville, Stearns County  
 March 4, 1976 - Willmar, Kandiyohi County  
 March 4, 1976 - Litchfield, Meeker County

Public Hearings:

March 22, 1976 - Anoka, Anoka County  
 March 23, 1976 - Buffalo, Wright County  
 March 24, 1976 - Brooklyn Center, Hennepin County  
 March 29, 1976 - Wheaton, Traverse County  
 March 30, 1976 - Morris, Stevens County  
 March 31, 1976 - Elbow Lake, Grant County  
 April 5, 1976 - Alexandria, Douglas County  
 April 6, 1976 - Long Prairie, Todd County  
 April 7, 1976 - Glenwood, Pope County  
 April 12, 1976 - Willmar, Kandiyohi County  
 April 13, 1976 - Paynesville, Stearns County  
 April 14, 1976 - Litchfield, Meeker County

<u>DATE</u>	<u>EVENT</u>
March 10, 1976	Grant County District Court dismisses <u>SOC</u> appeal.
< April 2, 1976	< Certificate of Need issued by Director of MEA.
April 7, 1976	SOC appeals to Supreme Court from order dismissing appeal.
April 15, 1976	Pope County District Court dismisses <u>CURE</u> appeal.
May 3, 1976	CURE appeals issuance of Certificate of Need (Ramsey County District Court).
May 7, 1976	MEQC grants Certificate of Corridor Compatibility (CU-TC-2).
June 3, 1976	MEQC finds Environmental Impact Statement to be adequate, designates route and grants Construction Permit (CU-TR-1).

<u>DATE</u>	<u>EVENT</u>
July 13, 1976	Fuchs, CURE, et al., file Petition for Judicial Review (CU-TR-1) (Stearns County District Court).
July 28, 1976	SOC, NPL and PGC file appeal from MEQC decision in CU-TR-1 (Grant County District Court).
August 13, 1976	Supreme Court remands SOC appeal to district court for combined trial with SOC Route Appeal.
August 25, 1976	Traverse Air, Inc. files Notice of Appeal of MEQC decision in CU-TR-1 (Traverse County District Court).
October 4, 1976	Russell Schmidt, CURE, et al. commence action against MEQC, et al., seeking to have CU-TR-1 Construction Permit declared null and void (Meeker County District Court).
October 21, 1976	Judge Lindstrom issues Temporary Injunction against plaintiffs.
October 27, 1976	Fuchs, et al. file action in U.S. District Court against the State of Minnesota, et al. (Civil File 4-76-465).
November 8, 1976	Civil File 4-76-465 dismissed by Judge Larson.
November 19, 1976	Plaintiffs appeal October 21, 1976 order to Minnesota Supreme Court, but fail to file required bond.
November 23, 1976	Fuchs, et al. file Petition for Writ of Prohibition.
December 27, 1976	FACT (Families Are Concerned Too) files Summons and Complaint in Ramsey County.
January 5, 1977	Governor Perpich, after reaching agreement with Senate Majority Leader Coleman and House Speaker Sabo, announced that joint legislative hearings on the power line issue would begin soon, with Lieutenant Governor Olson representing the Governor. The announcement was made during the Governor's first State of the State address.
January 12, 1977	Joint House-Senate legislative hearings held in St. Cloud. About 500 people attended and 68 of them testified.

<u>DATE</u>	<u>EVENT</u>
January 25, 1977	Legislative hearings on specific bills commenced.
February 3, 1977	Governor Perpich and Lieutenant Governor Olson met with the legislative leadership to seek their advice on this issue. The group decided to call in an outside mediator to help the opposing sides resolve the dispute.
February 4, 1977	Governor Perpich urged the power cooperatives to postpone any activities along the proposed power line route pending the outcome of mediation; the cooperatives agreed.
March 1, 1977	Minnesota Supreme Court consolidated seven power line court cases into one to be heard in Glenwood by a panel of three district court judges.
March 16, 1977	American Arbitration Association Vice President Joseph [Josh] Stulberg held his first mediation session with a delegation of power line opponents and power cooperative officials in St. Cloud; impasse reached.
March 22, 1977	Three-judge district court panel established by the Minnesota Supreme Court met in Glenwood, Pope County, to hear consolidated power line cases. Panel ordered a halt to all surveying and construction activities on the CU project in Minnesota.
April 11, 1977	MEQC finds EIS to be adequate, designates route and grants Construction Permit (CU-TR-2).
May 21, 1977	Conference committee report on power line bill (S.F. 896) passed by both houses.
June 2, 1977	Governor Perpich signed S.F. 896.
June 14, 1977	Three judge district court panel meeting in Glenwood heard oral arguments in the consolidated power line cases.
July 14, 1977	Three-judge district court panel unanimously ruled in favor of the power cooperatives in the consolidated power line appeals. The decisions of the Energy Agency and the Environmental Quality Board were affirmed.

<u>DATE</u>	<u>EVENT</u>
August 25, 1977	Oral arguments on the consolidated power line cases before the Minnesota Supreme Court.
September 30, 1977	Minnesota Supreme Court ruled unanimously in favor of the power cooperatives in the consolidated power line appeals. The decisions of the Energy Agency and the Environmental Quality Board were affirmed.
October 25, 1977	Restraining order issued which bars interference with power line construction in six counties. Cooperatives also filed a damage suit for \$500,000 against protestors.
November 7, 1977	Restraining order issued which covers Stearns County. Cooperatives filed a second \$500,000 damage suit against protestors.
November 8, 1977	Minnesota Department of Health released its study of public health and safety effects of high voltage lines
November 16, 1977	Power line opponents held a rally at the Capitol and met with Governor Perpich, Lieutenant Governor Olson, and state legislators.
November 19, 1977	Governor Perpich met with representatives of groups opposing the power line at the Residence. They agreed to support the science court without insisting on a moratorium on construction activities.
November 22, 1977	Six "urban supporters" of the protesting farmers were arrested near Elrosa for disrupting surveying in violation of a court order.
November 23, 1977	Power line opponents filed a \$5 million damage suit in U.S. District Court in St. Paul against the power cooperatives, various state agencies in Minnesota and North Dakota, and various officials.
November 30, 1977	Governor Perpich met with representatives of the two power cooperatives at the Residence. They rejected the science court and suggested that the EQB appoint a "scientific advisory committee" as authorized by the power line act passed during the 1977 legislative session.
December 6, 1977	Woida v. United States of America, (Civil No. 4-77-443) filed in U.S. District Court, District of Minnesota, Fourth Division.

<u>DATE</u>	<u>EVENT</u>
December 6, 1977	North Dakota and Minnesota power line opponents filed suit in U.S. District Court in Minneapolis, seeking a temporary restraining order halting further construction contending that the project failed to follow federal environmental regulations.
December 15, 1977	Power line opponents meeting in Lowry agreed to demand that Governor Perpich set up a science court by January 1, 1978.
December 15, 1977	Stearns County District Court Judge Paul Hoffman appointed eight commissioners to hear power line condemnation cases; first meeting scheduled for January 4.
December 19, 1977	Governor Perpich announced that the power cooperatives had agreed to participate in a science court.
December 20, 1977	Power line opponents meeting in Lowry decided not to support a science court unless a construction moratorium is included.
January 3, 1978	Pope County Sheriff Emmons, assisted by about ten state troopers, arrested one person for obstructing legal process and resisting arrest and cited nine others for obstructing legal process during confrontations near Lowry. Sheriff Emmons had requested assistance on December 30.
January 5, 1978	At the request of Pope County Sheriff Emmons, Governor Perpich authorized sending up to 175 state troopers to Pope County.
January 9, 1978	U.S. District Judge Donald Alsop denied power line opponents' request for a temporary restraining order halting construction. Thus, construction was allowed to continue until at least February 10, when arguments will be heard on the opponents' request for a preliminary injunction.
January 9, 1978	U.S. District Judge Edward Devitt granted motions dismissing all defendants except the utilities and the sheriffs from the power line opponents damage suit.
January 10, 1978	One power line opponent arrested in the Lowry area for obstructing legal process.

<u>DATE</u>	<u>EVENT</u>
January 11, 1978	Eight power line opponents were arrested near Lowry for obstructing legal process.
January 13, 1978	Five power line opponents were arrested near Lowry for assault on a trooper, obstructing legal process, failing to obey a lawful order, and criminal damage to property.
January 13, 1978	U.S. District Judge Edward J. Devitt denied power line opponents' request for a temporary injunction against the sheriffs and utilities.
January 16, 1978	Pope County Attorney Nelson resigned because he did not want to handle power line cases.
January 16, 1978	Three power line opponents on snowmobiles arrested near Villard for obstructing legal process and driving an unregistered snowmobile.
January 17, 1978	State troopers were injured and fourteen power line opponents were arrested near Villard for assaulting troopers and obstructing legal process.
January 17, 1978	Governor's Office held a meeting at the offices of the American Arbitration Association, Minneapolis, to take the initial steps toward selection of science court case managers. The power line opponents who had earlier agreed to participate in a science court without a construction moratorium and power cooperative officials were invited to attend. The power line opponents failed to appear.
January 18, 1978	Two power line opponents were arrested near Villard for obstructing legal process.
January 20, 1978	Power line opponents held a large rally at Lowry Town Hall. Four power line opponents were arrested near Villard for possession of dangerous weapons (baseball bats) and obstructing legal process.
January 23, 1978	Power line opponents held a rally at the State Capitol and met with state legislators and a representative of the Governor.
January 24, 1978	Governor Perpich delivered his State of the State message. He said that "in our democracy, there is a system of law to resolve disputes. If democracy is to endure, our respect for law



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must endure. . . . The parties to this dispute have had the fullest access to our entire political system. . . ." He reviewed the efforts which have been made to resolve this dispute. He said that all of state government has willingly "gone the extra mile to act with justice and humane concern for the rights of all parties. I still regard the science court as the best mechanism for resolving this controversy. I again call on all parties to join with us to make the science court a reality." After the address, Governor Perpich met with a group of power line opponents.

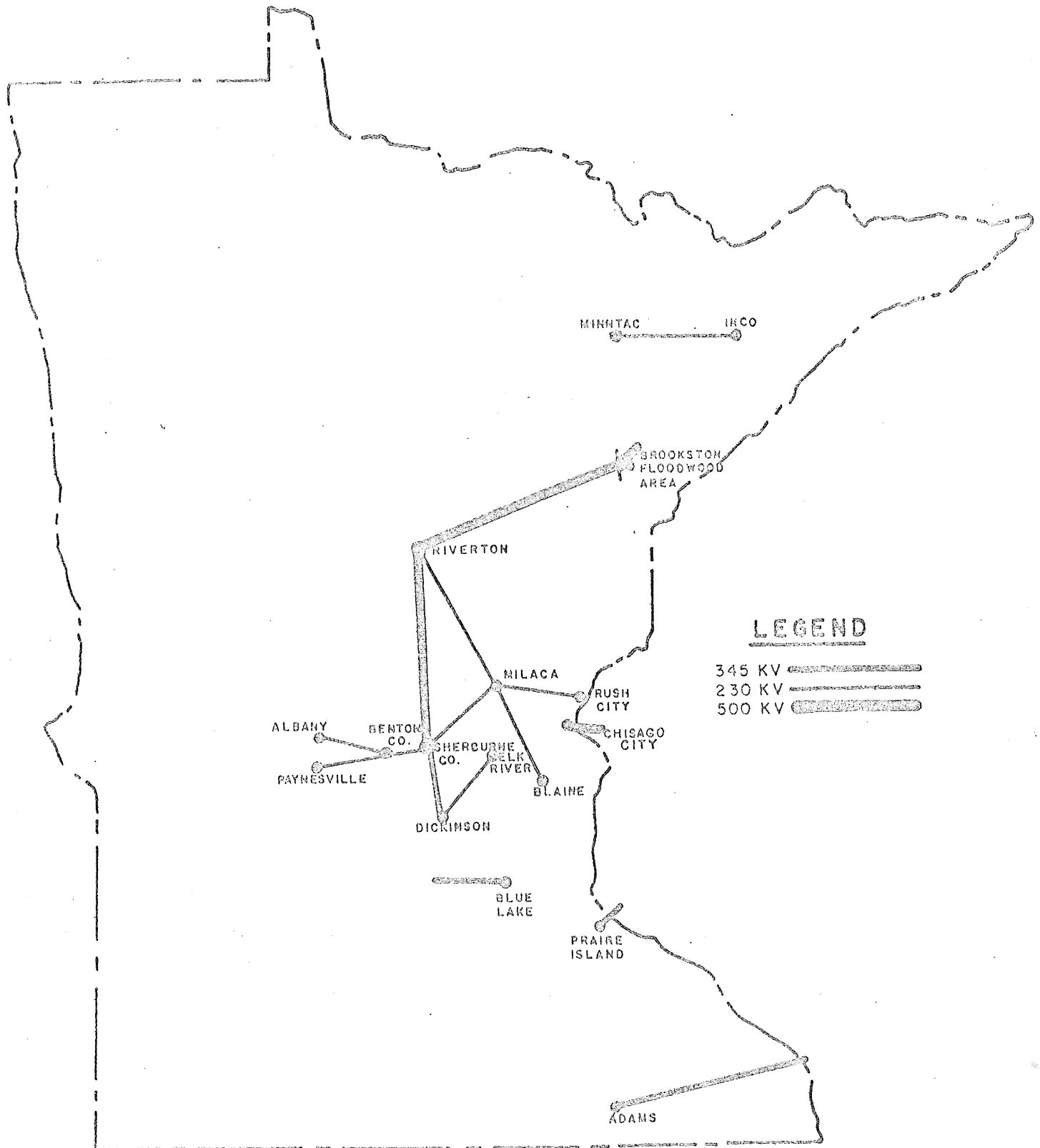
January 25, 1978

Speaker Sabo and other legislators privately met with a small delegation of power line opponents and the CPA and UPA presidents and general managers. The power cooperatives reiterated their own commitment (and the requirements of their construction permit and the Supreme Court decision) to do whatever is necessary to correct any problems or hazards that are found, even if that means reducing the voltage on the line or dismantling the line. The power line opponents accepted the power cooperatives' offer to fly seven or eight people to the Pacific coast and seven or eight people to Canada to talk with people living near high voltage lines identical or similar to the CPA/UPA line. Also, Representative Willard Munger scheduled power line hearings before his House Environment and Natural Resources Committee beginning on February 7.

JH/fa



# TRANSMISSION ADDITION DIAGRAMS 1981-1985



# TRANSMISSION ADDITION DIAGRAMS 1976-1980





# TRANSMISSION ADDITION DIAGRAMS 1986-1990

