

MINNESOTA POWERLINE CONSTRUCTION ORAL HISTORY PROJECT

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NARRATOR**

**EDWARD P. NELSON
INTERVIEWER**

MINNESOTA HISTORICAL SOCIETY

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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.

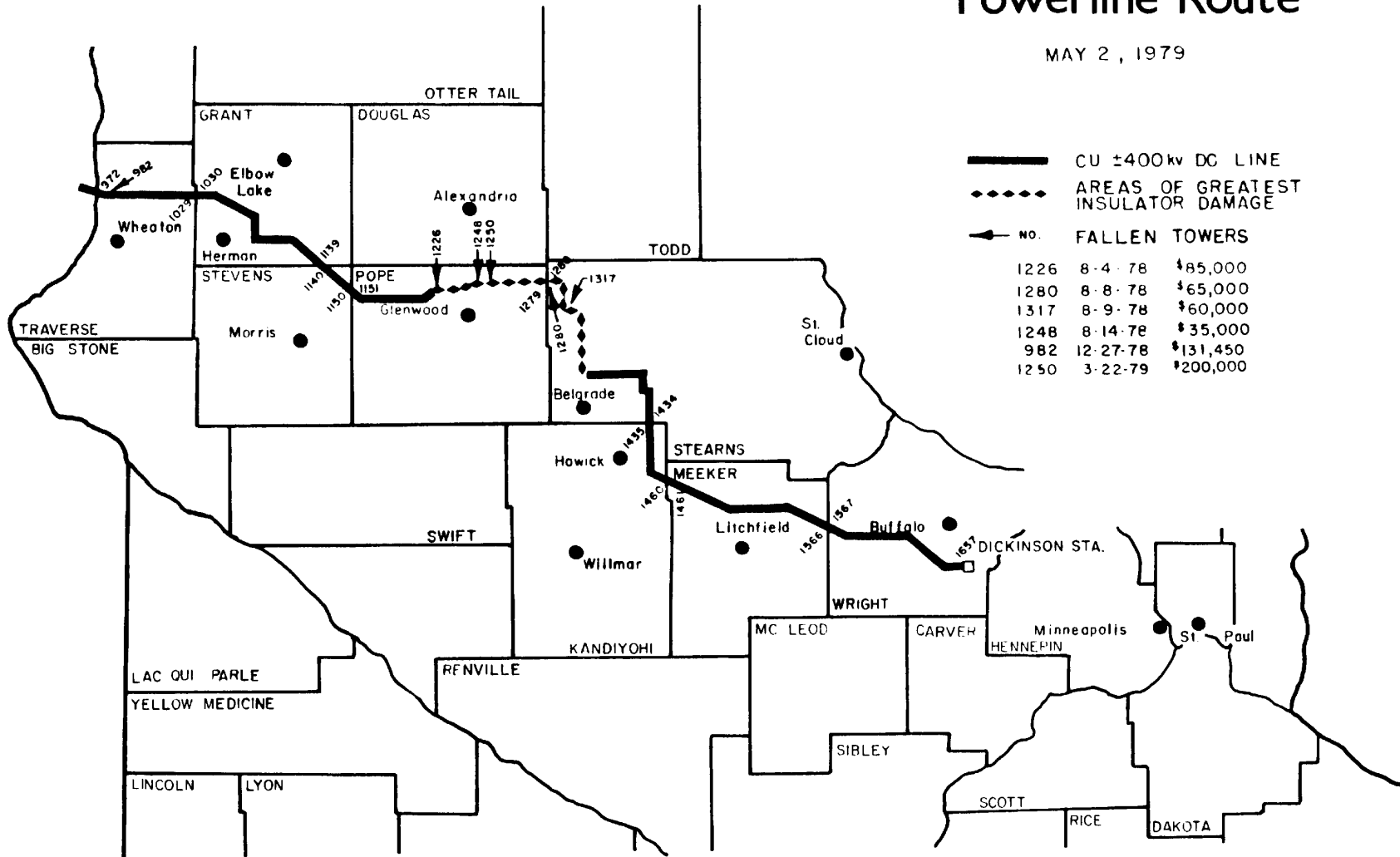
James E. Fogerty
Minnesota Historical Society
March 12, 1981

Updated November 2002

Powerline Route

MAY 2, 1979

15



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. |

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| 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

David Fjoslien
Narrator

Edward P. Nelson
Interviewer

February 1, 1978

Rep. Fjoslien's Office

EN: Today is February 1, 1978. I'm at the office of State Representative Dave Fjoslien, Independent Republican, District 11B, Brandon, Minnesota. My name is Ed Nelson.

Representative Fjoslien, what's your hometown and what was your occupation prior to being elected?

DF: Ed, I'm from Brandon, Minnesota, and I own and operate a farm three miles south of Brandon.

EN: And how long have you been in the state legislature?

DF: I was elected for the first time in 1972, and have served continuously since then.

EN: So you've been in six years. What committees have you been on, since you were elected?

DF: I've been on numerous committees, Judiciary Committee, the Ag[riculture] Committee. I presently serve on the Environment and Natural Resources Committee, as well as the Education and Financial Institutions and Insurance Committee.

EN: Have any of these committees worked on legislation related to powerlines for public utilities?

DF: Yes, the Environment and Natural Resources Committee has been very active in legislation which affects the powerline. In fact, the legislation, which was passed in 1973, which one can say basically created the present problem, of course, at that time went through the Environment and Natural Resources Committee.

EN: Can you talk about the 1973 legislation?

DF: The basic reason for the problem on the powerline in West Central Minnesota now is because the 1973 legislation took away all local control in reference to siting of power lines and power plants. So that now it's strictly a state decision. And the local units of government have absolutely no legal input into the powerline siting process.

EN: What were the events or factors behind the change in legislation at that time?

DF: The reason that the legislation was changed was because the—and this is my opinion, and my opinion only—of course the power companies knew that a vast amount of powerlines would have to be built in the state of Minnesota in the future. And they felt that if they could get rid of local control, why, this was one of the major stumbling blocks to the siting of powerlines. I don't believe it was a wise decision to get rid of local control, but that's—so be it.

When the local county commissioners had some authority to—for example what Pope County did a couple of years ago, they actually zoned this powerline out of the county. Originally this particular powerline, UPA-CPA, came under the previous law which was in effect prior to 1973, but after running into the county zoning them out of their county, then they went jumped off one horse, so to speak, and went on the other horse and came underneath the new law. The new law said a county could not zone a powerline out of the county. And that, of course, is where the bulk of the trouble started.

Going back to the basic problem with the UPA-CPA line from day one was the extremely poor public relations on UPA-CPA's part. And, of course, to date that public relation's policy of UPA-CPA has changed very little.

EN: Do you think that the 1973 legislation was in any way a mistake or it was—that it should have—that the other way was better?

DF: I believe the other way was better. It forced the utilities to have public relations with local units of government. I'm not opposed to powerlines, per se. For example, Minnesota Power & Light has recently constructed a 250 kV DC line through an area just north of my legislative district. That line runs near Detroit Lakes and on over—on a basically east-west routing over near Park Rapids and then to an area near Cloquet, Minnesota. There was very little opposition to this line, but Minnesota Power & Light had a rather efficient public relations process.

Ottertail Power, as an example, has built numerous lines in my area of the state with very little opposition, strictly because they have a relatively viable public relations department.

And if you treat the people fairly, usually they'll allow the power lines to be built. There's always going to be a certain amount of opposition, but not the vast amount of opposition that has been felt with the present UPA-CPA line.

EN: The 1973 legislation, bits and pieces that I picked up—was supposed to provide public input in it—replace this local government control—

DF: Well, this is very true. The original intent of the legislation, and I supported that legislation at the time. I felt the Environmental Quality Council, as it was known, sounds like a real good thing. Just the name brings music to one's ears.

But what basically happened with the citizen input on this powerline, four major corridors were

picked through West Central Minnesota. Well, it so happened that there were people from the various areas, which were picked to represent that area, and the corridors were then studied. Well, as an example, you can take four fingers of your hand to represent four lines on a map. And as it turned out in that case, three fingers of the hand had top-heavy representation, and the little finger was sitting there with virtually no votes. There were a few people, but most of the people were from the other three corridors. That one particular corridor that had very little representation on the board or council, whatever you want to call it, was out-voted by the other three. So what happened and what has been the major problem with this line—the little finger, shall I say, out of the four fingers—got ganged up on by the other three fingers, and everybody voted to shove it off on the little finger, and the little finger didn't have enough votes to defend itself. And consequently they got the line.

So the siting process leaves something to be desired, because you should have adequate representation from all the various corridors that are in the selection process. At this particular selection process, the northern corridor, which runs through Pope and into the northern part of Stearns County, had very little representation on this board. Consequently they got the line.

EN: One of the issues has been regarding the right of eminent domain. Do you think that at one time ever this was valid and now it's changed or is it—?

DF: Oh, I believe we need the right of eminent domain in certain areas. The eminent domain law, of course, goes way back to English law on the Magna Charta and way back in medieval times. It's something that came from England along with our ancestors. Since you can say modern times, we have had eminent domain, but it is the use of eminent domain that of course concerns me.

When the Rural Electrics originally came in some 35 or 40 years ago, and I was just a little kid when REA came to my farm home near Elbow Lake in 1941, so I can remember REA coming in. It was a needed thing at that point in time, but just as an example, maybe nine farmers out of ten agreed they wanted the lines, but this one, old-fashioned farmer said, "No, it's not coming across." At that point in time, eminent domain was used to condemn the land of the one farmer.

But at this point in time when you have high voltage power lines, it's a whole new ballgame, so to speak, that eminent domain should be looked at very closely. I had an amendment in the legislature last year, 1977, which would have stated that to take eminent domain, you'd have to voluntarily sign up twenty-five percent of the property owners prior to using eminent domain on the other seventy-five percent. I feel that this is a very reasonable, legitimate goal to reach because if twenty-five percent of the farmers agree it's okay, then— Possibly a lot of people say it should be fifty or even ninety percent have to agree, but realistically if twenty-five percent agree, the line isn't all that bad.

But in this particular case on UPA-CPA, it's something like ninety percent of the people didn't agree voluntarily to give easements. And here is where the problem is. The power company had come in—and this has happened—in this case would say, "Well, we don't need your approval, you know, either you sign or we're going to condemn you." Well, that intimidates people. And

blatant misuse of eminent domain just makes for very, very hard feelings because rural property taxes are extremely high. As a landowner myself, I directly relate to the farmers' problems along the line because, for example, I'm paying taxes on my land and I feel that I own my land. But yet if a powerline should desire to come across my property, under present law I have absolutely nothing to say about it.

EN: Has this been a problem that has just affected utilities because of the growing energy demand?

DF: Is your question, is eminent domain just affecting the utilities?

EN: I guess I'm wondering if there's anything special about the utilities having this right.

DF: No, there's nothing special. For example, the iron mining companies in northern Minnesota have the same right. And like I say again, if eminent domain is used correctly—there's a time whether you build a highway, powerline, pipeline, you have to look at the ultimate public good. But one should also respect the rights of the property owner.

And as an example, what has happened on this line in several cases, one name I'll mention is Les Pollard, who lives near Cyrus. He said, "Ok, you can build the line, but if you build the line, you have to go along the edge of my property." And they said, "No, we're going to go diagonally across your property." And the gentleman has retained legal counsel to attempt to get the powerline built along the edge of his farm. But it appears the power company just refuses to do that. Their mind is made up, and they're going to go diagonally across his farm fields.

Well, this I feel is blatant misuse of eminent domain. It's just like—usually people have rented some time in their life, whether it's an apartment or house or something, but people can get the feeling—okay, if you go in and rent an apartment, it's your apartment, but yet you don't do anything without asking the landowner or property owner, the landlord's permission. And it's the same thing, if a powerline is going to be built across a farmer's field, the farmer is still the owner of that land, and the power company are still the renter of that land, and the renter should at least make every possible attempt to pacify the owner. So that the owner signs a willing easement rather than just being bludgeoned or clubbed into signing an easement for the powerline to cross the property.

EN: Do you see a problem between getting a line like this—okay, two things—you've got a responsibility to your constituents, and you have sort of a responsibility—or at least this has been in the past—to provide cheap, low-cost energy. Has this been a problem for yourself? You have to protect those people, and yet you have a responsibility to the people of Minnesota.

DF: Yes, although cheap, low-cost electricity—I guess that's one of the problems we have here in the state of Minnesota, as well as other states. I guess we just have been brought up in an era where—if you remember a Northern States Power advertisement of just, you know, a few years ago where the electricity is penny cheap. Well, we have grown up thinking electricity is cheap, energy is cheap, and it's an unlimited quantity of energy, and you can just waste it and throw it

away any way you want to.

Well, we are now coming into a realization that our supplies of energy are not infinite, that there is a limit to the supplies of energy. And we must steward our energy resources a little better than we have in the past.

There's no reason why we couldn't get into other alternative forms of energy. I've worked a lot on alcohol as a fuel, solar, wind. You know there are lots of other forms of energy. I guess the power or electric companies just have us into a box and are thinking electricity and the big power plant is the only way to go. In my area of the state a large amount of the homes are heated virtually 100 percent by wood. We now have a few people putting up wind generators. There's a lot of interest in methane as a fuel, alcohol as a fuel.

That is something we've got to wean ourselves away from, this one particular bottle, whatever you want to call it, of coal-fired electric plants or new plants, whatever you want to say, and go back into other alternate energy sources because, you know, the sun is an unlimited energy source, and nobody can charge for the sun. And my philosophy is that we just have to get away from all this coal-fired electricity and have people, number one, conserve, but number two, look at another form of energy.

EN: Is there some push from the state behind this sort of thing?

DF: There are a lot of legislators pushing, for example, gasohol. I hope that we'll be able to do something with that in the near future. There are several bills in for credit, tax credits on solar energy, but the state or government has to take a lead in alternate energy sources and do a little experimenting.

As far as right now, if a person puts a solar furnace on their house, this is part of the house and would be taxed along with the house. And a solar furnace will cost anywhere from \$3000 to \$12,000. There's a bill in the legislature, which we can't even get a hearing on which would say this solar furnace or wind whatever would be exempt from local property taxes. So it would give people an incentive to go to alternate forms. But if you're going to put a high tax on some of these alternate forms of energy development, it just doesn't give a person any incentive because they can just go and buy oil or electricity off of the powerline cheaper than what they can if they have to pay all the taxes on this alternate energy. But in the next 10 years, I'm sure by 1988, alternate energy sources will be very common and prevalent in our state of Minnesota.

EN: Is this directly or indirectly related to the controversy?

DF: Oh, definitely. This is one of the things that people out in that area just can't buy is the fact that all this electricity and energy is needed. And they're saying well, farmers, maybe some farmers are using a lot more electricity, but for example I'm farming but I'm not doing intensive farming, as far as cattle. But a lot of the farmers are saying, such as myself, I'm not using any more electricity than I was ten years ago, possibly even less.

And the farmers are now looking at, for example, methane for fuel. And one farmer near Alexandria is putting in a gasohol or alcohol plant this coming summer of 1978.

And, you know, the word's just getting out. I don't even buy it myself that all this energy is needed. You drive up and down the highways around the Twin Cities area, and you don't even have to turn your lights on. The Highway Department has those, you know, all the lights lit up on the highway. The State Capitol, as an example, has lights on it. You could shut off three-fourths of the lights on the state's highways, and I don't think anybody would know the difference.

This is burning up a vast amount of energy that, as far as I'm concerned, is totally wasted. And here it's the state of Minnesota, and the taxpayers are being forced to pay for all this waste. I've checked with the Highway Department about turning off the lights, but they just kind of pooh-pooh it. They signed a contract, and that's the way it is. Until the state takes a role in shutting off the lights—people say it doesn't amount to anything, but yet if the lights are off, people notice them. If the state shuts off a light, the individual will go home and shut off the light also.

EN: What sort of reaction do you get from your colleagues from the atmosphere here? Is there this sort of thing where you're doing this because of your background?

DF: Well, I'm doing it because of my background, but I'll go back to the powerline. The vast majority of the state legislators, and I'm not being critical of them, but, just like myself in the reserve mining case—they are now dumping taconite into Lake Superior—I'm concerned, but yet it doesn't directly affect me. So I've been up and physically looked at the plant, and all that type of thing. Unless a person physically goes out and talks to the farmers that are affected by this powerline, you don't really get the in-depth feeling of the powerline.

And in all due respect to my colleagues, I suspect only three or four percent of them have actually bothered to go out and visit with the people and visit first-hand. And this is the only way you get an in-depth feeling of the powerline controversy. That is to actually go out and spend a day with these people and find out that they aren't a bunch of nuts and they're basically hardworking, honest people, but they are very concerned about their health, safety and the safety of their family. And also they love the land very deeply, and they don't want to see their land desecrated with a powerline.

EN: There was a number of pieces of legislation passed last spring, for example, full farm option easement payment schedules, property tax cuts, things like that. Were you involved in those things?

DF: Yes, I was a member of the full Environment Committee. The vast amount of this material— Of course those hearings were in the subcommittee of which I was not a member, but I was directly or indirectly involved in all of it. I had lots of legislation in myself.

EN: Are there any specific ones?

DF: Well, this legislation was passed in 1977. Virtually none of it had any effect on the

powerline, which we're talking about, in west central Minnesota. The only major piece of legislation that had an effect on this powerline was that the farmers will be receiving an annual payment on the line that crosses their land. But, for example, I had a bill in which was just taken from my bill form and put into the committee bill, which mandated that the line goes along a section or property lines whenever possible.

Well, as I referred to earlier, the Pollards wanted to come under this new law, and the power companies more or less said that law doesn't exist, and they're going on the way they planned it anyway. So this legislation that was passed in 1977 may be good for powerlines in the future, but it really didn't do anything for this particular powerline.

EN: Are you working on legislation now that would affect this one? I know last week the critics of the line were down saying we want a moratorium.

DF: I'm working on the health and safety aspects of the powerline, and we'll have input into the committee meetings, which will be held February 7 to 9 of 1978. But well, to use an old rural adage—this horse is so far out of the barn, I don't know if we can get the horse back in the barn. But something has to be done on this powerline. And what we can do, short of calling for a moratorium and studying it further? I guess that's really all we can do at this point in time.

But as far as on the moratorium, to add something there, we all know it would be very expensive to the power companies. And I guess in this day and age we judge things too much by material value. And everybody talks about cost and dollars, but a lot of people just forget about the human element. And that I guess is what concerns me the most. We've forgotten about the human element on this UPA-CPA line.

EN: One thing that's been suggested is that it may be in some way a rural versus an urban struggle. The rural people have to sacrifice so the metropolitan people can have the electricity. Is that—?

DF: There might be some truth to that. However, the REA is telling us that the vast amount of this electricity is going to rural farmers. So, I don't particularly see that struggle there. There's a lot of support from the city people for the farmers up there. So I don't really detect it as a rural-urban split. We all know we're on this fragile spaceship, Earth, and we all have to be our brother's keeper and [unclear].

EN: What sorts of effects do you think this has had on the people of your area?

DF: The people in my area have become very, very politically aware and have— Now this is one of the things that's unfortunate. You have to threaten to take away or damage a person's home or livelihood before they really pay attention to what the government's doing to them. But it's been a tremendous education in government to the people of my area. And, of course, a lot of them have been woken up to the fact that the political process really isn't all that they may have thought it was in the past. And they are definitely seeing the wisdom of our founding fathers in the words that were put into the original Constitution and Bill of Rights back in the late 1700's

when our country was born.

EN: How do you view the situation as it stands now with the confrontations going on?

DF: Well, I view it that here as we sit here on the 1st of February 1978 as we haven't seen nothin' yet. The confrontations, of course, are going to, as far as I'm concerned, get worse, like another old cliché, violence begets violence. And you can go back to a war, which was going on ten years ago. As one side escalated, the other side would escalate. And who will eventually be the winner? I do not know. I do know my farmers well enough that they aren't going to give up without a fight, be that good or bad.

But they have had their feelings hurt. To go back to public relations—if they would have had a little PR out about three or four or five years ago, this problem would have been resolved peacefully. Right now it's—you can go back to the old southern fight of the Hatfields and the McCoys. I guess those two families eventually, after the fight had been going on for years, forgot what the original fight was about. But they remembered they were enemies. And this about the same state we're at in West Central Minnesota. The feelings are running so deep at this point in time I myself can't answer what the outcome will be.

EN: Are there any possible solutions or alternatives you think that should be pursued to speed this process up?

DF: Well, just free and open discussion is the best thing. The best thing we can possibly do is to just keep talking. There are lots of solutions to this line. Of course, at this point in time the line has gone so far that if the line is—certain route changes, of course, would help. The cooling off period would help. But due to the labor contracts, etcetera, I guess a moratorium by the power company, you know, for those folks to call a moratorium would be impossible. So we'll just have to watch the pot boil, I guess. And being a minority member of the legislature, I don't have that much direct input into the entire process. I tried two years ago, but as I say again, as a minority member, lots of times your cries aren't heard.

EN: Do you think that this controversy will affect a lot of things in Minnesota? I guess you sort of answered that before, but—

DF: Well, just to briefly answer that question—we'll get back into politics. I'd say that people are being made aware of what their government is doing to them. And I guess every cloud has a silver lining. And the silver lining of this cloud is that people are aware that if they can work within the government, we can avoid violence, but the government also has to be responsive to the people. It's a two-way street. But we still have the greatest country on the face of the earth, but once in a while the country gets sick. And at the present time our country or state may be a little sick, but I'm sure that it'll get well again in the years to come.

EN: Can you comment on the roles of the governors in this issue?

DF: The governor's roles would be that—the governor, of course, is the Chief Executive of the

state. And I'll go back to Governor Wendell Anderson. He was the governor when the confrontation started. If Governor Anderson had listened to the people at the time, we'll go back to 1975 when the thing really first got rolling out there. At that point in time, if people could have sat down and talked, I firmly believe the confrontation could have been avoided or met head-on and resolved at that time. But Governor Perpich has, I believe, truly attempted to resolve the problem, but, as I said, earlier, the horse is so far out of the barn, I guess Perpich—

[Tape interruption]

—West Central Minnesota. And at this point in time, it's just going to take a very fair, impartial arbitrator to try to get both factions together. But, as I mentioned earlier, feelings are running so deep at this point in time, it's just going to take a matter of time to cool off tempers and to resolve the problem. But maybe it's a problem that cannot be resolved over the conference table at this point in time.

EN: Has this been a difficult political issue for yourself?

DF: Well, it definitely has. There's two parts to the issue, but basically I talk to my people a lot, and the vast majority of them seem to favor the basic stand of the farmer. And I feel that I must go with the will of the majority. And also, of course, by what I in my own conscience feel is right. And, as I mentioned earlier, I've been trying for the last two or three years to peacefully resolve the problem. I had another problem which my own farm was part of five years ago. It was a project, which was known as the Minnesota Experimental City. It is a very similar problem to the powerline, where people's land was going to be taken away from them without their consent.

This is also what we have along the present UPA-CPA route, that it's just land, property, individual rights. And as a farmer myself I relate to it. I love my land, and it's given to me for a few years that I am here on this earth, and I want to be a good steward of it, and I guess that's the same thing that these other farmers feel. That they're just going to have the land for a few years, and then, of course, it'll belong to someone else or shall I say be managed by someone else, and the people just feel they want to do the best they can with the land which is temporarily given to them by the Good Lord. And the people just are guarding their land closely and don't want to see their land destroyed.

EN: I think that about does it for my questions. Is there anything that I've forgotten or additional comments?

DF: No, not really. I think we've kind of— This is not going to be used, really, for— It's just more of a record, isn't it? I think we've hit— You know, we could sit here and talk all day on it.

EN: Okay. Well, thank you very much.