

An Interview with
IGOR LENZER

Conducted by Marta Monti
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Rinke Noonan, St. Cloud, Stearns County, Minnesota

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Interviewer: Today is June 11, 2015. I'm speaking with Igor Lenzner, a lawyer that has represented landowners and business owners impacted by the CapX2020 lines. I'd like to begin first with I explored the website and seen—got a feel from what you and your firm do, from the website. I was curious as to how you guys became involved with the CapX project and how you came to represent the landowners, or various people that you're representing?

Interviewee: My first interaction with the CapX power line was that we have a client. It's a small township in Stearns County. I happened to be at a meeting on an entirely different matter. At the end of the meeting, after we'd dealt with everything else, the board said to me, "Hey, we would like to talk to you about representing us with regard to the CapX2020 power line, this big power project that's gonna come through our township. I said, "Well, what's the issue?" They said, "Well, we don't want it here." They listed a variety of environmental reasons is it was the wrong location for the line. I said, "Well, you can give me hundreds of thousands of dollars, and then we can all walk over to the cement block wall, and bang our heads on it for an hour, and we'll be just as far as if I represent you trying to move this power line." I left the meeting.

A couple months later I went—and I happen to be back at that township for different matter, and at the end of the meeting, they said, "Okay, now we're looking at the proposals to hire law firms from the Twin Cities with regard to relocating CapX powerline in our township." I said, "What you guys are serious? You really wanna do this?" A few of my partners got involved in actually representing them in relocating or attempting to relocate the line as it traveled through Stearns County. The ended up—that township ended up partnering with St. John's. Ultimately, the line was relocated in that portion of Stearns County, so I was wrong. It could actually be done. It wasn't the type of thing that I did, so that went to my partners. I have been doing eminent domain work for the past, now it's been 22 years, so was about 16, 17 years at the time that this started, and had done a lot of it on the acquisition side for local governments, counties, cities.

I mean, I also represented property owners—I had no involvement previously in anything to do with power lines, but I had heard a lot of stories from partners who had—my partners who had retired and who had mentored me before about how they got their start in eminent domain, and that was when the cooperative power line came through in the mid-70s.

The story that they always told me was that Bud Rinke, our founding partner, took his RV and drove out to western Stearns County and held meetings at local taverns, talking to farmers about representing them with regard to the power lines. My more senior partners, they don't explain that they had gotten all this experience representing tons of farmers in the mid-70s. Then we didn't see a big power line project for a long time.

I had a couple of associates at my office who said they wanted to get involved in this CapX power line. They had been watching it and sending letters to people. Just not having experience with that aspect of eminent domain, and what it did to values or anything like that, I was hesitant to get involved and said, "Eh, I just don't know if this is a good business decision guys. I just don't know if there's anything to this." I mean, it's one thing to represent, for some of the people, to represent where the line goes, but I have no ideas what this does to values. I don't know—I haven't seen what people had been offered, those kind of things.

In the very beginning, it turned out that Stearns County and Wright County, just to the east of us, was gonna have the first 20 mile segment of this line. That was where they were gonna start in the 700-mile project in the state.

These young associates that work for me said, "Hey, we scheduled the public meeting out at a golf course in Clearwater and we want you to come out there and just give people a presentation. You don't have to talk about power lines. We've got all the maps and it shows whose properties impacted. You just have to talk about the eminent domain process. How it all works, how the offers were, how the court process works." So I went out to that meeting and the place was packed. Like most lawyers, I was able to talk for about two hours straight without taking a breath. At the end of the meeting, a lot of people came up and started talking about well, we have this property, or we have this commercial property, are I he or we have this property on the interchange. I started looking. I said, well, some of these people are gonna have serious impacts to the usability of their commercial property.

I came back and said, "I understand commercial real estate. I understand I can see the physical impacts that these easements and poles are gonna have on the usability of commercial real estate." I said to 'em, these guys are working for me, I said, "I tell you what. I'll help you. I'll do the commercial real estate part of it. You guys—you deal with the farms and analysis, because I just—I

don't have any background on what the impacts are gonna be on that." That was the deal that we started in our office. Well, we started with a few clients and that number just kept growing and growing and growing and to date, we have represented over 100 clients across the state. We currently probably have another ten above that that we still are representing in aspects of the line as it moves from Minnesota to Wisconsin. We probably talked to a few 100 people that have either called up and asked us a lot of questions or even sent their appraisals and offers to us and we'd give them some advice, or came in and met with us and we said, "Here's what we could do for you." Or "You don't need us" and give them some advice, and many people took the advice and went and used that, and that's great.

That's how we got involved in that and just representing one person. They talk to their neighbor, hey, what are you gonna do? I've no idea what to do. Suddenly we were representing ten, twelve people and then that went to 20, and pretty soon 30.

What you realize quickly is there's a lot of front-end time investment, because as I said, there hadn't been a major power project like this for 30 years. There was nobody in the state, except for some guys that were in their mid-60s who had had experience in this.

We put a bunch of time into basically saying, hey, here's what we need. We need a couple binders of research. We need to know one, where's this line go? Everything about this line. What's it gonna look like, how big is it, what's approved, what's not approved, and those types of things about the project. The next binder needs to be what are the impacts on health, both real and perceived.

For us, in the real estate valuation business, the real impacts is somewhat irrelevant. What it really is about is what is the perceived impacts, and I tell people it's a lot like—if somebody perceives that that property is, or that those poles are gonna be, or the lines, the electromagnetic fields are dangerous, they aren't gonna buy your property. You're not going to say, well, here, I have a research paper I want you to read. No no. They believe this and it's gonna impact them, because you're not gonna get that chance. If they perceive it as dangerous, they've never stopped to look at your property. We needed to understand both what do the studies say, are there perception studies and what are those?

Then the third thing was to look at what studies are out there on the impacts on property base. What do we know, and who are the

experts and who are appraisers that have experience? Because if we're gonna do this, we're gonna need experts. We're gonna need to understand one, are the proposals being offered by the power company reasonable, and so there's really not much for us to do here, or are they unreasonable and if they are, what's that based on and how do we prove it? We had to start out doing a lot of that research. A lot of that research isn't the kind of thing that you get paid for, because most of the people that are getting into this say, well, is this a fair offer? You can't just say, I have no idea. They say, well, what's this gonna do to our real estate value? I said, I have no idea. That doesn't get you very far.

We had to do is spend a lot of investment in time in the front end to try to figure out what's out there, who can help us, and what do we know and what do we not know? That was a big part of getting into it as well. Once we had a few clients, then you start to be able to see the issues that they ask you about, the issues that are coming up with regard to their property, and it allows you to focus more of your research and basically investment in that project. Once we had a handful of clients, we could see that hey, this is the first 20 miles. There is 700 miles of this. Then it was like, well, it's gonna be worth the investment.

Interestingly, because of the real estate acquisition community, it's fairly small—we found out, okay, who's involved in this? Who's out buying these easements? Who's valuing these easements? Who's doing this? We found who that was to try to figure out what's going on. Is this worth us getting into. I made a phone call to one of the companies that was hired to acquire easements. These are the same companies that acquire easements for highways. I've been doing highway work for years and years and years, so you know, you run into these people. So I called the one person and said, "Hey, we're looking at this. We got a couple people talking to us, and I'm just trying to understand how this is gonna work." One of the first things they said, amazingly, was, "Where can I see one of these poles? What's it gonna look like?" Those people would say, "Well, I'm not sure. It's a 345 kV. It's gonna be this big." I go, "Ah. I don't know what 196 feet looks like."

What was funny in the beginning was I was asking the folks involved on the project side, "Hey, where do I see this?" "We'll get back to you." "Do you have a picture of what it's gonna look like?"

One of the very first problems we had was nobody had one of these up. At least not around here. Then they would say, "Well,

there is one in Cottage—some in Cottage Grove or someplace, you know, that you could go and look at.” A big part of it was trying to figure out what’s this gonna look like. How big are they gonna be? How massive are they gonna be? What does 345 kV mean? Is that big? Is that small? Is it medium? What is it?

I mean, we called people from the project and one of the things they told us early on was, “Igor, the one thing that we do know is you’re not gonna make any money doing this.” I said, “Why?” They said, “because we’re working really hard to make reasonable offers in the front end, and when we do make offers, we think there gonna be so reasonable people are gonna take them and you’re not gonna get many clients.” Frankly, I had a lot to do, and I wasn’t all that confident of how this would work out. So I said, that would be great. I got other things to do and this is new.

Then we started to see offers. The first issue that came in was we had, right at the interchange of 94, where you come into St. Cloud, that’s commercial. It’s some vacant commercial industrial lands. We see those offers coming in and we’re looking at the impacts of those properties and talking to appraisers and real estate people.

The other thing that we got very early on was some houses that were very close to the lines. Very close is obviously relative, but within a few hundred feet. We started looking at, well, what were they offering these folks? The appraisals that we saw coming out of CapX at first, there was basically what we would call the easement corridor—this 75 to 150 feet that they needed across someone’s property. Generally, when they were running along Interstate 94, they needed 150-foot wide corridor, 75 of which they took from the state or used jointly with the state of Minnesota, and 75 of which they took from adjacent property owners. Then they would put the pole approximately in the middle, so people would get the pole at the edge of their property.

From CapX’s perspective, hey, we’re putting the pole at the edge of your property and we’re only going 75 feet into your property with our easement. Remembering that those poles were 150 to 190-some feet, so if they fell straight over, they’re falling outside of that easement. Now they will tell you that they’ll collapse in different ways and that you could run into them with a semi and not collapse it. But if you figure that the average mature tree is about 80 feet and so envision that you’re gonna have a steel pole that’s twice as high as the mature oaks on your property, you’re gonna see them.

What we first ran into was folks who lived adjacent to the freeway, and they had tree buffers between their properties in the freeway. A big thing when these corridors go in is they mow down the trees—

Interviewer: That's right.

Interviewee: - In that corridor.

Interviewer: Right on the line. Yeah

Interviewee: Suddenly you would see houses along the freeway that you didn't know were there. Okay? Some of the appraisers would say, "Well, they already lived on the freeway. What are they complaining about?" Some of these folks, some of them didn't have buffers, but some of them had very nice buffers. I mean, you could not really see the freeway. That buffer was lost.

When they would acquire the easement, initially, what they would do is a right-of-way representative would go meet with the property owners. They wouldn't bring an appraisal. They would bring a one-page sheet that basically said, here's the value of your property. The tax value. Here's 120 percent of that for—or 100 percent of that for the underlying corridor. We'll pay you 80 percent of that. Let's suppose the neighbor taking an acre of your property and the value of that acre of property. I'm not sure they even used the tax value. I think they had done an area wide survey. If they figured it was \$5,000.00 an acre, okay, we need an acre of your property. It's \$5,000.00. We'll pay you 80 percent of that. Look at how great it is, because you still get to use that property and we've paid you 80 percent for it. Most people, you get a one-page thing without any analysis, and it's, what?

Interviewer: These right-of-way people, are they usually lawyers? Or they're *[cross talk 00:16:39]*—

Interviewee: No, they are people whose job it is to acquire right-of-way. Now they generally go out and buy right-of-way for—you know, they work usually for engineering firms. Usually they do roads. If they're widening a road or putting a new road in, they're the people that come to your house and meet with you, and say, we need to buy this road. This is their job is to acquire easements for projects, roads, pipelines and powerlines. Some of them powerlines are new as well, but they've been acquiring easements for their whole careers. They understand real estate valuation. They're professionals. The vast majority of them are very

professional folks. This is what they do. They're private contractors. They're not employees of any of these power companies. They're the bearer of bad news. They're the one that shows up and says, "I know you've been getting a lot of notices, but I'm the person that says it's actually going on your property. Here's how we've calculated to pay you."

Most people that came to us, I mean, they just had no idea of the impacts. We said, "You know, well, have them do an appraisal, because before they can condemn your property, in Minnesota, they have to have an appraisal. Have them do an appraisal." The right-of-way agents weren't happy with that response, because this is a new expense. This is time. They wanna sign up as many people as they can. Their job is to get their project done.

Generally, we would push and push and push and say, no no no no no. We're not signing, based on this one page. "Well, what do you want?" "We don't know what we want. Bring us an appraisal. We don't—it's not our job to figure that out." We would say, "You know, hey, tell us in the first instance what your offer is best based on an appraisal." That one-page system of initiating the original meeting with people and offering them based on a one-page analysis, with an easement there to sign, was basically continued throughout the project, and was always step one. It was not step one, go get an appraisal. It was step one—and if it stopped, it stopped four years into it.

I mean, if they're not doing it anymore, they did it for years that way. It wasn't we did this for the first 20 miles and we didn't think it worked, because I can tell you, I think it worked on a large percentage of people. Okay? The number of people that I represented or other lawyers represented is not a huge percentage of the total property owners. When you talk to some of those folks, what they said was, "Well, I knew I wasn't ultimately gonna have a choice. I knew they would condemn it. I don't wanna pay lawyers. I don't wanna fight. They're big power companies." Most of 'em think of it as its Xcel Energy. They don't think it's a Stearns Coop. A lot of people just think they have—that they're powerless, and so they sign.

There are people who—that do right-of-way acquisition, and when I say right-of-way, I mean, powerlines, roads [*inaudible 00:19:51*]. The threat of, this will go to eminent domain if you don't sign. Okay? That's true. They're gonna build this powerline. It's going to come. You're not going to be able to stop it. If you don't do this, we're going to eminent domain. To a lot of people who don't deal

with it every day, that's a very scary term. It's going to eminent domain. Oh my God. I need to sign this. I don't need this stress, right? So a lot of people sign. In my opinion, it's not because they thought it was a fair deal. It's truly because they felt like I don't have a choice. If I go to a lawyer, they're gonna get all the money. I'm gonna just gonna be in this fight. I'm not gonna get anymore. I'm gonna be in eminent domain, and they're scared of what that means.

Interviewer: Do you think any of these people went to any of the public hearings? Were these the same people that would go to the public hearings and get warned?

Interviewee: I think some people went to public hearings, but I think that once it's going to their property, some people give up. I'm not sure. I would guess that people who went to public hearings are the same people who are gonna say, I'm not taking your offer. I want more analysis. I want more thought. If you didn't take their offer, and they brought in—by the way, the easement that they bring with this one-page analysis, this is a two-page easement.

Right away when we looked at it, we had concerns, because it didn't say for—it's a broad powerline easement. For anything we want to put on there, it would say, look, we're gonna have one pole on your property. But the easement actually provides much broader rights. It provides as many poles as they wanna put on there now or in the future. It provides that they put boxes on your property. It provides that they can put guy-wires on your property. All kinds of things. What they say they're going to do, and what they have the legal right to do—you know, they might say this is our intention, but you have the legal right to do more.

The second thing that they did in those easements, and today continue to do, is to say that they have access across the remainder of your property. Undefined access. They say across to—reasonable access across existing road, field roads if they exist, are another one. They say, "Hey, we gotta be able to get to our corridor. We might have to get to our pole. We gotta get across to your property." That makes sense at first, but if you're the property owner and you say, well—it's what real estate lawyers call blanket easement. Well, it covers my whole property. Where is the access? If I pull out a map, can I tell? No, it's wherever or whatever's convenient for us. Well, can I put a fence all the way across? Theoretically, no, because they have to be able to get an access to their corridor.

The other thing about not defining the road access that they're gonna have to and from your property is when it's undefined, it's not measured by area. When easements are appraised and there's—something that's not measured by area, appraisers don't appraise it. Just because, they appraise two acres of easement. Now they're going to pay you 80 percent of the acreage, or 70 percent of the acreage, or 55. Having this undefined blanket easement, I believe, if I'm doing it, I'm doing it because it's one, easier and cheaper. Because if I start drawing lines, people might not like where I draw this lines.

Now they will tell you, hey, the reason we do it is because we want to be flexible. Okay. In 90 percent of the instances when we've talked to clients about it, they wanted to know where are you driving? How big of a space? Where's it gonna be? We fought that very early on, and said, "No, if you're gonna take an access [*inaudible 00:23:25*], you need to confine it and define it. Okay?" They have done that every time we've objected, or if we've said, now it's to the point we come and we say, yeah, we want this confined and defined. I will tell you that in a majority of them, they say, okay, we don't need it. When they do, they'll define it. Okay?

The second thing that they added to the easements was a what we call a permanent—I refer to it as a permanent temporary easement. I don't know if anybody else has talked about this with you, but generally when you do a construction project, and I do a lot of road projects, you might need an extra ten feet just for construction. MnDOT generally takes it for five years. Some places do two years. They say, our equipment needs to get over there. We're gonna be moving around. We need this space for construction. We don't need it for our easement long-term. They do find that extra ten feet next to the road, and they pay you basically two year's rent.

CapX didn't do that. They took 150-foot easement corridor and then said, we have access over the balance of your property, which they described for access. Then they said, in addition, and I think they said adjacent to the corridor, we have a temporary right to use this for construction. I'm simplifying it, but adjacent—I didn't know if adjacent meant the ten feet adjacent or the 50 feet adjacent.

When we first objected to that, they sent back saying that it would be an unusual in emergency circumstances. I said, but how much space is it? Because again, if we don't define it, how do people get

paid for it? How do they know what part of their property's encumbered? An example of that is where was it confined throughout construction? There were people that had activities occurring outside of that 150-foot corridor.

If you'd already signed the easement, and didn't anticipate having poles piled up over there, or they had these big concrete pilings that they sometimes had to put in that you—I have pictures of where a client has this child standing inside of it. A 10-year old could stand inside of this thing. They were piled outside of the easement area.

People weren't thinking of that, because remember, when these first came, nobody even saw one of these things. No one knew what they were gonna involve. No one knew that big cranes were gonna be there.

We objected to that, and eventually, CapX agreed that they would, if they needed a temporary construction easement, that they would define it. I will tell you, I think, in 95 percent of 'em, they just got rid of it when we objected. But they continued to do it, and every case that doesn't involve somebody who objects, so where we object, they'll take it out. If you don't object, it's back in.

Interviewer: Do you think it's because, so they—I mean, so from the utility side, from—

Interviewee: It's flexibility.

Interviewer: Right. This is our blanket thing. We are going over such a large area, and then if it comes up we'll address it.

Interviewee: Right. If I'm them, I want as broad a rights as possible. If I'm the property owner, I want to confine and define the rights as much as possible. In Stearns County, since we were the first to have hearings, one of the very first hearings we had, CapX had not yet confined the access in temporary construction easements. We went to the Commissioner saying, "Hey, this undefined easement is worse than a defined easement. It's worse impact on value, because we don't know where it is. It's a cloud on our whole property." Then CapX said, "Well, we'll confine it now." I said, "Well, after we've had the appraisers spend time and money figuring out what the value is and you made us come here and argue, no. It's too late. You took it, and now you're gonna pay for it."

That one, we actually ended up going before the judge on whether they could, after-the-fact, take it off. Because what happened was the Commissioner's issue with what's called an alternative award, they said, "With those unconfined easements, the damages are X. Without, they would be Y." It wasn't. We're talking it went from \$40,000.00 to \$50,000.00 kind of thing. For me it was partly principle of no, you took it. You're gonna pay for it now. We ended up going to the District Court after that, and the judge said, "No, once you've taken, you can't un-take it." You've gotta pay for it.

It was basically after that, after they saw it was gonna cost them money, then they decided, okay, if these guys ask for it to be confined, we're gonna confine it unless we need it. But they continued everywhere else. It isn't like they looked at it and said, we didn't realize we were doing that. It was, hey, if we can get it without paying for it, we're gonna take it.

That easement and the one page was what you got first when they came to your house, or to your farm, or to your business. Only if you said no repeatedly, because these right-of-way folks, their job is to get you to sign that easement. They don't just show up once, and say no, this person said no. I had a client that said, he was a farmer, and he said, "The right-of-way agent knew what time I milked the cows. I would come out of the house and he'd be sitting in his car waiting for me." People got to the point of being annoyed. That wasn't necessarily helpful. Some people sign because, oh, you again. The right-of-way agents are persistent and again, that's their job.

I do some acquisition work for roads and so I know what it's like to need somebody to sign that paper. If you said no consistently, and persistently, at some point, they were out of time, and they needed to start the eminent domain process in this first 20 miles, since 'til then they got appraisals. Then they came back with appraisals. In the beginning, the appraisals were not largely inconsistent with their offers. You came back and it was well, they were hugely inconsistent. Most of their appraisers were saying that there were no damages to the property other than within that corridor. In fact, on this—what I call the north line, substantially all of their appraisers have found no damages outside of the corridor. There is the occasional appraiser who, for the most part, didn't regularly do work up here who found damages, but in the vast majority there weren't damages outside the corridor according to their appraisals.

That was the big point of contention from day one was Xcel Energy had made a decision that they didn't believe or didn't wanna pay for—this is in my opinion of course—damages outside of buying that easement corridor. They thought of this like an underground pipeline that they put in before, where, yeah, we screw up that property by driving cement trucks on it and digging holes, and bringing cranes onto it. But when a pipeline's gone, they've really just screwed up that corridor. They've compacted the soils, they've churned them, everything else.

In their view, when the power line's done being put up, they didn't even screw up that corridor that bad. They thought that it should be less of an impact. The difference is if you live in a home right there, when the pipeline's in the ground, it's gone. Nobody sees it. Your friends and relatives come over, they don't sit on your deck and say, "God, that's a monstrous pipeline." because it's gone.

But the power line, remember this thing doubles the size of your mature trees, and it's there the more humid it gets, the warmer it gets. The more power draw that is on those, which happens in warm, humid days when people are pulling their hair for air conditioning, the more those lines make noise. They always equated it to us as about the noise of a dishwasher. The interesting thing is, how bad quiet dishwashers and how bad noisy dishwashers and the difference between 48 dB and 55 dB is significant. Their lines are running them at 50s. So it could be that loud, a lot of popping hissing and of course, they say that's more when it's humid, and less when it's dry. Well, if you think about you're not outside when it's dry and 0°, you're outside when it's warm and humid. When you have your windows open, it's warm and humid, etc.

Right early on, that that became the issue, because we looked at it and said, if this is just about 75-foot corridor and what that's worth, then there's really not much to argue about. It became early on that that's not what it's about. I mean, people didn't come in and people would say, "I don't care if they paid me 100 percent of the value of the corridor and I still get to use it. I don't care, because it's about what it's done to the rest of my property. It's about the fact that my property no longer has a buffer of trees. It's about the fact that I worry about my children staying in this house. It's about that I gotta look at that thing, that pole. I gotta hear the lines crack." All of those things are things that occur outside that corridor.

That was and continues to be the reason that I get involved is because of that paradigm difference. Early on it was clear that Xcel Energy, and I say Xcel Energy, because they managed the north line, Great River Energy managed the south line, dealing with the two is a very different experience. The lawyers are the same. The right-of-way acquisition people, many times the same. The people behind them are different. Their view and impact of the long-term, of what decisions they make today due to them long-term is different. It's a very different experience and in my opinion, who they are and what their long-term goals are, and their long-term business strategy is—impacts that. It may be that the folks down in the south line had the benefit of watching the north line and trying not to repeat what I would view as their mistakes. It may be that they just got lucky. That's not to say that everyone loves Great River Energy. That's just to say that it was a different experience.

Xcel Energy and the north line was in large part steadfast against this concept that the damages would ever go outside of their easement core. When we had that issue, you would be looking at dramatically different impacts on value. Suppose your house is 150 feet from the line and you have a \$250,000.00 home. Xcel Energy's, and this is just a made-up example. Xcel Energy's appraisal, they may say, well, we only took 1000 ft.² of your property, because we just clipped you. 1000 ft.² of your property, it's worth \$2.00 a foot. That's \$2000.00. That would be very typical of what we would see. It's \$2000.00.

On the other end, the appraisers would say, appraisers for the property on our side would look at it and say, "Well, we have a perception of health impacts, whether or not they are real." Xcel liked to talk about that there were no studies that proved that they're not—that they have a health impact. I can't remember the philosopher that said the absence of proof is not proof. The fact that there aren't any studies that say it absolutely is bad for you, doesn't mean that it's not bad for you. I often think of, well, who would pay to fund those studies? Whose interest would it be in and quite frankly, if we had a lot of hard, concrete studies, what would we do as a nation? Would we really want to know that? Would people say, well, wait a minute. I just found out that there's this Harvard study or University of Minnesota study that says being within 150 feet of the 345 kV line is severely detrimental to our children and we have an \$8 million school that's next to this line. Right? We have 600 houses running along this line. It's a huge financial negative. Nobody with any financial resources has any incentive to fund that study.

Interviewer: Correct. Right.

Interviewee: There are correlation studies and things and Xcel cites the leukemia correlation studies and their permits. There's enough out there, World Health Organization stuff, that if you were to get on the internet, you could pretty much scare yourself. Many of my clients do. It's not something that I encourage them to do, because then I have people calling me freaking out. What am I gonna do? I gotta be out of here before this line turns on, because I can't have my children here.

I even found myself saying, hey, there's all kinds of contradictory studies, but the reality is because of that out there, the perception is huge. There is a good segment of the population that if a house is 150 feet from a powerline, they will not buy it, will not look at it. I mean, early on, I knew that, because I had gone looking for a lot, ten, twelve years ago when I built my house and we found a nice development. It was new and it had a lot of open lots. Then all of a sudden, we noticed the hundred 15 kV line running through the—angling across the neighborhood. At that minute, when we noticed that, we no longer thought you know what, this \$40,000.00 lot, we could probably get it for \$20,000.00. We just turned around and drove out.

I don't consider myself a conspiracy theorist or anything like that. I mean, I don't think every electrical appliance is hazardous. It's just too many. But when I have the option, the choice, it's not a matter of price at that point. I knew that just from my own personal feelings and so I thought, well, and so I started talking to realtors. I had one realtor early on said to me, he said, "Igor, I've been selling houses for a long time and there's basically three segments." A third of the market will drive up, see the power lines and they won't go inside. They aren't gonna look at it. They don't care what the price is. They're not gonna live there.

Another third, they didn't even notice the line. They'll live there. They don't care. Then there's the third that will look at the house and he said, here's what it would be. Wife says, "I'm really worried about that big powerline. I mean, it's ugly. I'm worried about the kids." Yada yada, you know. The husband's saying, "Yeah, but it's such a good deal. It's such a good deal. Because they've had to discount the price, because of the powerline." Those are the people who will buy it if it's discounted.

When an appraisal concept of any market, a market concept is supply and demand. If you've just taken a third of your demand

away and then the other third of your demand does not believe in the price elasticity that used to exist, and once it only had a discount, because the supply of homes that don't have power lines is much larger, the natural economic reality is that the price is gonna go down. Interestingly, you've heard of—I've heard of appraisers say well, what happens is marketing times extend. Well, marketing time's a function of price. Yes, we can get the maximum price for your house, it may take five years.

The question that the appraiser is supposed to ask himself, is what is the marketing time for this house in this market? How much do I have to reduce the price to get it to sell based on the neighborhood marketing time. I mean, if it is an extended marketing time, what that really means is the price is going down. But it's a way to avoid saying that the price has gone down. It's to say, it has extended marketing time. We all—anybody in the business knows, that means the price went down, because you gotta look longer for that person who's willing, that unknowledgeable buyer who is willing to pay that. That's been the big issue.

Then that issue, when we got to commercial industrial properties, the issue was less about the impacts off-site, because you started off the corridor, because you started to lose some of those impacts in terms of, people weren't as concerned stopping at McDonald's or business or whatever it might be if there is a powerline. They're used to those in commercial areas. But what you started to look at was, well, what's the impact in the corridor? They say we can park here, but we gotta get permission. Last week, I didn't need permission to build a parking lot there from Xcel Energy. It's already enough hassle to go to the city, get that and we add a new player. I could put a sign up before and now I can't, because I have height restrictions within there. I could build my expansion, and now I can't, because that can't build in their easement area.

The impacts in commercial properties had more to do with usability of the corridor. The difference there was the land on a per square foot basis is worth a lot more. When you start taking that land, you start talking about \$4.00 or \$5.00, \$6.00, \$7.00 a square foot, rather than land in a farm that's paid for by the acre. That's what happened in the commercial industrial range and the CapX appraisers generally took a view that there was a very low impact, because they said you can use it for roads and parking lots and holding ponds and all kinds of great things. You've really only lost a small percentage of the value.

Here, and we've dealt with—I mean, I had all different appraisers, from residential appraisers to ag appraisers, to a variety of commercial appraisers, one, because we started to get so many files that we were overwhelming any appraiser. So we had to use multiple people from different firms from different cities, because nobody could handle our work. But they were generally running on the commercial industrial stuff at about a 75 percent impact on that land in the corridor, saying, you know, we can use it, but we're gonna build our parking lot somewhere else because we don't wanna deal with it. We're gonna do whatever somewhere else. There is some impacts about I know I have some visibility blocked from the power lines. I got some limitations on expansion. Occasionally, there's some severance outside there that they would find. For the most part, we were arguing about that corridor. When you're talking about going from 25 to 75 or 80 percent impact on something that's worth \$5.00 a foot, it got to be big dollars.

Then there were some businesses that couldn't expand. In fact, in Clearwater area, we had some businesses that the easement actually came over the top of their building. I mean, those folks were worried, because they were sitting there with steel buildings—now they were half-industrial, half-retail type use, small town type thing, equipment rentals and office warehouses, and suddenly have this pole right above them. I mean, it feels like the lines are right over your head and said they had that, but in addition, one of the things that all of these people have is what we call construction interference. People had helicopters landing on their property. People had poles being piled on their property.

People had—it takes a lot of cement trucks and you'd think it would remember how many—40 or some crazy number of cement trucks per pole that drive across your property. Think about your home. Your kids were playing outside before and suddenly you got guys in cement trucks driving through your yard. That's an interference that isn't—I mean, it isn't thought about when you're getting \$2000.00.

Interviewer: Right, yeah.

Interviewee: We wrecked our summer for \$2000.00. A lot of people wouldn't do that. We didn't have the ability for our kids to play outside, because there were constantly workmen there. There were trucks coming and going. There were cranes. There were these big steel poles. That's the other thing that property owners looked at that basically, we never saw CapX acknowledge those impacts. They always said that's built in. That's built into what we're paying you.

The severance they always said was built in. If we pay you 50 percent of the land bay of the corridor, that covers all of the damages.

When we saw that in an industrial and then we got to agricultural properties, what we saw was, I think a lack of acknowledgment of what agriculture in Minnesota still is. That is, is that for the most part, it still is family farms with a connection to the land that is beyond it as a profit center. We often would have the CapX folks, the lawyers, asking our clients, do you still produce as many beans in that corridor as you produced before? Do you still produce as many beans on the property next to the corridor as you produced before? Do you get less money for your beans today? Because they thought of it exclusively in terms of we only impacted the crops and crop production right where our pole is. Then we only temporarily impacted where we drove and knocked down some crops. We paid for those. Long-term, not a big impact, in their mind.

It's hard to find an analogy. The best one that I've heard was our appraiser said he was talking to a farmer, one of our appraisers. He said the farmer asked him, he said, "You work in an office?" He said, "Yeah, I work in an office." He said, "Did you find a nice office with a nice view?" He said, "Yeah." He goes, "Did you pay extra for that?" He goes, "I suppose I did."

I've thought about this as—I've hassled the lawyers from CapX. I said, you're on the 40th floor of the whatever building. There is a reason that you pay the rent to look out the window of the 40th floor, right? It doesn't make you a more productive lawyer. He's not writing a brief faster or quicker or better because he's on the 40th floor looking out the window downtown. Why does he do that? Right? It's something else. The farmer says, "Well, you know what my office window is? It's the window of that tractor. Now I look at that pole, or those poles every day." That has been impossible for them to acknowledge. Even though they still go back and pay rent on the 40th floor of the U.S. Bank building in downtown Minneapolis, when in Roseville in a windowless office, they would be just as productive.

They have not acknowledged the impact on the farm as a whole. They've defined it as a corridor and the farmers look at it as—for instance, in Clay County, I represented almost, I think, all of the farmers, individual farmers, who had contested. There were like 12 properties. I represented all of them and I think there's one other agricultural industrial grain elevator that's—that I don't represent.

But all of those farmers, just about every one of them that I remember coming to the hearing talked about that that property was either homesteaded by their great great great grandparents or it was third-generation, or fourth-generation, or the place they grew up on, or the place that their parents grew up on, or the place they had planned on giving their children. It's not about the corridor. They would never sell a corridor. You say, well, what is the market impact? Well the market would never do this if they didn't have to.

I had a condemnation case years ago on a road that they took just a little piece of my client's property on the lake, and they cut down all the trees. Then they gave it back. Took the ditch out, put a curve in, and gave it back, and said, we only took about a couple hundred square feet of your whole property. We had this picture. You couldn't see the property from the road before. Now you could. I took my tie, and I cut the tip off, and I said, they only bought this. This is what they want to pay for. The problem is what they did to the value of what I have left. Right? CapX will look at it like instead of cutting it off, because they didn't take it away. They take a black Sharpie and draw it across your tie and say well, they only paid the—

Interviewer: Still have the tie.

Interviewee: - impacted that much material, but they kind of screwed up the whole thing. There are physical restrictions, so I mean, the agricultural equipment today is significantly bigger and growing. It runs on GPS. It runs on—there is a different specific GPS system in Clay County that is called the Rural Tower Network, where they have these different towers. Rather than satellites, they run off of these towers. People were very concerned and continued to be very concerned about the impacts of the electromagnetic fields on those operations.

Where they've had irrigation systems and they have the big irrigation arms, the poles, we've had clients where the poles restrict that. A lot of them are very concerned about can I spray water and can I spray water at the lines? People with cows are concerned. CapX engineers would say well, that's not how you get stray voltage.

The problem is always, it doesn't matter because when my dairy farmer goes to sell to another dairy farmer, I don't get to call a CapX engineer to come out to the property and explain how it all works. He just doesn't want it. He can buy a farm that doesn't have big powerlines by it. They have all those concerns, so the fact that

they have all those concerns means that other people who might buy their property have those concerns. It is really a perception thing that many times we talk about, it doesn't—they wanna talk about, well, prove us that it's not—prove to us that it's not healthy. Prove to us that it's gonna impact your agricultural production. Prove to us that it impacts GPS. I'm like, I don't have to. All I need to prove to you is that those people, those buyers, those potential buyers, they think it does. That's what impacts the value of what these people have. That's how it all— they all were there. That's the whole perspective.

What our firm has done, me and two partners have done, and two paralegals for the last five years is, the argument about that the damage goes outside that corridor, that the damage to your property goes outside that corridor. Then you get the whole buy-the-farm thing thrown in. We had some of the very first buy-the-farm folks, also in another firm in St. Cloud. When CapX came, we said we're gonna elect buy-the-farm.

We sat down with the lawyers from CapX and they were very good about this. We sat down with a big piece of paper and try to map out, how does this work? Nobody knew. It just hadn't been done. We really sat in a room like this for four of us attorneys—two from there and two of us, and said okay, you even have this box. Okay. If it's commercially viable, then this. If not, then this. We mapped it out, mapped it out. Then we'd send it to the other lawyer and say, "Hey, this is what we did. Does this look okay to you?" He'd say, "Yeah, that looks okay to us." But we'd have a little dispute. We'd go to the judge and say, "Judge, can you help us?" The judge would say, "Go back and work it out". Because it made sense for all of us to have a system.

Eventually, the statute was changed and provided a little bit more procedure. However, initially, we with the CapX lawyers created our own little procedure and we said, this is the procedure we agree on until we don't agree on it anymore. That worked quite well. Occasionally we would run into a dispute about how something applied. But we had agreed about how we would deal with that. Okay, then one of us will make a motion to the court. We'll find out is this a commercial viability issue? Is this a reasonableness issue? But we had the procedure set out as to what we were gonna do. We didn't have perfect days about how it would work, but we spent a lot of time.

Interviewer: Is that typical to collaborate with lawyers from the other side and to figure it out or is it because buy-the-farm is [cross talk 00:55:28]?

Interviewee: No, I think in large part, it was these lawyers, that they—John Drawz, who was there at the time, had been involved in the last powerline project. I think he's still there. I think he's really gone out of the CapX part of it. But he was more of a senior attorney. It was really and Steve Quam, who realized early on that he—we had enough clients that if we didn't have it, we were gonna spend a lot of time, waste a lot of time fighting over just process. I think they said this is the first 20 miles. What we do here is going to dictate how it goes everywhere else. We have, I believe always from the very beginning, had a professional relationship with them because I think that's a lot of personality just as to both who we were.

Interestingly, I had a tradition of representing condemning agencies, and Steve Quam, who represented the power company, had traditionally—had most of his clients be property owners. We often commented that we had switched sides for this one. We both understood the other side. It really was in our best interest, because with buy-the-farm in the front end, there were questions about, well, when do they have to buy the farm? There is a 90-day quick take, which they acquired the easement under. So they can own the easement 90 days after they send you certified mail and file a petition in the court.

We had clients who didn't know what they were doing yet. The last thing that they wanted was 90 days to move. At the same time that we had to put the pressure on CapX to say you need to condemn this, and maybe we'll do the 90 days, we knew in the back of our head 90 days doesn't work for our client. The threat of I'm going to go to court and force you to quick take this isn't going to be all that effective, because the last thing my client wants to know is that, and so that they gotta leave in 90 days and don't know where they're going.

We had some disputes in the front end. We had the dispute about does relocation benefit supply? Do these people if they elect buy-the-farm, do they get their moving expenses? Okay, and that's the big part. The interesting aspect about that is it's not a lot of money. It's a lot of money if you're moving. It's not a lot of money if you're talking about it in terms of this project. What I mean by that is the typical family moves, it's a \$4,000.00, \$5,000.00 moving bill. Then maybe they got a few thousand dollars transactionally in getting into that next house. Then there's potentially a housing

supplement. We always refer to it as this separate bucket of money. There's the bucket of money to buy the property, and then there's the bucket of money to move people.

I think CapX lawyers in the front-end feared that more because of the unknown of what it meant for the project. Okay, we've got 700 miles. If we agree to this on the front end, we don't know what that bill looks like. To me, the first hearing I showed up in Rank 58:50 County, there were several lawyers there. Most of them were eminent domain lawyers. I mean, we all knew each other. We were working in then all the courtrooms full of people. I was standing in the hallway and I mentioned to some of them, does anybody have buy-the-farms, and several of them said yes. I said, well, I've already talked to CapX and they told me that they're not paying relocation. Most of them were flabbergasted, like what? What do you mean they're not paying relocation? It was one of those "duh" moments like "duh, they owe this." No, they're not paying it. I said, "I'm gonna ask the judge to set a hearing so I can argue this issue." I remember one of the other lawyers said, "Well, I don't know that it's ripe yet. I don't know if we're there yet."

Most of us lawyers, if one lawyer is gonna say, "Hey, I'm doing this." Your clients are looking at you saying, "Why aren't you doing it?" Everybody else who had that said, "Yeah, we want in on that hearing as well." We set the same hearing in Stearns County and said, "We want relocation benefits."

Then there was the provision in the law that says when an owner is required to move, at a minimum, they must get enough to purchase a comparable property, called minimum compensation. Everybody in the state had been arguing about what it even means, but what we did know that it meant that is—was a potential to get something above fair market value, what you'd sell your house for if you were a willing seller. So we said, "Yeah, this applies as well. This applies every time they condemn property." They said, "We're not condemning it." "You're asking us to sell." "You're volunteering it." We said from the beginning, "No, no, no, the statute says, if we opt then it's under Chapter 117, which is the condemnation statute."

That was a critical argument on the front end, and obviously the Supreme Court unanimously agreed with us, but the Court of Appeals didn't. That was a scary time, because people had been fighting that issue and we'd invested and other property lawyers had invested a lot of time and money in fighting that. Those issues were very early on. It didn't mean that we weren't agreeing to a

framework with them as to how we would do this and how we would move people. Interestingly, what happened was people started to find houses, replacement houses. While we were all sitting in a room theoretically thinking about how we were gonna do this, they're out living their lives, figuring about where their kids are gonna go to school. We get phone call, says, "We found a house. What do we do?" "I don't have any money yet. I don't know when we're closing. I don't know what the timeframe is."

I will tell you that one of the very positive things that CapX did very early on was to recognize that the right thing to do was to help these people get into that replacement house, and then fight about all these other issues. They did that in that instance, and they repeated that, and have repeated that with us for the last five years. Part of cooperating professionally is well, to get things like that accomplished where if you wanna fight with them on everything, then you're gonna have to fight back and everything.

Very early on, they did that, which was a very pro-property owner thing to do in terms of they could've said, "No, we're gonna fight you on this. You're not gonna get paid until it's all resolved." People would lose houses and not know where their kids are going to go to school next year. Instead, what they agreed to do was they said, you know what? We'll buy your house for CapX's appraised value. We will let you continue to argue in court as to whether you get relocation or whether you get minimum, and whether you get more money for your house, whether it's worth more than we paid you. They did that early on, as property owners, and that allowed—I think we ended up doing that four or five times at different property owners over the scope of the project. That allowed people to move on their schedule. They found a house. CapX generally would close.

We agreed to do some things that help them. That was, we aren't gonna make you condemn the house. We're gonna sell it to you. We're gonna give you a warranty deed. We're gonna go through a closing and give the normal affidavits that you would get if you bought it. We're gonna cooperate so you can put your easement on the property as part of that. They did get something out of it, which is a cooperative closing with a warranty deed and title and those things.

Some lawyers were very hesitant. They said, "We don't have to do this. We don't have to give them a deed. They gotta condemn it." My response is, "Well, yeah, but that's on their timeframe. I mean, you wanna spend the time fighting, or do you wanna get your

clients moved?” In my mind, it was and continues to be a small price for having them work with you on time.

Early on we did that. Then we fought the issues that we didn't have an agreement on. They didn't take what we viewed at the time as very aggressive positions. We considered do we go to the legislature? We did communicate with the legislators. Other lawyers pushed heavier on the legislation, trying to get that done. We were fighting in court.

When they called me and said contribute money from your firm to this fight, I said, “I'm spending lots of money fighting them in court. You guys fight at the legislature. We can only do so much.”

Honestly, and I'm not just making this up, from what we invested as a firm in the first few years of this project, in terms of what it took to fight before we ever got a dollar paid, if it was me and my two partners who did this work, we would have been bankrupt. I mean, it could not have been done without a firm of—we have 25 lawyers. We couldn't have done it, because my partners carried me through that.

If you are a solo attorney, I don't know how you go a few years without getting paid, and investing—sometimes we have to pay appraisers. You can get reimbursed for your appraisal, but sometimes the clients didn't have the money. Okay, we'll pay the appraiser. We tried not to do that. We tried not to have to pay the experts out of our funds, but sometimes you just have to. But we have to pay the salary of our secretaries, and our paralegals, and we're doing all this research, and we're fighting—we're doing motions, we're going to the Court of Appeals, we're going to Supreme Court. What's our client going to get if we went to the Supreme Court? \$15,000.00 in moving expense? It's really about, well, we know we're gonna have 50 of these. We never had 50 of those. My one client said, “Well, we're going through this fight, and I'm wondering when everybody else is gonna get this?” I said, “Yeah. Exactly.” I mean, that's the way the world works. A lot of people fight wars that everybody else received the benefit of for generations.

It was a very expensive fight from our perspective in terms of once you start representing 40, 50 people around the state with different properties, on contingencies, and in different counties, with different groups of commissioners deciding whether they're gonna get paid, and so you don't know how much money you're gonna get. I mean, when we started this, it wasn't a lot of history. I mean,

we'd get an appraiser saying the damages are 50,000.00. They say 3,000.00. Which is it? I don't know. Is it three? Is it 50? Is it 25?

Interviewer: Pretty big discrepancy.

Interviewee: Not only was it waiting a long time to get paid, it was not knowing if you were gonna get paid. There were, I mean, we always said that yeah, you could hire us hourly, and we did have some hourly clients. But most people, they don't know. Can you guarantee me I'm gonna get paid this money back? No. Because I don't know. Every property's unique.

We did get to the point, particularly in Stearns County, where I thought I was pretty good I guess, because I probably did—I don't know, our firm did 40 hearings in Stearns County. I probably did 30 of them before the commissioners, between commercial, residential, and farm properties. I thought I got pretty good at knowing if you came in and said, here's my property. Well, here's what you're gonna get. Even the very last few, I was still off. Every property still is unique.

I mean, CapX and us liked to believe about halfway through that the commissioners had a formula. What it really was was that they developed formulas, but they're starting point formulas, because I gotta tell you. I had one client right at the very—I mean one of the last pieces in Stearns County where I said, "Settle for this amount." I talked to the CapX lawyer, said, "We should settle for this amount." "I gotta talk to my client." I had explained, "Here's the formula I've applied." He said, "Yeah, that's give or take a couple thousand dollars." Well, the commissioners I think awarded \$24,000.00 more than that. I mean, that was the case where I thought it would be 50 and they awarded 75, 74, something like that. When you really talk to the commissioners, when we interviewed them, and the CapX deposed them, it really was, "Well, we start with this formula. We look at 75 percent of the easement area. We look at 10 percent of the adjacent prop—we look at \$2,000.00 a pole."

Those are all their rules of thumb, and just like anything, just like appraisal, just like lawyering, just like anything, you start with that. You lay that on top of it and you see is that apply here? No, this one, they got a really great house that has 16 windows that face this pole. Or, they had another building site right where the poles went, or where the line is, where they had these beautiful trees. Or, you get on a county road too and they ran the poles on the top of the hill.

It isn't a formula, as much as they like to think, well, we get a formula and then we get stuck with it. Now, I've not really seen that, and there's always been, even where it is—you can see when it looks like formula, formula, formula, and all of a sudden, there's one that's half that. We sat, and tried to figure out, I don't understand it. I don't see why it's different. Maybe the agricultural productivity is a little lower or little higher, but it doesn't fully explain it. It's because every situation's unique. Anyways, I'm probably talking way too much.

Interviewer: No, that's all right. I mean you've been a very easy—you've answered a lot of my questions. I haven't had to ask them.

Interviewee: I went on autopilot, so I'll let you ask the questions.

Interviewer: No, that's all right. Let me double check to make sure you're still—

Interviewee: Run you right out of time.

Interviewer: - Where I am, and we're still filming. Yeah, and I don't wanna—I mean, I can stay for a while, but I don't wanna—

Interviewee: Yeah, no, go ahead. Now you can ask me questions.

Interviewer: - Take up too much of your time, if you have anything—

Interviewee: It's like you need the whole history. Sorry.

Interviewer: Yeah, no.

Interviewee: This is like when it's been [*cross talk 01:10:15*].

Interviewer: You really did answer a lot of the questions. I mean, a lot of the things that I was curious—I've been curious about. Let me think for a second where to go.

Interviewee: Appraisers do this all the time to me. They go on autopilot and I've got my script that I wanted to go through and all of a sudden I'm just—throw it away.

Interviewer: Right, well now it's like, oh, you kind of touched on it, so I don't wanna make you re-talk about some things, but I'm sure you'd be able to. Let's talk a little bit more about buy-the-farm, since we are

here anyway. How many buy-the-farm cases—I mean, do you know specifically how many you've had?

Interviewee: I don't. Let's see.

Interviewer: Ballpark?

Interviewee: It's interesting. We actually had two that opted for buy-the-farm, and both ended up staying and settling on easements. In both cases, I think it was—they both had different decisions. Both cases, the lines were very close. It was a decision mostly based on that they couldn't find a replacement that worked for them, and for different reasons. In the one that's most recent, that it actually isn't even fully resolved yet, is that they've looked and looked and looked and just they have a unique property. They have a large outbuilding. They've got a number of acres of land. They are just west of town, not that far out, so they are close to work. There aren't a lot of ten acre tracts that sit perfectly like—that are for sale. That's a very hard decision for most of those people.

The buy-the-farm, sometimes people get the impression that oh, these people are gonna sell, or this is the gravy train. I'll tell you that our clients have been buy-the-farm, it has mostly been torment about what to do. Usually if the government comes to buy your house, and I've bought lots of people's houses for roads and whatnot. The decision about whether you go or stay has been made. Now it's just about when, how and how much money. That's stressful enough.

Adding the stress about whether you're going to go or stay, for my clients, it has been—and I can only speak to those folks, and for some people who decided not to do it, it was, for many of them, the most stressful part, because many times it was property that was multigenerational. I've had a lot of couples where one of them wanted to go. Was very scared. The other one said, "Yeah, but this is the farm that my parents built." I said, "Yeah, but your wife's scared to death." It's one of those things where you go, I don't think that most people realize what they go through in making that decision. You stopped this?

Interviewer: Yeah.

Interviewee: Sorry.

Interviewer: No, that's fine.

Interviewee: I sometimes am overly emotional.

Interviewer: It's all right.

Interviewee: No, but it is. It's one of those where they—I mean, I think that has been the hardest thing for most of those people, is they don't want to leave their home, but they don't want to live under the power line.

Interviewer: Yeah. You've got it absolutely right. At least, from who I've spoken with and [*cross talk 01:14:00*].

Interviewee: There might be some people who go, hey, and we were thinking about selling anyways. It just increased our timing. I have seen some people—not to say that I think—I think most of them have done okay. I mean, they've gotten in replacement homes that are as nice, or some thing's better, some things worse, I mean, if you asked them. I don't think for the most part that they're worse off. I think that it was the right decision for most of them. Some of them, it's like, well CapX would say, "Well, the line's really far away." I said, "Yeah, but it's driving them nuts, and so they have to go." Anyways, so, sorry. You can turn that back on.

Interviewer: That's all right. It's just the whole—so one of the cases—I'm not sure if it's one of the ones that you worked on, but dairy farms. How easy is it—not even just dairy farms, but how easy is it if you actually are farming the land to pick up, find another spot that's similar, equivalent?

Interviewee: Not gonna happen.

Interviewer: Yeah, but I mean, what if—I don't know how many farms or where the—say the farmer's organic, and they've got the organic certifications.

Interviewee: The bad part is organic farms don't really sell for more. Even though you put all of that work in, and all of that time, and all of that effort, you basically don't get any more money.

Interviewer: How does that person feel?

Interviewee: So you gotta start over.

Interviewer: Right, and you have to put in at least five years to get certified again.

Interviewee: I didn't have any dairy farm buy-the-farms. Most all of mine that have gone to date I believe have been—had houses on them. We have some that are vacant land now that are cropland. We had one cropland where the judge denied it very early on when we were defining all this. They split off the cropland. Oh, actually, I did have one vacant that went. Then one that the judge said no, we couldn't do. I still don't quite understand that, because it was just part of the land where the power lines were. There's a few vacant—I guess I did have one vacant in Stearns County, and then we've on the south line, we've got some vacant ones in process right now. For the most part, they've been houses. I would see we've had, I don't know, seven, eight? Every time I think about it, there's another one I think of. But seven or eight. If you think about that we've had over 100 clients and that I probably talked to another 100 people beyond that—a few of them said, "Oh, we're doing buy-the-farm and it's good." We said, "Great, if you need some help, we've done this process more than anybody." Or at least earlier on. It's 10 percent of the people who fought with them. If you think about it in those terms, in terms of the percentage of the total property owners, it's gotta be minuscule.

Interviewer: Right, and it is. It is, according, at least, to what other people have been saying.

Interviewee: Yeah, it just has to be minuscule. The thing is that they get to resell the property. So yes, they have some transactional costs of hiring a realtor and paying for closing to buy, and paying for closing to sell it. But if they're right, and there's really no damage to these properties, then they should be able to sell for pretty close to what they bought it for.

Interviewer: Does the landowner sell the property or would—does Xcel come in, and once they've fought it—

Interviewee: Xcel buys it. Then they hire realtors and put it up for sale. That's one of the interesting things, is because originally, we went back very early on, we went back and when they were talking about easements not damaging the property, not lowering the value. We went back originally and pulled out some of the houses that they bought that they were reselling. We said, "Okay, well, even if you don't look at the price we got for it, because you said you paid us too much, we take your appraisal and compare it to what you're now selling it for." It isn't selling. The damages are huge. Let's use that. They said, "No, we're not trying to sell it for as much as we can get", which I found an interesting thing.

That's always been an inconsistency for me, because when we have [inaudible 01:18:35] with them, when they have fought us, and I say, "Why are you fighting these people? You're spending more fighting them than what it would cost to get it resolved." The response is, "We have an obligation to our ratepayers." When I've always wondered is does that same obligation apply to the sale of property that you own? That if you own property, that your obligation to ratepayers is to get the maximum amount of money that you can get when you sell that property? That obligation would seem to be even more so, because sometimes when people are selling their house, it's because they bought another house, and they can only do one or the other. There's actually some pressure to lower the price, because they have some timing constraints that aren't really related to the market. Xcel Energy is—have a hurry to sell the property. They could sell it for the maximum price. Then they turn around and say, "No, no, no. You can't use those against us, because this is the condemnation setting." I said, "No it was a condemnation setting when you bought it, not when you sold it. Nobody forces you to take less."

When you look at the sales, and we have seen them both in the agricultural and residential and I can't speak to everyone, with the ones I have seen in the agricultural and residential, when they have bought them and resold them, they have resold them for not only significantly less than they paid, but for significantly less than their own appraisal of them.

I've always said that if somebody really wanted to know, because when I first brought that up, I said to CapX's appraiser at the time in the hearing, and he has—what appraisers do is they do what is called match pairs. They'll find of house with no powerline in the backyard, and a house with a powerline. Then they try to make them as close as possible. Well, that's another three-car garage, so we're gonna adjust it. Okay. Then they try to say look, after we adjust for everything that's different, the only thing that remains different is one has a powerline and one doesn't. Is the price different? Well, remember, those are two totally different houses and two totally different neighborhoods, right? You can only adjust so much. I said to him, "Well, wouldn't be ideal if you had a house that sold without a powerline and then a year later, you had it sell with a powerline. I mean, that's the ideal subject of your study." "Well, of course it is", he says. As soon as I say, "Well, in fact, we have that." Well, then, my friends from the other side suggest that they're gonna walk out of the hearing, because that's unfair to bring that up.

I had the impression that they somehow—I mean they've argued that consistently and in Wright County, the judge didn't allow it in, and in Clay County, the judge did. People are of different opinions as to whether that is credible evidence. I continue to believe that it's credible, because I don't—because I believe them when they say they have an obligation to their ratepayers. When I believe that, then I believe that they should sell their real estate for as much as they can get it for.

Are they a typical seller? I don't know. They might even be in a better position, because typical sellers have pressures. School's starting, and I gotta get the kids moved before the beginning of the school year. Xcel doesn't have that pressure.

The buy-the-farm—that always end to that, and so people—I have not had many people, not to say that some people haven't said, "Well, what's the option? What do I get paid if I stay with the easement? What do I get if I move?" In the end, the decision is much more about do they get enough money to buy the replacement house that they believe is comparable? How can they find that house? If they can't get that, is the easement payment tolerable? I have not found that Xcel will pay you to go away. That has been their policy from the beginning. I mean, they weren't going to pay people to go away, because they had 700 miles of this.

Interviewer: Right. They don't want to start the precedent, but they're gonna—

Interviewee: nobody could do that. Right. That didn't make sense, and so anybody who got into this thinking they'd take one of these cases, probably didn't make any money, because there's just too much work. There's too much knowledge you have to have. It's not a typical case. Even the powerline easement case, nobody saw 'em. Your appraisers have to be educated. There's a few firms that have a large number of them but that's because the only way you can make it make sense as the efficiencies of having multiples. You go to a hearing, and you're at that hearing in court for ten people. Not one.

Interviewer: I mean there are—are there other lines that are being built around the area that aren't CapX? Do you ever encounter any of those? I guess it kind of gets towards going towards other states as well. Where does the jurisdiction [*cross talk 1:24:14*]?

Interviewee: One, the law is different in each state, and then we have licensing issues. Our partners are licensed in North Dakota, but the system's

totally different there. We start to get too far from home in terms of travel time, inefficiencies, and not knowing the markets. I mean, we try to really know the real estate market as well as our appraisers know it. We can't do that if we get too far away from home. It just becomes too inefficient for us.

The little lines coming off the 345s, I mean, the reality is that size of the pole, size of the line, and power on the line does make a big difference. It makes a difference in terms of damages and the impacts on the size of the easement, the usability of the property, and the compensation, and so you get to the point where on smaller lines, it's not feasible for us to have one or two clients where there may be a couple thousand dollars apart.

Interviewer: Do smaller firms take clients like those? I mean, are any other people—

Interviewee: I think you if you get a small line on your property, I hate to say it, but you're pretty much subject to the whim of the power company, because—

Interviewer: You're on your own.

Interviewee: Well, it becomes too inefficient to pay somebody to help you. If it's a—I think I ought to get \$1,000.00 rather than 3,000.00, how many hours can an attorney and an appraiser and everybody else work on that to get you there? That's why you just don't see it on smaller lawns.

Interviewer: *[Cross talk 1:25:45].*

Interviewee: Plus, they are more calm, and people are more used to them. I mean, big part of this is the enormity of these poles. You look at—when you're driving on 94, you can have some places where you run across to 115, the old H wooden poles, and that's what people used to worry about. Now those look so mild and you know.

Interviewer: Right, I mean, those are the lines that brought buy-the-farm—

Interviewee: Correct.

Interviewer: - That people were toppling over, because they had brought them on their property.

Interviewee: Right, and they seem not all that big of a deal.

Interviewer: Yeah, now they're—

Interviewee: I mean, I still think they are, but if you compare it to the CapX lines, I mean, even though—and this is one of the things—Cap X says, “Well, our uni-pole, it's easier to farm around.” “Yeah, but it's the dominant feature. It's just so immense and enormous.”

Interviewer: This is probably straying from what you guys do, but do you guys ever work with wind developers or—because I—for wind farms, it's kind of the same thing. It's a giant pole, with a giant structure.

Interviewee: Some of the appraisers try to look at the issue of, hey, if somewhere we put a similar wind turbine, they get paid each and every year and a lot of properties are like, yeah, we should get a lease payment like that. Well, that's not the way the law works. Most of the appraisers that have gone down that road have not gotten very far with it. We've represented some property owners, but not worked outside of people who were signing leases.

On the wind farms, as you know, the key is to get the pole if you're gonna get paid, because the whole idea is you get paid by kilowatt, or whatever, as they produce power. The other key is to find someone who is actually gonna build it, because you don't want to end up being the property that got the \$500.00 a year and no more. You can't develop your property because you can't block the winds. That's about what I know of the windfarms.

Interviewer: No, yeah, well, I was just wondering.

Interviewee: Yeah, no. Some appraisers had looked at that issue early on, in terms of trying to equate the values and the law just really doesn't work that way. We look at what's the value of the entire property before the power line, and what's the value of the entire property after the power line. When appraisers wanna just the value the corridor, what they essentially do is put blinders on and don't do that test. They just go, what's the value of this corridor before excavating this corridor after?

If you really look at the whole thing, you can't even break it up theoretically very well. I mean, they do it, and the law even says the Commissioner should do that, but really with the power line when you look at it is, a buyer doesn't say, “Well, that easement's 78 feet wide, so I'm gonna discount that.” You're gonna pull up as a buyer and go, “Mmmm, I'm gonna need 20 percent off.” You're gonna do it as a whole. Many times it's almost that they try to make it too scientific when buyers aren't that scientific. Buyers

don't measure out the easement. They might in commercial, because they pay by the [inaudible 01:29:01] per square foot. But a buyer on a house doesn't look at how big the easement is, they look at that pole, how close it is to the house, how big it is, which way is it facing, do we have visibility of it. Then they talk big percentages off of the total price. That easement might be two feet under their property. It might be 50 feet under their property. They're not gonna look at that underlying property that's impacted.

Interviewer: You mentioned earlier when you're on an agriculture property, or when you're on a farm, and now that this farm equipment these days is getting larger, what if the farmer had a machine that clipped one of the lines somehow or—I know that's been—it's happened in the past in other places. I don't know if it's happened specifically with anything of CapX, but how would that work for the landowner with line owner, so with Excel. What happens?

Interviewee: First, it's to the poles. Xcel engineers tell us that we don't have equipment—the farmers don't have equipment big enough to damage the poles, that their equipment would be damaged. Secondly, as far as that they hit a line, some of those lines hanging down, I don't know, 40 feet or so—if they had something that caught a line, I do not know exactly what happens, so I think they're dead. In terms of whether they are responsible for that and their insurance covers Xcel's costs to restring that line, I actually don't know the answer to that.

Interviewer: That doesn't fall under the purview of—

Interviewee: It's one of those things that we talk about that people have to worry about that they didn't have to worry about the day before the line was up. Now they have to worry about does their equipment go under there? Is that the place their equipment can go? A lot of farmers complained about where they placed the poles and that now they can't get their equipment between that pole and the road. Now, they have to get and basically just by hand, spray those weeds, because they can't get in there with their planters and they can't get in there with their big sprayer, or whatever it is.

I have one client who said he has to take his mower—he's an organic farmer, and so he can't spray it, so he's gotta take his mower from home, put it on the trailer, drive it over there and cut it with his mower, which of course, is not very efficient. It impacts them in that sense. I had farmers say that hey, before, I could put my 14-year old out here and not worry about them hitting anything and wrecking my equipment. Now I got these poles in the fields.

They're not so worried about the lines as they are they're gonna have a \$300,000.00 piece of equipment and now there's an obstacle that never existed before.

Interviewer: Are people generally satisfied when all is said and done? Do you feel like your clients are generally satisfied, or if not, what do they want that they're not getting?

Interviewee: I don't know that it's the dollars that's the problem for them. I mean, I think that some of them obviously would want more money. Most of them, I think, it's really not that the money is way off. I mean, most of them tell me this, that they'd give the money back if the poles could be gone. Even when they get three times what they've been offered, that they say, "Oh, we'll give the money back they will take the poles down." I think it's like in a personal injury where most people go, "Oh my God, they got \$500,000.00 for losing their left-hand." And the person says, "Hey, I'd give the 500 grand back tomorrow." I don't know if that's the case for all of them, but I've had many people say to me, hey, if I never had to deal with this, I would—it's not enough money for that. The vast majority have said that to me afterwards. It's not a matter of that I could have gotten enough. They just didn't want.

A lot of them in western Stearns County were in some really beautiful land, at least for Stearns County—where it went through. I mean, we're the beginning of the prairie and so it's wooded, rolling hills. A lot of that ran through and so they went through some really pretty country. You know, you can't really pay enough to fix that.

Interviewer: Yeah. Let me ask you a few questions. I'll probably start to wrap up soon, because we're talking for a little over an hour now.

Interviewee: Sorry.

Interviewer: No. I'm really fine with it. I don't wanna take your whole afternoon. He talked about the difference between working with Xcel up north and then GRE down south. Do you think that they learned from the first go around, from the first line, and changed and—what made it easier? Was it really just that it was two different companies, two different interests?

Interviewee: I think it's [inaudible 01:34:18] learning, but I do think that sometimes it's the individuals and sometimes it's the company. I don't know. I don't know the companies well enough to know if it's a culture or not. It's just been our opinion that it was easier,

that they tended to be more accommodating in the south. Not that they haven't had fights, because those guys have had fights down there.

The project has definitely gotten smarter. They've made bigger offers as time went by. I mean, when they make the low—when they made very little offers in the front end, which we considered very low, and did not offer really significantly more than what they had appraised the property for—in fact, in the very beginning, some of the appraisals were coming out higher than when that first sheet. They really didn't ever increase their offer before they started the condemnation after that. Because the ability for the client to get—recover their attorney's fees comes from needing to win by 120 percent plus that highest offer in the front end—I actually went places and spoke and said, eventually, they're gonna get smart to this, but they haven't given higher last written offers. They set themselves up to pay attorney's fees in the first miles of this. They did eventually get smart to that. They obviously didn't need me to tell them that, but they got smart to that.

There offers got higher to people, which is a good thing, and so that's part of the education. GRE definitely had the advantage of seeing Xcel not make those bigger offers and spend the money not only on their own attorneys, but on the property owners' attorneys, and then they'd end up paying that anyways. It's much more expensive, because you're not only paying more for the easement, but you've paid your own lawyers and appraisers, and you've hit the properties owners lawyers and appraisers. The idea behind the law is that you're gonna make your best offer, and you're not gonna give lowball offers.

GRE had the benefit of that. I mean Xcel had increased their offers as they went west and got further. GRE had the ability to Monday morning quarterback and say, well, that was a mistake and we're gonna offer more, and they did. They have. They have definitely come in with higher offers and more willing to negotiate on the front end to make to make cases go away.

In the very front end, we felt like, hey, we could make this go away really fast. That rarely happened. Now we can actually call them and say, hey, this person called me. Here's what I'm thinking. This can be done. They have a huge advantage from having certainty, as do you. It's much easier to do that now, because we all have one, a better idea of where commissioners come out around the state, and two, I think they're wise to how

expensive it is to fight. I mean, the fight is not without expense. I have no idea what they spend fighting, but it's a lot.

Interviewer: Well, I mean, so I think it's interesting that one of their talking points is that, we've come and—on time and on budget for everything. It just makes you think about—

Interviewee: How big that budget must be?

Interviewer: Right. They say 2.2 billion. I don't know if it's something that I'll ever get answered, but you know, how much they—

Interviewee: The question that would be interesting to know is did they ultimately save money because 80 percent of the people signed for those original— what I would—in my opinion, low offers. Even if you end up fighting and battling on ten percent, and paying more and paying all the attorney's fees, does that save you money versus if you had come in originally and had 98 percent of the people sign up, because you paid everybody more. I don't know if the money they spent, if they could've spread that around in the front end, and had less fights. I don't know the answer to that, because I don't know their numbers.

I know that a bunch of my clients say, had they paid me—you know, many of my clients would tell you that they were willing to accept less than they received in the end early on, and that they were told no. Then of course, well, once you're fighting, you're no longer willing to accept that. When I say fight, I mean, when we have these hearings, they're—sometimes it's like you worry because they're fairly informal and we have so many of them with the same lawyers and the same commissioners, that you worry that people who come into it just for that day think, well, what is this? It gets to the point where if you've done this 30 times and you—this appraiser that you're about to cross-examine, you've already cross-examined them eight times. You know exactly their comps. You know what they're gonna say. You know what studies they had read. You did it in front of these commissioners. You don't need to beat them up again.

Because you see all these people, there—there's a professional relationship. It isn't this bloodbath hearing process. In fact, what I always tell people is that eminent domain shouldn't be something that you fear. The process is designed to make sure you get what you're entitled to. There's three commissioners appointed by the judge. They're appointed by the judge to make sure you get what

you're supposed to get as just compensation. I mean, you're gonna have the power line no matter what.

In February, we were just talking about we had—if you—some properties are owned by multiple people or siblings and they can't agree, and so we were just saying, you know what? The greatest place to have that decided is the commissioners, because if this client wants to settle and their sister doesn't, well, you know what? I can't tell you I know exactly what the damages are, but I can tell you that there's an objective three people who can. I mean, the best of anybody. Most of those commissioners have heard from a number of appraisers, a number of lawyers, a number of experts, as to the damages, and so they probably have the best information of anyone, because they haven't just heard that appraiser, but they heard the seven that came the several months before.

Yeah, but coming on time and on budget, I just don't know.

Interviewer: Yeah. Probable.

Interviewee: Because we look at it and I see this moment of people who are fighting, and I see it being very expensive for them. Maybe the fact that you can sign up 80 percent pays for that.

Interviewer: Yeah, well, it'll be interesting—

Interviewee: They gonna give you the numbers?

Interviewer: I don't know. I'm gonna ask. I don't know if they'll give them to me. The lines are almost done. I've been asking some of the people that are involved with the planning and that sort of thing, and asking them what the future of the CapX group is going to be. Are they gonna keep working together? Are they gonna identify some more lines? People have kind of danced around the answer, but I haven't gotten to the people that could probably give me a more definitive answer yet. The general thought is that the group is gonna stay together. They're not sure what capacity, but I mean, they—a few years down the line, they might be proposing some more lines. They might be going through this process again. I'm wondering—

Interviewee: Hopefully it will be somebody that I haven't hired yet that's doing that.

Interviewer: Doesn't that just sound like fun, doing this all over again? Do you think there's some things that are unique to what this project was that could carry over in the future?

Interviewee: One of the problems with big projects like this probably is the time that comes between them, because the people who have the experience and wisdom they've gained from the mistakes they've made, and what worked and what didn't work, they are retired when the next project comes.

Interviewer: Or like these lines now, I mean, the last ones were 30 years ago. That's before buy-the-farm.

Interviewee: And they're different.

Interviewer: As you were saying in the beginning, one of your colleagues was—had worked on it in the past in the 70s, well, like—

Interviewee: Right, and he was retired and he would come in, and I would talk to him about, hey, what did you do—

Interviewer: Now it's different. Now you have different experiences with the project, so yeah, and transmission is generally on the 30-minute, or 30-year cycle, is what they say. But things are kind of changing. I mean, as far as the regulatory and that environment, and the way organizations like MISO, and people are thinking more regionally now and they're building this up. That's different. It'll require different sorts of building than—and approaches that have been used in the past.

Interviewee: Yeah. It seems like everybody's focus is shifting to pipelines right now.

Interviewer: Yeah, so we'll see how—

Interviewee: Yeah, that'll be my next thing.

Interviewer: - How things go. Yeah.

Interviewee: I'm back on roads right now. We are finishing up the CapX stuff. We've got a few, and then my partner's working on the line that goes into Wisconsin. I always tease the CapX guys and say, "I'm sick of powerlines. I'm going back to roads."

Interviewer: Yeah, well even for these people that I'm speaking with, I really can't. It's been 11, 12, 13 years now.

Interviewee: Yeah, they're [*cross talk 1:44:45*] time. About five or something for me. Five, six.

Interviewer: Yeah, probably by the time that reached you—they started in 2004, is when the talks began. Yeah, but even for them, they haven't done a large project like this either. They haven't been around.

Interviewee: I know.

Interviewer: It's interesting. It's big. Well, I think—

Interviewee: Yeah when the newspaper called me and they were looking for clients who would talk to them, she called me back and said, most of them have said they don't wanna talk about it anymore.

Interviewer: They're just over it.

Interviewee: Yeah. They're done. They wanna move on. She had a really hard time finding anybody that would talk to her.

Interviewer: Interesting.

Interviewee: It wasn't that they—it was just like you know what? I'm all CapX'd out. Some of these—I have one buy-the-farm that would just basically got resolved. I was calculating how—when they took the easement on their property. It was 41 months ago.

Interviewer: Yeah. That's a—

Interviewee: It's because we were looking at well, what would the interest be?

Interviewer: [*Cross talk 01:45:46*] CapX? Yeah.

Interviewee: Yeah, it was 41 months. That's a long time.

Interviewer: Yeah. I'll say. Well, I haven't asked you too many questions, but is there anything that we haven't touched on that you think that—
[laughter].

Interviewee: I can just keep talking without stopping. I brought some photos.

Interviewer: Yeah, great. Well, that's actually on my list. You mentioned that picture of the child in the cement block. I don't know if there's any—

Interviewee: Oh, yeah, I don't know what I did with that one.

Interviewer: - Any sort of material that you could share?

Interviewee: This is one of my favorite ones. Just kind of representative of a Stearns County farm that now looks at a pole. Here's one in Clay County. Here's the guy's homestead. He's right here and he's in the middle of a section—the—are they strung at this time? Yeah, I guess they were. He's kind of in the middle of a section and his house is there. He's lived on that property for the 74 years he's been alive. When he looks out his front door, basically, that's what he sees now. I got some good ones here.

Oh, I had a client who did a before and after slideshow. He had birds chirping and everything. This is his property and his neighbor's property. This is in Stearns County. This is just an example.

There was a group of homeowners that had one acre lots, and there was five of them together. The powerline was gonna clip them and run across the street from them. They all went to CapX straightaway and said, "You're gonna buy our house." So CapX bought the corner and slid the line over, so it didn't touch anybody. Those people had Amy Klobuchar and Michele Bachmann and everybody trying to help them. We were talking to them. The thing is, is they can put it next door to you, and as long as it doesn't touch your property, you get nothing. It's the Minnesota bright lines.

This is what happened when they went through woods. Obviously it's a different time of year. This guy—he had some ponds in his property. They are necessarily exactly—he's given me these, but you can see the swamp here. This is before the poles were up. He just kind of shows what happens to this woods when they went through. He took a lot of pictures of trees. On one of these people, they bought wooded land. This gentleman had 20 acres of woods. He had big trees like this back then. That's it. That's that tree. Gone. Here's this little pond. He had a little house. [*Inaudible 01:48:44*]. He had a little dock that he would sit and look at across his pond, like this. Then they're putting a pole up, but it wasn't up yet. You can have those.

Interviewer: Thank you.

Interviewee: I don't know what else I got here. It just kind of—it happens. This one, I think, I have to keep. You can see that this woods used to go

across and then you just get these swaths. Part of the issue is they're so massive in terms of dominating the landscape. [*Cross talk 01:49:25*].

Interviewer: Would people bring up the environmental impacts? How is that addressed and discussed? I mean, for each line, they've got environmental impact studies, and—

Interviewee: Here's what impacted a lot of the rural property on our— particularly in Stearns County, well, in other places. They would say, you know, my deer stand used to be there. It's a different experience sitting in the woods versus sitting on that corridor. People were worried about the same thing they worry about when you hear about natural areas is that the worst thing that can happen is that a logging road goes ahead and it's not because of the logging, it's because now other people have an access in. A lot of people have worried about that, that said, I've never had a problem with people coming on my property, and you've now built them a corridor.

I know I used to hunt when I was a kid and we always walked into the high lines. That's why we called them the high lines. We always hunted under the high lines, because it was the corridor and we could just keep walking.

Interviewer: Yeah, and you could always find your way out.

Interviewee: They were worried about people bringing four wheelers, and coming under the high lines and walking and hunting, and the impacts on their own hunting. That kind of thing. Environmentally, this gentleman, I mean that was—he lives in 20 acres. He bought a wooded lot. His house is kind of a cabin-looking house that he built. I mean, he had built. It's that brown cedar. Just the nature of that, those poles there and cutting' the tree swath out changed that. That environmental impact and that way you had a lot of people worried about what it does to the wildlife in terms of where they're hunting and trespassers and that kind of stuff.

Avon Township that I was talking about earlier, they were very concerned about the environmental impact, and a person that probably will talk as much as me about that would be Richard Bresnahan and, who's a professor out at St. John's. He was very involved in that fight to move the line. The interesting thing was we represented a lot of people that the line got moved on to. I always tell people, well, I didn't do that part. We always let them know, hey, we're involved in that, because most of the folks where

the line moved to felt like, hey, we thought we were safe. They were an alternate, but they thought they were safe, and all of a sudden it got switched. I know Avon Township and St. John's focused heavily on the environmental impacts of coming through their areas. The Avon Hills. Yeah, but most of the property interest, it's more focused on their property and the ponds and the impacts and those types of things. I don't know if that helped.

Interviewer: No. Yeah. Definitely. Well, I think—

Interviewee: Do you have any more than you wanted?

Interviewer: No, it's great. This is exactly what I wanted. Yeah, don't apologize.

Interviewee: I was recently—some people bought a highway and at the end, the one guy says, "Boy, you can really talk."

Interviewer: *[Laughter]*. Take it as a compliment. Well yeah, I think we could stop here.

Interviewee: Okay.

Interviewer: I really do appreciate it.

Interviewee: Good luck.

Interviewer: You've given me—

Interviewee: You can tell it's been too much of my life. I've read way too many studies on impacts of powerlines on real estate.

Interviewer: Okay. Yeah. Well.

Interviewee: Sorry I kept you so long.

[End of Audio]