

# THE RESOURCE

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## Elk River Municipal Utilities' Angela Hauge and Katy Olson take their "Hydrant Hysteria" skills to international competition

**Elk River Municipal Utilities (ERMU) employees Angela Hauge and Katy Olson have a unique talent: together, they can assemble a 44-piece fire hydrant in less than 2 minutes.**

Not only that, but their skill as a team has earned them a ticket to the American Water Works Association (AWWA) ACE 2024 "Hydrant Hysteria" competition in Anaheim, California, this month.

The team's amazing talent has taken a lot of hard work and practice. If the hydrant doesn't work or pieces are loose, a team has time added to their overall run-time. Strength, teamwork, and pinpoint accuracy are all parts of taking the pieces of a fire hydrant and presenting a working unit in record time.

Katy and Angela found out about the competition through the AWWA. "I'm the chair for the AWWA Minnesota sec-



Katy Olson and Angela Hauge pose with their finished M&H 129 after completing assembly.

tion's Technical and Education Council," says Katy. "We have an annual convention, so when I

was up there, I found out about the event." Hydrant Hysteria started

around 2011 and began with men's teams. Katy became

*Continued on page 4*

## Chaotic final hours at the legislature end well for MMUA

By Kent Sulem

**The 2024 legislative session started on an odd note by convening on a Monday (February 12) instead of the more customary Tuesday starting day.**

A little over three months later, it ended in perhaps the most chaotic and loud fashion ever witnessed at the Minnesota Capitol. In between, the House introduced 2,146 bills (for a total of 5,488 during the biennium,) and the Senate introduced 2,172 bills (for a total of 5,535 during the biennium.) The combined total number of bill introductions for the 2024 session is 4,318, resulting in a combined grand total of 11,023 bill introductions for the biennium.

Of the 11,023 bills introduced, only 127 were passed into law, although the use of omnibus bills distorts the count; one omnibus bill may contain dozens of stand-alone bills. There were

52 bills signed by the governor in 2024. Ironically, on February 26 the first bill Governor Walz signed this year was a tax bill, Chapter 76 of the 2024 Session Laws; and on May 24 the last bill he signed was also a tax bill, Chapter 127 of the 2024 Session Laws. A major difference is that Chapter 76 passed the House 128-2, and the Senate 66-0. Chapter 127, however, passed the House by a 70-50 party-line vote. The Senate passed the bill by a 34-14 party-line vote with several Republicans refusing to vote. Their reticence was a symbolic protest both to the process used to get Chapter 127 passed, and to the DFL majority's willingness to allow Sen. Nicole Mitchell, who has been charged with, but not yet convicted of, felony burglary, to cast what amounted to the deciding vote on many bills. This avoided a 33-33 tie vote scenario that would

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## Summer Conference 2024: We're Stronger Together

**Registration is open for MMUA's flagship Summer Conference.**

Slated for August 19-21 in Fargo and Moorhead, this year's Summer Conference theme is Stronger Together. Content is aimed at providing leaders with the information they need to navigate a wide array of circumstances municipal utilities are facing in the mid-2020s.

Sessions this year will cover topics including the future of municipal utilities; reducing vulnerability to an unwanted sellout; building more effective community relationships; crisis management; communication skills; and a range of technical topics in resiliency, power transmission, solar energy, and municipal water.

"We get our content ideas from members," says Karleen Kos, MMUA's Chief Executive Officer. Surveys, a call for proposals in the spring each year, and a lot of give-and-take discussion as staff

and Board members travel the state lead to the program lineup. "We also pay attention to the conference content being offered by APPA and other groups whose conferences our members might also attend. We don't want to duplicate that material too much. Our focus is on providing a fresh perspective that is relevant here in Minnesota, adding to our members' knowledge base, and equipping us all to lead this important industry. Truly, we are stronger together."

In addition to plenary and breakout sessions, the conference will include interactive roundtable discussions and two in-depth pre-conference workshops. "We started these Monday classes a couple of years ago, and they have really been well-received. People seem to enjoy the affordable opportunity to go deep on a topic and carry new skills home they can use right away," says Kos.

Conference staples such as the

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## Solar plant in Rock County to move forward

In mid-May, the Minnesota Public Utilities Commission approved the 160-megawatt (MW) Elk Creek Solar project, which is planned for 1,500 acres in eastern Rock County, Minnesota in the southwest part of the state.



The project is expected to break ground in spring of 2025. During construction, the project is expected to create 225 construction jobs. Upon projected operation in fall of 2026, the solar farm will create four to six

new full-time jobs.

The project was proposed by NG Renewables, a utility-scale

renewable energy development company based in Bloomington, Minnesota.

## Biden administration sets guidelines for voluntary carbon markets

On May 28, the Biden administration released a new policy statement and principles around the voluntary carbon markets (VCMs).

These largely unregulated markets are venues where carbon offsets are traded by various stakeholders to meet carbon reduction goals.

In its statement, the administration articulated the goal of codifying the US government's approach "to advance high-integrity VCMs and listed several principles that reflect how the market should operate in order to meet the goal of reducing carbon emissions in a fair, transparent way. They include:

1. Carbon credits and the activities that generate them should meet credible atmospheric integrity standards and represent real decarbonization.
2. Credit-generating activities should avoid environmental and social harm and should, where applicable, support

co-benefits and transparent and inclusive benefits-sharing.

3. Corporate buyers that use credits should prioritize measurable emissions reductions within their own value chains.
4. Credit users should publicly disclose the nature of purchased and retired credits.
5. Public claims by credit users should accurately reflect the climate impact of retired credits and should only rely on credits that meet high integrity standards.
6. Market participants should contribute to efforts that improve market integrity.
7. Policymakers and market participants should facilitate efficient market participation and seek to lower transaction costs.

To facilitate the promise of VCMs, the administration plans

to create new opportunities for America's farmers and ranchers to participate in VCMs more easily, turning natural resources into carbon credit generation opportunities. The administration will also work to establish the Carbon Dioxide Removal Purchase Pilot Prize whereby the Department of Energy will purchase, on a competitive basis, carbon credits directly from sellers who innovate in carbon capture and removal. In a complementary program, the administration proposes to create a public leaderboard for carbon removal purchases, linking buyers and sellers. The government will also establish fair standards for international carbon markets.

The statement and principles were co-signed by Treasury Secretary Janet Yellen, Agriculture Secretary Tom Vilsack, Energy Secretary Jennifer Granholm, Senior Advisor for International Climate Policy John Podesta, National Economic Advisor Lael Brainard, and National Climate Advisor Ali Zaidi.

## Scott Stillwell joins MMUA



Scott Stillwell has joined MMUA as a Safety Coordinator for the Austin-Owatonna-Rochester region.

He previously worked for nearly 12 years with MidAmerican Energy as a Regional Safety Coordinator based out of Hampton, Iowa. Over his long civilian and military career, Scott has gained extensive experience in a vast array of safety management, risk assessment, accident investigations, research, and compliance.

Scott has been married for 15 years to his wife, Traci, and lives in Hampton, Iowa. Scott has four adult children. His family loves their dog Opie, an Australian Shepherd who is a rescue.

In his free time, Scott and his wife enjoy digging in the dirt and bringing forth produce. This year, their garden includes cantaloupe, cucumbers, tomatoes, zucchini, green beans, and onions, among others! Their dream is to find a small property and have a greenhouse.

Scott is also an avid target shooter and enjoys participating in the sport using a wide variety of firearms.

Welcome to MMUA, Scott!

# Common ground is not necessarily in the middle

## June is bustin' out all over.

It's a month for weddings, second cuts of hay, and a lot of consequential Supreme Court rulings. All indications are the Court is polarized and struggling to get its work done, so there are dozens of decisions still expected before the end of the month.

Is anyone surprised? The Court and the nation are divided over many things—guns, abortion, voting access and procedures, immigration, and climate change are just a few of them. In a polarized environment, everything is harder, and it takes more time. A day on the bench is no day at the beach these days.

**Today, disagreements are complicated because we often don't agree on facts.** We also don't always agree on what is important.

This is not the first time it has happened in the US. In the 1850s, one group saw as “fact” that the Bible sanctions slavery, and their “data” proved it was a net good for black people. The other group used the same Bible to depict slavery as evil incarnate, and they saw slavery's supporters as anything but well-intended. Both groups blamed the other for the civil war that resulted.

**We are seeing a similar phenomenon** in the utility world as system changes and political unrest swirl around us. Consider:

- In Vero Beach, Florida, the municipal utility was sold in 2019. In the years leading up to it, two groups of ratepayers had good reasons for vastly different views on their rates and service. Both sides dug in their heels. As a result, a buyer with its own agenda—and version of the truth—was able to acquire the utility at a rock-bottom price. Now the city of Vero Beach struggles with budget woes, public services have plummeted, and electric rates have soared.
- Versions of this sales story—different groups of municipal ratepayers, different perceptions about the utility's value—abound. Some go back decades (Chelsea, Oklahoma, 1989), while some are more recent and closer to home (North Branch, Minnesota, 2023).

In Murfreesboro, Tennessee (2015–16) and Princeton, Minnesota (2019–20), leaders dealt with similar perception issues and ratepayer dynamics. Through hard work, excellent communication, and maybe a little luck, both were able to avoid a sale, but experiencing stakeholders' differing perceptions was powerful for both utilities.

- Ratepayers with strong but opposing views on issues can really impact how a utility goes forward. Sometimes, it's a short-lived dustup over saving a tree the utility plans to cut. Other times, it's a bigger deal. Minnesotans have been known to organize around everything from wind turbines to drinking water. In the past year, for example, both Brainerd and Grand Rapids have dealt with pushback regarding chlorination. MPR News described the Brainerd situation as “contentious” and full of “strong opinions.”

**Disparate times call for disparate measures.** People often look at disagreements differently than in years past. There is less inclination to find common ground, less likelihood of giving each other the benefit of the doubt, and no assumption that we are stuck with each other.

In my Minnesota childhood, being sideways with someone in a serious way was avoided; you still had to deal with them and their friends in the grocery store, at the basketball game, and anywhere else people ran into each other. Today, the notion often is, “If you don't like it here, move.” Civility overall is characterized differently, and there is nearly a one hundred percent chance that whatever is said or done will wind up on the internet. There are few “do overs” these days.

So, we have to acknowledge that tactics for problem-solving are not going to work as they did when Alex P. Keaton could fix any difficulty in under half an hour.

**Some thoughts on what to do.** The future of your utility depends upon your leadership in guiding the municipal team—staff, commission, and council—to new ground as we face ratepayers with strong

views they sometimes seem to be expressing in Klingon. Here are some concepts to consider.

- 1. Do not assume that everyone agrees on what is rational, and don't assume ideas that seem crazy to you are, in fact, crazy.** Leaving actual cases of mental illness aside, opinions on what is rational vary, and they can depend on one's definition of the issue.

Remember: people come from their own perceptual framework. To someone who truly believes their rates are too high based on data they see as irrefutable, failure to lower the rates seems irrational. To a utility commission with different data and practical experience, giving consideration to such a demand could appear irrational.

In a situation like this, both parties have good reasons to see themselves as abundantly sane and logical, and to view the other as misguided, nuts, or up to no good. Both are also likely to hold attitudes and ideas that are not on the table.

To avoid this spinning out of control, take responsibility for what happens next. In his book, *Never Split the Difference: Negotiating As If Your Life Depended On It*, hostage negotiator Chris Voss suggests the use of “tactical empathy.” He says it is essential to understand the emotions and mindset of the other party, and to demonstrate that you genuinely care about their perspective. This requires active listening.

Listening does not mean you have to let yourself get pulled into a lengthy or illogical discussion. Just listen from a place of curiosity. Ask open ended questions that start with “how” or “what.” A question like, “What should a utility manager who is required to follow commission-set rates do when an individual customer wants their bill lowered?” can guide them to see your perspective if they can. If Voss could make these ideas work with bad

## From My Desk to Yours

**Karleen Kos**  
MMUA CEO



guys who wanted to blow up buildings, you can probably get somewhere with Phyllis the persistent ratepayer and Professor Knowitall who is always stirring the pot.

Tactical empathy also requires recognizing that while you may not agree with the other person's framework, disregarding it could be dangerous. Others might agree with Phyllis or Dr. Knowitall. Disregarding stakeholder concerns leaves room for their voices and urgency to be amplified and for others to hop on their bandwagon. When that happens, your challenge deepens.

So, address concerns, however crazy they seem to you, early and effectively.

- 2. Do not assume that everyone would agree with you if they only knew the facts. Offer a solution anyway.** When stakeholders don't feel understood, they get angry, and situations get more complicated. Facts—even if the other party accepts them as true—are not useful in the face of emotional upset. It's even worse if they think your ideas are full of more baloney than the Oscar Meyer Weinermobile (it's a real thing!). So, avoid addressing emotional discourse with logic; it won't work. Teddy Roosevelt was right when he said, “People don't care how much you know until they know how much you care.”

Instead, try to learn about the others' points of view, and then try to find something you can say “yes” to. Soothing words, no matter how eloquent, will not help if you do not offer something that feels like a solution. You may

not be able to promise to save the tree or reduce rates by tomorrow. You can, however, agree to “look into it,” or “consider what you've said,” thus buying time to build understanding and get your ducks in a row.

- 3. Do not default to looking for compromise in the middle.** Finding a solution in the middle assumes everyone is seeing the issue similarly and agrees on what a good outcome would look like. Pre-Civil War, the US had seen 85 years of attempts at compromises and searches for common ground on slavery. By 1860–61, for one group the only acceptable outcome was elimination of that “peculiar institution,” and for the other, it was elimination of the Union. There was no middle ground.

In today's utility world, views on climate change give us a somewhat similar situation. Some people believe the planet is dying, and unscrupulous forces are putting profit ahead of survival. Others do not believe climate change is real or that elimination of fossil fuel is even necessary, much less that it needs to occur quickly. For them, the only acceptable solution is found in the free market.

I do not believe it will lead to civil war, but this disagreement similarly has no middle ground because the parties are not seeing the issue the same way. They don't even agree on what constitutes scientific fact in the matter.





When we look for a win-win “middle” solution under circumstances like these, we end up pleasing no one. We also undercut our own position, and signal that we are willing to settle for a suboptimal outcome.

What is better, but harder, is maintaining positive relationships with parties on both sides of the issue, fostering trust, and working toward a longer-term, more creative solution that doesn't involve pretending compromise will work.

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## Angela Hauge and Katy Olson

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interested in the event and asked if the Minnesota section would send a women's division team. "After finding out that our section would be able to support two teams, we started to train, and it snowballed from there!" says Katy.

Angela and Katy began getting ready for the state competition in Duluth. "Katy is a go-getter!" says Angela. "She steered the ship to get us going. She got us a hydrant to practice on, and we started to watch a lot of video: just because you're in the water industry, doesn't mean you automatically know how to tackle hydrants. We had to get the tools and equipment together, then learn the mechanism of the hydrant as best as we could."

Assembling a hydrant quicker than your competitors is a lot harder than it might look at first glance. "There is lifting, upwards of 60 pounds, but there is also finesse that goes along with that. You almost have to dance around the hydrant," says Angela. "I sit in neutral at times during the competition, getting out of Katy's way as she puts bolts on, and then also help her out."

Angela's height gives her the leverage to be able to lift the main part of the hydrant into place. Katy's finesse allows her to attach small components to the hydrant. Together, their collective talents make them an effective team.

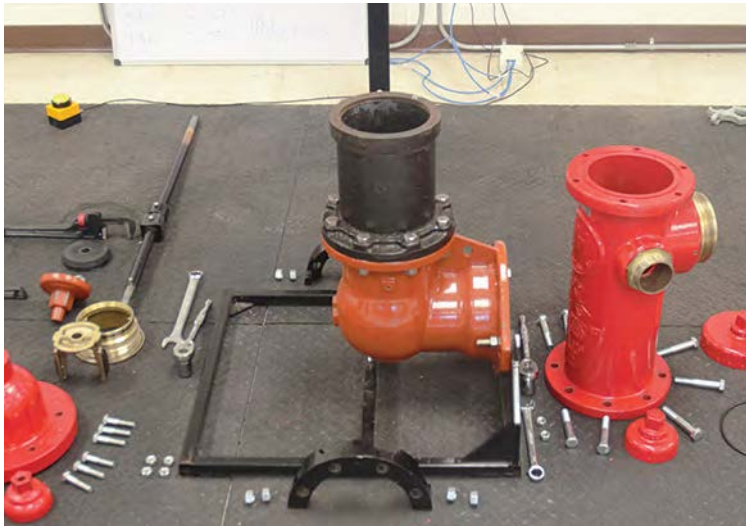
As they trained, Angela and Katy found it rewarding to see the seconds fall off their time. "Every second counts, and communication is really key," says Angela. "We have certain code words that help us communicate and help our teammate know if we are behind and when we need the other teammate to compensate for something that is happening."

Any infringement of the rules results in a time penalty. Incorrect personal protective equipment, hydrant components touching at the beginning of competition, and loose parts all result in a penalty. Physical and mental strength as well as precision are needed for a team's score to add up to victory.

Angela and Katy's hard work led to the Hydrant Hysteria Competition at the Minnesota AWWA Annual Conference in Duluth. Angela and Katy were the first all-women team in its history to compete at the Minnesota state competition.

At the state Hydrant Hysteria, Angela and Katy placed third, with only a five-second penalty for a loose nut keeping them from the first-place podium. Their time for assembling the hydrant was a mere 1:52. It was an impressive finish for a team that was participating in their first major competition.

Now that the team has notched



The parts of the hydrant and tools for assembly are carefully laid out before the event begins.

third place, it is off to compete at the AWWA ACE24 Conference in Anaheim, California. "There will be about 15-20 all-women teams this year, including some from Canada," says Katy. This competition will use a different hydrant than the model used at the section level.

"We will be assembling an M&H 129 model this time around. That is different than the Waterous hydrant we used at the Minnesota competition," notes Angela. "The M&H 129 is

more of a "southern" hydrant and is bigger than the Waterous model, so that changed our training a little bit."

The competition takes place over three days. Each team does the event twice and is ranked according to their best time. Day three is the finals, with the best team emerging victorious.

What is their favorite part of competing? For Katy, she enjoys the constant improvement that practice brings to their team. "When our times keep getting



Angela lifts the main body of the fire hydrant into place while Katy works on affixing bolts to the bonnet (the top) of the hydrant.

better and better, we get that adrenaline rush." Angela notes that she enjoys many of the aspects of competing, including the lifting and physical training that help make her a strong competitor.

"It is very intense, almost a type of engineering of where your parts are and where your partner is. It can be hard but very rewarding to figure it all out," says Angela.

Outside of competing, Angela and Katy have enjoyed their time

in the utilities industry. "I got into the water industry in 2005," says Angela. "I was summer water help and worked any time I had a college break. There was an ERMU employee that I knew through my family that got me involved. I'm a really hands-on person, and I was always interested and challenged by the work here."

Once Angela finished college, she joined ERMU full-time. "In 2007, I became a water operator,

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## Angela Hauge and Katy Olson

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Angela and Katy complete the assembly process.

and I held that job for almost 10 years. Since 2016, I have worked as a geographic information system GIS/mapping technician, which is what I went to school for.”

Katy had been working in government and was looking for a change. “In 2017, I was doing water and wastewater, and ERMU was interesting to me because they were just water. I decided to give it a try. I have been a water operations foreperson at ERMU since 2019, and in my job, I supervise three full-time water operators and seasonal water workers.”

In her free time, Angela does a lot of work for Zimmerman Fire Relief Association’s chari-

table gambling activities. “A lot of our regulars have found out about our competition and have been very supportive of us,” says Angela.

“I like to be active with my two boys,” says Katy. “I have coached their basketball teams for many years, and that allows me to spend a lot of time with them.”

As for the ACE24 competition, the “ERMU Riveters” are primed to succeed. MMUA and the entire Minnesota municipal utility world wishes them the best of luck! *The Resource* will share the results of the international competition in the next issue.

## Tornados destroy wind turbines in Iowa

On May 21, tornados that swept across much of the Upper Midwest were responsible for the destruction of five wind turbines at MidAmerican Energy Company’s Orient Wind Farm near Greenfield, Iowa, 55 miles southwest of Des Moines.

The City of Greenfield also took a direct hit from the storm, leading to the loss of four lives.

MidAmerican reported that the wind turbines recorded wind speeds of 100 miles per hour before some of the turbines were destroyed. An additional MidAmerican wind turbine was destroyed at the Arbor Hill Wind Farm, also near Greenfield.

Vestas US said four turbines were destroyed in Adams County, a few miles southwest of



Greenfield. It is likely that EF-4 or EF-5 tornados directly hit the wind turbines, as the total destruction of turbines due to

weather events is rare.

No one was injured or killed at the wind farms because of the tornados.

## Judge rules for Xcel customer refunds after 2011 Sherco accident

On May 14, an administrative law judge ruled that negligence on the part of Xcel Energy caused a 2011 accident at the company’s Sherco 3 power plant, leading to a \$239 million repair bill that was passed on to consumers.

As a result, a refund of less than \$34 million was proposed, which would be divided among Xcel’s 1.3 million customers. The Minnesota Public Utilities Commission will make a final decision on the ruling.

Xcel disagreed with the ruling. The repair costs were mostly paid for by insurance on the plant.

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## Summer Conference 2024

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popular golf event, trade show, and networking receptions will all be back. Here is a rundown of the conference sessions. Check out [mmua.org](http://mmua.org) for more information and to register. See you there!

### Pre-conference sessions

**Telling Your Public Power Story: Using Data and Unique Value-Adds to Communicate and Enhance How Stakeholders View Your Utility.** *Dave Berg, Dave Berg Consulting*

Public power utilities have many unique attributes that benefit their customers and communities. During this session, we will focus on data-based measures of your utility's performance as well as less quantifiable but equally important advantages of a municipally owned utility. We will also address ideas for communicating these qualities to your stakeholders. This will be an interactive session, including robust attendee participation.

**Public Power Cybersecurity Threat: A Hands-on Tabletop Exercise,** *Coordinated by Mike Willetts, MMUA; and joined by a team of planning experts from DOC, CISA, and MNIT*

Bad actors target a member public power system administrator through a phishing email and enter the organization's networks/systems. The attackers compromise Personally Identifiable Information (PII), deface public-facing websites, and install ransomware on the organization's computers ... and it gets worse from there as the threat spreads to other utilities. Join experts from MMUA, the Minnesota Department of Commerce (DOC), the US Cybersecurity and Infrastructure Security Agency (CISA), and Minnesota IT Services (MNIT) to game out how to handle a situation like this one before it happens to you.

### Opening keynote



**Navigating the Energy Frontier,** *Scott Corwin, President and CEO, APPA*

In his role as APPA's leader for less than a year, industry veteran Scott Corwin will kick off the conference with a look at trends affecting municipal utilities. He'll offer ideas on the most important things local leaders can do to guide their communities through the challenges already here and those coming down the pike.

### Plenary sessions



**Protecting Your Utility from a Buyout,** *Ursula Schryver, SVP and Staff Liaison to the APPA Buyout/Sellout Working Group*

Ursula Schryver has spent more than 27 years in public power, and she has seen a few things. As the staff liaison to APPA's Buyout/Sellout Working Group, she collects data and works to understand the issues that lead to buyouts and sellouts in local utilities. With candor, grace, data, and case studies, she will bring this information to MMUA's members. While every utility should decide what is best for their town, after Ursula's session you'll be better equipped to

recognize issues and address circumstances that could limit the future of your community's assets.

**TigerPath: How Education, Community, and Business Collaborate to Build Hutchinson's Workforce,** *Jeremy Carter, Hutchinson Public Utilities; Miles Seppelt, Hutchinson Economic Development Director; Andrea Moore, Hutchinson Public Schools; and Mary Hodson, Hutchinson Chamber and Visitors Bureau.*

TigerPath is being promoted as a new national model for skilled workforce development. Learn about TigerPath and how education, community, and businesses in Hutchinson, Minnesota, have come together to deliver better educational outcomes for students and build the skilled workforce we need.

**Managing a Utility Crisis: Sometimes, It's Not a Drill** *Julie Kennedy, General Manager, Grand Rapids Public Utilities; and Chad Seidel, President, Corona Environmental Consulting, LLC*

In 2023, Legionnaire's disease—a severe form of pneumonia—struck members of the Grand Rapids community. The illnesses were clustered in one part of town, and the city's water supply was suspected. Mindful that friends and neighbors were at risk, the utility faced pressure on its operations, regulatory agencies trying to help, advice from consultants, daily public relations challenges, and mounting expenses. Join Grand Rapids on its journey through the fears and frustrations of dealing with an unfolding crisis and find out what they learned so you can apply it at home.

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### Utility Under Pressure: How the Latest Best Practices in Crisis Communications Will Protect Your Reputation

Mark Weaver, *Communications Counsel, Inc.*

Utilities have a lot going on, even when there isn't a crisis. Communicating effectively about your work is essential to building community understanding and goodwill—something that will really pay off if disaster strikes. Mark Weaver is a battle-tested attorney and crisis communications expert with three decades of experience advising clients in more than 30 states at the highest levels of national government and corporate America. He counsels public and private sector

clients on crisis communications, social media challenges, and high-profile litigation communications. He will share best practices that you can implement at your utility as soon as you get home.

## Roundtable discussions

A variety of industry volunteers and MMUA staff will host more than a dozen roundtable discussions. Attendees will have their choice of two topics including, among others, grant seeking, resiliency planning for electric systems, gas systems, water systems, and utility operations, Davis-Bacon compliance, pay equity, hot HR topics, cybersecurity, infrastructure investments, and the cold-weather rule.

## Electric track

### Northland Reliability Transmission Project—Review and Update

The way we power our communities is shifting from fossil fuels to more renewables. Because the energy resources we use to serve our customers and members are changing, the regional power grid we use to deliver that energy needs to change too. To ensure we maintain a reliable, resilient, and flexible grid, Minnesota is investing in new transmission infrastructure to enhance its stability for the long term. You will learn the latest news regarding transmission lines and substations planned for the Northland Reliability Project by Minnesota Power and Great River Energy—an approximately 180-mile, double-circuit 345-kV transmission line from northern Minnesota to central Minnesota near Becker that will support grid reliability and resilience.

### Municipal Utilities Working Together to Obtain Funding for Solar Projects: Lessons Learned, Future Funding Opportunities, and What You Need to Know When Evaluating Solar

Sam Wolfe, *SolAmerica Energy*

SolAmerica Energy will share its experiences with aggregating municipalities to participate in Inflation Reduction Act programs such as the PACE and the New ERA programs. In addition, SolAmerica will provide an overview of what municipalities need to know when evaluating solar projects. Attendees will be better educated on how to take advantage of funding opportunities and how to determine if solar energy makes sense for their communities, which will be beneficial as municipalities will be required to meet state renewable mandates in the not-so-distant future.

## Water track

### Addressing Legionella in Grand Rapids: Case Study and Lessons Learned

Julie Kennedy, *General Manager, Grand Rapids Public Utilities*, and Chad Seidel, *President, Corona Environmental Consulting, LLC*

In February 2024 the Minnesota Department of Health issued a press release identifying the Grand Rapids Public Utilities' (GRPU's) municipal water system as the source of Legionella bacteria that had been causing residents to get sick since the previous year. Yet GRPU's water supply has consistently met all federal and state water quality standards. In this session, we will cover the Legionella investigation process, our mitigation strategies, and our future plans for the GRPU water system. We'll also discuss our experience in working with various agencies and experts as we all strive to end the outbreak in our community.

### Update on Minnesota's PFAS Blueprint for Wastewater

Stephanie Lyons, *Minnesota Pollution Control Agency Municipal Wastewater PFAS Coordinator*

Working together, Minnesota state agencies developed Minnesota's PFAS Blueprint to support a holistic and systematic approach to addressing PFAS concerns in 10 key issue areas. The significant interconnections and overlaps between different areas illustrate the complexity and difficulty of managing PFAS. Water utility staff will want to sit in on this session with MPCA's PFAS Coordinator Stephanie Lyons as she provides updates on the path forward for PFAS monitoring and mitigation in wastewater and biosolids.

## Leadership track



### The Business Case for Diversity, Equity, and Inclusion Efforts in Municipal Utilities

Roger Warehime, *Owatonna Public Utilities*, and Whitney Harvey, *MN Chamber Foundation*

Diversity, equity, and inclusion (DEI) is getting a lot of attention these days—but what is it really all about? What relevance does it have for smaller towns and municipal utilities? Join Roger Warehime and Whitney Harvey as they explore the moral, economic, and business rationales for approaching your work through the DEI lens. The impact it can have on morale, retention, and financial performance may surprise you.

### Follow the Leader Worth Following

Jon Colby, *Jon Colby Speaks*

In today's fast-paced world, effective leadership isn't just about giving orders; it's about fostering collaboration and empowering your team. Join us for an immersive experience where we explore the interconnectedness of leadership and followership. Discover how successful leaders support their team members to make decisions, while followers feel encouraged to contribute ideas and questions. Throughout this interactive session, you'll practice and refine your leadership and followership skills and will leave with actionable takeaways that you can put into practice immediately.

## Council/commission track

### More Than Showing Up – How to Represent Your Utility

Brian Morgan, *Commissioner at Rochester Public Utilities*, and Dan Nath, *Council Member at the City of Luverne*

Being a board/commission member requires knowledge, relationships, and influence to be effective. Brian Morgan and Dan Nath will cover common challenges facing municipal utilities from the perspective of a commission member, and how to face those challenges head on. Building effective working relationships with staff and city council; understanding the technical, financial, and enterprise risks; and embracing the value of public power are just a few of the topics to be covered. Feel free to bring questions or challenges you're facing to the session for discussion.

### Legal Issues in Utility Crisis Communications: Calming Your Lawyer as You Communicate to Your Ratepayers

Mark Weaver, *Communications Counsel Inc.*

Are you aware of the laws affecting how your utility can and cannot communicate with the public? In normal times it can be challenging to leave the negative social media post alone, to know when to respond to misinformation, and to keep your cool in the face of an angry ratepayer. When a crisis hits, the stakes are higher. Mark Weaver has decades of experience guiding public organizations through some of the most difficult media and public relations crises you can imagine. As an attorney and community relations expert, he will bring you ideas you can use and give you things to think about in the months ahead.

## Closing keynote



### “Yes, and ...” Improving Communication and Rate Payer Relationships through Improv

Jon Colby, *Jon Colby Speaks*

The basic rules of improv deal with finding agreement, listening, leading by empowering others, making confident choices, and celebrating those choices. These same attributes can improve productivity and networking skills, build stronger leaders and teams, boost creativity, and encourage employees and clients to feel more valued. You'll learn to improve communication skills in a one-on-one setting, create more effective meetings, and empower every voice within your organization. This interactive closing keynote will give participants an entertaining opportunity to grow in a safe environment and walk away with valuable skills that can be put to use immediately.

## Fish help filter water at Oklahoma water treatment plant

The City of Broken Arrow, Oklahoma, the largest suburb of Tulsa, uses two kinds of fish to help in their water filtration process and combat other issues along the way.

On May 1, water operators added 600 pounds of tilapia and 6,100 bluegills to the plant's pre-sedimentation water basins.

Each fish serves a different purpose at Broken Arrow's water plant. Tilapias eat algae, which is present in the Verdigris River, Broken Arrow's water source. The city's water source also has water fleas, which can



become problematic when the fleas clog the plant's filtration system. The bluegills help on that front by keeping water flea numbers in check.

The fish have done a remarkable job of helping keep the city's

water on track. Tilapias have been on the job in Broken Arrow since 2014 and bluegills for the last couple of years. Together, they have cleaned the water naturally and with few issues.

## Research finds that electricity use by data centers could double by 2030

Data released by the Electric Power Research Institute on May 29 reveals that with current inputs, American data centers could use up to 9 percent of all electricity generated by 2030.



The annual electricity growth rate is expected to be between 3.7 percent and 15 percent from 2024 to 2030.

The growth of artificial intelligence (AI) as exemplified by ChatGPT is driving the electricity use of data centers, since AI is

very electricity intensive. The final numbers will depend on how much the use of AI grows over the next few years, and whether it can be made more energy efficient in the meantime.

## Tim McCollough joins Midwest Reliability Organization Board of Directors

Tim McCollough, General Manager at Rochester Public Utilities (RPU), will serve as a member of the Midwest Reliability Organization Board of Directors.

McCollough's election was announced May 9, and he will represent the Municipal Utility sector for a term ending on December 31, 2025.

Nominations for the seat took place between April 8 and April 22, and the voting period occurred between April 24 and May 8. He was seated on May 8 and was introduced at the board meeting on May 23.

McCollough has served as General Manager of RPU since the summer of 2023. He previously served as President and Chief Executive Officer for Iowa Lakes Electric Cooperative. Before that, he was the Deputy Director of Light and Power Utilities for the City of Fort Collins, Colorado.

The Midwest Reliability Organization (MRO) is a non-profit organization dedicated to ensuring the reliability and security of the bulk power system in the central region of North America, including parts of both the United States and Canada. MRO is one of six regional entities in North America operating under authority from regulators in the US through a delegation agreement with the North American Electric Reliability Corporation (NERC) and in Canada under similar arrangements. The primary focus of MRO is developing and ensuring compliance with reliability standards and assessing the grid's ability to meet the demands for electricity.



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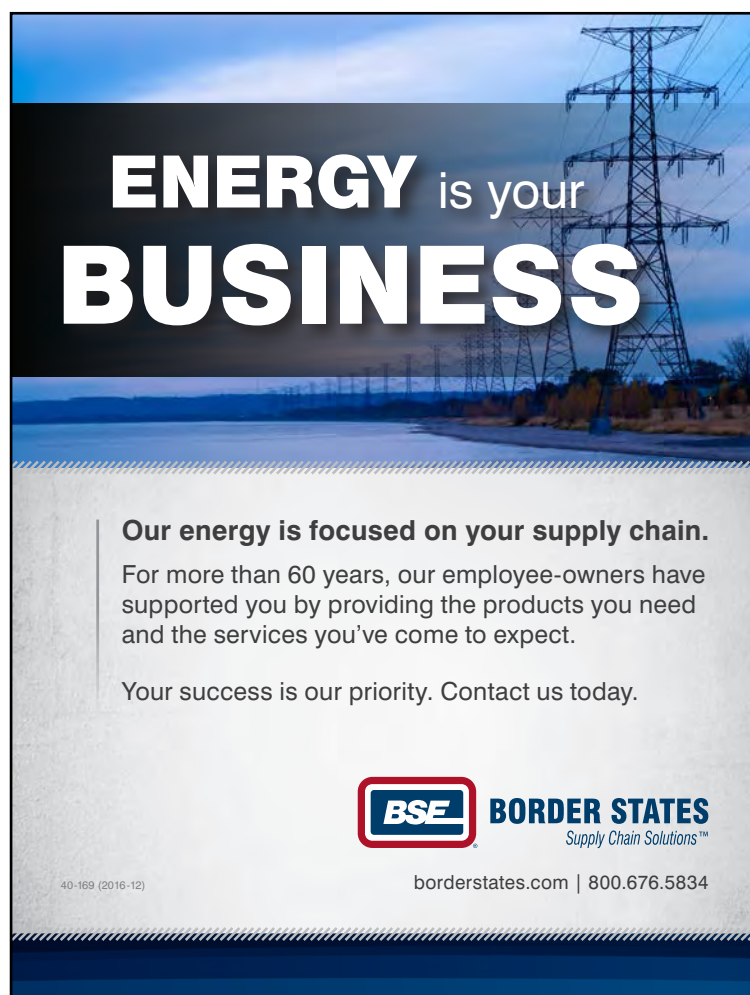
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## Needs Survey indicates a \$630 billion investment price tag for wastewater and stormwater systems over the next 20 years

The Clean Watersheds Needs Survey (CWNS), which is compiled by the US Environmental Protection Agency every four years, seeks information about publicly owned wastewater facilities to ascertain the level of capital investment needed for these facilities to meet the standards of the Clean Water Act (CWA) over the next 20 years.

The latest survey data revealed that American water facilities will need \$630 billion in investments over the next two decades to meet the standards

of the CWA. This is a 73 percent increase in funding needs compared to the CWNS survey from 2012.

Data is gathered from collection and treatment facilities, stormwater and combined sewer overflows control facilities, non-point source pollution control projects, and decentralized wastewater management.

It is likely that federal monies in addition to those provided by the Infrastructure, Investment and Jobs Act will be needed to meet this significant funding need.

## Commercial and multifamily building energy benchmarking

By Virginia Rutter, Minnesota Department of Commerce

The Department of Commerce is launching a new statewide program to collect energy use data from large commercial and multifamily buildings.

The purpose of the program is to:

1. Make a building's owners, tenants, and potential tenants aware of (i) the building's energy consumption levels and patterns and (ii) how the building's energy use compares with that of similar buildings and/or a reference performance level (such as a building energy code).

2. Enhance the likelihood that an owner adopts energy conservation measures in the owner's building as a way to reduce energy use, operating costs, and greenhouse gas emissions.

More detailed information about benchmarking, including statutory definitions, can be found at <https://www.revisor.mn.gov/statutes/cite/216C.331>. The building energy benchmarking program will apply to buildings in the following locations:

- Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington Counties, and
- Duluth, Rochester, and St. Cloud.

Population changes may bring further buildings into the benchmarking program, as it includes areas with populations greater than 50,000 residents. For example, the cities of Mankato, Moorhead, and Shakopee currently have populations around 45,000 residents.

For purposes of the program, properties are classified as follows:

- Class 1 properties (100,000 sq. ft. and above) in the above locations must start reporting energy use data by June 1, 2025.
- Class 2 properties (50,000 sq. ft. – 99,999 sq. ft.) in the above locations must start reporting energy use data by June 1, 2026.

Minn. Stat. 216C.331, Subd. 1 provides some exemptions from the benchmarking requirements for specific building types, including multifamily buildings with fewer than five units,

manufacturing and agricultural buildings, and other limited situations. Building owners may also apply for exemption if experiencing financial distress, as described in Minn. Stat. 216C.331, Subd. 5.

Energy benchmarking has been required for publicly owned buildings in Minnesota since 2004. Learn more about the program at <https://mn.b3benchmarking.com/What-Is-B3>. In addition, some local government units have also enacted building energy benchmarking requirements. Buildings subject to existing benchmarking requirements by the state, a city, or other political subdivision may continue to follow those requirements if they are equivalent to or more stringent than the Statewide Building Energy Use Benchmarking program.

Alongside the new program, Commerce will be launching a funding opportunity for non-investor-owned utilities to support the development of technology for implementing energy benchmarking. We plan on posting the RFP soon; please look for an announcement from Commerce that will be shared with MMUA.



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## Underground School



Herb Bray of Warning Lites presented on worksite traffic control.

## Locating Workshop



Cody Raveling from MMUA provided information about working around energized power equipment.



Attendees practiced directional boring.



Attendees learn about the functionality of their specific locating equipment.



Participants practiced performing switch replacements.



Gary Grimms from Locaters and Supplies talks about the always-fun "non-locatable" locates, how to use a locater ergonomically, and above ground items that can throw off a locate.



MMUA Apprenticeship Instructor Roger Avelsgard (second from right) posed with members of the Lineworker Apprenticeship Program.



Attendees do locating activities on the training field.

## Chaotic final hours at the legislature

Continued from page 1

have prevented bills, ultimately including Chapter 127, from passing for lack of a majority.

**A meltdown ended the 2024 session.** On the Senate side it largely had to do with two things, (1) the Sen. Mitchell situation; and (2) time management. On the House side, time management and the use of a 9-bill, 1,400+ page omnibus package set the stage for ire and impasse.

Sen. Mitchell, according to police reports, has been charged with 1st degree burglary. This occurred after she was found in the basement of her stepmother's house in the very early hours of the morning, dressed in all black and in possession of a black backpack containing, among other things, a laptop that allegedly displayed the stepmother's name when powered on. During the first few days of the saga, Sen. Mitchell was absent from Senate proceedings, and the Senate majority opted to pull bills from the floor calendar to avoid having their passage blocked by an expected 33-33 vote. When Sen. Mitchell returned to the floor; the Republicans tried daily to find a way to keep her from being allowed to vote. The DFL majority, having imposed some discipline on the Senator that restricted her participation in Senate committees and the DFL caucus, argued that she is entitled to due process, that it is premature to take drastic actions, and that the voters of her Woodbury district are entitled to representation. Thus, Mitchell cast what amounted to the 34th and deciding vote on several issues, causing much angst amongst Senate Republicans.

**Time was in short supply.** The real problem was that these daily actions targeting Sen. Mitchell took hours to resolve, leaving little time to act on other matters like final passage of bills. And Senate Republicans didn't just drag out the battle over Sen. Mitchell. They engaged in lengthy debate on everything. This willingness to filibuster meant that either nothing would get done, or the majority would have to end debate and force votes on bills and conference committee reports over the objections of the minority.

On the House side, Speaker Melissa Hortman instituted a practice of adjourning floor sessions by midnight. A motion to extend beyond midnight is actually required and was used, but for the most part floor sessions ended "early" in comparison to past years.

Long speeches soon became the norm in the House too, particularly in an effort to run out the clock instead of voting on a proposed Equal Rights Amendment (ERA) bill. This bill was

controversial as introduced, but it became even more so when provisions related to abortions were amended onto the bill in committee.

**A foreshadowing of what was to come** occurred late on Wednesday, May 15, when after hours of debate, Speaker Hortman moved to an immediate roll-call vote on HF 5363, a bill amending last year's paid leave legislation. The move caught the minority off guard, and they started trying to shout down the vote and all subsequent action that night. But Speaker Hortman refused to acknowledge anyone other than Majority Leader Jamie Long, demonstrating that no motion is in order unless the maker has been recognized and has the floor.

Things seemed to calm down, and by Sunday, May 19, the last day any bill could be adopted, Republicans were back to long speeches. There seemed to be little concern about the fast-approaching stroke of midnight.

That all changed when, with about 45 minutes until the constitutionally imposed deadline, Majority Leader Long moved to



Melissa Hortman

did not require a super-majority vote, something that clearly was not going to be attainable in the current environment.

The House sent both bills over to the Senate where they met the same loud objections. Senate President Bobby Jo Champion and Majority Leader Erin Murphy attempted to pull off the same results as had occurred in the House. They succeeded on HF 5257, but questions about the format of the proper motion delayed action on the \$90 million spending bill. It died when the clock struck midnight before the vote was finished.

**Still, things got done.** Despite



Dave Geschwind of the Southern Minnesota Municipal Power Agency (SMMPA) speaks with a group of energy professionals from Sri Lanka and Eurasia on May 6. The group was visiting under the auspices of the US Department of Commerce's Special American Business Internship Training—SABIT—exchange program. The visitors learned about SMMPA's work to transition to renewables and toured several energy sites connected to SMMPA.

## NERC leaders to retire in 2025

On April 29, the North American Electric Reliability Corporation (NERC) announced Manny Cancel, NERC's senior vice president and chief executive officer of the Electricity Information Sharing and Analysis Center (E-ISAC), and Stan Hoptroff, NERC's vice president of Business Technology, will be retiring in early 2025.

Hoptroff joined NERC in 2014 and has worked on projects such as cybersecurity for NERC and data management activities. Cancel joined the organization in 2020 and has made the E-ISAC team stronger and more in touch with other entities inside and outside of NERC.

NERC President and CEO Jim Robb said in a statement this was the second retirement for both executives. He offered NERC's appreciation for their work and for the time they have given



Manny Cancel



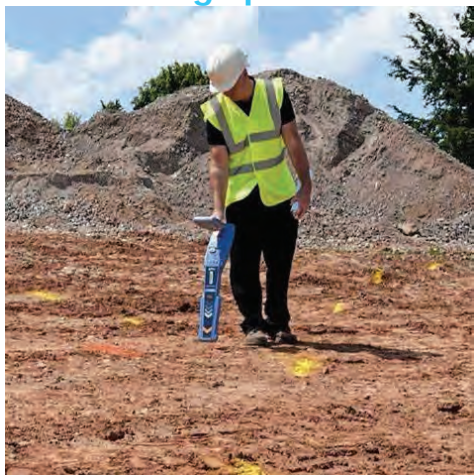
Stan Hoptroff

NERC to plan for the onboarding of replacements in their roles.

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the unique happenings and chaotic closing minutes, the 2024 Legislature did get a few things accomplished, including two of MMUA's top priorities – the exempting of electricity sales to qualified data-mining centers from a community-owned utility's gross annual sales, and the reduction from 1.5 percent to 1 percent of the Conservation Improvement Program (CIP) goal for municipal gas utilities. This, at last, puts such utilities on equal footing with the targets for the investor-owned entities.

For a complete summary of the 2024 Session Laws, see the final bill log that follows on page 12.

**Note:** Bills, or portions of bills, are effective July 1 of the year of passage if they expend funds. Otherwise, they are effective August 1 of the year of passage, unless the bill, or a section thereof, contains an alternative effective day, which a fairly large percentage of this year's bills contain.

table the Omnibus Energy Bill. He then moved consideration of the conference report for HF5247, the Omnibus Tax bill, which had been amended to contain the conference reports of eight other bills. The result was a bill of more than 1,400 pages. The minority erupted. However, Majority Leader Long pointed out that all the bills contained in the new mega-omnibus tax bill had each been through committee hearings, had been moved off the House floor, and been properly amended in conference committees. With Speaker Hortman not calling on any additional minority members, she then called the question and put the bill up for final passage. The screaming of objections made it impossible to hear what was happening, but Speaker Hortman and Majority Leader Long stayed focused. In the end, they not only ushered HF 5247 through, but they also passed a \$90 million cash-only version of a bonding bill. This version

# 2024 Minnesota Legislature: Summary of bills pertaining to or impacting municipal utilities

**Chapter and Bill Number:**  
104 (HF 3436)

**Title:**  
Omnibus Transportation Bill  
**Article and Section:**  
Article 1, Sections 85-93

This new law establishes definitions related to locates under Minn. Stat. §216D. It defines the locate period as the 48 hours beginning at 12:01 am the day after the locate request is submitted to the notification center—Gopher State One-Call (GSOC). Saturdays, Sundays, and holidays are excluded from the locate period. The location period is extended to include the period of time between the date of submission and the time of excavation. The locate period can also be any time period mutually agreed upon by the excavator and the operator if that is specified in writing to GSOC. The new law updates the quality level to require use of Standard Guideline for Investigating and Documenting Existing Utilities ASCE/UESI/CI 38-22 or any relevant successor document. It imposes quarterly performance reporting by operators to the Office of Pipeline Safety (OPS) and sets forth required data. This includes the total number of notifications itemized by type, the percentage of notifications marked by start time provided on the notice, and the number of damages to utilities including the cause of each. Operators with fewer than 5,000 notifications during the preceding calendar year are exempt from these reporting requirements. Gas pipeline operators must continue to report regardless of the number of notifications. OPS must publish an annual report of all collected data. Excavators are authorized to require an on-site meet, and on-site meets are

mandated if the total excavation equals or exceeds one mile in length. Operators are required to use geospatial location information or its equivalent to develop as-built drawings of newly installed or newly abandoned facilities. This will be effective January 1, 2026, for operators with more than 10,000 customers and January 1, 2027, for all others. The law authorizes the use of electronic marking in place of white markings if such marking provides at least as much excavation data as physical marking. Until January 1, 2026, electronic markings must be accompanied by physical markings. After January 1, 2026, physical marking is required if it is requested by an operator following submission of the electronic markings. Except as otherwise stated, this law is effective August 1, 2024.

**Chapter and Bill Number:**  
107 (SF 4579)

**Title:**  
Submetering in Shared-metered Residential Buildings Bill  
**Article and Section:**  
Article 1, Section 7

Municipal utilities are included in this new law as a utility provider (gas, electric, water, and sewer). It states the landlord of a shared-metered residential building is the responsible bill payer and must be the payer of record on file with the utility provider. The law is effective for leases entered into or renewed on or after January 1, 2025.

**Chapter and Bill Number:**  
116 (HF 3911)

**Title:**  
Omnibus Environmental Bill  
**Article and Section:**  
Article 1, Section 2

This law appropriates \$350,000 in FY 2025 from the Environmental Fund to prepare and implement a strategy to analyze PFAS in sewage sludge intended for land application. The law also extends the 2023 appropriation until June 30, 2025, and it requires any part of that appropriation remaining after the PFAS manufacturers fee workgroup has submitted its report to the Legislature to be used for PFAS removal. The funds must be available until June 30, 2025.

**Chapter and Bill Number:**  
116 (HF 3911)

**Title:**  
Omnibus Environmental Bill (continued)  
**Article and Section:**  
Article 2, Sections 21, 27, and 29

This section of the 2024 environmental law establishes the Minnesota Resilient Community Assistance Program, requiring the Commissioner of the Pollution Control Agency (PCA) to establish a program to assist local governments, Tribal governments, and others deemed relevant, in adapting to and developing community resilience to climate change. The law orders the PCA Commissioner to develop a strategy to analyze sewage sludge for PFAS. It also orders the creation of a joint PCA/Department of Health report that recommends (1) strategies or fee mechanisms the state may use to require companies that manufacture, use, or release PFAS to pay for safe drinking water supplied to people whose water source is

contaminated, and (2) strategies or mechanisms to require such companies to prevent or remove PFAS from municipal wastewater facilities or to pay the cost of treatment and disposal. The effective dates of this law vary depending upon the section.

**Chapter and Bill Number:**  
127 (HF5247)

**Title:**  
Omnibus Tax Bill plus 8 additional conference committee reports, including for Energy  
**Article and Section:**  
Article 3, Transportation Policy Sections 4-7 and 17-22

This law creates the new Minnesota Advisory Council on Infrastructure. The statute allows MMUA to recommend voting members for the group. The Council is charged with identifying and recommending best practices that preserve infrastructure and provide for its effective and efficient management. An annual report is due by December 15 of each year. The Council is instructed to hire an executive director who must hire staff. The law appropriates \$41,000 for FY 2025, \$475,00 FY 2026, and \$471,000 FY 2027 to pay for this work. This law also establishes a state preference for locating high-voltage transmission lines in public rights-of-way (ROWs) and generally requires MNDOT to grant permission to construct in Interstate high-way ROWs. The law requires MNDOT to work with utilities to develop plans, and it modifies relocation cost allocations, primarily prohibiting MNDOT from paying the costs. It allows community-owned utilities (COUs) to recoup expenses by any means approved by their

governing boards. This article is effective May 25, 2024, unless otherwise provided.

**Chapter and Bill Number:**  
127 (HF5247)

**Title:**  
Omnibus Tax Bill plus 8 additional conference committee reports, including for Energy (continued)  
**Article and Section:**  
Article 11, Earned Sick and Safe Time

This section of the law modifies the new sick and safe time leave policy adopted in 2023. It grants additional powers to the Health Commissioner to order compliance and authorizes additional rulemaking. The language in this section replaces “hourly rate” with new “base rate” to better account for differing rates paid to employees and for employees that are not paid an hourly rate. The updated law also exempts several classes of workers from the definition of “employee” contained in the law. Those exempted include volunteer firefighters, paid on-call firefighters, certain ambulance attendants, elected officials and those appointed to fill a vacant elected position. People employed by a farmer, a family farm, or a family farm corporation to provide physical labor or management are also exempt from the definition of “employee” if the person works in such a position for no more than 28 days. The updated law expands authorized use of leave to include time to make funeral arrangements, attend funeral services or a memorial, and to address financial or legal matters arising from the death of a family member. It clarifies that documentation

*Continued on page 13*



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## Summary of bills

Continued from page 12

can be required only after three consecutive scheduled days of work and when this leave policy may be waived by a collective bargaining agreement. This article became effective May 25, 2024.

**Chapter and Bill Number:**  
127 (HF5247)

**Title:**  
Omnibus Tax Bill plus 8 additional conference committee reports, including for Energy (continued)

**Article and Section:**  
Article 13, Broadband and Pipeline Safety

This section of the law allows the Office of Broadband Development to give priority to grant applicants who implement best practices, pay a prevailing wage, and provide authorized training to employees. It is effective January 1, 2026. It also requires safety-qualified installers begin-

ning July 1, 2025, for the metropolitan area and July 1, 2026, for the entire state. The article is effective May 25, 2024.

**Chapter and Bill Number:**  
127 (HF5247)

**Title:**  
Omnibus Tax Bill plus 8 additional conference committee reports, including for Energy (continued)

**Article and Section:**  
Article 40, Climate and Energy Finance

This section of the law appropriates \$500,000 in FY 2025 for a Thermal Energy Network Site Suitability Study. Also in FY 2025, it appropriates \$500,000 to develop incentives for local governments to use the Solar APP+ program and \$39,000 to the PUC for its support of the Thermal Energy Network Deployment Work Group. It establishes a FY 2026 base of

\$77,000 for further support. This article is effective July 1, 2024.

**Chapter and Bill Number:**  
127 (HF5247)

**Title:**  
Omnibus Tax Bill plus 8 additional conference committee reports, including for Energy (continued)

**Article and Section:**  
Article 41, RDA Account Appropriations

This section of the law appropriates \$6 million in FY 2025 to the Sabathani Community Center to construct a geothermal energy system. It also allocates \$1.2 million in FY 2025 to the geothermal planning grant account, \$1.5 million to the SolarAPP+ program account to award incentives to local governments served by Xcel Energy to use this software, and \$250,000 for grants to individuals who develop ultraefficient vehicles

(75MPG or greater), among other allocations. This article is effective July 1, 2024.

**Chapter and Bill Number:**  
127 (HF5247)

**Title:**  
Omnibus Tax Bill plus 8 additional conference committee reports, including for Energy (continued)

**Article and Section:**  
Article 42, Energy Policy

In section 4 of this article, the law states that beginning in 2026 and ending in 2035, \$5 million per year will be transferred to Xcel's Solar Rewards program. In section 5, the law requires that Individual Taxpayer Identification Numbers must be accepted in place of a Social Security Number on applications for utility service. It also implements modifications to the ECO Act of 2021. The modifications are primarily focused on

efficient fuel switching changes, though it also implements two of MMUA's top legislative priorities, including (1) exempting power provided to qualified data mining operations from a COU's gross annual retail sales, and (2) setting a municipal gas utility's CIP obligations at 1 percent, reducing the requirement down from 1.5 percent so it is consistent with requirements for investor-owned utilities. Section 11 of the law eliminates the cap on what a COU can spend on efficient fuel switching. The cap was originally set to expire July 1, 2026. Except as otherwise noted, this article takes effect August 1, 2024.

**Chapter and Bill Number:**  
127 (HF5247)

**Title:**  
Omnibus Tax Bill plus 8 additional conference committee reports, including for Energy (continued)

**Article and Section:**  
Article 43, Minnesota Energy Infrastructure Permitting Act

This section of the article implements taskforce recommendations regarding ways to speed up the permitting process for high-voltage transmission systems. One issue of concern to MMUA members was resolved favorably by providing that new large electric power generating plants under 80-megawatt capacity or fueled by natural gas will be subject to a standard environmental review process and not the new heightened standard. Most sections of this article are effective August 1, 2024.

**Chapter and Bill Number:**  
127 (HF5247)

**Title:**  
Omnibus Tax Bill plus 8 additional conference committee reports, including for Energy (continued)

**Article and Section:**  
Article 44, Certificates of Need

A municipal utility will now only have 60 days after a transmission line has been approved to exercise its right of first refusal as an incumbent transmission owner. Prior to this change, the utility had 90 days. The House sought to reduce the time to only 30 days, so this result is favorable under the circumstances. Except as noted, the article was effective May 25, 2024.

Continued on page 20



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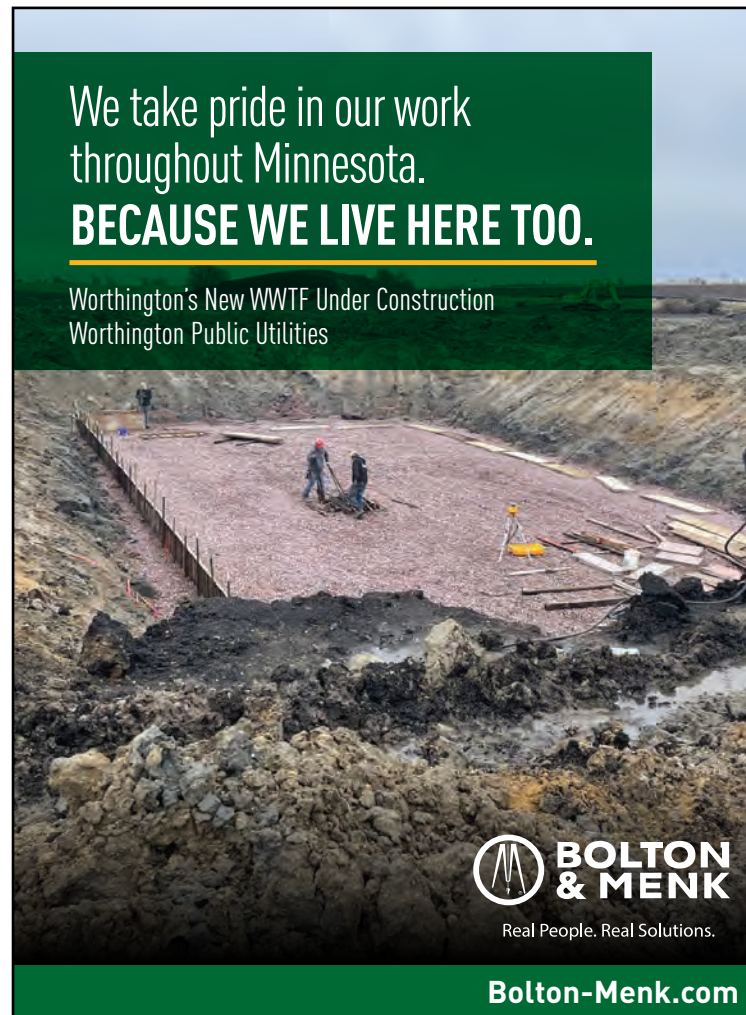
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## Common Ground

Continued from page 3

To get there, we need the psychological commitment, sometimes called “buy in,” of all parties. That only happens if they perceive themselves as engaged in developing the solution they eventually have to live with.

The climate change question is not something any Minnesota municipal utility can solve on its own. But we can listen and offer solutions at the local level. Grand Rapids did it beautifully when they listened to concerned ratepayers and developed a community solar project with ratepayers involved. GRPU’s solar generation certainly doesn’t replace fossil fuel generation, but bringing it to life demonstrated good listening, engaged passionate activists, and now provides energy for peak shaving that helps keep rates under control.

**4. Do recognize that some people will be misleading.** It is much easier to navigate difficult situations if we accept up front that everyone has their own version of the truth, their own motives, and their own communication styles. Sometimes misleading other parties is quite deliberate, other times it is inadvertent. It is always present.

A good card player bluffs to get his opponent to take action favorable to the player, and everyone expects this at the casino. People in business usually will do what they think it takes to win within whatever legal or ethical bounds they choose to observe. Some will go so far as to do anything they believe they can get away with. It’s not cynical to accept that it happens and/or that what constitutes ethical behavior for them may be different than it is for you.

Just last week I heard about two separate instances of investor-owned utilities providing misleading (at best) data to disgruntled ratepayers in an effort to prevent municipalization. Others have twisted data and told half-truths to encourage a municipal sale. That is the way the game is played. You can debate whether it’s right (it isn’t), whether it’s fair (nope), and whether they should be able to get away with it (they have). You just can’t take it personally. Don’t get mad; get prepared.

**5. Do cultivate relationships.** The best defense is a good offense. Even if you do not live in the town you serve—in fact, especially if you do not live in the

town you serve—it is essential to be involved there. Join the service clubs, attend local events even if you don’t have to, know who the influencers are and stay on their good sides. Invite them to be involved in the utility. “Keep your friends close, and your enemies closer,” as everyone from Sun Tzu to The Godfather have said.

When things go bad, it’s usually because influencers are unhappy and “the press,” meaning both the formal media and the informal information networks, are seeing things through the influencers’ eyes. Be one of the influencers, and you stand a fair chance of having things reported more dispassionately.

In virtually all of the case studies of sold utilities that I have seen, the press was viewed as complicit in spreading misinformation. Sometimes that was because the buyer was better at putting it out there (see #4 above), and sometimes it was because the municipal had not done a good job of having friends in the media to begin with. Don’t make that mistake. The time to build and maintain relationships with the press is long before there is a crisis to manage.

**6. Do take inequities seriously and address them.** In reviewing the Vero Beach game tape, officials there now see that growing unrest between ratepayers inside the city limits and those living outside set the stage for the sale. City

residents benefitted from PILOT payments, and outside customers resented paying higher bills to support Vero Beach services. There wasn’t an easy answer, but ignoring the disparity left an opening for the aggrieved ratepayers to organize and sell, ultimately harming everyone.

**7. Do train your staff and your commission on how to have difficult conversations.** To do this successfully, you will need more than just standard customer service training. Your team needs to learn how to show people who disagree they’ve been heard, how to find areas of commonality—if not “middle ground”—and how to share views in a way that is most likely to be perceived as constructive.

The volunteer-based organization “Braver Angels” offers excellent courses in this regard. Minnesotan Bill Doherty leads these sessions periodically in cooperation with various groups, including the League of Minnesota Cities and the Association of Minnesota Counties. I attended one recently, and I’m hoping MMUA will be able to offer the courses soon. If you want to get started immediately, check out [braverangels.org](http://braverangels.org).



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## Woodbury to build \$400 million water treatment plant to remedy city’s PFAS problems

**On May 22, the City of Woodbury, a large suburb east of St. Paul, held its first public open house on the construction of the city’s new water treatment plant, which is estimated to cost approximately \$400 million.**

The plant is designed to address the presence of per- and polyfluoroalkyl substances (PFAS) in Woodbury’s water supply, most of which was a result of 3M Inc.’s longtime

production of PFAS at sites in the east Twin Cities metro. 3M reached a settlement with the State of Minnesota in 2018, which will leave the City of Woodbury on the hook for about \$30-40 million of the cost of the new water treatment plant. Since 2020, Woodbury has been using a temporary water treatment plant to treat water from six of the city’s 20 wells. The new plant is expected to open by 2028.

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## New wind turbine modification could increase efficiency by 10 percent

Research at the University of Alberta has found that by adding “winglets” to wind turbine blades, efficiency can be increased 10 percent.

The researchers based the winglet blade modification on the wings of the Andean condor, which is the world’s heaviest flying bird. A computer simulation of the winglets, which are upturned tips at the end of a wing, (or in this case a blade), would drive increased efficiency.

According to experts, it may be too costly to retrofit this innovation to existing wind turbines, but



the new winglets would make a cost-effective addition to the turbine manufacturing process and future turbine placements.

## Department of the Interior proposes offshore wind auctions in Oregon and New England

On April 30, the Department of the Interior (DOI) announced proposals for two offshore wind auctions, one off the coast of Oregon and the other off the New England coast off Maine, Massachusetts, and New Hampshire.

The auctions were proposed by the Bureau of Ocean Energy Management (BOEM) within the DOI.

The New England offshore wind auction zone is in the Gulf of Maine Wind Energy Area and will include about one million acres in eight lease areas. This group of leases has the potential to generate up to 15 gigawatts



(GW) of wind energy.

The Oregon lease area is composed of two lease zones of just under 200,000 acres. These locations are called the Coos Bay Wind Energy Area and the Brookings Wind Energy Area. This group of leases has the potential to generate about 3 GW of energy.

The lease areas on both coasts are in deep water, requiring the use of floating offshore wind equipment in these locations. The lease auctions are expected to take place later this year.

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## Carbon dioxide-fueled generator shows viability of future carbon-negative power generation



In research published in the journal *Nature Communications*, scientists at the University of Queensland in Australia have created a carbon-negative power generator that takes carbon dioxide out of the atmosphere and converts it into small amounts of electricity.

The device works by using flakes made of boron nitride and covering them with a polymer, a chemical compound. The flakes are embedded in a gel that is 90 percent water. When exposed to carbon dioxide, the gel absorbs carbon dioxide while also yielding positively and negatively charged ions. The negatively charged ions produce electricity, while the positively charged ions stay trapped in the gel.

The scientists describe the ion transportation used in the device as the most efficient form of energy conversion, even more efficient than the electron transportation used in current electrical systems. The researchers now plan to scale up the generator to a device that can collect carbon dioxide and produce electricity on an industrial scale.

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## 2024 Minnesota Energy Factsheet reveals Minnesota's movement toward renewable energy, efficiency

The 2024 Minnesota Energy Factsheet was released on April 30 by Clean Energy Economy Minnesota and the Business Council for Sustainable Energy.

The report described the state's progress in adopting renewables, the continued progress toward energy efficiency in the state, and tools Minnesota is providing utilities to help them access federal energy funds.

Minnesota's renewable power infrastructure continued to grow in 2023, as 400 megawatts (MW) of wind generation and 200 MW of solar generation were added to the grid. This was the largest capacity addition in the last five years except for 2020, when the amount of wind power added to the grid narrowly edged out the 2023 total.

This increase in renewable generation helped Minnesota's power sector reduce carbon dioxide (CO<sub>2</sub>) by 10 percent from 2022. Even with data centers and artificial intelligence making a splash as consumers of electricity, Minnesota's electricity use dipped last year by 0.2 percent.

Minnesota continued to be strong in energy efficiency, ranking 10th in its overall energy efficiency programs among the states. Through the Conservation Improvement Program (CIP), which has now become the Energy Conservation and Optimization Act (ECO), Minnesota's utilities have met or surpassed the 1.5 percent annual energy savings target each year from 2011 to 2021.

The factsheet also described

the State Competitiveness Fund, which provides \$190 million to help state, local, and tribal governments compete for federal grants through the Inflation Reduction Act and the Infrastructure Investment and Jobs Act. This fund will be critical in helping Minnesota utilities to unlock millions of dollars of federal funding to improve their energy systems.

Minnesota's utilities have a lot to be proud of. The 2024 Minnesota Energy Factsheet reflects these wins, as well as the ways in which the state's utilities can continue their ambitious work of becoming more efficient and sustainable.

## Electricity could help make gene therapies work better

Findings published in the journal *PLOS ONE* on April 30 by researchers at the University of Wisconsin-Madison indicate that gene therapies, which modify genes to treat diseases like diabetes and sickle-cell anemia, can be improved with electricity.

to electric fields can increase the permeability of cell membranes, allowing the gene therapy to get to its target more effectively.

Potential benefits of this new research include more effective treatment, less gene therapy material needed, lower cost, and safer medical care for patients.

The researchers applied an electric pulse to liver cells, causing them to absorb gene therapy at 40 times the rate of the control group. Exposing cells

## Research finds rare earth elements may be the next target of mining in western US coal mines

Research published in the journal *Frontiers in Earth Science* in late April has found that coal mines in Colorado and Utah have elevated amounts of rare earth elements (REE), the same elements used in renewable energy products such as fuel cells and batteries.

The deposits were not found in the coal itself, but in nearby shale and siltstone. The research



suggests that coal mines in the area, even ones that are no longer producing coal, could be a source of rare earth elements.

The scientists have analyzed 11,000 samples and hope to

discover where the highest concentrations of REEs can be found, so that economically viable mining of REEs in the area moves closer to reality.

The research was led by the University of Utah in partnership with the Utah Geological Survey and Colorado Geological Survey as part of the Carbon Ore, Rare Earth and Critical Minerals project, or CORE-CM.

## Legislation proposes community incentives for hosting new transmission

A new bill called the "Energizing Our Communities Act" is being proposed by Vermont Senator Peter Welch and New Hampshire Representative Annie Kuster.

The legislation would create a fund bankrolled by Department of Energy transmission loan programs.

The structure would help communities that host new transmission projects to access monies that allow for local improvements. As with other energy and mining projects, cities, counties, and Tribes would be incentivized by the funding to look at local transmission for their areas.



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Damage and downed power lines occurred in **Austin** and much of southeast Minnesota as severe storms swept through the region on May 21. **Austin Utilities** quickly got the lights back on and was out clearing downed branches and trees in the city.

Construction on Highway 72 is expected to begin in **Baudette** in early June. Improvements will include new curb and gutter, storm sewers, and city utilities.

On April 30, the **Brainerd Public Utilities Commission** unanimously voted to approve an agreement with cryptocurrency mining firm VCV Digital. The new agreement was an extension of a previously approved plan that recently expired.

On May 29, the Brainerd City Council approved a petition requesting the formation of a new union for supervisors and managers at **Brainerd Public Utilities**.

On May 1, outdoor warning sirens in **Blue Earth County** failed to sound during the required monthly test. Officials are working to fix the problem.

On May 16, Nortech Systems, an electronics manufacturer, announced they would be closing their **Blue Earth** plant later in the year. The closure will lead to the layoff of 74 employees.

**Ely** announced it is seeking information from its residents about their water intake lines. The Ely Utilities Commission sent a notice to every water customer on how to identify the material in their intake line. Lead intake lines will be replaced at no cost to residents through a Minnesota Department of Health funding program.

The **Minnesota River, Blue Earth River**, and other rivers and streams in Southern Minnesota are running at levels “much above normal,” according to data from the US Geological Survey. Water levels in these areas have been particularly low in the last few years.

**Rochester Public Utilities** has won the “best-tasting drinking water” award from the Minnesota Rural Water Association.

**Rochester** beat out 30 other water producers to win the award. Rochester was also affected by the storms of May 21. **Rochester Public Utilities** restored power to more than 7,000 customers who lost power during the storm.

**Shakopee Public Utilities** will be exchanging or reprogramming the electric and water meters

within its service territory from Spring of 2024 through 2026.

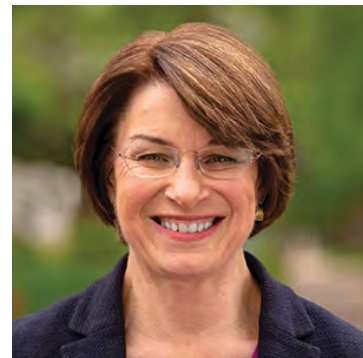


## Klobuchar honored by rural broadband association for efforts to expand broadband access

**In early May, Senator Amy Klobuchar, (D) Minnesota, was honored by NTCA—The Rural Broadband Association, for her efforts to expand broadband to all corners of the United States.**

Klobuchar’s *Affordable, Accessible Internet for All Act* became a component of the Infrastructure, Investment and Jobs Act passed by Congress and signed by President Joe Biden in 2021.

Klobuchar has a long history of supporting rural broadband,



often with partners across the aisle. She noted in a statement: “Internet access is necessary for

everything from education to healthcare, not to mention for keeping in touch with friends and family. However, millions of Americans currently don’t have a reliable broadband connection in their homes. That’s why I worked to secure historic funding to deliver high-speed internet to every zip code in America.”

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Reporting by the United States Energy Information Administration notes that natural gas generation has consistently increased all hours of the day since 2021.

Two Congressmen, Representative Rick Crawford of Arkansas and John Duarte of California, are proposing a governing body responsible for developing risk and resilience standards for the nation's water systems. House Resolution 7922 would require the Environmental Protection Agency (EPA) to create such a body, which would develop regulations to help utilities be more resilient in the face of cybersecurity events.

On May 9, Republican Attorneys General in 27 states sued the EPA with the goal of blocking new EPA rules regulating coal-fired power plants.

On May 14, the Australian government announced that around \$15 billion would be invested in renewable energy and the components needed to make renewable infrastructure.



On May 15, Madison Water Utility in Madison, Wisconsin held a groundbreaking ceremony to begin the process of renovating Well 15 in the city's water system. Well 15 has been shut down for five years because of contamination with perfluoroalkyl and polyfluoroalkyl substances (PFAS). The renovation will filter the water through tanks that will bring the well's PFAS levels into compliance with the most recent EPA standards.

On May 16, a 250-megawatt power generator caught fire at the Martin Next Generation Clean Energy Center in western Martin County, Florida, north of Palm Beach. Combustible materials on the ground ignited during the fire. Two employees of Florida Power and Light (FPL) and a firefighter were injured, with one FPL worker suffering serious burns.

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1 www.bls.gov/oes/current/oes49051.htm 2 www.bls.gov/oes/2017/may/oes49052.htm 3 www.bls.gov/oes/2017/may/oes47152.htm



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On May 21, the necessary permits were approved for the construction of Wyoming's largest-ever solar farm, the \$1.2 billion Cowboy Solar I and II. Cowboy I will include 400 megawatts (MW) of solar power and 136 MW of battery storage. Cowboy II will have 371 MW of solar power and 133 MW of battery storage. The farm will have capacity to power 771,000 homes, which is three times the number of homes in the State of Wyoming. Cowboy I is expected to come online in January of 2027 and Cowboy II is expected to come online in August of 2027.



On May 22, the British Government said it would pursue plans to build a new nuclear power plant in northern Wales. The Wylfa coastal site was the location of a now-decommissioned nuclear power plant from 1971 to 2015.

On May 22, the Biden administration announced that \$225 million in funds would go to improve water and wastewater infrastructure in Alaska Native communities.

On May 27, Uzbek President Shavkat Mirziyoyev said Russia will build small nuclear power plants in Uzbekistan, which will be the first nuclear power plant in central Asia. Up to six nuclear reactors will be built with a capacity of 55 megawatts each in the country.

On May 28, some 650,000 customers in the Dallas-Fort Worth Metroplex lost power as severe weather affected the area. Dallas-Fort Worth International Airport experienced 218 cancellations and 555 delays.

Reuters reported on May 28 that Mexico has been consuming record levels of electricity due to persistent heat readings and water shortages.

## Slayton votes to municipalize city's electric utility

**On May 14, the city of Slayton, Minnesota, held a special election and voted to establish a municipal electric utility (MEU).**

With turnout of about 37 percent of eligible voters, the count was 300 in favor (73 percent) and 109 against (27 percent) forming Minnesota's first new MEU in decades.

Slayton officials indicate the city intends to buy the assets of their current power provider, Xcel Energy, and to establish their own municipal system. The City of Slayton has 1,100 meters wholesale, with 23 million megawatts of electricity use per year. With the successful vote to establish the MEU, Slayton officials will work with Xcel to determine the price of the utility's assets.

The reasons for Slayton's move toward municipalization are familiar ones. City research has shown that a new Slayton MEU can provide the same or lower energy costs to ratepayers than those being charged by Xcel Energy. Service reliability and accountability to the community will also be better than what it would be staying with Xcel Energy. "The main reason we went this way was because of service quality. The number of outages [in Slayton] wasn't terrible, but it also wasn't great. Emergency response and storm response are not good," says Josh Malchow, Clerk/ Administrator at the City of Slayton.

Once the new MEU is established, Slayton plans to have Nobles Cooperative Electric

(NCE) provide for the maintenance and operation of its new municipal system. NCE already has a lineworkers' outpost situated in Slayton.

To establish funding for the buyout, language was included in the referendum that provides up to \$7 million in funding for the purchase of the utility infrastructure currently owned by Xcel Energy. If officials from Slayton and Xcel are unable to reach a purchase price agreement, the Minnesota Public Utilities Commission (PUC) will determine the purchase price. Assuming it becomes necessary for the PUC to get involved, "We want to get in front of the PUC as soon as possible," says Josh.

The road to this day started in late 2021 when Xcel Energy's franchise agreement with the city expired. About the same time, the city began working with Dave Berg Consulting on a feasibility study. Throughout 2022 and 2023, additional work including updated feasibility studies and discussions with the community and Xcel occurred. In late 2023 and early 2024, the city hosted a series of public meetings to share information with ratepayers about the May 14 vote.

In the end, the move was based on rates that were higher than surrounding areas and lack of local control. If Slayton can buy their utility for a fair price, another locally controlled, locally run electric utility will soon be part of the municipal utility family in Minnesota.

## EEl to sue Biden administration over new climate rules

**On May 16, the Edison Electric Institute (EEI), the United States' largest trade group representing the interests of investor-owned utilities (IOUs), came to the decision to sue the Biden administration over its new power plant rules.**

The EEI said that it is getting involved in this fight because, in its view, the technology is not yet there to support the new rules. The rules require many gas plants and most coal plants to capture or cease emitting carbon by 2032 or retire by 2039.

Because of the diversity of opinions among its membership, EEI has usually stayed out of these sorts of fights, at least directly. For instance, EEI did not fight the Obama adminis-



tration's Clean Power Plan. In the latest case, EEI member utilities like Pacific Gas & Electric (PG&E), which is based in Oakland, California, said that it may support the power plant rules and fight for the administration's timetable on carbon reduction.

Many IOUs feel carbon capture technology is not ready for prime time. In EEI's words, carbon capture has not been "adequately demonstrated for broad deployment across our industry."

However, the Environmental Protection Agency and IOUs like PG&E believe the technology can be ready in time for the implementation dates set forth in the rules. Nevertheless, the EEI is proceeding with its suit on the strength of most of its members' opinions on technological readiness.

EEI joins attorneys general from 27 states and the National Rural Electric Cooperative Association (NRECA) in litigation against the new rules.

## Summary of bills

*Continued from page 13*

**Chapter and Bill Number:**  
127 (HF5247)

**Title:**  
Omnibus Tax Bill plus 8 additional conference committee reports, including for Energy (continued)

**Article and Section:**  
Article 73, Paid Leave

This article modifies 2023 legislation regarding paid leave. It recognizes and defines "authorized representatives" who may act for an "applicant," i.e., a person applying for leave under

this chapter. Under the law, an applicant under a private plan only has to have data for the most recent four quarters of wage credit known as the "base period." The credits no longer have to be earned under the current employer. The modified law expands the definition of family to include children of domestic partners, and the term "de facto parent" has been expanded to include a de facto custodian. The law clarifies the "minimum increment of use" provided; it is generally eight hours. The law

also requires an employee to collect wage replacement from their employer while receiving paid leave, but if the employee gets reimbursed more than their salary, the employee must repay any excess to either the employer or the state. An employee can receive disability insurance payments while on paid leave. The law also provides a modified appeals process. Different effective dates apply to various provisions of this section.

## Upcoming events

### Utility Leaders Workshop: Interacting on the Issues

**June 26—Blue Earth  
June 27—Alexandria**

Intended audience: utility commissioners, city council members, and utility leaders.

Join the MMUA government relations team and peers from your region to discuss the implications of new laws, explore important utility issues, and network with others committed to protecting, promoting, and strengthening hometown utilities in the coming years. Visit [mmua.org/events/calendar](http://mmua.org/events/calendar) for more information.

### HR Quarterly Update: HR Topics and Changes for Municipal Utilities

**Thursday, June 27 at 10:00  
Online**

Join Shelly Dau, MMUA's Organizational Development and Human Relations Manager, for the first edition of a quarterly series of human resources webinars.

The first webinar will include information about the Pregnant Workers Fairness Act and guidelines for its implementation. Shelly will also ask for HR questions and topics of interest. Christian Glanville and Rita Kelly of MMUA will also demonstrate MMUA's new website and membership platform.

### Cross Training School MMUA Training Center, Marshall

**August 6-8**

MMUA's Cross Training program excels at providing comprehensive training on the "basics" of electrical work for non-line-worker employees who may be called into service during emergency situations. Visit [mmua.org/events/cross-training-2024](http://mmua.org/events/cross-training-2024) for more information.

### Summer Conference and Trade Show

**August 19-21**

The Summer Conference will be held in Fargo and Moorhead this year! This is MMUA's flagship event, and the 2024 conference theme is "Stronger Together." Learn about the challenges facing the industry and connect with fellow utility leaders. Learn more by visiting [mmua.org/events/summer-2024](http://mmua.org/events/summer-2024). Register by July 20 for the best rate.

**For more information, see the Events Calendar at [www.mmua.org](http://www.mmua.org) or call MMUA at 763-551-1230.**