

# Importance of politics to 'Public Power' shows at Legislative rally

Municipal electric and natural gas utilities are political subdivisions of the state, were born through politics and continue to navigate local, state and national political waters.

Those are among the reasons why approximately 75 municipal utility representatives, from around the state, traveled to St. Paul for the MMUA Legislative Conference April 11-12.

The meeting started mid-morning on Wednesday the 11th, with a welcome and briefing by MMUA staff. Doug Carnival of McGrann Shea et al, regaled attendees over lunch with legislative insight and anecdotes. Buses shuttled our citizen lobbyists to and from the capitol area that afternoon. Party caucuses that evening held down the number of legislators that were able to attend an evening reception, but meeting attendees and those legislators that were able to attend enjoyed an evening of good food and company.

MMUA does thank those legislators who broke free to visit, including Sen. David Tomassoni, and Reps. Matt Bliss, Mary



photo courtesy of Deb Birgen, MRES

Among those attending the MMUA Legislative Conference reception were, from left to right: Lucas Spaeth of Halstad Utilities, Sen. Dave Tomassoni, Darryl Tveitbakk and Dalene Monsebroten of the Northern Municipal Power Agency, and Thief River Falls Mayor Brian Holmer.

Franson, Ron Kresha, Paul Marquart, Joe Schomacker and Chris Swedzinski.

The short meeting continued with speakers the next morning, and concluded at noon. MMUA staff recapped the Rally and discussed a variety of issues. Brian Kuja-

wa, Jessica Green and Thomas Bartzen of Northland Securities introduced the New MMUA Finance Program. Cam Winton, Minnesota Chamber of Commerce, then of-

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# The RESOURCE

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## Alexandria's Crowser retires after 31 years as municipal utility leader

From the Alexandria Echo Press  
by Celeste Edenloff

Looking back over the past three decades, Al Crowser has accomplished plenty in his career. But when you ask him what he will most remember of those years, he simply says, "The people and their loyalty."

Crowser retired as general manager of Alexandria Light and Power Utilities, Monday, April 30 after nearly 31 years with the utility.

Crowser said the staff members at ALP are not only loyal, as there are many long-time employees, but they are also talented, bright and dedicated.

"Watch a lineman in a thunderstorm or see a water worker

in the trenches at 20 below," he said. "Or watch the people up front helping our customers, especially in difficult situations. They are truly public servants."

Crowser was hired at ALP in August 1987 as a system engineer. However, he began his career in the utility industry as a transmission engineer at Missouri River Energy Services. He worked there for almost seven years before getting the job at ALP.

In January 1994, Crowser was named ALP's general manager.

He wholeheartedly believes that both his staff members and the ALP board of directors deserve the credit for the com-



Al Crowser worked for ALP Utilities for 31 years and retired as its long-time general manager. He served on the MMUA Board of Directors and was MMUA President.

pany's success over the years. "ALP is a team," he said. "Besides the employees, I have worked with some good boards in my time here. They have always viewed us a business. ALP has been governed well by the

Board of Public Works as appointed by the (Alexandria) City Council."

Crowser said he is proud of the fact that ALP has such a

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## MMUA Generation School helps keep local power plants a valuable asset

MMUA held its annual Generation School April 10-12 at various southern Minnesota sites.

A group of 31 power plant personnel from 17 utilities convened at Owatonna Public Utilities the afternoon of April 10, for a mix of activities. Instructors Jeff Cramptor and Steve McLenachen from Fairbanks Morse Engine covered cooling, fuel and lube issues. The group then boarded buses for a tour of the Minnesota Municipal Power Agency's start-of-the-art Faribault Energy Park.

Following the fascinating

tour, the group met for an evening reception at the Owatonna hotel headquarters.

The following day featured a variety of hands-on training at the New Prague Utilities Commission and Blooming Prairie Public Utilities power plants.

The New Prague power plant houses several Cooper Bessemer engine/generator sets and Steve Payne, of Industrial Diesel Service, led the training and discussion.

The Blooming Prairie power plant houses a variety of

Generation: see page 7 please



Along with some classroom and variety of hands-on work, the school includes a fair amount of discussion, as this scene from New Prague shows.



## Nomination window now open for MMUA board of directors, awards

MMUA's Nominations and Awards Committee is accepting nominations for MMUA awards. The deadline to submit a nomination is June 15. This is a great way to recognize a municipal utility colleague, a public official, or a municipal utility system for showing leadership and innovation and providing an example for others to follow.

Nomination forms can be downloaded from MMUA.org at the Awards and Recognition page on the 'About' menu. All nominations will be considered by MMUA's Nomination and Awards Com-

mittee and the awards will be presented at the MMUA Summer Conference on August 21.

Here is a brief summary of the awards for which we are accepting nominations. Please consider recognizing the accomplishments of a member of our community by submitting a nomination.

• System Innovation Award. This award is given to a utility that has demonstrated leadership and innovation in customer service, energy efficiency or renewables, technology, or other areas.

• Public Service Award. This

award is given to a state, or federal elected or appointed official who has been a strong supporter of MMUA and its members.

• Distinguished Service Award. This award is given to individuals who perform outstanding service in support of the association and its goals.

• Community Service Award. This award is given to an individual who has performed long and well in support of a municipal utility at the local level.

• Rising Star Award. This award recognizes a future leader who has demonstrated a dedication to the goals and principles of municipal utilities through problem solving, creativity, and job knowledge.

• Honorary Lifetime Membership Award. This prestigious award symbolizes a long professional life dedicated not only to the advancement of municipal utilities locally, but also for the betterment of our industry on a statewide basis.

Board nominations are

also being sought. Two board members—Troy Adams and Kevin Berg—will be completing their second, three-year term. Jenny Hazelton was appointed to fill the seat of a departing board member, and that term is also ending.

Send nominations, by June 15 to Theresa Neddermeyer via email (tneddermeyer@mmua.org), fax (763.551.0459) or regular mail (3025 Harbor Lane North, Suite 400, Plymouth, MN 55447).

## MMUA unveils new look finance program

The MMUA is excited to announce an updated capital finance program for its members. The MMUA has engaged Northland Securities Public Finance to design and implement a finance program that meets the needs of our members and helps them navigate a changing municipal bond market. Northland's team has extensive experience in pricing and placing Minnesota with direct access to a

large pool of bond purchasers. The result is a capital finance program that is simple, inexpensive, and cost-effective.

Each financing will be tailored to the individual needs of our members. A simple pre-application (available on the MMUA website) is the only thing needed to get the ball rolling. In many cases, the financing will be completed using bank direct placements. The process puts a large pool of banks in competition. Wherever possible, local lenders will be encouraged to compete for each transaction. The member will be matched up with the right lender in a process that will result in competitive rates and lower fees.

The advantages of using bank direct placements are less red tape and lower fees. There is no ratings fee (or calls with a ratings agency), there is no DTC cost because there is usually only one lender involved rather than many bondholders, generally

no debt service reserve fund will be required, and often there is limited or no continuing disclosure work required. Northland has made arrangements with Peter Cooper at McGrann Shea et al, to be the representative for the borrower unless the borrower chooses to use someone else.

There will be circumstances where a traditional bond financing will make the most sense for a particular project. Through this program the member would be guided through every step of this process. Northland has a long history of underwriting utility revenue bonds and a very large customer base that's knows and understands these credits.

For more information on what types of project are eligible for this finance program, please see MMUA's website under finance program at <https://www.mmua.org/services/finance-program>

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## Crowser:

continued from front page

good reputation.

As for challenges he has faced in his time, Crowser said it basically boils down to the yin and yang of affordability and reliability. He said the company needs to have high reliability, but at the same time its services need to be affordable. Crowser credits two employees, Scott Deitz and Christopher Olson, for taking care of each side.

“They are two strong middle managers that represent both sides and who get along well,” said Crowser. However, he added with a grin that he and Deitz will probably go down in history as spending the most money.

He also stated that the company is in good shape with its low rates, adequate reserves, high bonding rate and good financial performance indicators.

Brett Paradis, owner of Paradis Broadcasting and president of the ALP Utility Board, said Crowser is respected by not only his team, but also his peers in the in-



Al Crowser pictured outside the ALP headquarters (above—photo courtesy of Alexandria Echo Press). At right, Crowser addressed the assembled municipal utility people at the 2005 MMUA Annual Summer Conference, upon taking up the MMUA president’s position. He also served on the boards of Missouri River Energy Services and the Western Minnesota Municipal Power Agency.



dustry. Paradis said Crowser is well-known throughout the Midwest for his forward-thinking and is also well-informed and knowledgeable about the utilities industry.

Crowser has also molded a great team and built a family atmosphere within the company and sometimes that’s not an easy task.

“To get to know him over the last few years has been an honor,” Paradis said.

Alexandria Mayor Sara

Carlson, who also sits on the ALP Utility Board, said Crowser has had a long and stellar career.

“He retires as a well-respected, knowledgeable and very dignified man in his field,” said Carlson. “As a community, we were lucky to have his expertise all these years.”

### Many accomplishments

Crowser has been a part of many accomplishments,

such as being instrumental in getting the internet started in this area. That was sometime in the 1990s, he said. For that to happen, ALP partnered with Runestone Electric Association and at one point, 6,000 customers had internet and email services through the two companies.

Although ALP no longer offers residential internet services, it built a fiber optic network throughout the area. ALP has put in nearly

60 miles of fiber optic cables, which Crowser said is a major infrastructure that benefits the business sector. To date, the company serves 110 business and institutions.

Another team accomplishment, Crowser said, was when the company upgraded its transmission and substation to 115,000 volts. That was a large undertaking and was the result of a total team effort.

Another big project was the new water plant addition in 2012, Crowser said, adding that the next major project could be a new water tower, but the timing will depend on the growth of the city.

He also talked about the changes he has seen with the Geographic Information System, which deals with mapping technology. GIS allows a user to create and interact with a variety of maps and data sources.

Crowser chuckled when he remembered the days maps were drawn with colored pencils. Today, workers have laptop computers in their vehicles and when changes are made, the information is at their fingertips.

### What’s next?

As Crowser gets closer to retirement, he is looking forward to delving into a handful of hobbies he enjoys, such as photography—specifically, wildlife photography.

He also plans on doing some traveling, taking scenic drives with wife, Cindy, in his 1983 Honda S2000 convertible, looking into his genealogy, visiting both his mother and his mother-in-law and spending time with his family, including his two children and six grandchildren.

“I’m also going to make a good attempt at fishing,” he said, admitting that as much as he enjoys spending time on the lake, fishing is definitely not his forte.

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## Rally:

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ferred an engaging, inside look at the process used by the Minnesota Chamber in developing its 2018 Energy Policy. Mike Bull, Center for Energy & Environment, shared some intriguing background information on the industry and discussed the Conservation Improvement Program Potential Study and Strategic Electrification Issues.

The turnout was heartening for a couple reasons.



Rep. Chris Swedzinski and Marshall's Brad Roos.



Above: Detroit Lakes Public Utilities presented its legislators with mementos of its appreciation as part of its visits during the MMUA Legislative Conference. Pictured are, from left to right, Rep. Paul Marquart, General Manager Vernell Roberts, Sen. Kent Eken and Commissioner Gary Nansen. At right: Reps. Joe Schomaker and Ron Kresha, Steve Downer of MMUA and Joe Hoffman of Preston visited during the reception.



photos courtesy of Deb Birgen, MRES, except for top photo: courtesy of Bill Schwandt, Moorhead Public Service, and bottom photo: Steve Downer, MMUA.



Chris Olson, of Alexandria and an MMUA board member visited with Rep. Mary Franson.



Halstad's Lucas Spaeth, left, and Sen. Mark Johnson.

### St. Paul office available for MMUA member use

Got business in St. Paul? MMUA has leased space in the Capitol Ridge Building, formerly the Kelly Inn. The address is 161 St Anthony Ave, Suite 800, St Paul, MN 55103.

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One, the event had been recently re-scheduled due to the vagaries of the legislative schedule. Secondly, in a development that probably did not bother any of those in attendance, the 2018 session has been largely devoid of 'hot button' utility issues.

The municipal utilities always seek to keep their business out of politics, but the most successful ones realize they cannot neglect that part of their operating environment. At the call, they turned out in fine fashion to protect the legislative ramparts.

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## RPU plays major role in success of MMUA's Substation School

Twenty-seven municipal electric personnel, and one from an electric cooperative, attended the MMUA Substation School, April 17-19 at Rochester Public Utilities (RPU). MMUA is indebted to RPU for its assistance in planning, hosting and presenting the school. RPU staff served as instructors at several sessions and also gave generously in leading tours of several of its facilities.

The snowiest April in recorded history scrambled the workshop schedule. Tours of the RPU Westside power plant and Douglas Trail Substation were moved to the afternoon of Tuesday, April 17—kicking off the workshop—due to substantial snowfall predicted for

the next day. (Some cold rain did fall; the heavy snow began just to the south.)

A session on Fundamentals of Substation Equipment and Control Systems—led by Charlie Blecke and Jamie Sieren, of Power Systems Engineering—started the Wednesday morning classroom sessions.

Neil Stiller, Charles Pentek, Tyler Meiners and Jeff Kranz of Rochester Public Utilities led the Wednesday afternoon learning on Substation Design and Construction. The quartet were among the RPU employees who had a great deal of involvement in the planning and construction of the state-of-the-art Douglas Trail Substation,



The class was split into two groups for tours of an RPU substation and Westside Energy Station.



RPU's Tyler Meiners, left, led tours of the Douglas Trail Substation.

which came about through a partnership with a private partner to provide power to a data storage building. This class also covered the design and construction of RPU's new Westside Energy Station, which might well be the prototype of the modern municipal electric generating station.

Thursday morning focused on the Substation Maintenance and Inspections, led by Jeff Kranz, Rochester Public Utilities, where he covered best practice on a variety of operational concepts and maintenance issues.



## MPCA withdraws its proposed 'wild rice' sulfate rule

The Minnesota Pollution Control Agency (MPCA) announced April 27 it is withdrawing the 'Wild Rice' rule from the rulemaking process.

Recent findings by an Ad-

ministrative Law Judge and the ongoing expressions of concern from all sides led the agency to reevaluate its plans.

In 1973, Minnesota adopt-

ed a sulfate standard to protect wild rice based on studies showing that wild rice was found primarily in low sulfate waters. The MPCA and many other organizations and individuals have been working on revising and updating this standard for several years.

In 2011, the Legislature directed the MPCA to conduct research on the effects of sulfate and other substances on the growth of wild rice. This research was intended to inform an evaluation of the existing wild rice sulfate standard.

The MPCA proposed changes in the fall of 2017 to the water quality standard designed to protect wild rice from adverse impacts due to sulfate pollution. During the last year, the draft rule went through a public notice and comment period. The MPCA modified its proposal based on that public input, before forwarding the updated draft Wild Rice rule to an Administrative Law Judge with the Minnesota Office of Administrative Hearings.

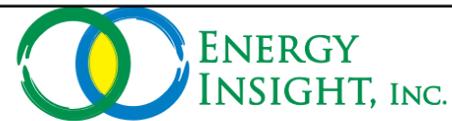
The MPCA said time was needed to work on the implementation process.

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## Municipal power plant value shown by its rapid response

It's interesting what you learn when you visit a municipal electric utility. For instance, three years ago in August, a motorist left the road and struck an electric transmission line pole. The accident caused a blackout in New Prague.

New Prague Utilities Commission employees Ken Zweber and Curt Novotny were

at the St. Wenceslaus parish festival, kitty-corner from the power plant. The lights went out; they hustled over to the plant.

Following the utility's 'black start' protocol, they fired up the 1940s-vintage Worthington engine, which supplied station power. From there, they started one, then two, Cooper Bessemer en-



Curt Novotny, left, and Ken Zweber inside the New Prague Utilities Commission power plant.



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gines, supplying power back to the utility's service territory.

Total elapsed time: approximately 20 minutes.

While the incident received no widespread notice, and indeed may have been taken for granted locally, the episode shows the value of a municipal electric utility, particularly one with a local power plant. While often overlooked in a larger debate, municipal plants have proven invaluable over and over again.

That is why MMUA annually offers offers a Generation School to bolster the capabilities of the municipal power plant operator.



The power plant, pictured in the left foreground, is kitty-corner from St. Wenceslaus Church.

## Public Power leads the way on reliability

Public power utility customers experienced the lowest instances of power outages in both frequency and duration in 2016, averaging one outage and less than two hours of interrupted electric service, the Energy Information Administration said on April 5.

Investor-owned utilities' customers averaged about four hours without electric service, while co-op customers averaged about six hours without electric service, EIA said in its "Today in Energy" report.

EIA collects data on the frequency and duration of outages for three broad categories of distribution utilities—IOWs, cooperatives and public power utilities.

In 2016, customers, in general, experienced an average of 1.3 interruptions and went without power for four hours.

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## A man and his engine

### North Branch's Egan reunited with engine that was sold and moved to Blooming Prairie plant

A few years ago, North Branch Water & Light needed to make room in its local power plant, which was authorized by the voters in August 1940. North Branch was replacing an older engine—perhaps original to the plant—with a newer, more powerful generator set.

Blooming Prairie Public Utilities, which had recently added new generation at a new substation on the east side of the city, saw an opportunity to upgrade its original power plant a block south of main street. This plant first provided power to the city on April 23, 1931.

In a sequence of events similar to what had occurred in North Branch, Blooming Prairie removed an older generator and replaced it with a newer generator, in this case the Fairbanks Morse opposed-piston (OP) engine it pur-



Bob Egan, left photo, used to maintain and operate this Fairbanks Morse opposed-piston engine as part of his job with North Branch Municipal Water & Light. A few years ago, the engine was sold to Blooming Prairie. Egan was interested to see the engine he used to care for while attending the MMUA Generation School. Pictured above: Nate Brinkman of Blooming Prairie and Egan discuss proper engine maintenance.

chased from North Branch.

Bob Egan used to take care of and run that OP at the North Branch plant. He attended the MMUA Generation School, and attended

classes (he could probably teach!) at the Blooming Prairie plant. He was glad to see the OP again. The engine had received new paint, and is still in good running order.

Egan had a chance to talk about the engine with Nate Brinkman, who is now among those responsible for the engine.

You have to admire the

municipal power employees, who care about their utilities, and the machinery, equipment and customers they are charged with taking care of.

## Generation:

*continued from front page*

Fairbanks Morse engines and Cramptor and McLenachen led the hands-on training.

Among the issues covered at both plants were: Basic System Maintenance; Setting Up CB Fuel Doors; Combustion Tuning and Balancing; Pull Cards; Operation Scenarios (i.e., Black Start); Web Deflections and Alignment.

Back at Owatonna Public Utilities the final morning, Matt Schwartz and Dave Wood, Ziegler Power Systems, started the training with an interesting look at Breaker Maintenance and Relay Testing.

Charlie Blecke and Jamie Sieren, Power System Engineering then discussed Fundamentals of Generation Equipment and Control Systems.

MMUA Generation Coordinator Bob Sewell concluded the final half-day by leading a discussion of what was learned.

Along with the training, those in attendance benefited from an opportunity to visit with their peers from the other municipal power plants, discuss common issues in an informal setting, and widen their circle of expert resources to call on, when needed.

In all, including manufacturer's representatives and others in the field, some 58 people were in attendance during the three days. Thanks to all who attended and the organizations that sent them!



Bryce Schlichter of Blooming Prairie talked injectors with Ben Collins and Bryan Linder of Wells, from left to right.



Exterior view of the Blooming Prairie Public Utilities power plant, which first provided power in 1931. Updated through the years, the plant continues to provide valuable generation services.



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## Aitkin Public Utilities Commission celebrating 100 years of service in May

The Aitkin Public Utilities Commission is celebrating 100 years of service

The Commission will act as host at a lunch for its customers, Thursday, May 24, adjacent to the utility office (by the water tower). Policymakers and staff will cook and serve lunch, including brats and hot dogs, beans and chips. All Aitkin Public Utilities customers are invited.

While the Commission has been in business for 100 years, Aitkin's municipal electric and water service dates to 1892.

At that time, the Village of Aitkin determined that it was "wise and necessary" to provide a municipally-owned and operated water and electric system for the residents. The electric service was necessary to power pumps and related equipment for the water system, which remains necessary for fire protection and public health.

The first residential water service was installed Oct. 23, 1892. Rates were based on the number of fixtures installed. Water meters were first installed in 1912. They measured water by the cubic foot. Modern meters measure by the gallon.

The municipal electric system initially provided power necessary to operate the water system and for street lights. The first retail customer was connected in November 1895—the Knights of Honor Hall.

Billing was by number of lights

connected. Electric meters were first installed in 1897. Meter readers are a thing of the past, however, as the utility has fully installed Automated Metering Infrastructure.

During the period from 1892 to 1918, the utilities were operated by the Village of Aitkin council.

In 1918, a year of serious fuel shortages, the council decided that the utilities should be operated by a separate commission. The council reasoned that a commission would isolate the business from politics, to a certain extent, and focus its full attention on the operation of the enterprise.

Upon passage of a legislative bill, the Water, Light and Building Commission was appointed March 31, 1918.

Subsequent legislation dictated a name change to Public Utilities Commission, City of Aitkin.

In 1893, a steam engine generator provided power for street lights only. Steam was generated by a wood-burning boiler. Another steam engine was added in 1910 and these served city needs until 1930. In the early years, power was available only during the early evening hours, with the plant ceasing operation around 10 p.m.

With increasing demand for electricity, diesel generators were installed in 1928, 1936, 1939, 1947 and 1951. The steam engines were



Among the Aitkin Public Utilities Commission's eight employees are, from left to right: Jason Dox, Tracy Roring and Dave Cluff.

*Aitkin: see facing page*

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## Willmar Municipal Utilities newest Missouri River Energy Services member

SIOUX FALLS, S.D. – The Missouri River Energy Services (MRES) Board of Directors approved an agreement April 23 granting membership to Willmar, Minn., in MRES.

MRES, headquartered in Sioux Falls, S.D., is a not-for-profit joint-action agency that provides electric energy and energy-related services to its member communities in the states of Iowa, Minnesota, North Dakota, and South Dakota. Willmar becomes the 61<sup>st</sup> member and the 25<sup>th</sup> from Minnesota.

Willmar, like most MRES

members, has an allocation of power from the federal government's Western Area Power Administration, which markets electricity produced in this region at federally owned hydroelectric facilities along the Missouri River. Willmar also has contracts to purchase power from other regional utilities and owns some electrical generating facilities in the community.

In addition to the MRES membership agreement, MRES and the Western Minnesota Municipal Power Agency (WMMPA) approved a power sale agreement

with Willmar under which Willmar will purchase from MRES all of the electricity it needs to supplement its existing purchases beginning June 1, 2019. WMMPA provides financing for and is the owner of electrical generation

and transmission facilities that are used to serve MRES members. Its membership includes most of the Minnesota members of MRES.

"We are excited to welcome Willmar to MRES," said MRES CEO Tom Heller. "We

don't add new members often, but when we do, our goal is to make sure it is a mutually beneficial move for the new member and for our organizations and our existing members. Willmar certainly meets that goal."

## Aitkin: Electric service started with Village in 1892

*continued from facing page*

removed. The plant supplied electricity to the Village, and to resorts and farms in the area. Aitkin continues to serve rural customers, particularly to the Cedar Lake area to the west of the city.

The Public Utilities generated all the power for the City of Aitkin, until July 1, 1961, at which time the Commission determined it could buy power at wholesale cheaper than it could generate it locally. Aitkin built an electrical substation and was connected to the electric grid at that time. The substation has since been updated to keep up with demand.

In 1970, the Commission assumed management and operation of the Wastewater Treatment Facility.

The local power plant was kept as a hedge against high prices, to run in times of high electric demand and for emergencies. In the late 1990s it was determined the power plant was no longer viable. The Historical Society was interested in buying the plant, but clean-up issues and high rent asked by the railroad that owned part of the property made that notion economically unfeasible. The plant and generating

equipment were demolished and removed from the site in 2006.

Today, the three-person Public Utilities Commission employs eight people, including a manager and two office staff, two water/wastewater

workers and three electric linemen, and operates the following utilities for the City: electric transmission and distribution; water production storage and distribution; wastewater treatment facility.

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### CMPAS arranges power purchase deal

Ten public power utilities in Minnesota and Iowa have agreed to participate in a fixed-price seasonal power purchase project arranged by Central Municipal Power Agency and Services (CMPAS) that is expected to save them money on their electricity bills and provide them with more long-term price certainty.

Starting in January 2021, approximately 71,000 MWh will be supplied annually to the 10 municipal participants: Blue Earth, Granite Falls, Janesville, Kasson, Kenyon, Mountain Lake, Sleepy Eye, Springfield and Windom, all in Minnesota, and Montezuma Light & Power in Iowa. This group represents nine of CMPAS' 12 members and one affiliate of the project-based agency.

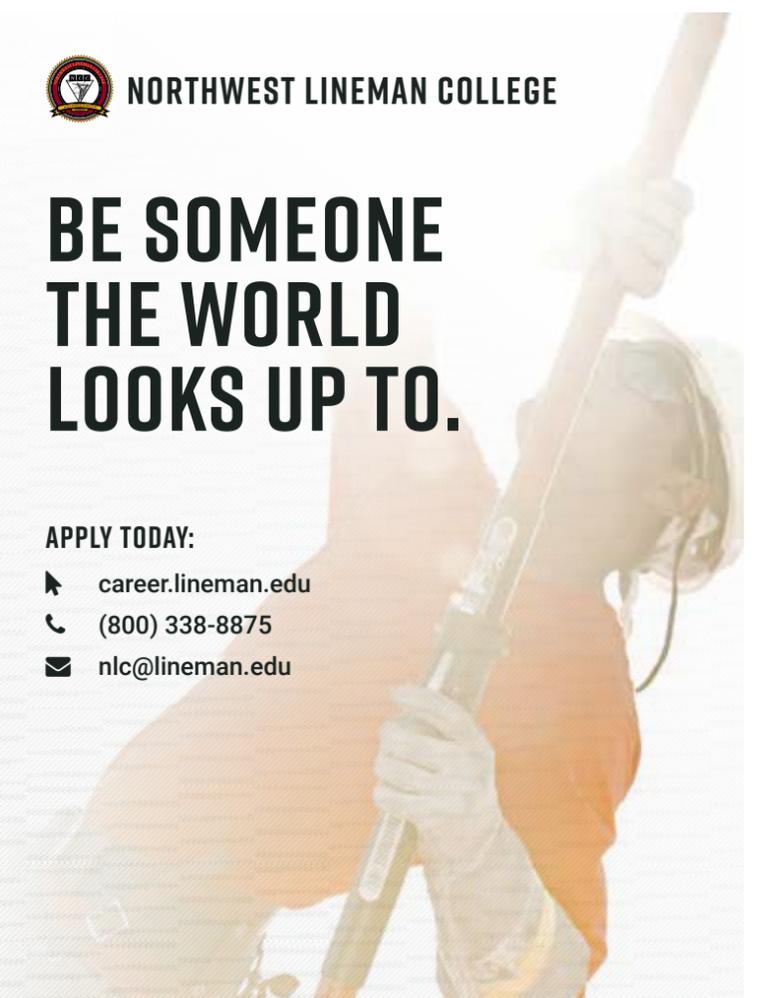


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## Court of Appeals vacates FERC order on municipal gas utility's transportation, sale of gas

From APPA

The U.S. Court of Appeals for the D.C. Circuit on April 24 vacated Federal Energy Regulatory Commission orders in which the Commission asserted jurisdiction over the City of Clarksville, Tennessee's transportation and sale of natural gas from the city's gas distribution system in Tennessee to the City of Guthrie, Kentucky.

Clarksville has its own city-run gas distribution utility as well as a public power utility that provides electricity, internet, digital television, and telephone service.

The court reviewed two FERC orders interpreting the Natural Gas Act (NGA),

which, like the Federal Power Act (FPA), excludes municipalities from most aspects of FERC regulation.

In the orders, FERC determined that Clarksville was required to obtain FERC authorization under NGA section 7(c) to engage in the sale and transportation of natural gas for a transaction in which the gas was consumed across the state line in Kentucky, even though Clarksville's portion of the transaction occurred entirely within Tennessee.

Although FERC has found it has jurisdiction under the NGA when municipal natural gas facilities cross state borders, FERC's orders in the

case departed from decades of precedent by asserting jurisdiction over Clarksville's sale and transportation of natural gas occurring entirely within Tennessee.

In May 2016, in an order denying a rehearing request from Clarksville, FERC interpreted its authority over municipal natural gas transactions in a new way. The commission said that, in the circumstances presented by Clarksville's transaction with the City of Guthrie, Clarksville could be deemed a "person" subject to FERC jurisdiction under the NGA, even though the statute specifically excludes municipalities from FERC regulation on most

matters, plus benefit package. Application form, benefits and job description are available on the City website at [www.cityofdetroitlakes.com](http://www.cityofdetroitlakes.com). Send Cover letter, Resume and Application to City Clerk, 1025 Roosevelt Avenue, Detroit Lakes, MN 56501 by 4:30 PM on May 25, 2018. Employment background investigation will be performed. The City of Detroit Lakes is an Equal Opportunity Employer.

Clarksville appealed FERC's orders and the American Public Power Association and the American Public Gas Association backed Clarksville's appeal of the Commission orders.

The Association and APGA said the interpretation used by FERC was contrary to eight decades of precedent and was contrary to Congress's intent in both the 1935 FPA and the 1938 NGA.

FERC "has expanded its jurisdiction under the NGA in contravention of the in-

tent of Congress and decades of precedent," said the two trade associations. "Its ruling is potentially far reaching by exposing the thousands of municipally owned utilities across the nation to federal regulation of their rates and services." Congress "explicitly excluded municipalities from FERC's jurisdiction" under both the NGA and the FPA, said the Association and APGA.

They asked the appeals court to uphold the municipal exemption and to vacate and remand the FERC orders at issue in *Clarksville v. FERC*.

## Underground, Competent Person schools lead spring lineup

### Underground School

May 15-18, MMUA Training Center in Marshall

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Registration deadline is May 23.

### Competent Person & Excavation Safety Workshop

May 22-23, MMUA Training Center, Marshall

This course is intended for public works personnel, water/wastewater personnel, lineworkers, engineering personnel, contract workers, and anyone involved with underground utility or infrastructure work.



Andy Smoka, our lead instructor, is a former MN OSHA principal safety consultant and foremost expert on this subject.

Registration deadline is May 1.

### Minnesota Public Power Walleye Tournament

June 2 - Rush Lake, Ottertail

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Everyone is invited to participate, whatever your industry affiliation. Hurry! Deadline to register is May 11. Sorry no on-site registration.

Please join us and support our future lineworkers!

### Save the Date

MMUA Annual Summer Conference, Aug. 20-22

For more updated information, see the Events calendar at [www.mmua.org](http://www.mmua.org)



The Minnesota contingent at the National Public Power Lineworkers Rodeo posed for a picture at the end of the day's competition.

## Minnesotans compete at national Lineworkers Rodeo

The American Public Power Association held its 17th annual Public Power Lineworkers Rodeo April 27-28, in Raleigh/Wake Forest, N.C.

Sixty-six teams and 145 apprentices from not-for-profit, community-owned electric utilities across the nation participated. There are two levels of competition within the rodeo—journeyman and apprentice. The journeyman teams consist of three members—two climbers and a ground person—and can include an optional alternate.

Minnesota municipal utilities sent several teams and apprentices. They included:

The Rochester Public Utilities team of Tanner Winter, Colton Koster and Shawn McDowell, along with apprentice Chad Grinhaug.

The Austin Utilities team of Steve Tiegs, Jeff Martinson, Dillon Sprague.

The Shakopee Public Utilities Commission sent two teams. They were Cody Schuett, Mike Enright, Brad Gustafson; and Justin Rotert, Jamie Vonbank and Matt Griebel. Three Shakopee apprentices also competed: Carter Kortan, Tyler Hanson and Matt Kahle.

The Elk River Municipal Utilities team included: Zac Johnson, Curt Wark and

Matt Schwartz.

Marshall Municipal Utilities apprentice Trevor Morin also competed.

Eight teams and 13 indi-

viduals won awards. There wasn't a team or apprentice from Minnesota that received an award, but it was a good fun and learning experience.

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