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November 2, 2009

Mr. William Hilty
559 State Office Building
100 Rev. Martin Luther King Jr. Blvd.
St. Paul, MN 55155

Re: Correcting Minnesota's Eminent Domain Law.

Dear Mr. Hilty:

I am writing to ask – urge – you to work for, and vote for, removing from Minnesota law the unfair, unjust, and unneeded special carve-outs currently provided to utilities under Minnesota eminent domain law. Utilities are nothing more than for-profit corporations doing whatever they can, and taking advantage of whatever special conditions they can create, to increase their bottom lines and produce dividends for their shareholders. Yes, they provide (sell) electricity, but they are not benevolent, altruistic entities acting with the public good upper-most in their minds any more than any other corporation. They are, simply, doing whatever they can to produce profits, as cheaply as possible.

As the 40-year owner of a Minnesota based, nationally operating financial services company, I understand that. However, at our company, we treat the public fairly, with full disclosure, and operate on a level playing field. We work to behave in a socially responsible fashion. We have not – and would not – ask to be exempted from laws that even our state government is required to abide by.

Consequently, I find it unconscionable that hugely profitable utilities (Xcel had net income of \$646,000,000 in 2008) should be provided with special exemptions from the law that allow them to take unfair advantage of Minnesota property owners. The utilities are not operating under any hardship and current Minnesota law does not produce a level playing field. Pitting individual property owners, people with limited financial resources, against rich and powerful utilities is neither fair nor in the best public interest. In Minnesota, utilities have the money, the lawyers, and the lobbyists to run roughshod over the property owner, who has no support at all.

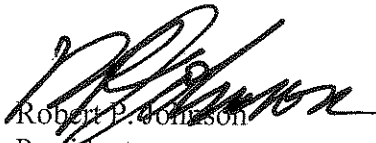
Isn't it your job to provide some support?

Here is an idea: Give exemptions to property owners instead of the utilities. Then see how fast you hear the lobbyists of those same utilities complain about how unfair that is!

The exemptions provided to utilities under Minnesota laws of eminent domain remove any incentives for the utilities to deal openly and fairly with Minnesota property owners. The exemptions stack the deck in favor of the utilities. Now, with a massive expansion of electrical transmission lines (CapX2020) planned to cross through Minnesota on multiple new routes, thousands of property owners face the prospect of eminent domain proceedings from the utilities. Today, more than ever, Minnesota voters and property owners need you to step up and provide them with the simple protections they deserve and need to protect their basic property rights.

I urge you to make a positive and proactive effort to remove the eminent domain exceptions for utilities from the Minnesota statutes. Thank you.

Sincerely,



Robert P. Johnson
President