

Bond Case Briefs

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PUBLIC UTILITIES - MINNESOTA

Northern States Power Co. ex rel. Bd. of Directors v. Aleckson

Supreme Court of Minnesota - May 29, 2013 - N.W.2d - 2013 WL 2319588

Electric utility commenced series of condemnation actions seeking to acquire easements across various parcels of land. After landowners exercised their option under the Buy-the-Farm statute, the district court determined that landowners were entitled to awards of minimum compensation and relocation benefits. Utility appealed, and the court of appeals reversed. Landowners appealed.

The Supreme Court of Minnesota held that:

- Landowners were entitled to minimum compensation pursuant to eminent domain statute; and
- Landowners were entitled to relocation assistance.

Entitlement to minimum compensation should be determined as of the time of the taking, not the date on which the condemnor files a petition to commence condemnation proceedings. M.S.A. § 117.187.

Landowners who elected to require electric utility to acquire a fee interest in entire parcel under the Buy-the-Farm statute after utility initiated condemnation action seeking an easement for High Voltage Transmission Lines (HVTL) were owners who were required to relocate, and thus, they were entitled to minimum compensation pursuant to eminent domain statute. M.S.A. §§ 117.187, 216E.12.

Landowners who elected to require electric utility to acquire a fee interest in entire parcel under the Buy-the-Farm statute after utility initiated condemnation action seeking an easement for HVTL qualified as “displaced persons” under federal law who were entitled to relocation assistance pursuant to the Minnesota Uniform Relocation Act (MURA). Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, § 101(6)(A)(i)(I), 42 U.S.C.A. § 4601(6)(A)(i)(I); M.S.A. § 117.187.