

BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION

Beverly Jones Heydinger  
David C. Boyd  
Nancy Lange  
J. Dennis O'Brien  
Betsy Wergin

Chair  
Commissioner  
Commissioner  
Commissioner  
Commissioner

In the Matter of the Application of Xcel Energy  
for a Certificate of Need for the Southwest Twin  
Cities Scott County – Westgate 115 kV  
Transmission Line Project

ISSUE DATE: January 23, 2014

DOCKET NO. E-002/CN-11-332

DOCKET NO. E-002/TL-11-948

In the Matter of the Application of Xcel Energy  
for a Route Permit for the Southwest Twin  
Cities Scott County – Westgate 115 kV  
Transmission Line Project

ORDER ISSUING ROUTE PERMIT

**PROCEDURAL HISTORY**

On March 9, 2012, Northern States Power Company d/b/a Xcel Energy (Xcel) filed a petition for a Certificate of Need for its Scott County – Westgate 115 kV Upgrade Project, to convert or upgrade 20 miles of 69 kV transmission line to 115 kV capacity.

On April 12, 2012, Xcel filed an application for a route permit for the project under Minn. Stat. § 216E.04 and Minnesota Rules 7850.2800 – .3900, stating that the project qualified for alternative permitting procedures as a high voltage transmission line of between 100 and 200 kVs.

On April 30, 2012, the Energy Facility Permitting unit of the Minnesota Department of Commerce, now known as the Energy Environmental Review and Analysis unit (the EERA),<sup>1</sup> filed comments recommending that the Commission accept the route permit application as complete, and to process the application under the alternative review process.

On May 24, 2012, the Commission accepted the route permit application as complete and referred the application to the Office of Administrative Hearings to develop the record.

On August 15, 2012, the Minnesota Department of Commerce (the Department) issued an Environmental Assessment Scoping Decision which included five route alternatives to the “Original System Alternative” initially proposed by Xcel.

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<sup>1</sup> Consistent with the EERA’s October 15, 2013, Exceptions to the ALJ’s Report, to maintain a consistent record the Commission will not modify references to the EFP in the ALJ’s Report.

On November 2, 2012, the Department amended its scoping decision to include an added alternative—the “Highway 5 Alternative”—stating that it meets the identified need and appears reasonable. The Department filed the letter notice it sent to potentially affected landowners on November 8, 2012.

On November 9, 2012, the Minnesota Department of Commerce’s Division of Energy Resources filed comments recommending that the Commission take no action on the application for a certificate of need, stating that the best alternative for the project would be the Highway 5 Alternative, which would not require a certificate of need.

On February 25, 2013, the EERA issued its Environmental Assessment on the project.

On May 16, 2013, Administrative Law Judge (ALJ) Ann C. O’Reilly held afternoon and evening public hearings on the certificate of need and route permit applications at the Chanhassen Recreation Center.

On September 30, 2013, the ALJ filed her Findings of Fact, Conclusions of Law, and Recommendation (ALJ’s Report) on the project, recommending that the Commission issue a route permit to the Applicants for the Revised Highway 5 System Alternative route. She concluded that because the Revised Highway 5 System Alternative does not qualify as a “large energy facility” under Minn. Stat. § 216B.2421, no certificate of need would be required.

On October 15, 2013, both Xcel and the EERA filed exceptions to the ALJ’s Report. Both parties supported the ALJ’s overall analysis and recommendation, but recommended minor clarifications to the report.

On November 26, 2013, the matter came before the Commission.

## **FINDINGS AND CONCLUSIONS**

### **I. The Proposed Project**

Xcel initially proposed to convert or upgrade approximately 20 miles of 69 kV transmission line to 115 kV capacity in Carver, Hennepin, and Scott Counties, and to modify associated substations to accommodate the upgrades. In the course of the approval process, Xcel’s route proposal was modified to include a route alternative that Xcel acknowledged would also meet the project’s identified need, which the ALJ’s Report refers to as the Revised Highway 5 System Alternative route.

### **II. The Legal Standard**

The Project is subject to Minn. Stat. Chapter 216E, which requires that high-voltage transmission lines be routed consistent with the state’s goals to locate electric power facilities in an orderly manner compatible with environmental preservation and the efficient use of resources.<sup>2</sup> In addition, the statute requires that route permit determinations be guided by the policy objective to conserve resources, minimize environmental impacts, minimize human settlement and other land

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<sup>2</sup> Minn. Stat. § 216E.02.

use conflicts, and ensure the state's electric energy security through efficient, cost-effective power supply and electric transmission infrastructure.<sup>3</sup>

The Project is also subject to environmental review under Minn. Stat. § 216E.04, subd. 5, which directs the Commissioner of the Department of Commerce to prepare an Environmental Assessment on proposed high voltage transmission lines between 100 and 200 kV and to study and evaluate the impacts of the proposed project and alternatives.

Furthermore, in designating a route, the Commission must consider the permitting criteria contained in Minn. Stat. § 216E.03, subd. 7 (b) and Minn. R. 7850.4100.

In addition to seeking a route permit, Xcel applied for a certificate of need from the Commission under Minn. Stat. § 216B.243 and Minn. R. 7849.0120. These provisions pertain to "Large Energy Facilities" as defined by Minn. Stat. § 216B.2421. Facilities that are not Large Energy Facilities do not require a certificate of need.

### **III. The Environmental Assessment**

Minn. R. 7850.3700 requires that the Environmental Assessment include:

- A. a general description of the proposed facility;
- B. a list of any alternative sites or routes that are addressed;
- C. a discussion of the potential impacts of the proposed project and each alternative site or route on the human and natural environment;
- D. a discussion of mitigative measures that could reasonably be implemented to eliminate or minimize any adverse impacts identified for the proposed project and each alternative site or route analyzed;
- E. an analysis of the feasibility of each alternative site or route considered;
- F. a list of permits required for the project; and
- G. a discussion of other matters identified in the scoping process.

On August 15, 2012, the Department issued a scoping decision, which identified the issues to be addressed in the Environmental Assessment, including a project description; a discussion of the affected environment, potential impacts, and mitigative measures; alternatives to the proposed project; rejected alternative routes; alignment alternatives; and required permits and approvals. On November 2, 2012, the Department amended its scoping decision to include an additional alternative—the "Highway 5 Alternative"—stating that it meets the identified need and appears reasonable.

On February 25, 2013, the EERA issued the Environmental Assessment, which contains a comprehensive analysis of the proposed project and the feasibility of project alternatives, including an evaluation of the affected environment, potential impacts, and possible mitigation measures.

The Commission has reviewed the Environmental Assessment under Minn. R. 7850.3900, subp. 2, which requires the Commission to determine whether the Environmental Assessment and the record created at the public hearing address the issues identified in the scoping decision. Based on

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<sup>3</sup> Minn. Stat. § 216E.03, subd. 7 (a), and Minn. Rules, part 7850.4000.

its review of the Environmental Assessment, the Commission finds that, under Minn. R. 7850.3900, subp. 2, the Environmental Assessment and the record as a whole address the issues identified in the scoping decision.

#### **IV. The ALJ's Report**

The Administrative Law Judge's Report is well reasoned, comprehensive, and thorough. She made some 392 findings of fact and conclusions and recommended that the Commission issue a route permit to the Applicants for the Revised Highway 5 System Alternative route.

Having itself examined the record and having considered the ALJ's Report, the Commission concurs in most of her findings, conclusions, and recommendations. In a few instances, however, the Commission will modify the ALJ's Report, as delineated and explained below. On all other issues, the Commission accepts, adopts, and incorporates her findings, conclusions, and recommendations.

Xcel and the EERA filed exceptions to the ALJ's Report to make minor corrections. By the time the Commission met to consider the matter, the parties concurred on most recommended clarifications to the ALJ's Report and no significant contested issues remained.

The Commission agrees with most of the parties' recommended modifications to the ALJ's Report and will adopt the ALJ's Report as described below.

#### **V. Modifications to the ALJ's Report**

##### **A. Recommendation 1**

The Applicant recommended the following modification to Recommendation 1:

Take no action on Xcel Energy's Application for Certificate of Need because a more reasonable and prudent alternative (the Revised Highway 5 System Alternative) was identified that can meet the stated need. ~~In addition, the demand for energy can be met more cost effectively through load management measures provided by the Revised Highway 5 System Alternative.~~ Because the Revised Highway 5 System Alternative does not qualify as a "large energy facility" under Minn. Stat. § 216B.2421, subd. 2, no Certificate of Need is required for this alternative.

Because "load management" in this context typically refers to demand side management measures that balance the supply of electricity with electrical load by adjusting or controlling load rather than supply, the Commission will make the recommended modification.

##### **B. Findings 73, 74, 77, and 81**

The Applicant recommended the following revisions to findings 73, 74, 77, and 81:

73. The Revised Highway 5 System Alternative runs from the Scott County Substation to Structure #57 near the Bluff Creek Substation in Chaska, ~~north to Pole Structure #57~~, then ~~west~~ east along Highway 5 through Chanhassen to the Westgate Substation in Eden Prairie.

74. The Revised Highway 5 System Alternative requires the following:

- Change the voltage of approximately 5.3 miles of 115/69 kV transmission line to 115/115 kV operation between the
- Scott County Substation and Structure #57 near the Bluff Creek Substation;
- Conversion of approximately 5.4 miles of existing 115/34.5 kV line to 115/115 kV operation from Structure #57 to the Westgate Substation;
- Expansion of the existing Bluff Creek Substation to accommodate four rows of 115 kV breakers and a new 115-69 kV transformer;
- Construction of a new 69 kV transmission line from the Bluff Creek Substation to Structure #57;
- Upgrading of the Westgate Substation 115-69 kV transformer to 112 MVA;
- Installation of new 115 kV terminations at the Scott County and Westgate Substations;
- Modifications of the transmission line at Westgate, Bluff Creek, and Scott County Substations;
- Installation of a new 3.6 mile 34.5 kV distribution line from the Westgate Substation;
- Construction of approximately 900 feet of new 115 kV tap lines (two double circuit lines at 450 feet each) at the Bluff Creek Substation; Installation of a new 115-34.5 kV transformer at Bluff Creek Substation or another area substation; and
- Upgrading of a small section of conductor on the Westgate – Deephaven 69 kV transmission line.

77. In addition, the 69 kV line is currently loaded to 60 MVA which is near its capacity limit of 68 MVA. Assuming a reasonable one percent load growth in the area, the line will reach capacity in 10 to 15 years. When the line is rebuilt, it may be rebuilt at 115 kV. If rebuilt at 69 kV, larger conductors, and larger structures to support the weight of these conductors, will likely be needed. If the existing 69 kV line is rebuilt to a higher ~~than~~ 69 kV capacity, it is expected that this rebuilt line will meet the load-serving needs of the area for the next 40 years. If the 69 kV line is rebuilt to a higher 69 kV capacity line (as opposed to a 115 kV line), it will fall outside state permitting requirements under which the current Route Permit and Certificate of Need Application processes are operating.

81. In comparing the future transmission expansion capability of the Original System Alternative and the Revised Highway 5 Alternative, the Original System Alternative better positions the transmission system to accommodate future load growth because it: (1) ~~solves delays~~ the need to rebuild the 69 kV loop ~~in the future~~ until approximately 2023 due to either overloading or age and condition; and (2) provides more opportunities to further expand the 115 kV transmission system.

The Commission concludes that the revisions more accurately reflect the location and other features of the Revised Highway 5 System Alternative, and therefore will make the recommended modifications. However, the Commission will require the Applicant to obtain Commission approval for a minor alteration if the addition of a transformer would require expansion of a substation other than (1) within the City of Chaska or (2) within the existing footprints of area substations.

### **C. Finding 80**

The Applicant recommended a technical correction to the ALJ's finding concerning the net present value per MW served of the Revised Highway 5 System Alternative. However, because the estimate of the project's costs is accurate only to  $\pm 30\%$  accuracy, the Commission reaches a different conclusion, and declines to adopt finding 80.

With the wide degree of latitude for the accuracy of the project cost projections, it is not possible to draw a statistically significant conclusion about the relative costs of the project alternatives. The Commission therefore does not adopt the ALJ's findings, such as finding 80, to the extent that they indicate a difference on cost benefits between the Original System Alternative and the Revised Highway 5 System Alternative.

### **D. Finding 82**

The EERA recommended the following deletion to avoid misunderstandings concerning the nature of future upgrade options in the project area:

82. The majority of the load-serving transmission lines in the Twin Cities metropolitan area are 115 kV lines and the major substations in the Project area are primarily 34.5/115 kV capacity.<sup>156</sup> The Revised Highway 5 System Alternative leaves in place the existing 69 kV line between Structure #57 and the Excelsior, Deephaven, and Westgate Substations.<sup>157</sup> As a result, the Revised Highway 5 System Alternative creates an isolated 69 kV transmission line in this part of the metropolitan area.<sup>158</sup> ~~Any future expansion of the transmission system in this area would be limited to 69 kV because there would be no 115 kV infrastructure at the Excelsior or Deephaven substations to connect a new 115 kV line.~~<sup>159</sup>

The Commission agrees that the deletion adds needed clarity, and so will adopt the modification. The Commission will further amend the finding to include the following additional paragraph, also for clarity and to better reflect the record:

If the Revised Highway 5 System Alternative is selected, upgrade options in the Project area may include upgrading the 69 kV loop to a 115 kV capacity.

**E. Finding 93**

The Commission modifies finding 93 as follows:

93. In addition to expanding the Bluff Creek Substation, the Revised Highway 5 System Alternative requires construction of 3.6 miles of additional 34.5 kV ~~distribution line and transmission facilities~~ feeder line facilities. In its reply comments on the Certificate of Need submitted on January 9, 2013, Xcel Energy provided a cost estimate of \$1.5 million for this 34.5 kV line as part of an engineering study addendum. As no route was developed for this line at that time, this cost estimate assumed a half overhead and half underground design. Xcel Energy updated this cost estimate in its post-hearing brief, submitted in July 2013. In its post-hearing brief, Xcel Energy provided a \$1.7 million estimate for an underground design and a \$800,000 estimate for an overhead design along a proposed route that generally follows Highway 5.

This modification incorporates additional language proposed by the Applicant, because it is accurate and clarifies the applicant's evaluation of the subject of the finding. The modified finding also replaces "distribution line and transmission facilities" with "feeder line facilities" for clarity and to more closely conform to the record.

**F. Finding 101**

The Applicant proposed the following clarification, which the Commission concurs in and will therefore adopt:

101. ~~In response~~its post-hearing brief, Xcel Energy explained that its standard construction is above-ground but that it could underground the 3.6 miles of distribution line as a mitigation measure. Xcel Energy stated that if a municipality required such underground construction via local ordinance, such municipality could be responsible for the cost difference between the overhead and underground construction. In its post-hearing brief, Xcel Energy provided updated cost estimates which included \$1.7 million for underground and \$800,000 for above-ground construction or a cost difference of, estimated by Xcel Energy to be "approximately \$900,000.00." ~~Xcel Energy did not initially acknowledge that such mitigation measure could be required as a Route Permit condition.~~

**G. Finding 102**

The Commission will adopt the following modification to Finding 102, to more accurately and clearly reflect the record:

102. At the May 4, 2013 Public Hearing, an Xcel Energy representative stated that, in their January 9, 2013 Reply Comments, ~~it the engineering study addendum included in its original~~ a cost estimate for the 34.5 kV distribution line that will be constructed as part of the Revised Highway 5 System Alternative but did not indicate whether the figure included the cost of any undergrounding ~~the cost of undergrounding half of the 3.6 miles of distribution line.~~ Xcel Energy explained that ~~the estimated total cost of the distribution line~~ This estimate ~~The applicant indicated at the Public Hearing that the original cost was \$1.5 million, which assumed that half of the line would be built underground. Thus, to underground the entire 3.6 miles would add a cost of approximately \$600,000.00, not \$900,000.00, to the project.~~

#### **H. Finding 103**

The Commission does not adopt Finding 103, because the finding refers to the initial construction cost of an earlier version of the Revised Highway 5 System Alternative. Figures cited in the finding have since been updated, and the finding is no longer relevant or necessary.

#### **I. Finding 109**

The Commission does not adopt Finding 109 because it does not reflect an apples-to-apples comparison of project costs, and because it is not necessary to support the conclusions reached herein. The ALJ's finding does not reflect a cost comparison that includes the avoided cost of a replacement of the 69kV loop in approximately 2023.

#### **J. Finding 114**

The Applicant recommends the following modification:

114. The Highway 5 Proponents assert that the Revised Highway 5 System Alternative is the more logical and economical choice for addressing the increased need for energy in the southwestern metropolitan area for the following reasons:

- The growth and development in the southwest suburbs, which has resulted in the increased demand for electricity, has occurred mainly in the communities along Highway 5 (Chanhassen and Eden Prairie), as opposed to the fully-developed and established areas of Excelsior, Deephaven, and Greenwood. Demand loads for the Excelsior and Greenwood-Deephaven Substations have decreased in recent years. Accordingly, the energy facilities necessary to accommodate the increased need should be placed in, and impact most, the areas of increased growth.
- Upgrades to the Excelsior and Greenwood-Deephaven Substations, required by the Original System Alternative, would negatively affect residential

neighborhoods; whereas expansion of the Bluff Creek Substation (as required by the Revised Highway 5 System Alternative) would occur in a largely commercial/industrial area.

The Commission agrees that the modification more accurately reflects the record, and therefore adopts it.

**K. Finding 124**

The Applicant recommends the following modification:

124. The Highway 5 Opponents argue that Xcel Energy represented at the public hearing that it included in its budget for the Revised Highway 5 System Alternative half of the cost of burying the 3.6 miles of distribution lines. At the May public hearings, Xcel Energy asserted that the cost of the 34.5 kV line used in the engineering study addendum half the cost of burying the line was \$1.5 million which assumed a half overhead and half underground design. Thus, it would cost Xcel Energy (and ultimately its customers), an additional \$600,000.00 to bury all 3.6 miles of distribution line—a sum that is not significant in comparison to the overall cost of the Project. The Highway 5 Opponents assert that Xcel Energy vacillated on its position on this element of the Project during post-hearing briefing, at first opposing the burying of distribution lines and then noting its acceptance of burying the lines as a mitigation measure. The Highway 5 Opponents argue that such a last minute reversal by Xcel Energy is unfair and suspect, and unduly burdens the property owners affected by the new distribution lines.

The Commission agrees that the modification more accurately reflects the record, and therefore adopts it.

**L. Finding 199**

The Commission adopts the following clarification and correction to Finding 199:

199. The loss of the Eden Prairie-Westgate 115/115 kV double circuit transmission line is the most critical transmission line outage in the project area, as identified in the application. This line is the only tie between the Eden Prairie 345-115 kV Substation, which serves the largest load in the area, and the Westgate 115-69 kV Substation. When the Eden Prairie-Westgate 115/115 kV double circuit line is out of service, the ~~34.5~~345 kV source to the area is disconnected. As a result, the entire load at the Westgate Substation must be served from the Scott County Substation, resulting in overloads or potential overloads on the transmission lines in the area, and in low voltages between the Minnesota River Substation and the Westgate Substation. Forecast data indicates that an outage of the Westgate - Eden Prairie

double circuit 115 kV line could result in several 115 kV line overloads near Scott County Substation by 2016.

**M. Finding 206**

The Applicant proposes the following modification, which the Commission adopts as an accurate reflection of the record and to remove the use of the term “load management”:

206. Xcel Energy, EFP and the DER all agree that the Revised Highway 5 System Alternative is the least cost alternative presented to meet the stated need. All also agree that the Revised Highway 5 System Alternative is a more reasonable and prudent alternative to meet the identified need. As such, these proceedings have identified that the demand for electricity can be met more cost effectively through the load management measures provided in the Revised Highway 5 System Alternative. Therefore, there is no need to further analyze the criteria for a Certificate of Need.

**N. Finding 218**

The EERA recommended the following modification to provide a complete description of the original project area:

218. The land use in the Project Area for the Original System Alternative is a mix of both residential and commercial land uses.<sup>446</sup> The Project Area for the Original System Alternative passes through eight nine municipalities (Jackson Township, Chanhassen Township, Chanhassen, Chaska, Shorewood, Excelsior, Greenwood, Deephaven and Eden Prairie) located in two three Minnesota counties (Scott, Hennepin and Carver Counties).<sup>447</sup>

The Commission agrees that the clarification is appropriate and will adopt the recommended modification.

**O. Finding 285**

The EERA asserted that because Xcel intends to work within the existing 50-foot right-of-way wherever reasonably possible, additional impact to flora is not inevitable, and therefore recommends the following modification:

285. ~~While~~ Xcel Energy contends that impacts to flora would be "minimal" in the Proposed Route because it intends to work within the existing right-of-way of the 69 kV line. Xcel Energy is requesting right-of-way of up to 75 feet for some areas of the Proposed Route.<sup>574</sup> This is 25 feet more than the existing right-of-way along the 69 kV line.<sup>575</sup> Accordingly, there will ~~inevitably~~ likely be impact to flora if the Proposed Route is adopted, as asserted in the public comments.

The Commission concurs with the EERA’s rationale and will adopt the modification.

**P. Finding 336**

The Commission adopts the following modification:

~~336. Thus, because the~~The cost of burying all constructing 3.6 miles of distribution line in the Revised Highway 5 Route System Alternative is ~~only \$200,000.00,~~\$1.5 million. ~~the Highway 5 Route Alternative is the least cost alternative for both Xcel Energy and its customers.~~

The Commission concludes that this modification most accurately reflects the record with regard to the projected cost of the Revised Highway 5 System Alternative—specifically, the evidence supporting the finding does not specify that the line would be buried, and identifies the cost as \$1.5 million.

**Q. Finding 337**

The Applicant proposes the following clarification, which the Commission adopts because it more accurately reflects the record:

~~337. Note, however, that the Proposed Route~~Revised Highway 5 System Alternative will require system upgrades in approximately 2023.

**R. Finding 342**

The EERA recommended the following clarification:

342. The proposed structures for the new 115 kV lines required for the Proposed Route would be significantly larger than the existing 69 kV facilities in the area.<sup>679</sup> These larger 115 kV facilities would be located in largely residential areas along Lake Minnetonka in the communities of Deephaven, Greenwood, and Excelsior.<sup>680</sup> ~~As noted by the public in their~~ commentary, the public believes the scale of the facilities, in comparison with the density of the residential areas, will have a negative aesthetic effect to these neighborhoods.<sup>681</sup> ~~Also, They further assert that the close proximity of the lines to residences and schools~~ has would have a negative impact on human development in the area.<sup>682</sup>

The Commission agrees that this more accurately reflects the record and will therefore modify the ALJ’s report to include the modifications.

**S. Conclusion 371**

The Commission does not adopt Conclusion 371. Conclusion 371 contains language similar to the language struck from Recommendation 1, which the Commission modified, and Finding 80, which the Commission did not adopt. For the reasons the Commission articulated in support of its determinations with regard to those paragraphs—to avoid the use of the term “load management”

in this context, and because a statistically valid conclusion on the relative costs of the projects is not justified on this record—the Commission similarly does not adopt this conclusion.

**T. Conclusion 372**

The Applicant recommends the following modification, which the Commission will adopt because it more accurately reflects record and to remove the use of the term “load management”:

372. Accordingly, the Revised Highway 5 System Alternative is a more reasonable and prudent alternative to the Original System Alternative; ~~and the demand for energy can be met more cost-effectively through load management measures provided in the Revised Highway 5 System Alternative.~~ Therefore, it is respectfully recommended that the Commission take no action on the Application for a Certificate of Need.

**U. Conclusion 376**

The Applicant recommends the following modification:

376. The Revised Highway 5 System Alternative includes:

- (1) conversion of approximately 5.3 miles of existing 115/69 kV line to 115/115 kV from Structure #57 to the Scott County Substation;
- (42) conversion of approximately 5.4 miles of existing 115/34.5 kV line to 115/115 kV operation from Structure #57 to the Westgate Substation;
- (23) ~~conversion~~ construction of new 69 kV line of approximately 3,300 feet of existing 115/69 kV line to 115/115 kV operation from the Bluff Creek Substation to Structure #57;
- (34) construction of approximately 900 feet of new 115 kV tap lines (two double circuit lines at 450 feet each) at the Bluff Creek Substation; and
- (45) construction of 3.6 miles of new distribution feeder line from the Westgate Substation along Highway 5;
- (6) expansion of the existing Bluff Creek Substation to accommodate four rows of 115 kV breakers and a new 115-69 kV transformer;
- (7) upgrading the Westgate Substation 115-69 kV transformer to 112 MVA;
- (8) modifications to the transmission line at Westgate, Bluff Creek, and Scott County Substations;
- (9) installation of a new 115/34.5 kV transformer at the Bluff Creek Substation or a nearby substation;
- (10) installation of new 115 kV terminations at the Scott County and Westgate Substations; and
- (11) upgrading a small section of conductor on the Westgate—Deephaven 69 kV transmission line.

The Commission concludes that the recommendation provides needed clarity, and will therefore adopt it.

**V. Conclusions 386 and 387**

The EERA asserted that conclusions 386 and 387 are redundant, and recommended striking Conclusion 387. The Commission agrees that the conclusions are duplicative, and makes the following modification, which it believes provides the most clarity and precision:

~~386. The evidence on the record demonstrates that the Revised Highway 5 System Alternative, including its associated facilities, satisfies the route permit criteria set forth in Minn. Stat. § 216E.03, subd. 7, and Minn. R. 7850.4100~~

387. The evidence in the record further demonstrates that the Revised Highway 5 System Alternative satisfies the route permit criteria consideration and factors set forth in Minn. Stat. § 216E.03, subd. 7 and Minn. R. 7850.4100.

**W. Conclusion 390(a)**

The Commission will not adopt Conclusion 390(a), which would impose a condition that the entire 3.6 miles of distribution line along Highway 5 be buried underground. The Commission concludes that the cost information in the record is not sufficient to support a determination concerning burial as a condition of the permit. The Commission will require the Applicant to file with the Commission a comparison of costs for the construction alternatives along the Highway 5 portion of the route.

**X. Conclusions 390(c), (g), and (h)**

The Applicant and the EERA recommended changes to these conclusions. The Applicant recommended that the conclusions be modified as follows:

~~g. Require Xcel Energy to work with the Cities of Chaska and Chanhausen in developing an agreement for the expansion of the Bluff Creek Substation and any screening requested; and Xcel Energy shall consult with the cities of Chaska and Chanhausen regarding the plan and profile drawings for the Bluff Creek Substation and shall allow the cities to review and comment on the drawings prior to Xcel Energy's submission of the drawings to the Commission. Xcel Energy shall document the cities' comments and Xcel Energy's responses and shall include them with the plan and profile submission(s).~~

h. Require Xcel Energy to develop a vegetation plan to identify areas where there will be removal of trees and shrubs and to re-vegetate the areas ~~with like vegetation~~. Such plan shall also require: (1) construction during fall and winter months, when practicable, to minimize plant damage; (2) inspection and cleaning of equipment to avoid the introduction of exotic plant species; and

(3) re-vegetation of disturbed soils with low-growing native plant species.

The EERA recommended that the conclusions be modified as follows:

~~e. Require Xcel Energy to develop an invasive species management plan in consultation with the MnDNR prior to construction near public waters;~~

g. Require Xcel Energy to work with the Cities of Chaska and Chanhausen in developing an agreement for the expansion of the Bluff Creek Substation ~~and any screening requested~~ including possible screening solutions; and

h. Require Xcel Energy to develop a vegetation plan to identify areas where there will be removal of trees and shrubs and to re-vegetate the areas with like vegetation. Such plan shall also require an invasive species management plan; ~~(1) construction during fall and winter months, when practicable, to minimize plant damage; (2) inspection and cleaning of equipment to avoid the introduction of exotic plant species; and (3) re-vegetation of disturbed soils with low-growing native plant species.~~

The Commission agrees that the recommended language from both parties provides useful guidance to the permittee and clarity to the process. The Commission will adopt the following modifications, which reflect an appropriate synthesis of the parties' recommendations:

~~e. Require Xcel Energy to develop an invasive species management plan in consultation with the MnDNR prior to construction near public waters;~~

g. ~~Require Xcel Energy to work with the Cities of Chaska and Chanhausen in developing an agreement for the expansion of the Bluff Creek Substation and any screening requested; and~~ Xcel Energy shall consult with the cities of Chaska and Chanhausen regarding the plan and profile drawings for the Bluff Creek Substation and shall allow the cities to review and comment on the drawings prior to Xcel Energy's submission of the drawings to the Commission. Xcel Energy shall document the cities' comments and Xcel Energy's responses and shall include them with the plan and profile submission(s); and

h. Require Xcel Energy to develop a vegetation plan to identify areas where there will be removal of trees and shrubs and to re-vegetate the areas ~~with like vegetation~~. Such plan shall also require an invasive species management plan; ~~(1) construction during fall and winter months, when practicable, to minimize plant damage; (2) inspection and cleaning of equipment to avoid the introduction of exotic plant species; and (3) re-vegetation of disturbed soils with low-growing native plant species.~~

## VI. Conclusion

With the decisions contained herein, the Commission finds that the Scott County – Westgate 115 kV Upgrade Project Revised Highway 5 System Alternative satisfies the routing criteria contained in Minn. Stat. § 216E.03 and Minn. R. 7850.4100 and meets the goal set forth in Minn. Stat. § 216E.02 to locate large electric power facilities in an orderly manner compatible with environmental preservation and the efficient use of resources. The Commission will therefore issue the route permit to the Applicants in the form attached.

Because the Revised Highway 5 System Alternative does not qualify as a Large Energy Facility under Minn. Stat. § 216B.2421, subd. 2, no certificate of need is required. Having concluded that the Revised Highway 5 System Alternative is a more reasonable and prudent alternative to the Original System Alternative, the Commission takes no action on the Applicant's certificate of need petition.

### **ORDER**

1. The Commission hereby determines that the Environmental Assessment and the record created at the public hearing addresses the issues identified in the scoping decision.
2. The Commission hereby adopts the ALJ's Report, as modified herein.
3. The Commission hereby issues the route permit, consistent with the modifications and conditions specified herein and following the Revised Highway 5 System Alternative Route, to Xcel Energy in the form attached.
4. Within 60 days of the date of this order, Xcel shall file with the Commission a comparison of costs for underbuilding versus other construction alternatives for the route.
5. This Order shall become effective immediately.

BY ORDER OF THE COMMISSION

Burl W. Haar  
Executive Secretary



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**STATE OF MINNESOTA PUBLIC UTILITIES COMMISSION**

**ROUTE PERMIT FOR CONSTRUCTION OF A HIGH-VOLTAGE TRANSMISSION  
LINE AND ASSOCIATED FACILITIES**

**IN  
SCOTT, CARVER & HENNEPIN COUNTIES**

**ISSUED TO  
XCEL ENERGY**

**PUC DOCKET NUMBER E-002/TL-11-948**

In accordance with the requirements of Minnesota Statutes Chapter 216E and Minnesota Rules Chapter 7850, this route permit is hereby issued to:

**XCEL ENERGY**

Xcel Energy is authorized by this route permit to construct the Revised Highway 5 System Alternative of the Southwest Twin Cities Scott County-Westgate 115 kV Rebuild Project in Scott, Carver and Hennepin Counties, Minnesota.

The transmission line and associated facilities shall be built within the route identified in this permit and as portrayed on the official route maps, and in compliance with the conditions specified in this permit.

Approved and adopted this 23rd day of January 2014

BY ORDER OF THE COMMISSION

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Burl W. Haar,  
Executive Secretary

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**FIGURES**

Official Route Maps

**ATTACHMENTS**

Attachment A – Complaint Procedures for High-Voltage Transmission Lines  
Attachment B – Compliance Filing Procedure for Permitted Energy Facilities

## **1.0 ROUTE PERMIT**

The Minnesota Public Utilities Commission (Commission) hereby issues this route permit to Xcel Energy (Permittee) pursuant to Minnesota Statutes Chapter 216E and Minnesota Rules Chapter 7850. This permit authorizes Xcel Energy to construct the Revised Highway 5 Route Alternative in Scott, Carver and Hennepin Counties Minnesota, as identified in the attached route permit maps, hereby incorporated into this document.

## **2.0 PROJECT DESCRIPTION**

The Revised Highway 5 System Alternative runs from the Scott County Substation in Jackson Township to Structure #57 near the Bluff Creek Substation in Chaska, then east along Highway 5 through Chanhassen to the Westgate Substation in Eden Prairie.

The Project includes the following transmission and distribution facilities:

- Change the voltage of approximately 5.3 miles of 115/69 kV transmission to 115/115 kV operation between the Scott County Substation and Structure #57 near the Bluff Creek Substation;
- Conversion of approximately 5.4 miles of existing transmission line from 115/34.5 kV to 115/115 kV operation from Structure #57 to the Westgate Substation;
- Construction of a new 69 kV transmission line from the Bluff Creek Substation to Structure #57; and
- Upgrading of a small section of conductor on the Westgate-Deephaven 69 kV transmission line.

### **2.1 Project Location**

The project is located in Carver, Hennepin, and Scott counties, and within the cities of Chaska, Chanhassen, Shorewood, Excelsior, Greenwood, Deephaven, Minnetonka, and Eden Prairie and Jackson Township.

### **2.2 Associated Facilities and Substations**

The project includes transmission line modifications at the Westgate Substation, and at the Scott County Substation, as represented in the initial application . Expansion of the existing Bluff Creek Substation of up to 7,000 square feet may be undertaken in lieu of the New Substation.

- Expansion of the existing Bluff Creek Substation to accommodate four rows of 115 kV breakers and a new 115/69 kV transformer;
- Upgrading of the Westgate Substation 115-69 kV transformer to 112 MVA;
- Installation of new 115 kV terminations at the Scott County and Westgate Substations;
- Modification of the transmission line at the Westgate, Bluff Creek, and Scott County substations;
- Installation of a new 3.6 mile 34.5 kV distribution line from the Westgate substation;
- Construction of approximately 900 feet of new 115 kV tap lines (two double circuit lines at 450 feet each) at the Bluff Creek Substation; and
- Installation of a new 115-34.5 kV transformer at the Bluff Creek Substation or other area substation.

### **2.3 Structures and Conductors**

Steel poles with horizontal braced post insulators are proposed to be used for the majority of the 115 kV single-circuit rebuild portion of the transmission line. Other structure types that may be used along the rebuild route include horizontal post, H-frame, and Y-frame structures. For Segments 7-10, a cantilever design may be used. This design would require installation of a single pole transmission structure with all davit arms and conductors installed on the side of the pole that overhangs the public road or public right-of-way.

The steel structures proposed for the 69 kV to 115 kV rebuild will be approximately 60 to 90 feet tall with spans of approximately 200 to 400 feet for post structures and 400 to 900 feet for H-frame and Y-frame structures. This spacing is appropriate to keep the conductor within existing right-of-ways where applicable.

The 115 kV conductor proposed for the Project will be 795 kcmil 26/7 Aluminum Conductor Steel Supported (ACSS).

The transmission line and associated facilities shall be designed to meet or exceed all relevant local and state codes, the National Electric Safety Code (NESC), and North American Electric Reliability Corporation (NERC) requirements. These include standards relating to clearances to ground, clearance to crossing utilities, clearance to buildings, strength of materials, clearances over roadways, right-of-way widths, and permit requirements. All transmission lines shall be equipped with protective devices to safeguard the public if an accident occurs.

Pole dimensions and general right-of-way requirements for the project are as follows:

Line Type	Structure Type	Structure Material	Right-of-Way Width (feet)	Structure Height (feet)	Foundation	Foundation Diameter (feet)	Span Between Structures (feet)
115 kV Single-circuit	Single pole, horizontal post or horizontal braced post insulator	Galvanized steel or weathering steel	75	60-90	Direct embedded for tangents and self-supporting for angle/dead-end structures	Direct embedded in 4 foot diameter culvert or 5 to 8 foot concrete	200 to 400
115 kV Single-circuit	Two pole, H-Frame or Y-Frame	Galvanized steel or weathering steel	75	60-90	Direct embedded for tangent H-Frame and self-supporting for Y-Frame or angle/dead-end structures	Direct embedded in 4 foot diameter culvert or 5 to 8 foot concrete	400 to 900
115 kV Single-circuit with Distribution Underbuild	Single pole, horizontal post or braced post with distribution crossarm	Galvanized Steel or Weathering Steel	75	70 to 110	Direct embedded for tangents and self-supporting for angle/dead-end structures	Direct embedded in 4 foot diameter culvert or 5 to 8 foot concrete	300 to 500
115 kV Single-circuit	Single pole, horizontal post or braced post with vertical configuration (Cantilever design)	Galvanized Steel or Weathering Steel	25 feet on side of arm and conductors	70-100	Direct embedded for tangents and self-supporting for angle/dead-end structures	Direct embedded in 4 foot diameter culvert or 5 to 8 foot concrete	200 to 400

### 3.0 DESIGNATED ROUTE

The route designated by the Commission in this permit is described below and generally shown on the route maps attached to this permit. The route is described as follows:

The Revised Highway 5 System Alternative runs from the Scott County Substation to Structure #57 near the Bluff Creek Substation in Chaska, then east along Highway 5 through Chanhasen to the Westgate Substation in Eden Prairie. The attached official route maps indicate the centerline location of the anticipated transmission and distribution lines. The permitted route width for the project is 200 feet (100 feet on each side of the anticipated center line) for the entirety of the project.

### **3.1 Right-of-Way**

The approved right-of-way width for the project is up to 75 feet. The Permittee will utilize its existing rights-of-way associated with the single- and double- circuited 115 kV transmission lines being replaced to the greatest extent possible. This permit anticipates that the right-of-way will generally conform to the anticipated alignment as noted on the attached route permit maps unless changes are requested by individual landowners or unforeseen conditions are encountered or are otherwise provided for by this permit.

Any alignment modifications within the designated route shall be located so as to have comparable overall impacts relative to the factors in Minn. Rules, part 7850.4100, as does the alignment identified in this permit, and shall be specifically identified and documented in and approved as part of the plan and profile submitted pursuant to section 4.1 of this permit.

Where the transmission line route parallels existing highway and other road rights-of-way, the transmission line shall occupy and utilize the existing right-of-way to the maximum extent possible, consistent with the criteria in Minn. Rules, part 7850.4100, the other requirements of this permit, and for highways under the jurisdiction of the Minnesota Department of Transportation (Mn/DOT) rules, policies, and procedures for accommodating utilities in trunk highway rights-of-way.

### **4.0 GENERAL CONDITIONS**

The Permittee shall comply with the following conditions during construction of the transmission line and associated facilities over the life of this permit.

#### **4.1 Plan and Profile**

At least 30 calendar days before right-of-way preparation for construction begins on any segment or portion of the project, the Permittee shall provide the Commission with a plan and profile of the right-of-way and the specifications and drawings for right-of-way preparation, construction, structure specifications and locations, cleanup, and restoration for the transmission line. The documentation shall include maps depicting the plan and profile including the right-of-way, alignment, and structures in relation to the route and alignment approved per this permit.

The Permittee may not commence construction until the 30 days has expired or until the Commission has advised the Permittee in writing that it has completed its review of the documents and determined that the planned construction is consistent with this permit.

If the Permittee intends to make any significant changes in its plan and profile or the specifications and drawings after submission to the Commission, the Permittee shall notify the Commission at least five days before implementing the changes. No changes shall be made that would be in violation of any of the terms of this permit.

## **4.2 Construction Practices**

The Permittee shall follow those specific construction practices and material specifications described in Xcel Energy's application to the Commission for a route permit for the *Southwest Twin Cities (SWTC) Scott County – Westgate 115 kV Transmission Line Rebuild Project*, dated April 12, 2012, unless this permit establishes a different requirement in which case this permit shall prevail.

### **4.2.1 Field Representative**

At least 14 days prior to commencing construction, the Permittee shall advise the Commission in writing of the person or persons designated to be the field representative for the Permittee with the responsibility to oversee compliance with the conditions of this permit during construction.

The field representative's address, phone number, emergency phone number, and email shall be provided to the Commission and shall be made available to affected landowners, residents, public officials and other interested persons. The Permittee may change the field representative at any time upon written notice to the Commission.

### **4.2.2 Local Governments**

During construction, the Permittee shall minimize any disruption to public services or public utilities. To the extent disruptions to public services or public utilities occur these would be temporary and the Permittee will restore service promptly. Where any impacts to utilities have the potential to occur the Permittee will work with both landowners and local agencies to determine the most appropriate transmission structure placement.

The Permittee shall cooperate with county and city road authorities to develop appropriate signage and traffic management during construction.

#### 4.2.3 Cleanup

All waste and scrap that is the product of construction shall be removed from the area and properly disposed of upon completion of each task. Personal litter, including bottles, cans, and paper from construction activities shall be removed on a daily basis.

#### 4.2.4 Noise

Construction and routine maintenance activities shall be limited to daytime working hours, as defined in Minn. Rules, part 7030.0200, to ensure nighttime noise level standards will not be exceeded.

#### 4.2.5 Vegetation Removal

The Permittee shall minimize the number of trees to be removed in selecting the right-of-way specifically preserving to the maximum extent practicable windbreaks, shelterbelts, living snow fences, and vegetation in areas such as trail and stream crossings where vegetative screening may minimize aesthetic impacts, to the extent that such actions do not violate sound engineering principles or system reliability criteria.

Tall growing species located within the transmission line right-of-way that endanger the safe and reliable operation of the transmission facility will be removed by the Permittee. The Permittee shall leave undisturbed, to the extent possible, existing low growing species in the right-of-way, replant such species in the right-of-way to blend the difference between the right-of-way and adjacent areas to the extent that the low growing vegetation that will not pose a threat to the transmission facility or impede construction.

The Permittee shall avoid construction and maintenance practices, particularly the use of fertilizer, herbicides or other pesticides that are inconsistent with the landowner's or tenant's use of the land. The Permittee will provide notification to affected landowners and tenants before using these materials.

#### 4.2.6 Aesthetics

The Permittee shall consider input pertaining to visual impacts from landowners or land management agencies prior to final location of structures, rights-of-way, and other areas with the potential for visual disturbance. Care shall be used to preserve the natural landscape, minimize tree removal and prevent any unnecessary destruction of the natural surroundings in the vicinity of the project during construction and maintenance.

Structures shall be placed at a distance, consistent with sound engineering principles and system reliability criteria, from intersecting roads, highway, or trail crossings and could cross roads to minimize or avoid impacts.

#### 4.2.7 Erosion Control

The Permittee shall implement those erosion prevention and sediment control practices recommended by the Minnesota Pollution Control Agency (MPCA) Construction Stormwater Program.

The Permittee shall minimize erosion and sedimentation during construction and shall employ perimeter sediment controls, protect exposed soil by promptly planting, seeding, using erosion control blankets and turf reinforcement mats, stabilizing slopes, protecting storm drain inlets, protecting soil stockpiles, and controlling vehicle tracking. Contours shall be graded as required so that all surfaces provide for proper drainage, blend with the natural terrain, and are left in a condition that will facilitate re-vegetation and prevent erosion. All areas disturbed during construction of the facilities shall, be returned to pre-construction conditions.

When utilizing seed to establish temporary and permanent vegetative cover on exposed soil the Permittee shall select site appropriate seed certified to be free of noxious weeds. To the extent possible, the Permittee shall use native seed mixes. The Permittee shall consult with landowners on the selection and use of seed for replanting.

The Permittee shall employ best management practices to avoid the potential spread of invasive species within and adjacent to the right-of-way during construction and maintenance of the transmission lines.

Where larger areas of one acre or more are disturbed or other areas designated by the MPCA, the Permittee shall obtain a National Pollutant Discharge Elimination System (NPDES)/State Disposal System (SDS) Construction Stormwater permit from the MPCA.

#### 4.2.8 Wetlands and Water Resources

Wetland impact avoidance measures that shall be implemented during design and construction of the transmission line will include spacing and placing the power poles at variable distances to span and avoid wetlands, watercourses, and floodplains. Unavoidable wetland impacts as a result of the placement of poles shall be limited to the immediate area around the poles. To minimize impacts, construction in wetland areas shall occur during frozen ground conditions.

When construction during winter is not possible, wooden or composite mats shall be used to protect wetland vegetation. Soil excavated from the wetlands and riparian areas shall be contained and not placed back into the wetland or riparian area.

Wetlands and riparian areas shall be accessed using the shortest route possible in order to minimize travel through wetland areas and prevent unnecessary impacts. No staging or stringing set up areas shall be placed within or adjacent to wetlands or water resources, as practicable. Power pole structures shall be assembled on upland areas before they are brought to the site for installation. Areas disturbed by construction activities shall be restored to pre-construction conditions.

All requirements of the U.S. Army Corps of Engineers (wetlands under federal jurisdiction), Minnesota Department of Natural Resources (Public Waters/Wetlands), and County (wetlands under the jurisdiction of the Minnesota Wetland Conservation Act) shall be met.

#### 4.2.9 Archaeological and Historic Resources

The Permittee shall make every effort to avoid impacts to identified archaeological and historic resources when installing the high-voltage transmission line on the approved route. In the event that a resource is encountered, the State Historic Preservation Office should be contacted and consulted; the nature of the resource should be identified; and a determination should be made on the eligibility for listing in the National Register of Historic Places. Where feasible, avoidance of the resource is required.

Prior to construction, workers shall be trained about the need to avoid cultural properties, how to identify cultural properties, and procedures to follow if undocumented cultural properties, including gravesites, are found during construction.

#### 4.2.10 Avian Mitigation

The Permittee's standard transmission design shall incorporate adequate spacing of conductors and grounding devices in accordance with Avian Power Line Interaction Committee standards to eliminate the risk of electrocution to raptors with larger wingspans that may simultaneously come in contact with a conductor and grounding devices. Permittee will consult with the Minnesota Department of Natural Resources regarding type and placement of bird diverters.

#### 4.2.11 Temporary Work Space

The Permittee shall limit temporary easements to special construction access needs and additional staging or lay-down areas required outside of the authorized right-of-way. Temporary space shall be selected to limit the removal and impacts to vegetation. Temporary easements outside of the authorized transmission line right-of-way will be obtained from affected landowners through rental agreements and are not provided for in this permit.

Temporary driveways may be constructed between the roadway and the structures to minimize impact using the shortest route possible. Construction mats should also be used to minimize impacts on access paths and construction areas.

#### 4.2.12 Restoration

The Permittee shall restore the right-of-way, temporary work spaces, access roads, abandoned right-of-way, and other public or private lands affected by construction of the transmission line. Restoration within the right-of-way must be compatible with the safe operation, maintenance, and inspection of the transmission line. Within 60 days after completion of all restoration activities, the Permittee shall advise the Commission in writing of the completion of such activities.

The Permittee shall fairly compensate landowners for damage to crops, fences, landscaping, drain tile, or other damages sustained during construction.

#### 4.2.13 Notice of Permit

The Permittee shall inform all employees, contractors, and other persons involved in the transmission line construction of the terms and conditions of this permit.

### **4.3 Periodic Status Reports**

The Permittee shall report to the Commission on progress regarding finalization of the route, design of structures, and construction of the transmission line. The Permittee need not report more frequently than monthly.

#### **4.4 Complaint Procedures**

Prior to the start of construction, the Permittee shall submit to the Commission the procedures that will be used to receive and respond to complaints. The procedures shall be in accordance with the requirements set forth in the complaint procedures attached to this permit.

#### **4.5 Notification to Landowners**

The Permittee shall provide all affected landowners with a copy of this permit and, as a separate information piece, the complaint procedures at the time of the first contact with the landowners after issuance of this permit. The Permittee shall contact landowners prior to entering the property or conducting maintenance along the route.

The Permittee shall work with landowners to locate the high-voltage transmission line to minimize the loss of agricultural land, forest, and wetlands, and to avoid homes and farmsteads.

#### **4.6 Completion of Construction**

##### 4.6.1 Notification to Commission

At least three days before the line is to be placed into service, the Permittee shall notify the Commission of the date on which the line will be placed into service and the date on which construction was complete.

##### 4.6.2 As-Builts

Within 60 days after completion of construction, the Permittee shall submit copies of all final as-built plans and specifications developed during the project.

##### 4.6.3 GPS Data

Within 60 days after completion of construction, the Permittee shall submit to the Commission, in the format requested by the Commission, geo-spatial information (e.g., ArcGIS compatible map files, GPS coordinates, associated database of characteristics) for all structures associated with the transmission line and each substation connected.

## **4.7 Electrical Performance Standards**

### **4.7.1 Grounding**

The Permittee shall design, construct, and operate the transmission line in a manner so that the maximum induced steady-state short-circuit current shall be limited to five milliamperes root mean square (rms) alternating current between the ground and any non-stationary object within the right-of-way, including but not limited to large motor vehicles and agricultural equipment. All fixed metallic objects on or off the right-of-way, except electric fences that parallel or cross the right-of-way, shall be grounded to the extent necessary to limit the induced short-circuit current between ground and the object so as not to exceed one milliamperes rms under steady state conditions of the transmission line and to comply with the ground fault conditions specified in the NESC. The Permittee shall address and rectify any induced current problems that arise during transmission line operation.

### **4.7.2 Electric Field**

The transmission line shall be designed, constructed, and operated in such a manner that the electric field measured one meter above ground level immediately below the transmission line shall not exceed 8.0 kV/m rms.

### **4.7.3 Interference with Communication Devices**

If interference with radio or television, satellite, wireless internet, GPS-based agriculture navigation systems or other communication devices is caused by the presence or operation of the transmission line, the Permittee shall take whatever action is feasible to restore or provide reception equivalent to reception levels in the immediate area just prior to the construction of the line.

## **4.8 Other Requirements**

### **4.8.1 Applicable Codes**

The Permittee shall comply with applicable NERC planning standards and requirements of the NESC including clearances to ground, clearance to crossing utilities, clearance to buildings, right-of way widths, erecting power poles, and stringing of transmission line conductors.

#### 4.8.2 Other Permits

The Permittee shall comply with all applicable state rules and statutes. The Permittee shall obtain all required permits for the project and comply with the conditions of these permits. A list of the required permits is included in the permit application. The Permittee shall submit a copy of such permits to the Commission upon request.

#### 4.8.3 Pre-emption

Pursuant to Minn. Stat. § 216E.10, this route permit shall be the sole approval required to be obtained by the Permittee for construction of the transmission facilities and this permit shall supersede and preempt all zoning, building, or land use rules, regulations, or ordinances promulgated by regional, county, local and special purpose government.

### **4.9 Delay in Construction**

If the Permittee has not commenced construction or improvement of the route within four years after the date of issuance of this permit the Permittee shall file a report on the failure to construct and the Commission shall consider suspension of the permit in accordance with Minn. Rules, part 7850.4700.

### **5.0 SPECIAL CONDITIONS**

Require, as a mitigation measure to prevent the loss of vegetation and minimize the impacts on the environment and human settlement the entire 3.6 miles of distribution line along Highway 5 will be buried underground.

Require Xcel Energy to finalize a plan for the location and placement of the underground 34.5 kV distribution line with Mn/DOT and to work with Mn/DOT in the planning and construction of the facilities.

Require Xcel Energy to develop an invasive species management plan in consultation with the Minnesota Department of Natural Resources (DNR) prior to construction near public waters.

Require Xcel Energy to consult with the DNR and obtain its approval regarding the placement and installation of bird flight diverters along the route prior to construction.

Require Xcel Energy to consult with the DNR regarding the protection of the Blanding's Turtle, a state-listed threatened species, which measures shall include: (1) avoiding the use of fertilizers and pesticides within wetlands; (2) utilizing effective erosion control to keep sediment from reaching wetlands and lakes; and (3) implementing wildlife friendly erosion control.

Require Xcel Energy to allow the Metropolitan Council to review Project design plans before construction is initiated to ensure that the Project does not impact the Met Council's infrastructure.

Require Xcel Energy to work with the Cities of Chaska and Chanhassen in developing an agreement for the expansion of the Bluff Creek Substation and any screening requested including possible screening solutions.

Require Xcel Energy to develop a vegetation plan to identify areas where there will be removal of trees and shrubs and to re-vegetate the areas with like vegetation. Such plan shall also require an invasive species management plan: (1) construction during fall and winter months, when practicable, to minimize plant damage; (2) inspection and cleaning of equipment to avoid the introduction of exotic plant species; and (3) re-vegetation of disturbed soils with low-growing native plant species.

## **6.0 PERMIT AMENDMENT**

This permit may be amended at any time by the Commission. Any person may request an amendment of the conditions of this permit by submitting a request to the Commission in writing describing the amendment sought and the reasons for the amendment. The Commission will mail notice of receipt of the request to the Permittee. The Commission may amend the conditions after affording the Permittee and interested persons such process as is required.

## **7.0 TRANSFER OF PERMIT**

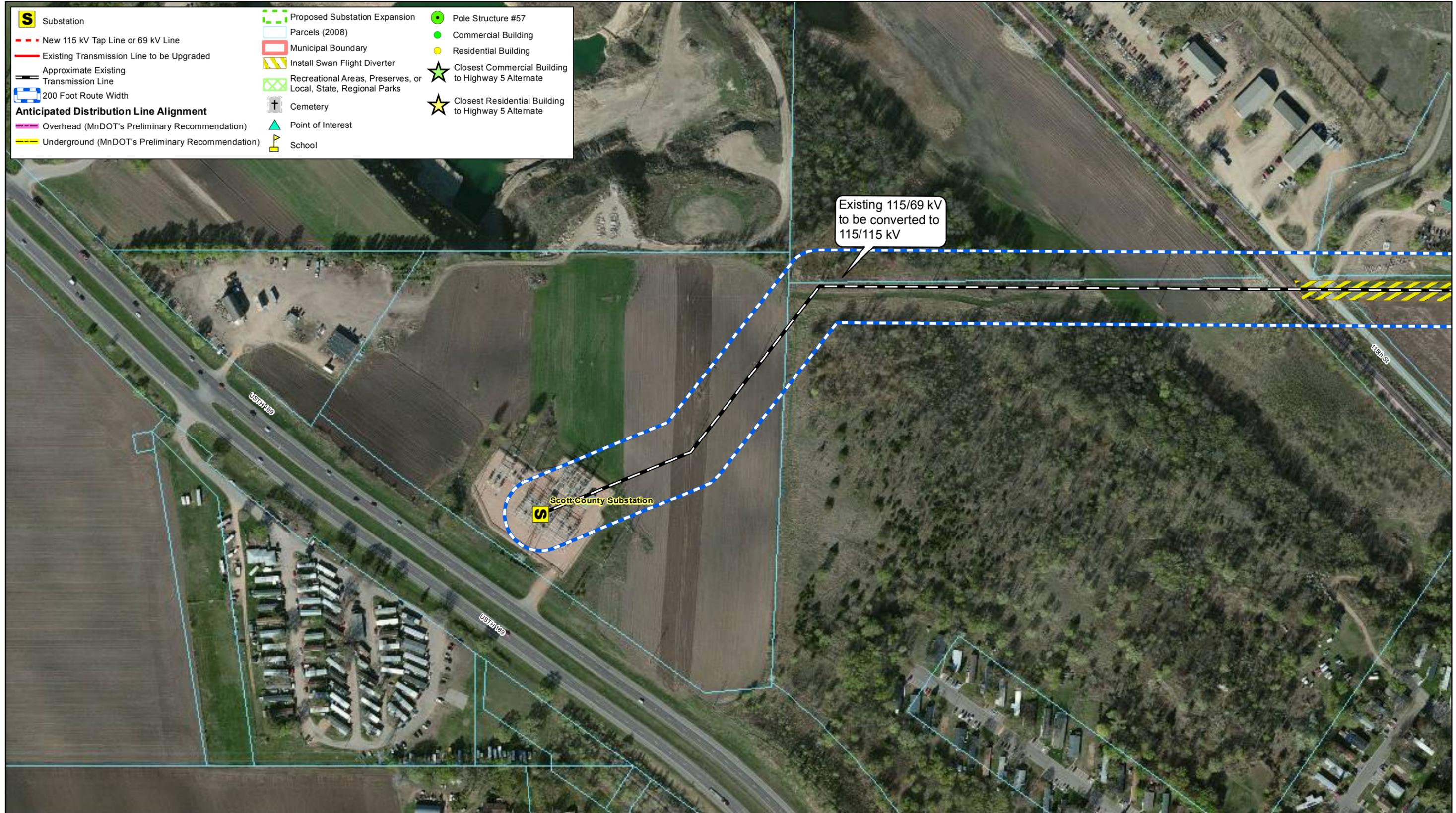
The Permittee may request at any time that the Commission transfer this permit to another person or entity. The Permittee shall provide the name and description of the person or entity to whom the permit is requested to be transferred, the reasons for the transfer, a description of the facilities affected, and the proposed effective date of the transfer.

The person to whom the permit is to be transferred shall provide the Commission with such information as the Commission shall require to determine whether the new Permittee can comply with the conditions of the permit. The Commission may authorize transfer of the permit after affording the Permittee, the new Permittee, and interested persons such process as is required.

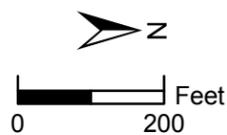
## **8.0 REVOCATION OR SUSPENSION OF THE PERMIT**

The Commission may initiate action to revoke or suspend this permit at any time. The Commission shall act in accordance with the requirements of Minn. Rules, part 7850.5100, to revoke or suspend the permit.

- |  |  |   |
|--|--|---|
| <b>S</b> Substation                              | Proposed Substation Expansion                                  | Pole Structure #57                                  |
| New 115 kV Tap Line or 69 kV Line                | Parcels (2008)   | Commercial Building                                 |
| Existing Transmission Line to be Upgraded        | Municipal Boundary   | Residential Building                                |
| Approximate Existing Transmission Line           | Install Swan Flight Diverter                                   | Closest Commercial Building to Highway 5 Alternate  |
| 200 Foot Route Width                             | Recreational Areas, Preserves, or Local, State, Regional Parks | Closest Residential Building to Highway 5 Alternate |
| <b>Anticipated Distribution Line Alignment</b>   | Cemetery   |   |
| Overhead (MnDOT's Preliminary Recommendation)    | Point of Interest  |   |
| Underground (MnDOT's Preliminary Recommendation) | School   |   |



Data Source(s): All data are approximate. MN DNR Ecological and Waters Division, NHIS (2010) - NHIS rare feature data included here were provided by the Division of Ecological Resources, MN DNR and current as of 2012. These data are not based on an exhaustive inventory of the state. The lack of data for any geographic area shall not be construed to mean that no significant features are present; MN LMIC Imagery (2012); MN LMIC GNIS (1998); MN SHPO (2009); MN OSA (2009); NHR (2009); MNDNR CBS (2009); MNDOT (2004); USGS NHD (2008); USFWS NWI (1997); Ventyx Velocity Suite (2012); FEMA (2003); Westwood (2012); Xcel (2012); Esri (2012)



# Scott County - Westgate 115kV Upgrade

Carver, Hennepin and Scott Counties, Minnesota

Highway 5 Alternative Mapbook

- |  |  |   |
|--|--|---|
| <b>S</b> Substation                              | Proposed Substation Expansion                                  | Pole Structure #57                                  |
| New 115 kV Tap Line or 69 kV Line                | Parcels (2008)   | Commercial Building                                 |
| Existing Transmission Line to be Upgraded        | Municipal Boundary   | Residential Building                                |
| Approximate Existing Transmission Line           | Install Swan Flight Diverter                                   | Closest Commercial Building to Highway 5 Alternate  |
| 200 Foot Route Width                             | Recreational Areas, Preserves, or Local, State, Regional Parks | Closest Residential Building to Highway 5 Alternate |
| <b>Anticipated Distribution Line Alignment</b>   | Cemetery   |   |
| Overhead (MnDOT's Preliminary Recommendation)    | Point of Interest  |   |
| Underground (MnDOT's Preliminary Recommendation) | School   |   |



Existing 115/69 kV  
to be converted to  
115/115 kV

Minnesota Valley State Recreation Area

Data Source(s): All data are approximate. MN DNR Ecological and Waters Division, NHIS (2010) - NHIS rare feature data included here were provided by the Division of Ecological Resources, MN DNR and current as of 2012. These data are not based on an exhaustive inventory of the state. The lack of data for any geographic area shall not be construed to mean that no significant features are present; MN LMIC Imagery (2012); MN LMIC GNIS (1998); MN SHPO (2009); MN OSA (2009); NHR (2009); MNDNR CBS (2009); MNDOT (2004); USGS NHD (2008); USFWS NWI (1997); Ventyx Velocity Suite (2012); FEMA (2003); Westwood (2012); Xcel (2012); Esri (2012)



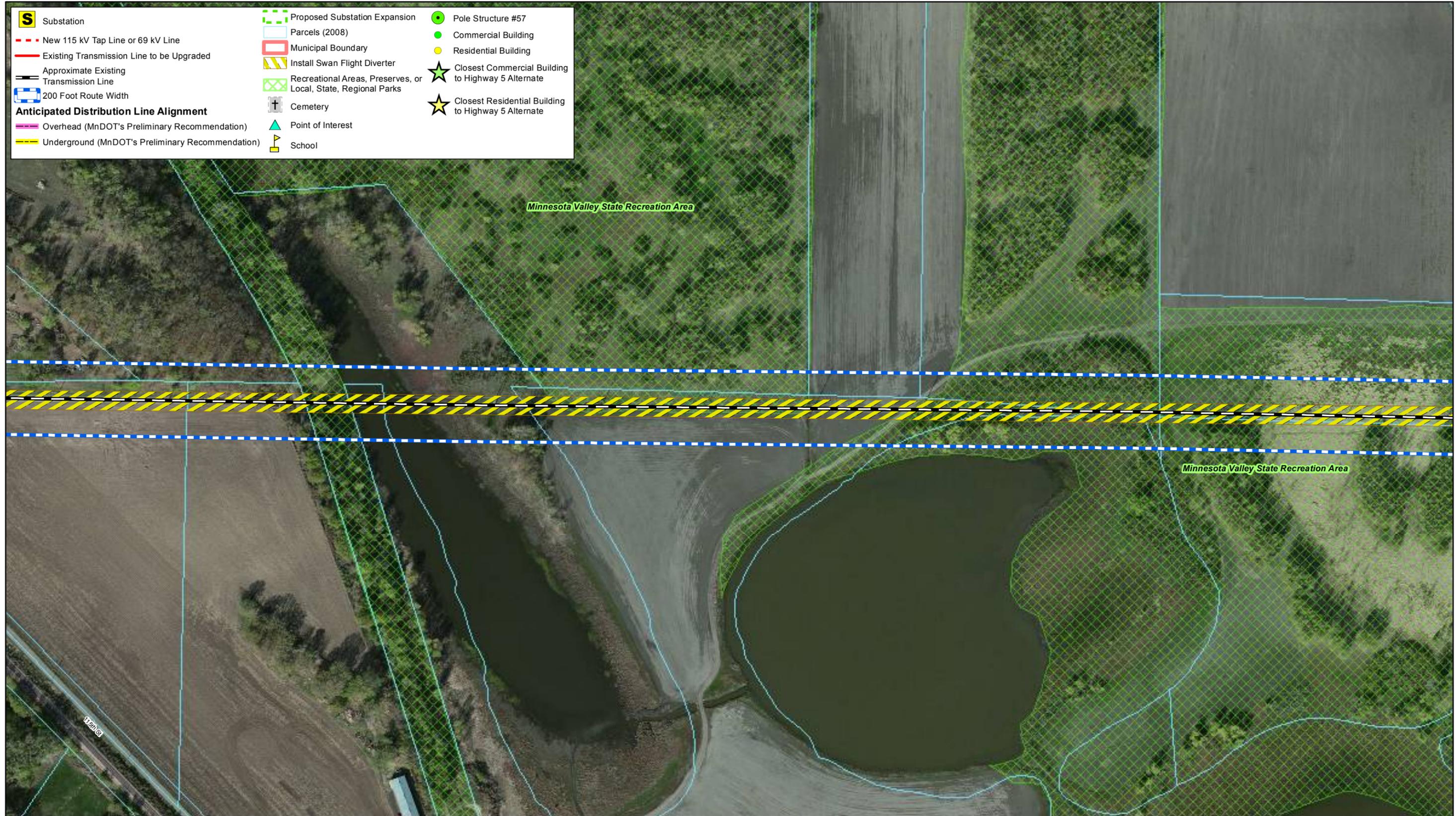
# Scott County - Westgate 115kV Upgrade

Carver, Hennepin and Scott Counties, Minnesota

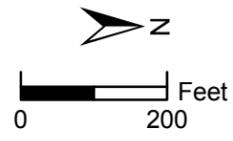
Highway 5 Alternative Mapbook

Map Document: P:\2009\07\01\GIS\Xcel\_AIR\Re\_Hwy5\_mapbook121122.mxd 11/25/2013 12:01:14 PM

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|--|--|---|
| <b>S</b> Substation                              | Proposed Substation Expansion                                  | Pole Structure #57                                  |
| New 115 kV Tap Line or 69 kV Line                | Parcels (2008)   | Commercial Building                                 |
| Existing Transmission Line to be Upgraded        | Municipal Boundary   | Residential Building                                |
| Approximate Existing Transmission Line           | Install Swan Flight Diverter                                   | Closest Commercial Building to Highway 5 Alternate  |
| 200 Foot Route Width                             | Recreational Areas, Preserves, or Local, State, Regional Parks | Closest Residential Building to Highway 5 Alternate |
| <b>Anticipated Distribution Line Alignment</b>   | Cemetery   |   |
| Overhead (MnDOT's Preliminary Recommendation)    | Point of Interest  |   |
| Underground (MnDOT's Preliminary Recommendation) | School   |   |



Data Source(s): All data are approximate. MN DNR Ecological and Waters Division, NHIS (2010) - NHIS rare feature data included here were provided by the Division of Ecological Resources, MN DNR and current as of 2012. These data are not based on an exhaustive inventory of the state. The lack of data for any geographic area shall not be construed to mean that no significant features are present; MN LMIC Imagery (2012); MN LMIC GNIS (1998); MN SHPO (2009); MN OSA (2009); NHR (2009); MNDNR CBS (2009); MNDOT (2004); USGS NHD (2008); USFWS NWI (1997); Ventyx Velocity Suite (2012); FEMA (2003); Westwood (2012); Xcel (2012); Esri (2012)



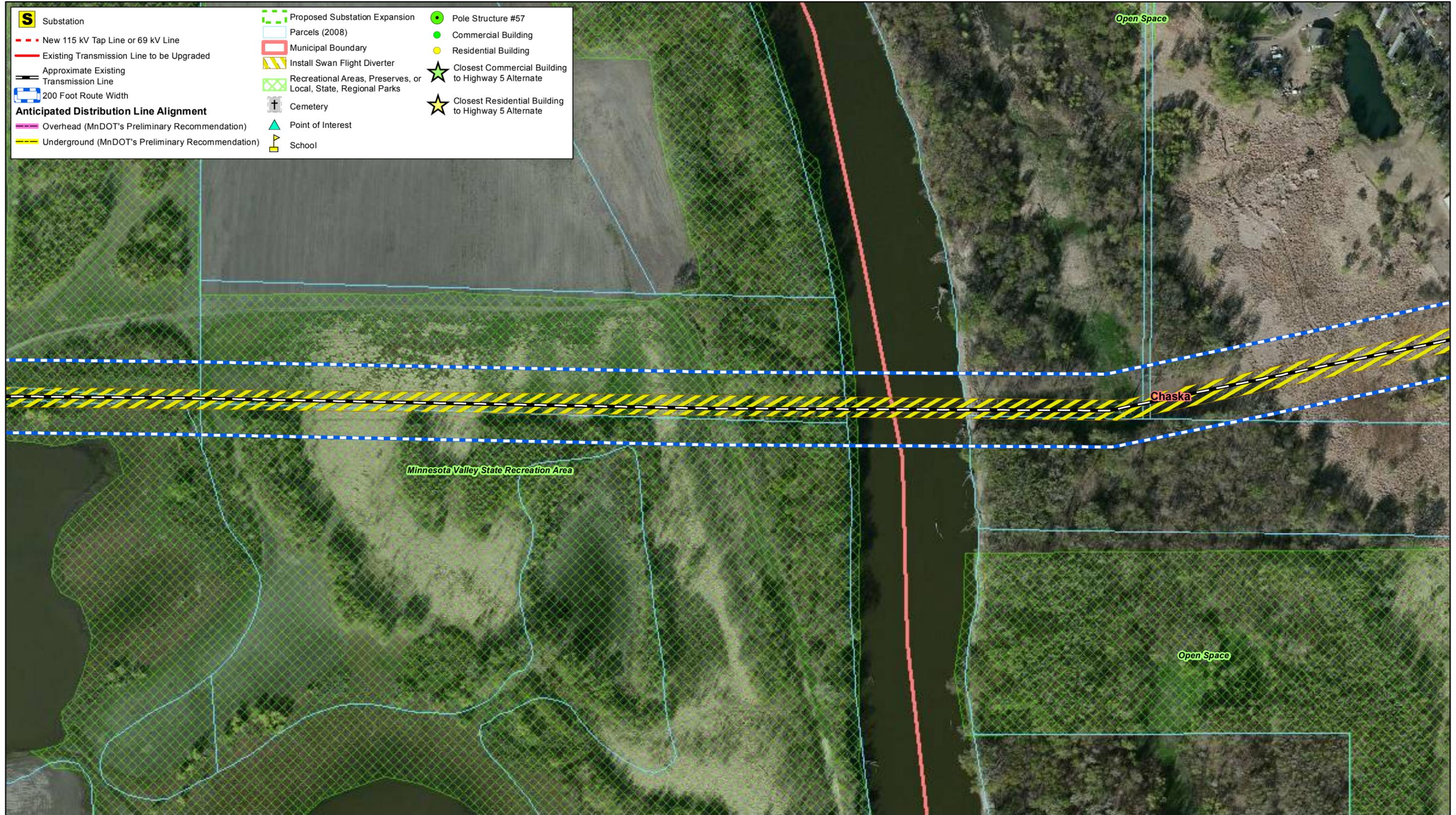
# Scott County - Westgate 115kV Upgrade

Carver, Hennepin and Scott Counties, Minnesota

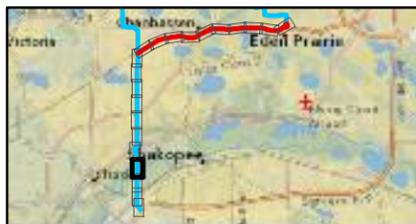
Highway 5 Alternative Mapbook

Map Document: P:\20091075\GIS\Xcel\_AIR\Hwy5\_mapbook121122.mxd 11/25/2013 12:01:32 PM

- |  |  |   |
|--|--|---|
| <b>S</b> Substation                              | Proposed Substation Expansion                                  | Pole Structure #57                                  |
| New 115 kV Tap Line or 69 kV Line                | Parcels (2008)   | Commercial Building                                 |
| Existing Transmission Line to be Upgraded        | Municipal Boundary   | Residential Building                                |
| Approximate Existing Transmission Line           | Install Swan Flight Diverter                                   | Closest Commercial Building to Highway 5 Alternate  |
| 200 Foot Route Width                             | Recreational Areas, Preserves, or Local, State, Regional Parks | Closest Residential Building to Highway 5 Alternate |
| <b>Anticipated Distribution Line Alignment</b>   | Cemetery   |   |
| Overhead (MnDOT's Preliminary Recommendation)    | Point of Interest  |   |
| Underground (MnDOT's Preliminary Recommendation) | School   |   |



Data Source(s): All data are approximate. MN DNR Ecological and Waters Division, NHIS (2010) - NHIS rare feature data included here were provided by the Division of Ecological Resources, MN DNR and current as of 2012. These data are not based on an exhaustive inventory of the state. The lack of data for any geographic area shall not be construed to mean that no significant features are present; MN LMIC Imagery (2012); MN LMIC GNIS (1998); MN SHPO (2009); MN OSA (2009); NHR (2009); MNDNR CBS (2009); MNDOT (2004); USGS NHD (2008); USFWS NWI (1997); Ventyx Velocity Suite (2012); FEMA (2003); Westwood (2012); Xcel (2012); Esri (2012)



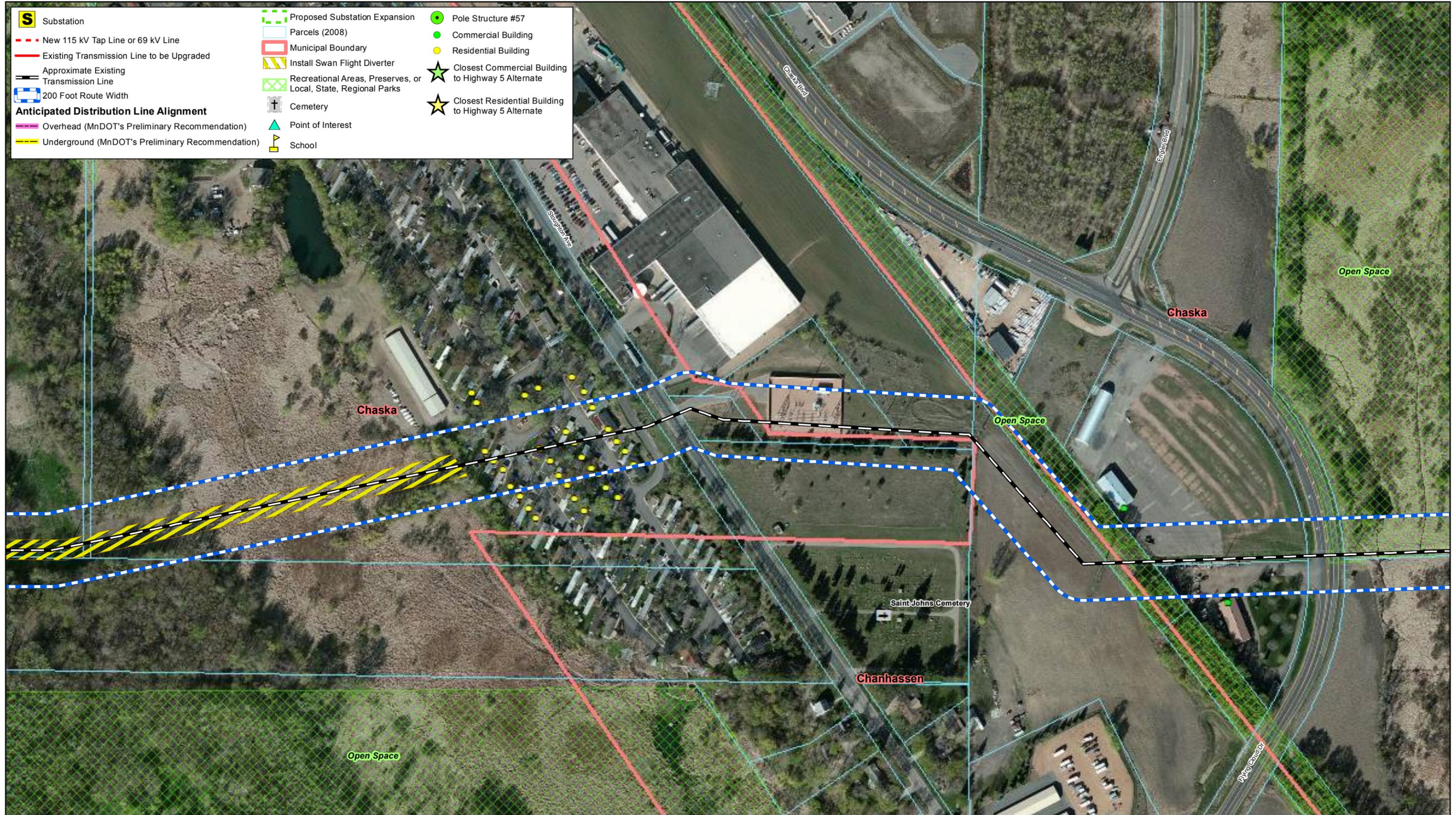
# Scott County - Westgate 115kV Upgrade

Carver, Hennepin and Scott Counties, Minnesota

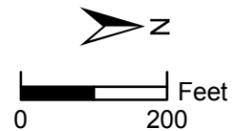
Highway 5 Alternative Mapbook

Map Document: P:\2009\07\5\GIS\Xcel\_AIR\Re\_Hwy5\_mapbook121122.mxd 11/25/2013 12:01:50 PM

- |  |  |   |
|--|--|---|
| <b>S</b> Substation                              | Proposed Substation Expansion                                  | Pole Structure #57                                  |
| New 115 kV Tap Line or 69 kV Line                | Parcels (2008)   | Commercial Building                                 |
| Existing Transmission Line to be Upgraded        | Municipal Boundary   | Residential Building                                |
| Approximate Existing Transmission Line           | Install Swan Flight Diverter                                   | Closest Commercial Building to Highway 5 Alternate  |
| 200 Foot Route Width                             | Recreational Areas, Preserves, or Local, State, Regional Parks | Closest Residential Building to Highway 5 Alternate |
| <b>Anticipated Distribution Line Alignment</b>   | Cemetery   |   |
| Overhead (MnDOT's Preliminary Recommendation)    | Point of Interest  |   |
| Underground (MnDOT's Preliminary Recommendation) | School   |   |



Data Source(s): All data are approximate. MN DNR Ecological and Waters Division, NHIS (2010) - NHIS rare feature data included here were provided by the Division of Ecological Resources, MN DNR and current as of 2012. These data are not based on an exhaustive inventory of the state. The lack of data for any geographic area shall not be construed to mean that no significant features are present; MN LMIC Imagery (2012); MN LMIC GNIS (1998); MN SHPO (2009); MN OSA (2009); NHR (2009); MNDNR CBS (2009); MNDOT (2004); USGS NHD (2008); USFWS NWI (1997); Ventyx Velocity Suite (2012); FEMA (2003); Westwood (2012); Xcel (2012); Esri (2012)



# Scott County - Westgate 115kV Upgrade

Carver, Hennepin and Scott Counties, Minnesota

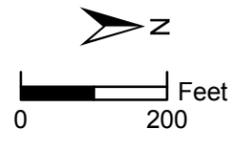
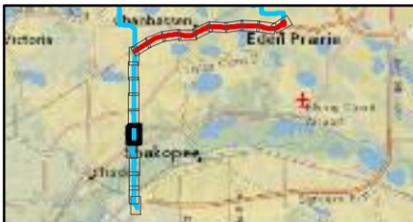
Highway 5 Alternative Mapbook

Map Document: P:\2009\075\GIS\Xcel\_AIR\Hwy5\_mapbook\21122.mxd 11/25/2013 12:02:03 PM

- |  |  |   |
|--|--|---|
| <b>S</b> Substation                              | Proposed Substation Expansion                                  | Pole Structure #57                                  |
| New 115 kV Tap Line or 69 kV Line                | Parcels (2008)   | Commercial Building                                 |
| Existing Transmission Line to be Upgraded        | Municipal Boundary   | Residential Building                                |
| Approximate Existing Transmission Line           | Install Swan Flight Diverter                                   | Closest Commercial Building to Highway 5 Alternate  |
| 200 Foot Route Width                             | Recreational Areas, Preserves, or Local, State, Regional Parks | Closest Residential Building to Highway 5 Alternate |
| <b>Anticipated Distribution Line Alignment</b>   | Cemetery   |   |
| Overhead (MnDOT's Preliminary Recommendation)    | Point of Interest  |   |
| Underground (MnDOT's Preliminary Recommendation) | School   |   |



Data Source(s): All data are approximate. MN DNR Ecological and Waters Division, NHIS (2010) - NHIS rare feature data included here were provided by the Division of Ecological Resources, MN DNR and current as of 2012. These data are not based on an exhaustive inventory of the state. The lack of data for any geographic area shall not be construed to mean that no significant features are present; MN LMIC Imagery (2012); MN LMIC GNIS (1998); MN SHPO (2009); MN OSA (2009); NHR (2009); MNDNR CBS (2009); MNDOT (2004); USGS NHD (2008); USFWS NWI (1997); Ventyx Velocity Suite (2012); FEMA (2003); Westwood (2012); Xcel (2012); Esri (2012)

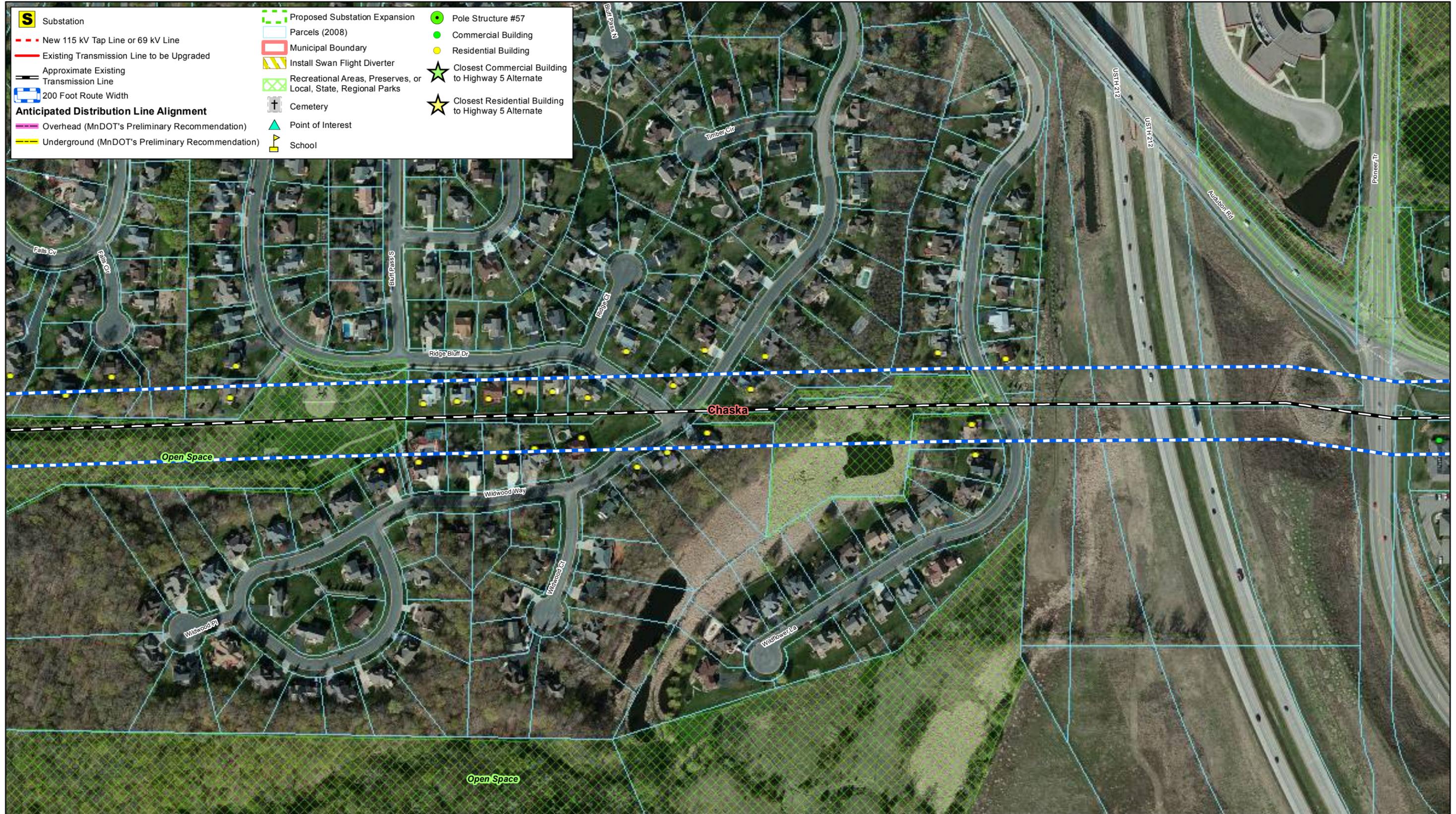


# Scott County - Westgate 115kV Upgrade

Carver, Hennepin and Scott Counties, Minnesota

Highway 5 Alternative Mapbook

Map Document: P:\2009\07\01\GIS\Xcel\_AIR\Re\_Hwy5\_mapbook121122.mxd 11/25/2013 12:02:14 PM



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|--|--|---|
| <b>S</b> Substation                              | Proposed Substation Expansion                                  | Pole Structure #57                                  |
| New 115 kV Tap Line or 69 kV Line                | Parcels (2008)   | Commercial Building                                 |
| Existing Transmission Line to be Upgraded        | Municipal Boundary   | Residential Building                                |
| Approximate Existing Transmission Line           | Install Swan Flight Diverter                                   | Closest Commercial Building to Highway 5 Alternate  |
| 200 Foot Route Width                             | Recreational Areas, Preserves, or Local, State, Regional Parks | Closest Residential Building to Highway 5 Alternate |
| <b>Anticipated Distribution Line Alignment</b>   | Cemetery   |   |
| Overhead (MnDOT's Preliminary Recommendation)    | Point of Interest  |   |
| Underground (MnDOT's Preliminary Recommendation) | School   |   |

Data Source(s): All data are approximate. MN DNR Ecological and Waters Division, NHIS (2010) - NHIS rare feature data included here were provided by the Division of Ecological Resources, MN DNR and current as of 2012. These data are not based on an exhaustive inventory of the state. The lack of data for any geographic area shall not be construed to mean that no significant features are present; MN LMIC Imagery (2012); MN LMIC GNIS (1998); MN SHPO (2009); MN OSA (2009); NHR (2009); MNDNR CBS (2009); MNDOT (2004); USGS NHD (2008); USFWS NWI (1997); Ventyx Velocity Suite (2012); FEMA (2003); Westwood (2012); Xcel (2012); Esri (2012)



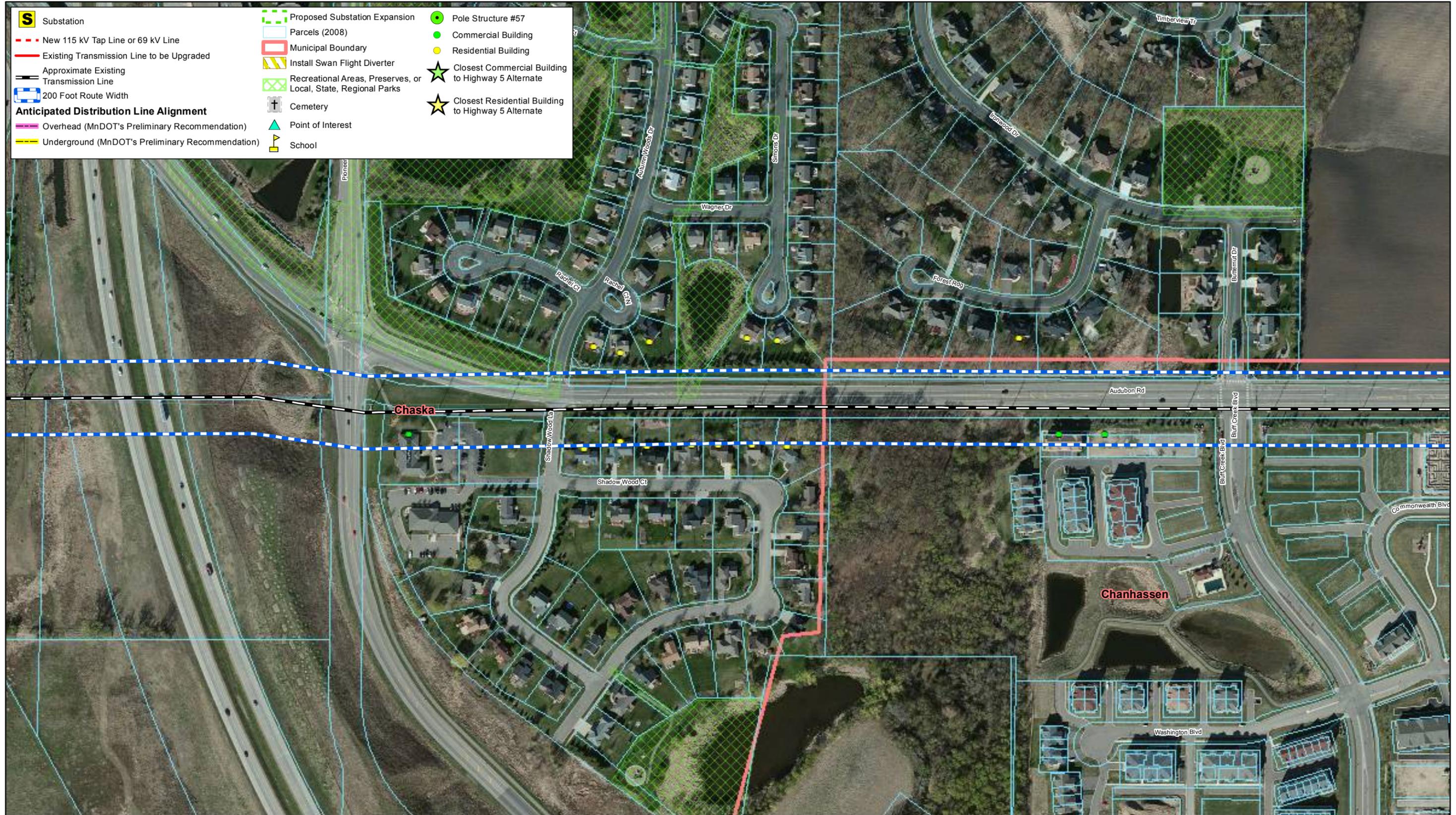
# Scott County - Westgate 115kV Upgrade

Carver, Hennepin and Scott Counties, Minnesota

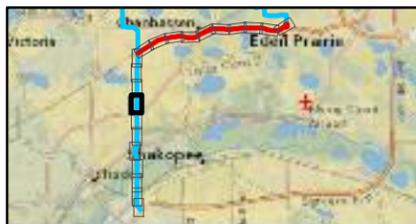
Highway 5 Alternative Mapbook

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- |  |  |   |
|--|--|---|
| <b>S</b> Substation                              | Proposed Substation Expansion                                  | Pole Structure #57                                  |
| New 115 kV Tap Line or 69 kV Line                | Parcels (2008)   | Commercial Building                                 |
| Existing Transmission Line to be Upgraded        | Municipal Boundary   | Residential Building                                |
| Approximate Existing Transmission Line           | Install Swan Flight Diverter                                   | Closest Commercial Building to Highway 5 Alternate  |
| 200 Foot Route Width                             | Recreational Areas, Preserves, or Local, State, Regional Parks | Closest Residential Building to Highway 5 Alternate |
| <b>Anticipated Distribution Line Alignment</b>   | Cemetery   |   |
| Overhead (MnDOT's Preliminary Recommendation)    | Point of Interest  |   |
| Underground (MnDOT's Preliminary Recommendation) | School   |   |



Data Source(s): All data are approximate. MN DNR Ecological and Waters Division, NHIS (2010) - NHIS rare feature data included here were provided by the Division of Ecological Resources, MN DNR and current as of 2012. These data are not based on an exhaustive inventory of the state. The lack of data for any geographic area shall not be construed to mean that no significant features are present; MN LMIC Imagery (2012); MN LMIC GNIS (1998); MN SHPO (2009); MN OSA (2009); NHR (2009); MNDNR CBS (2009); MNDOT (2004); USGS NHD (2008); USFWS NWI (1997); Ventyx Velocity Suite (2012); FEMA (2003); Westwood (2012); Xcel (2012)



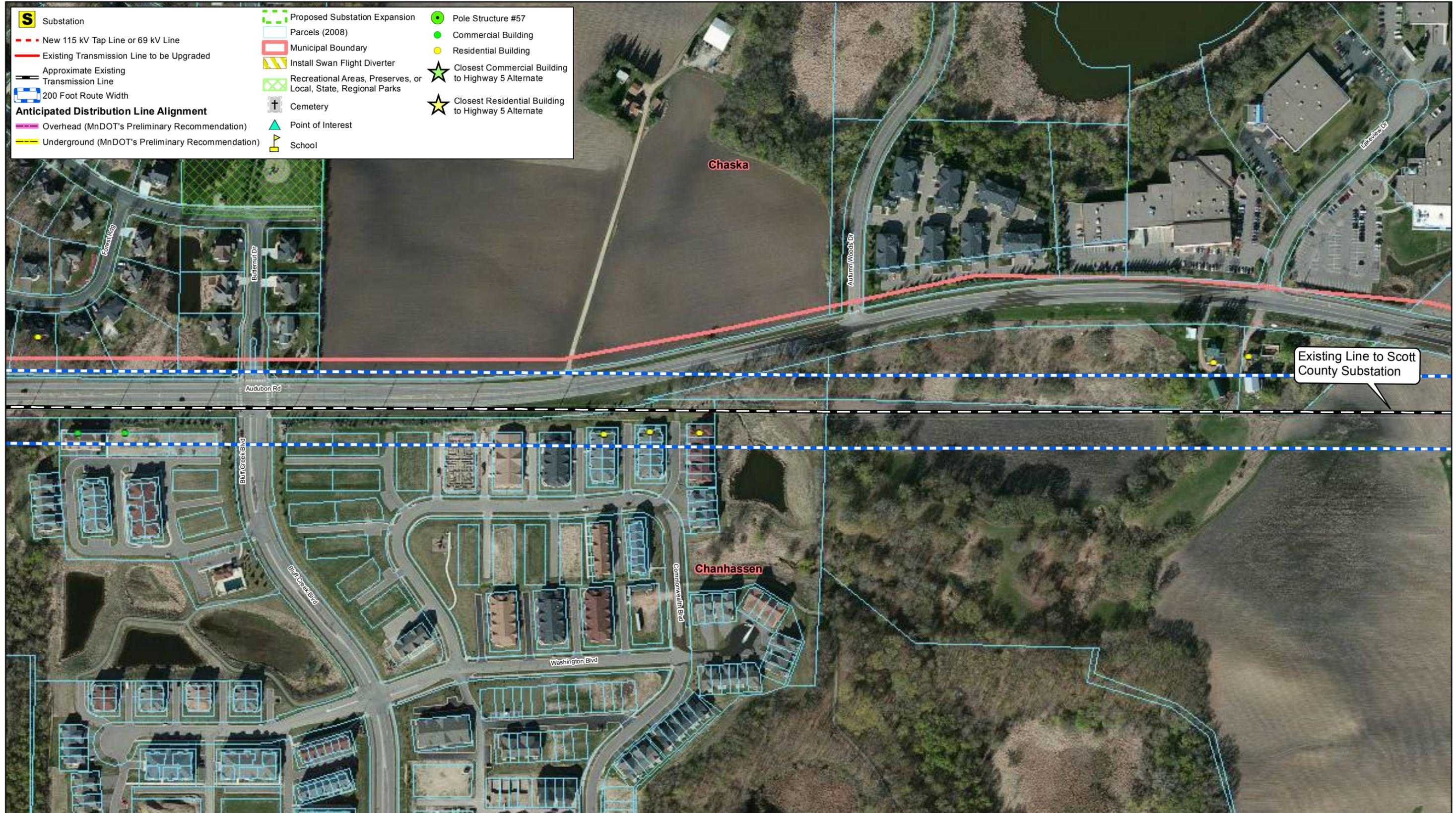
# Scott County - Westgate 115kV Upgrade

Carver, Hennepin and Scott Counties, Minnesota

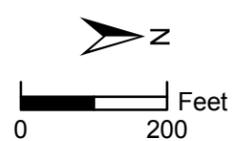
Highway 5 Alternative Mapbook

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|--|--|---|
| <b>S</b> Substation                              | Proposed Substation Expansion                                  | Pole Structure #57                                  |
| New 115 kV Tap Line or 69 kV Line                | Parcels (2008)   | Commercial Building                                 |
| Existing Transmission Line to be Upgraded        | Municipal Boundary   | Residential Building                                |
| Approximate Existing Transmission Line           | Install Swan Flight Diverter                                   | Closest Commercial Building to Highway 5 Alternate  |
| 200 Foot Route Width                             | Recreational Areas, Preserves, or Local, State, Regional Parks | Closest Residential Building to Highway 5 Alternate |
| <b>Anticipated Distribution Line Alignment</b>   | Cemetery   |   |
| Overhead (MnDOT's Preliminary Recommendation)    | Point of Interest  |   |
| Underground (MnDOT's Preliminary Recommendation) | School   |   |



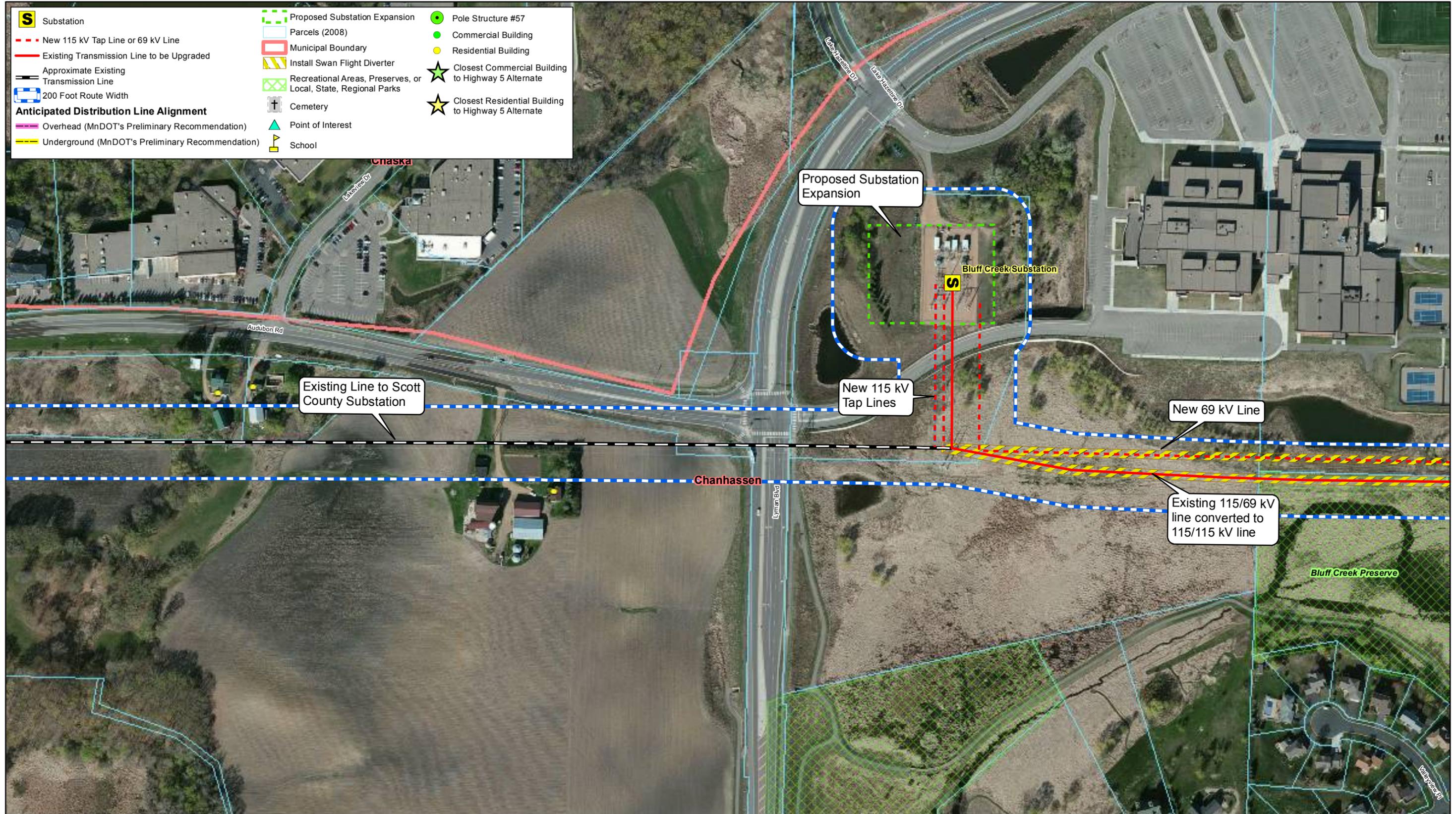
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# Scott County - Westgate 115kV Upgrade

Carver, Hennepin and Scott Counties, Minnesota

Highway 5 Alternative Mapbook



Map Document: P:\2009\07\01\GIS\Xcel\_AIR\Hwy5\_mapbook121122.mxd 11/25/2013 12:03:07 PM

Data Source(s): All data are approximate. MN DNR Ecological and Waters Division, NHIS (2010) - NHIS rare feature data included here were provided by the Division of Ecological Resources, MN DNR and current as of 2012. These data are not based on an exhaustive inventory of the state. The lack of data for any geographic area shall not be construed to mean that no significant features are present; MN LMIC Imagery (2012); MN LMIC GNIS (1998); MN SHPO (2009); MN OSA (2009); NHR (2009); MNDNR CBS (2009); MNDOT (2004); USGS NHD (2008); USFWS NWI (1997); Ventyx Velocity Suite (2012); FEMA (2003); Westwood (2012); Xcel (2012); Esri (2012)



# Scott County - Westgate 115kV Upgrade

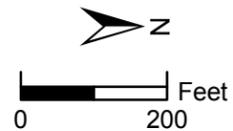
Carver, Hennepin and Scott Counties, Minnesota

Highway 5 Alternative Mapbook

- |  |  |   |
|--|--|---|
| <b>S</b> Substation                              | Proposed Substation Expansion                                  | Pole Structure #57                                  |
| New 115 kV Tap Line or 69 kV Line                | Parcels (2008)   | Commercial Building                                 |
| Existing Transmission Line to be Upgraded        | Municipal Boundary   | Residential Building                                |
| Approximate Existing Transmission Line           | Install Swan Flight Diverter                                   | Closest Commercial Building to Highway 5 Alternate  |
| 200 Foot Route Width                             | Recreational Areas, Preserves, or Local, State, Regional Parks | Closest Residential Building to Highway 5 Alternate |
| <b>Anticipated Distribution Line Alignment</b>   | Cemetery   |   |
| Overhead (MnDOT's Preliminary Recommendation)    | Point of Interest  |   |
| Underground (MnDOT's Preliminary Recommendation) | School   |   |



Data Source(s): All data are approximate. MN DNR Ecological and Waters Division, NHIS (2010) - NHIS rare feature data included here were provided by the Division of Ecological Resources, MN DNR and current as of 2012. These data are not based on an exhaustive inventory of the state. The lack of data for any geographic area shall not be construed to mean that no significant features are present; MN LMIC Imagery (2012); MN LMIC GNIS (1998); MN SHPO (2009); MN OSA (2009); NHR (2009); MNDNR CBS (2009); MNDOT (2004); USGS NHD (2008); USFWS NWI (1997); Ventyx Velocity Suite (2012); FEMA (2003); Westwood (2012); Xcel (2012); Esri (2012)



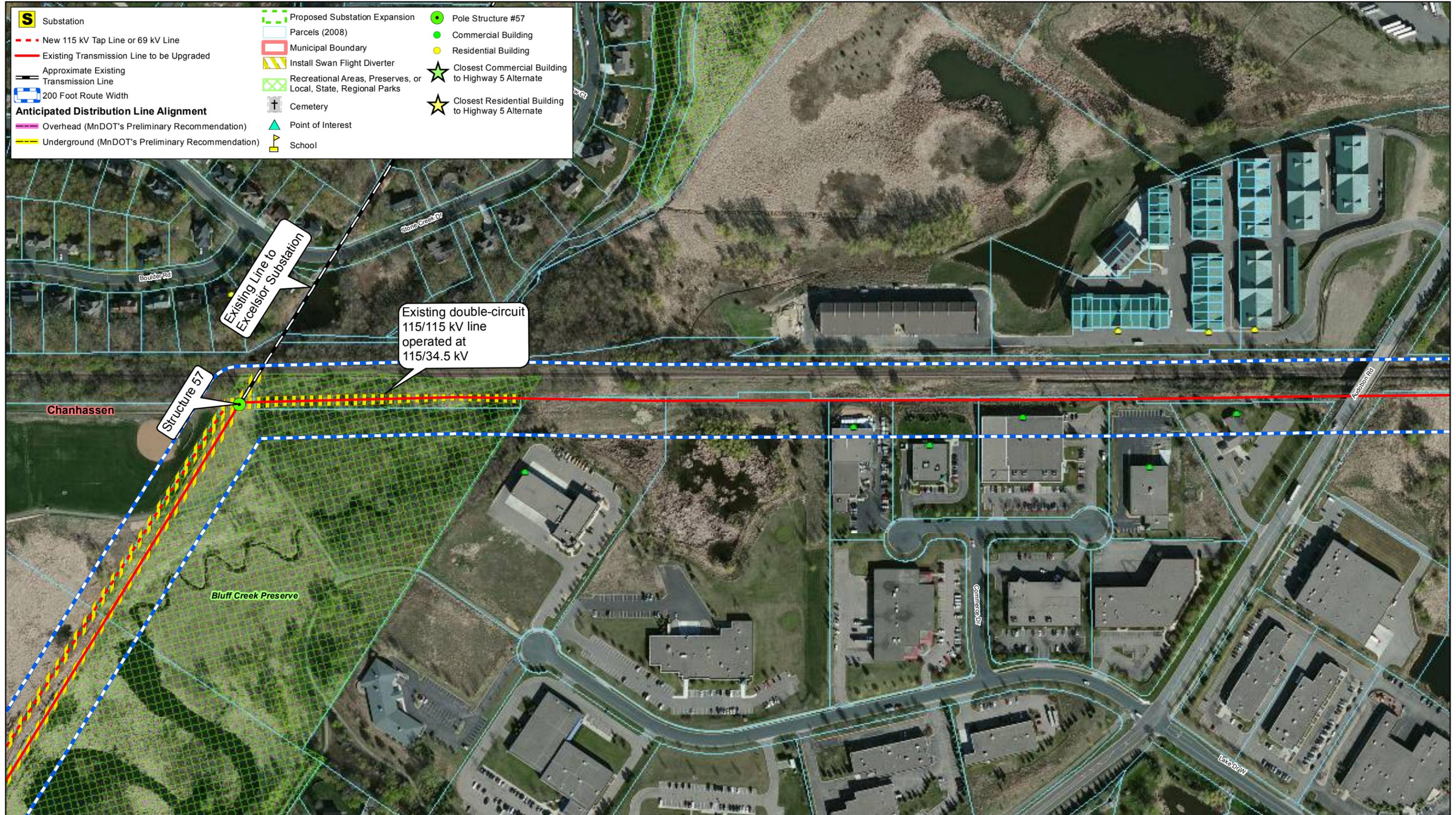
# Scott County - Westgate 115kV Upgrade

Carver, Hennepin and Scott Counties, Minnesota

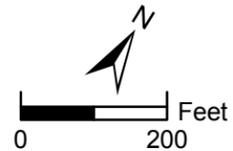
Highway 5 Alternative Mapbook

Map Document: P:\20091075\GIS\Xcel\_AIR\Re\_Hwy5\_mapbook121122.mxd 11/25/2013 12:03:36 PM

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|--|--|---|
| <b>S</b> Substation                              | Proposed Substation Expansion                                  | Pole Structure #57                                  |
| New 115 kV Tap Line or 69 kV Line                | Parcels (2008)   | Commercial Building                                 |
| Existing Transmission Line to be Upgraded        | Municipal Boundary   | Residential Building                                |
| Approximate Existing Transmission Line           | Install Swan Flight Diverter                                   | Closest Commercial Building to Highway 5 Alternate  |
| 200 Foot Route Width                             | Recreational Areas, Preserves, or Local, State, Regional Parks | Closest Residential Building to Highway 5 Alternate |
| <b>Anticipated Distribution Line Alignment</b>   | Cemetery   |   |
| Overhead (MnDOT's Preliminary Recommendation)    | Point of Interest  |   |
| Underground (MnDOT's Preliminary Recommendation) | School   |   |



Data Source(s): All data are approximate. MN DNR Ecological and Waters Division, NHIS (2010) - NHIS rare feature data included here were provided by the Division of Ecological Resources, MN DNR and current as of 2012. These data are not based on an exhaustive inventory of the state. The lack of data for any geographic area shall not be construed to mean that no significant features are present; MN LMIC Imagery (2012); MN LMIC GNIS (1998); MN SHPO (2009); MN OSA (2009); NHR (2009); MNDNR CBS (2009); MNDOT (2004); USGS NHD (2008); USFWS NWI (1997); Ventyx Velocity Suite (2012); FEMA (2003); Westwood (2012); Xcel (2012); Esri (2012)



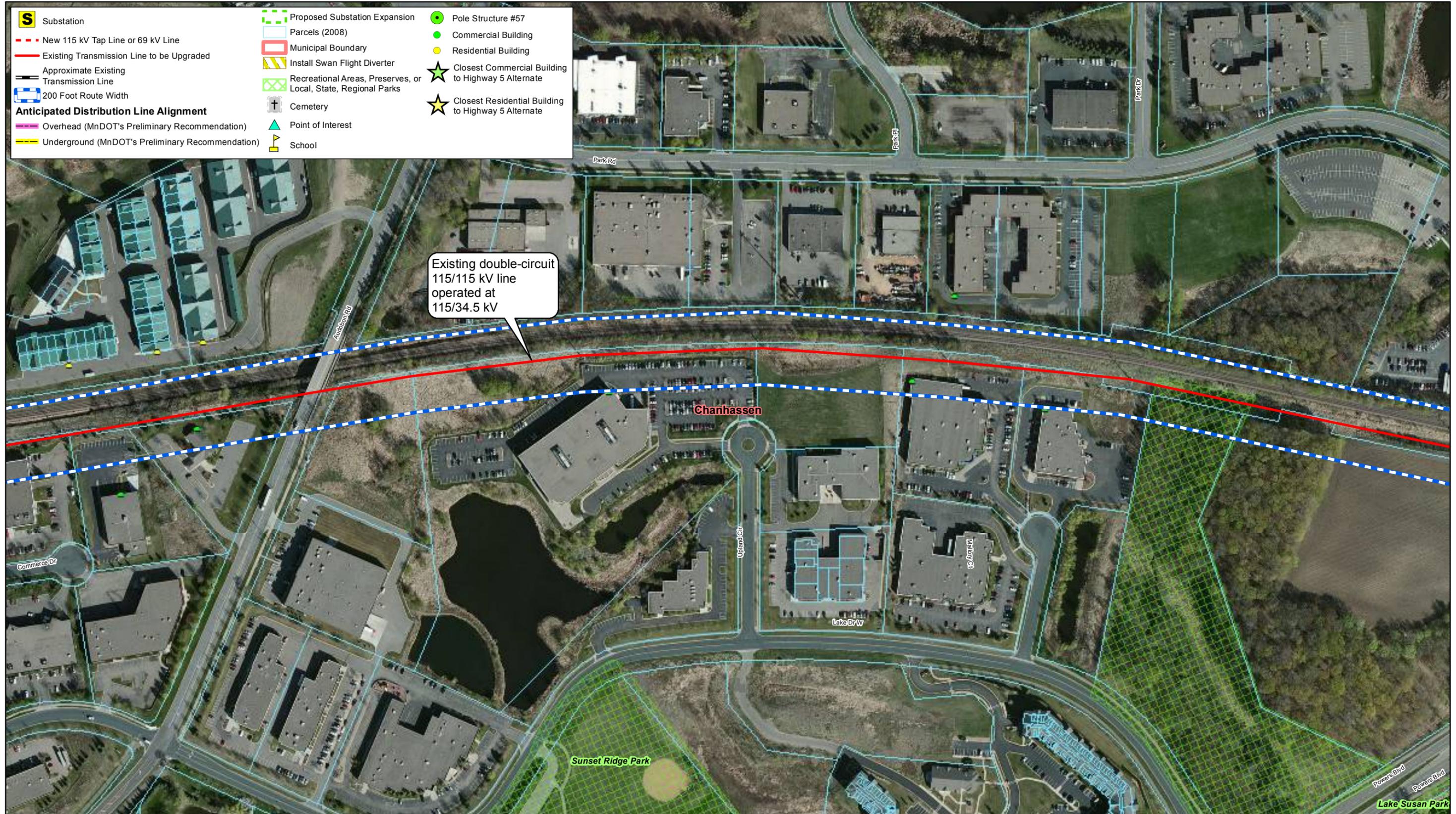
# Scott County - Westgate 115kV Upgrade

Carver, Hennepin and Scott Counties, Minnesota

Highway 5 Alternative Mapbook

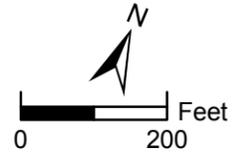
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- |  |  |   |
|--|--|---|
| <b>S</b> Substation                              | Proposed Substation Expansion                                  | Pole Structure #57                                  |
| New 115 kV Tap Line or 69 kV Line                | Parcels (2008)   | Commercial Building                                 |
| Existing Transmission Line to be Upgraded        | Municipal Boundary   | Residential Building                                |
| Approximate Existing Transmission Line           | Install Swan Flight Diverter                                   | Closest Commercial Building to Highway 5 Alternate  |
| 200 Foot Route Width                             | Recreational Areas, Preserves, or Local, State, Regional Parks | Closest Residential Building to Highway 5 Alternate |
| <b>Anticipated Distribution Line Alignment</b>   | Cemetery   |   |
| Overhead (MnDOT's Preliminary Recommendation)    | Point of Interest  |   |
| Underground (MnDOT's Preliminary Recommendation) | School   |   |



Existing double-circuit  
115/115 kV line  
operated at  
115/34.5 kV

Data Source(s): All data are approximate. MN DNR Ecological and Waters Division, NHIS (2010) - NHIS rare feature data included here were provided by the Division of Ecological Resources, MN DNR and current as of 2012. These data are not based on an exhaustive inventory of the state. The lack of data for any geographic area shall not be construed to mean that no significant features are present; MN LMIC Imagery (2012); MN LMIC GNIS (1998); MN SHPO (2009); MN OSA (2009); NHR (2009); MNDNR CBS (2009); MNDOT (2004); USGS NHD (2008); USFWS NWI (1997); Ventyx Velocity Suite (2012); FEMA (2003); Westwood (2012); Xcel (2012)



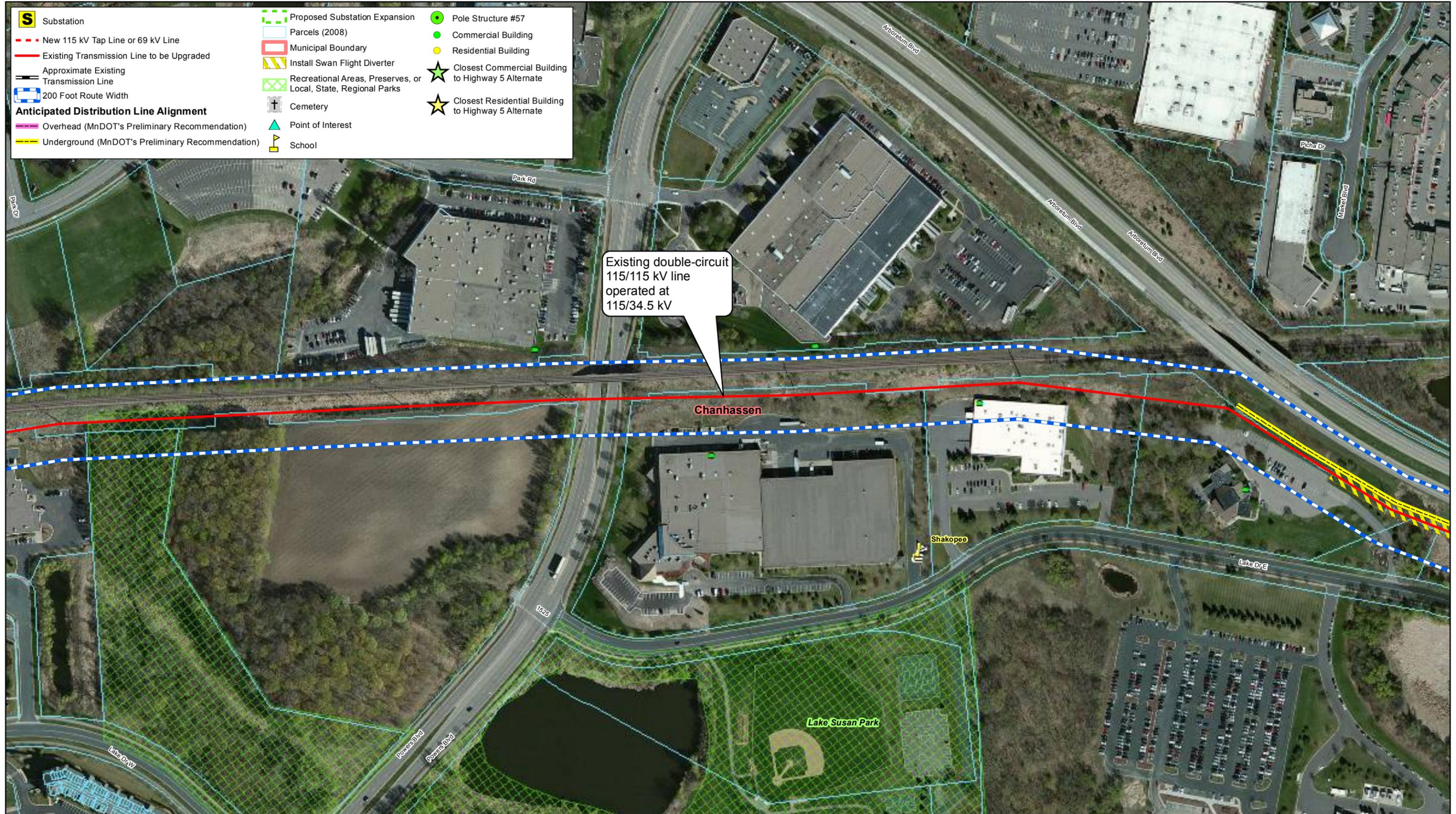
# Scott County - Westgate 115kV Upgrade

Carver, Hennepin and Scott Counties, Minnesota

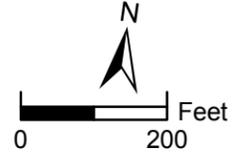
Highway 5 Alternative Mapbook

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- |  |  |   |
|--|--|---|
| <b>S</b> Substation                              | Proposed Substation Expansion                                  | Pole Structure #57                                  |
| New 115 kV Tap Line or 69 kV Line                | Parcels (2008)   | Commercial Building                                 |
| Existing Transmission Line to be Upgraded        | Municipal Boundary   | Residential Building                                |
| Approximate Existing Transmission Line           | Install Swan Flight Diverter                                   | Closest Commercial Building to Highway 5 Alternate  |
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| <b>Anticipated Distribution Line Alignment</b>   | Cemetery   |   |
| Overhead (MnDOT's Preliminary Recommendation)    | Point of Interest  |   |
| Underground (MnDOT's Preliminary Recommendation) | School   |   |



Data Source(s): All data are approximate. MN DNR Ecological and Waters Division, NHIS (2010) - NHIS rare feature data included here were provided by the Division of Ecological Resources, MN DNR and current as of 2012. These data are not based on an exhaustive inventory of the state. The lack of data for any geographic area shall not be construed to mean that no significant features are present; MN LMIC Imagery (2012); MN LMIC GNIS (1998); MN SHPO (2009); MN OSA (2009); NHR (2009); MNDNR CBS (2009); MNDOT (2004); USGS NHD (2008); USFWS NWI (1997); Ventyx Velocity Suite (2012); FEMA (2003); Westwood (2012); Xcel (2012); Esri (2012)



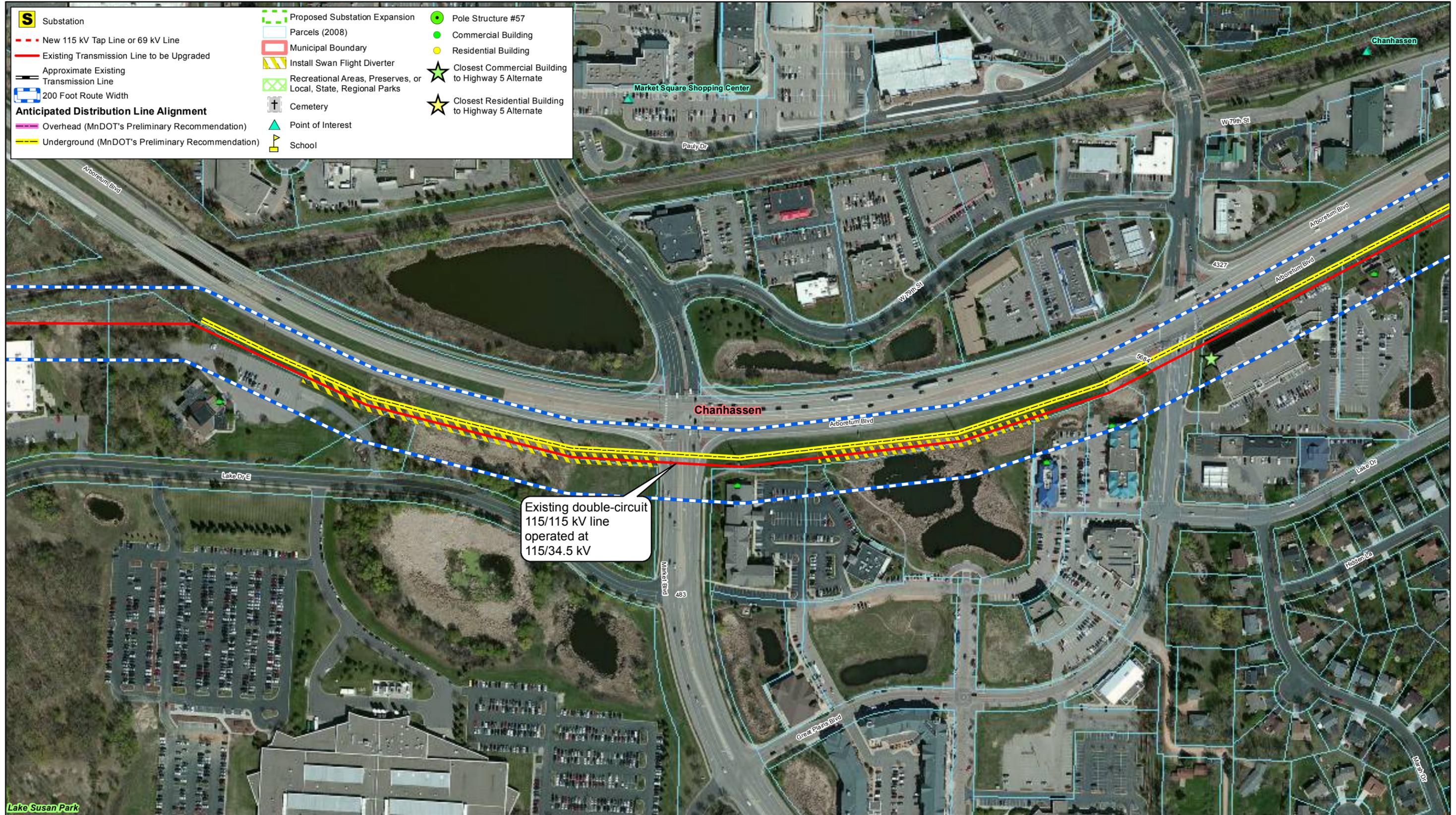
# Scott County - Westgate 115kV Upgrade

Carver, Hennepin and Scott Counties, Minnesota

Highway 5 Alternative Mapbook

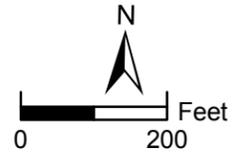
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- |  |  |   |
|--|--|---|
| <b>S</b> Substation                              | Proposed Substation Expansion                                  | Pole Structure #57                                  |
| New 115 kV Tap Line or 69 kV Line                | Parcels (2008)   | Commercial Building                                 |
| Existing Transmission Line to be Upgraded        | Municipal Boundary   | Residential Building                                |
| Approximate Existing Transmission Line           | Install Swan Flight Diverter                                   | Closest Commercial Building to Highway 5 Alternate  |
| 200 Foot Route Width                             | Recreational Areas, Preserves, or Local, State, Regional Parks | Closest Residential Building to Highway 5 Alternate |
| <b>Anticipated Distribution Line Alignment</b>   | Cemetery   |   |
| Overhead (MnDOT's Preliminary Recommendation)    | Point of Interest  |   |
| Underground (MnDOT's Preliminary Recommendation) | School   |   |



Existing double-circuit  
115/115 kV line  
operated at  
115/34.5 kV

Data Source(s): All data are approximate. MN DNR Ecological and Waters Division, NHIS (2010) - NHIS rare feature data included here were provided by the Division of Ecological Resources, MN DNR and current as of 2012. These data are not based on an exhaustive inventory of the state. The lack of data for any geographic area shall not be construed to mean that no significant features are present.; MN LMIC Imagery (2012); MN LMIC GNIS (1998); MN SHPO (2009); MN OSA (2009); NHR (2009); MNDNR CBS (2009); MNDOT (2004); USGS NHD (2008); USFWS NWI (1997); Ventyx Velocity Suite (2012); FEMA (2003); Westwood (2012); Xcel (2012); Esri (2012)



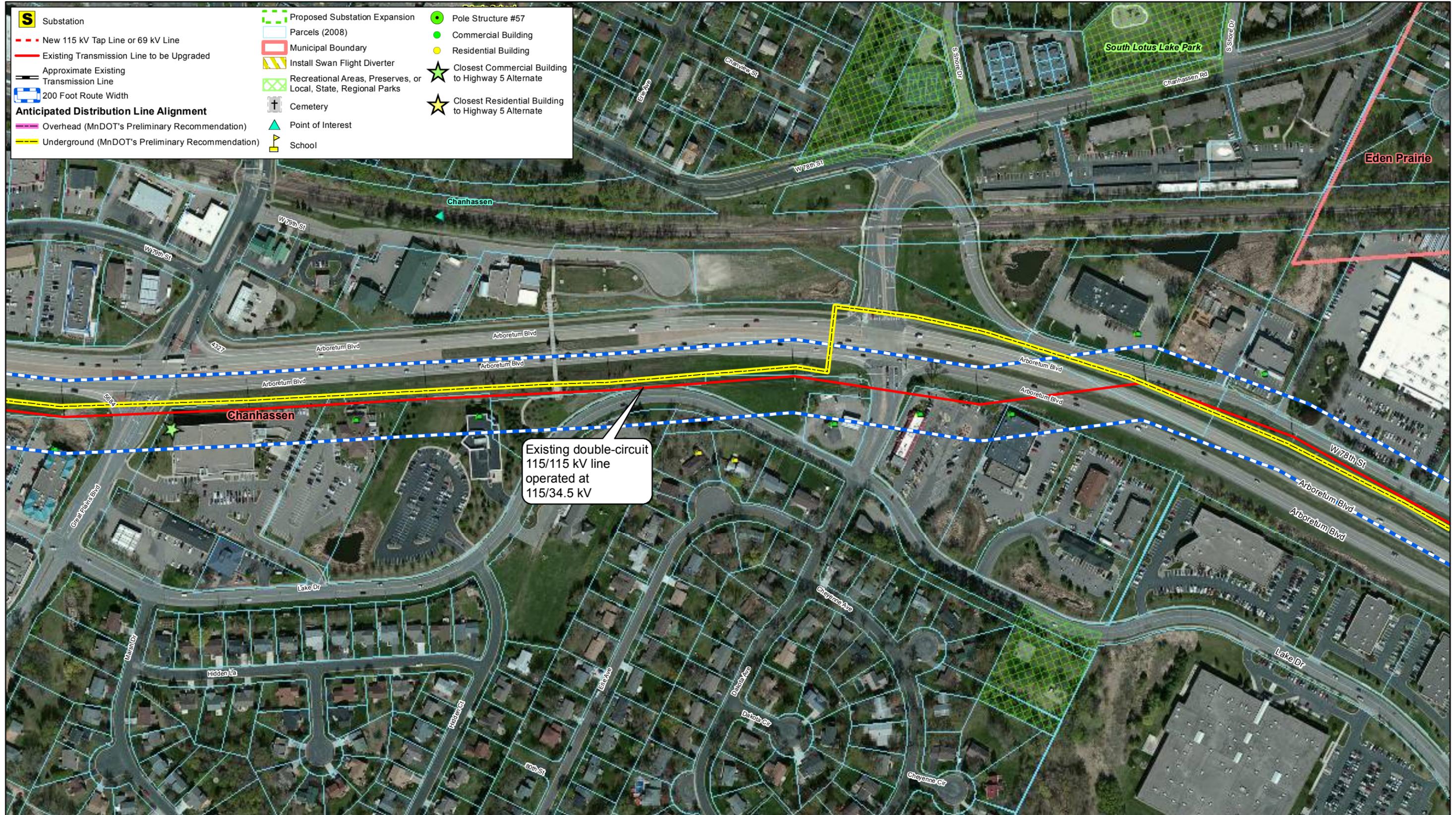
# Scott County - Westgate 115kV Upgrade

Carver, Hennepin and Scott Counties, Minnesota

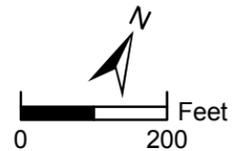
Highway 5 Alternative Mapbook

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- |  |  |   |
|--|--|---|
| <b>S</b> Substation                              | Proposed Substation Expansion                                  | Pole Structure #57                                  |
| New 115 kV Tap Line or 69 kV Line                | Parcels (2008)   | Commercial Building                                 |
| Existing Transmission Line to be Upgraded        | Municipal Boundary   | Residential Building                                |
| Approximate Existing Transmission Line           | Install Swan Flight Diverter                                   | Closest Commercial Building to Highway 5 Alternate  |
| 200 Foot Route Width                             | Recreational Areas, Preserves, or Local, State, Regional Parks | Closest Residential Building to Highway 5 Alternate |
| <b>Anticipated Distribution Line Alignment</b>   | Cemetery   |   |
| Overhead (MnDOT's Preliminary Recommendation)    | Point of Interest  |   |
| Underground (MnDOT's Preliminary Recommendation) | School   |   |



Data Source(s): All data are approximate. MN DNR Ecological and Waters Division, NHIS (2010) - NHIS rare feature data included here were provided by the Division of Ecological Resources, MN DNR and current as of 2012. These data are not based on an exhaustive inventory of the state. The lack of data for any geographic area shall not be construed to mean that no significant features are present; MN LMIC Imagery (2012); MN LMIC GNIS (1998); MN SHPO (2009); MN OSA (2009); NHR (2009); MNDNR CBS (2009); MNDOT (2004); USGS NHD (2008); USFWS NWI (1997); Ventyx Velocity Suite (2012); FEMA (2003); Westwood (2012); Xcel (2012); Esri (2012)



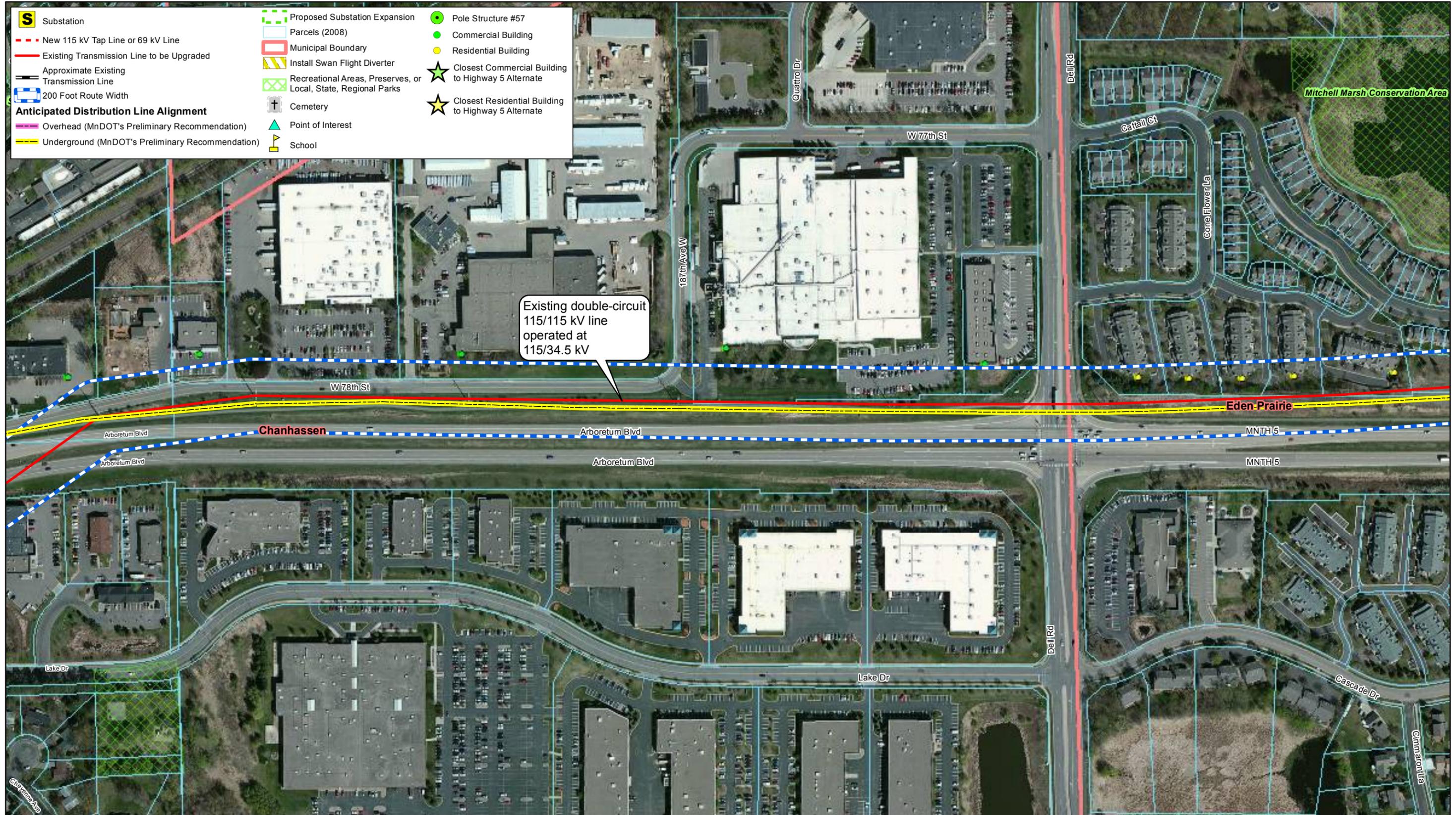
# Scott County - Westgate 115kV Upgrade

Carver, Hennepin and Scott Counties, Minnesota

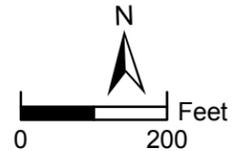
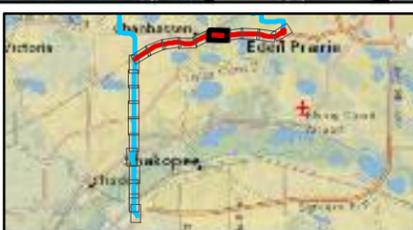
Highway 5 Alternative Mapbook

Map Document: P:\2009\07\01\GIS\Xcel\_AIR\Re\_Hwy5\_mapbook121122.mxd 11/25/2013 12:05:27 PM

- |  |  |   |
|--|--|---|
| <b>S</b> Substation                              | Proposed Substation Expansion                                  | Pole Structure #57                                  |
| New 115 kV Tap Line or 69 kV Line                | Parcels (2008)   | Commercial Building                                 |
| Existing Transmission Line to be Upgraded        | Municipal Boundary   | Residential Building                                |
| Approximate Existing Transmission Line           | Install Swan Flight Diverter                                   | Closest Commercial Building to Highway 5 Alternate  |
| 200 Foot Route Width                             | Recreational Areas, Preserves, or Local, State, Regional Parks | Closest Residential Building to Highway 5 Alternate |
| <b>Anticipated Distribution Line Alignment</b>   | Cemetery   |   |
| Overhead (MnDOT's Preliminary Recommendation)    | Point of Interest  |   |
| Underground (MnDOT's Preliminary Recommendation) | School   |   |



Data Source(s): All data are approximate. MN DNR Ecological and Waters Division, NHIS (2010) - NHIS rare feature data included here were provided by the Division of Ecological Resources, MN DNR and current as of 2012. These data are not based on an exhaustive inventory of the state. The lack of data for any geographic area shall not be construed to mean that no significant features are present; MN LMIC Imagery (2012); MN LMIC GNIS (1998); MN SHPO (2009); MN OSA (2009); NHR (2009); MNDNR CBS (2009); MNDOT (2004); USGS NHD (2008); USFWS NWI (1997); Ventyx Velocity Suite (2012); FEMA (2003); Westwood (2012); Xcel (2012)



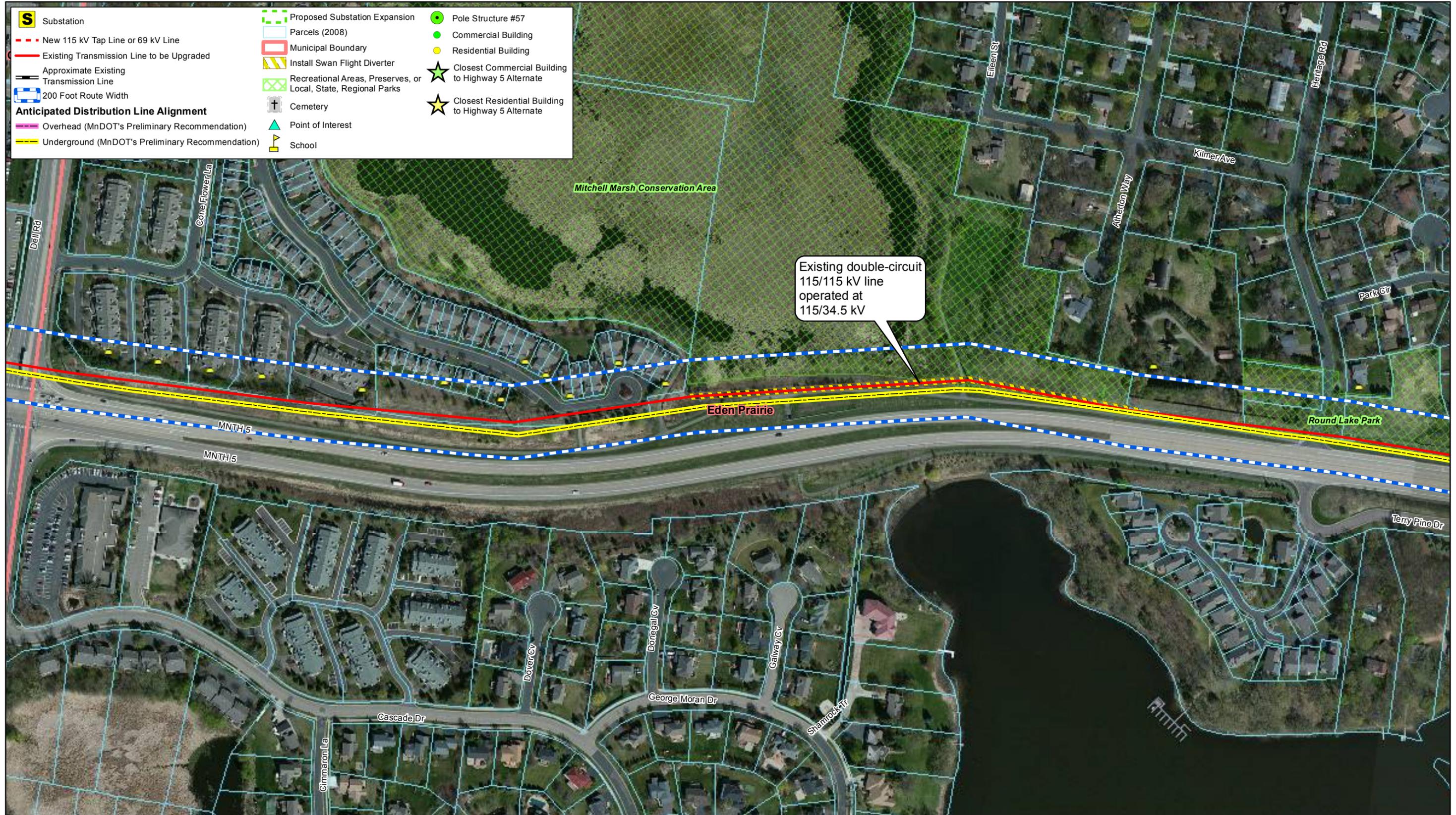
# Scott County - Westgate 115kV Upgrade

Carver, Hennepin and Scott Counties, Minnesota

Highway 5 Alternative Mapbook

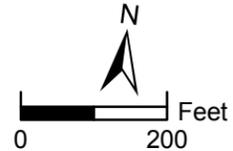
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- |  |  |   |
|--|--|---|
| <b>S</b> Substation                              | Proposed Substation Expansion                                  | Pole Structure #57                                  |
| New 115 kV Tap Line or 69 kV Line                | Parcels (2008)   | Commercial Building                                 |
| Existing Transmission Line to be Upgraded        | Municipal Boundary   | Residential Building                                |
| Approximate Existing Transmission Line           | Install Swan Flight Diverter                                   | Closest Commercial Building to Highway 5 Alternate  |
| 200 Foot Route Width                             | Recreational Areas, Preserves, or Local, State, Regional Parks | Closest Residential Building to Highway 5 Alternate |
| <b>Anticipated Distribution Line Alignment</b>   | Cemetery   |   |
| Overhead (MnDOT's Preliminary Recommendation)    | Point of Interest  |   |
| Underground (MnDOT's Preliminary Recommendation) | School   |   |



Existing double-circuit 115/115 kV line operated at 115/34.5 kV

Data Source(s): All data are approximate. MN DNR Ecological and Waters Division, NHIS (2010) - NHIS rare feature data included here were provided by the Division of Ecological Resources, MN DNR and current as of 2012. These data are not based on an exhaustive inventory of the state. The lack of data for any geographic area shall not be construed to mean that no significant features are present; MN LMIC Imagery (2012); MN LMIC GNIS (1998); MN SHPO (2009); MN OSA (2009); NHR (2009); MNDNR CBS (2009); MNDOT (2004); USGS NHD (2008); USFWS NWI (1997); Ventyx Velocity Suite (2012); FEMA (2003); Westwood (2012); Xcel (2012); Esri (2012)



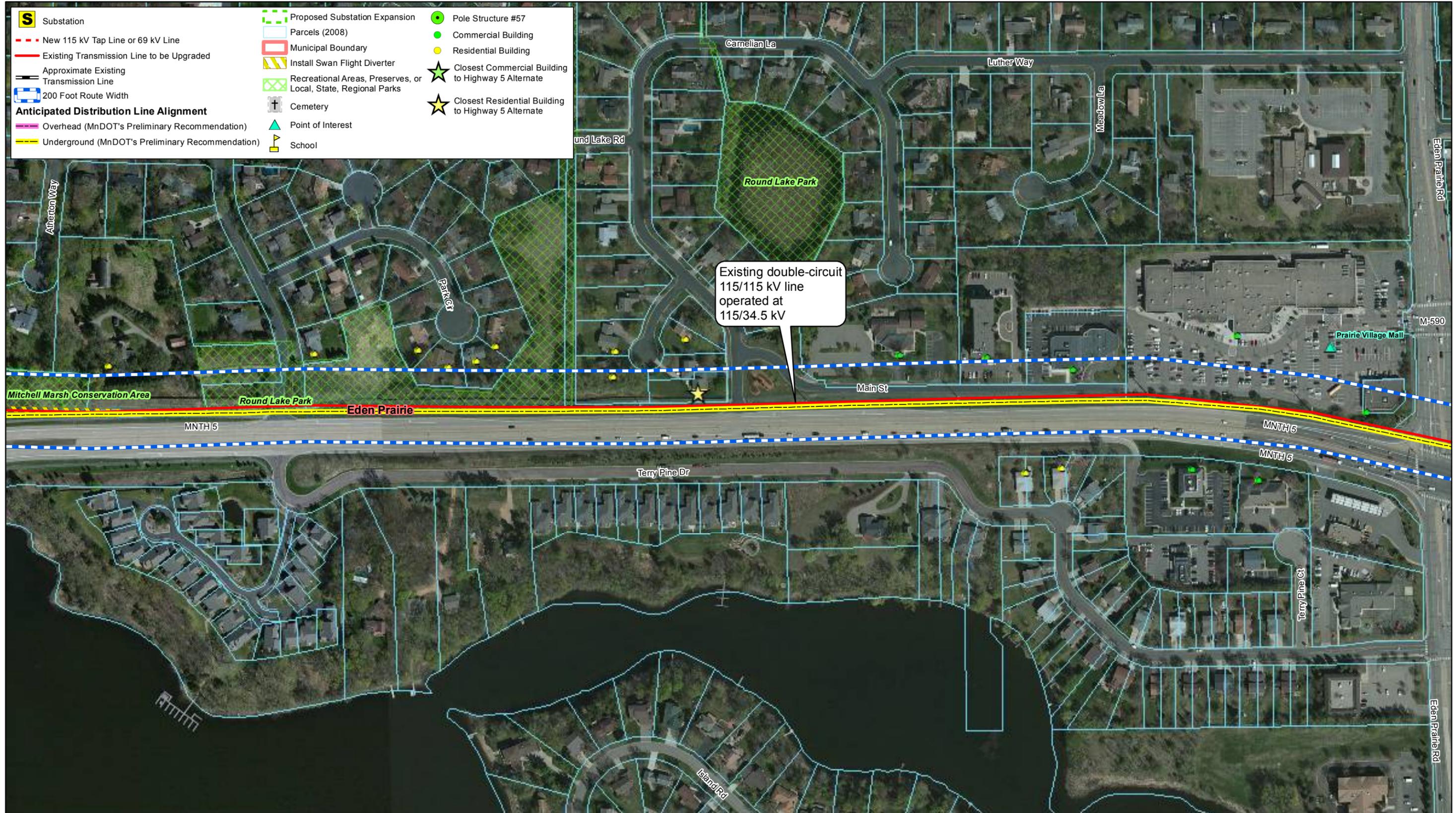
# Scott County - Westgate 115kV Upgrade

Carver, Hennepin and Scott Counties, Minnesota

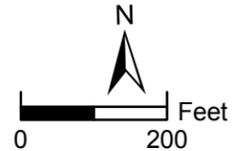
Highway 5 Alternative Mapbook

Map Document: P:\20091075\GIS\Xcel\_AIR\Hwy5\_mapbook121122.mxd 11/25/2013 12:05:50 PM

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|--|--|---|
| <b>S</b> Substation                              | Proposed Substation Expansion                                  | Pole Structure #57                                  |
| New 115 kV Tap Line or 69 kV Line                | Parcels (2008)   | Commercial Building                                 |
| Existing Transmission Line to be Upgraded        | Municipal Boundary   | Residential Building                                |
| Approximate Existing Transmission Line           | Install Swan Flight Diverter                                   | Closest Commercial Building to Highway 5 Alternate  |
| 200 Foot Route Width                             | Recreational Areas, Preserves, or Local, State, Regional Parks | Closest Residential Building to Highway 5 Alternate |
| <b>Anticipated Distribution Line Alignment</b>   | Cemetery   |   |
| Overhead (MnDOT's Preliminary Recommendation)    | Point of Interest  |   |
| Underground (MnDOT's Preliminary Recommendation) | School   |   |



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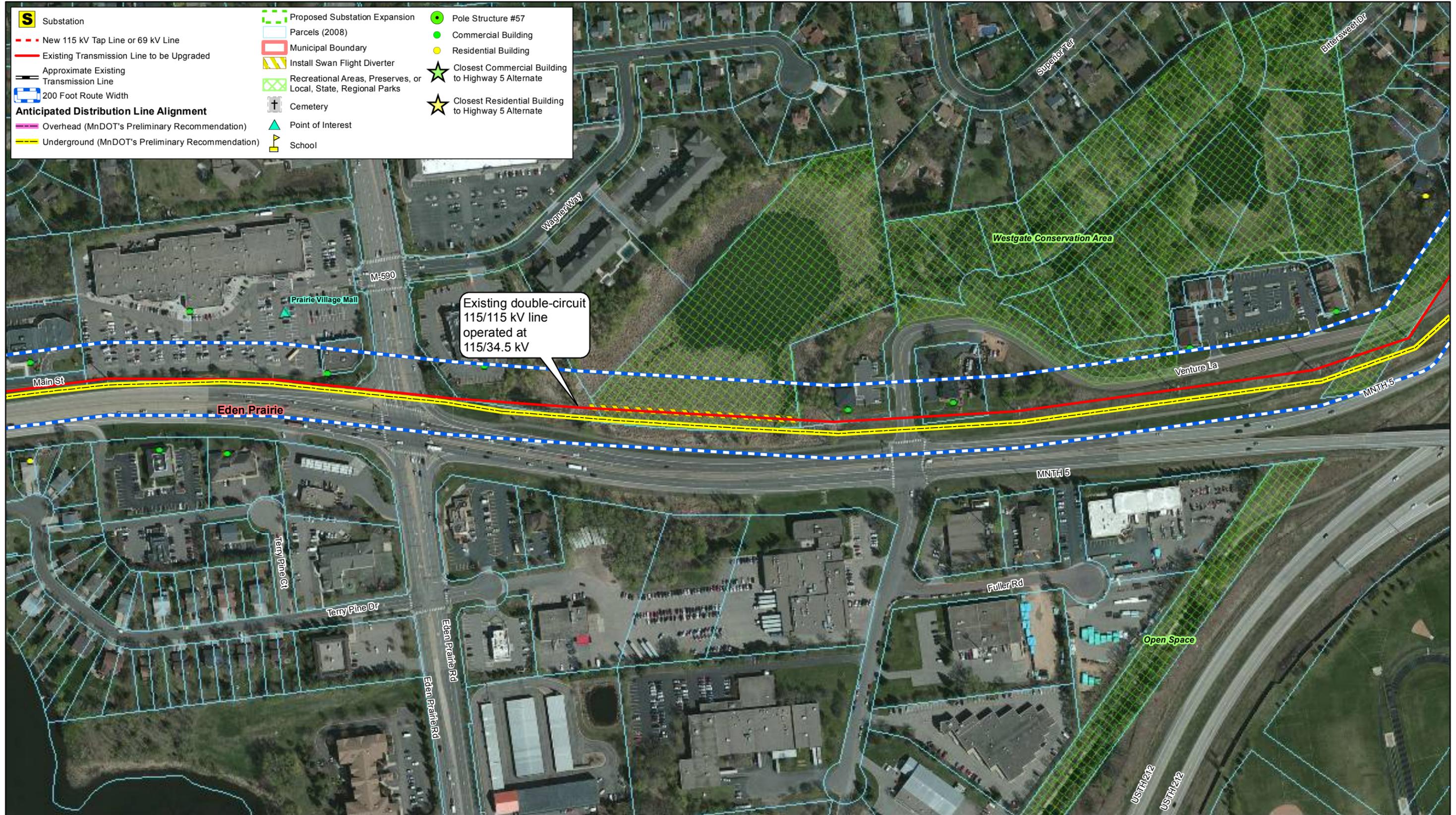
# Scott County - Westgate 115kV Upgrade

Carver, Hennepin and Scott Counties, Minnesota

Highway 5 Alternative Mapbook

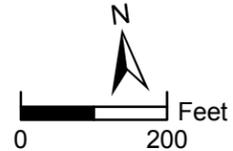
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- |  |  |   |
|--|--|---|
| <b>S</b> Substation                              | Proposed Substation Expansion                                  | Pole Structure #57                                  |
| New 115 kV Tap Line or 69 kV Line                | Parcels (2008)   | Commercial Building                                 |
| Existing Transmission Line to be Upgraded        | Municipal Boundary   | Residential Building                                |
| Approximate Existing Transmission Line           | Install Swan Flight Diverter                                   | Closest Commercial Building to Highway 5 Alternate  |
| 200 Foot Route Width                             | Recreational Areas, Preserves, or Local, State, Regional Parks | Closest Residential Building to Highway 5 Alternate |
| <b>Anticipated Distribution Line Alignment</b>   | Cemetery   |   |
| Overhead (MnDOT's Preliminary Recommendation)    | Point of Interest  |   |
| Underground (MnDOT's Preliminary Recommendation) | School   |   |



Existing double-circuit 115/115 kV line operated at 115/34.5 kV

Data Source(s): All data are approximate. MN DNR Ecological and Waters Division, NHIS (2010) - NHIS rare feature data included here were provided by the Division of Ecological Resources, MN DNR and current as of 2012. These data are not based on an exhaustive inventory of the state. The lack of data for any geographic area shall not be construed to mean that no significant features are present; MN LMIC Imagery (2012); MN LMIC GNIS (1998); MN SHPO (2009); MN OSA (2009); NHR (2009); MNDNR CBS (2009); MNDOT (2004); USGS NHD (2008); USFWS NWI (1997); Ventyx Velocity Suite (2012); FEMA (2003); Westwood (2012); Xcel (2012); Esri (2012)



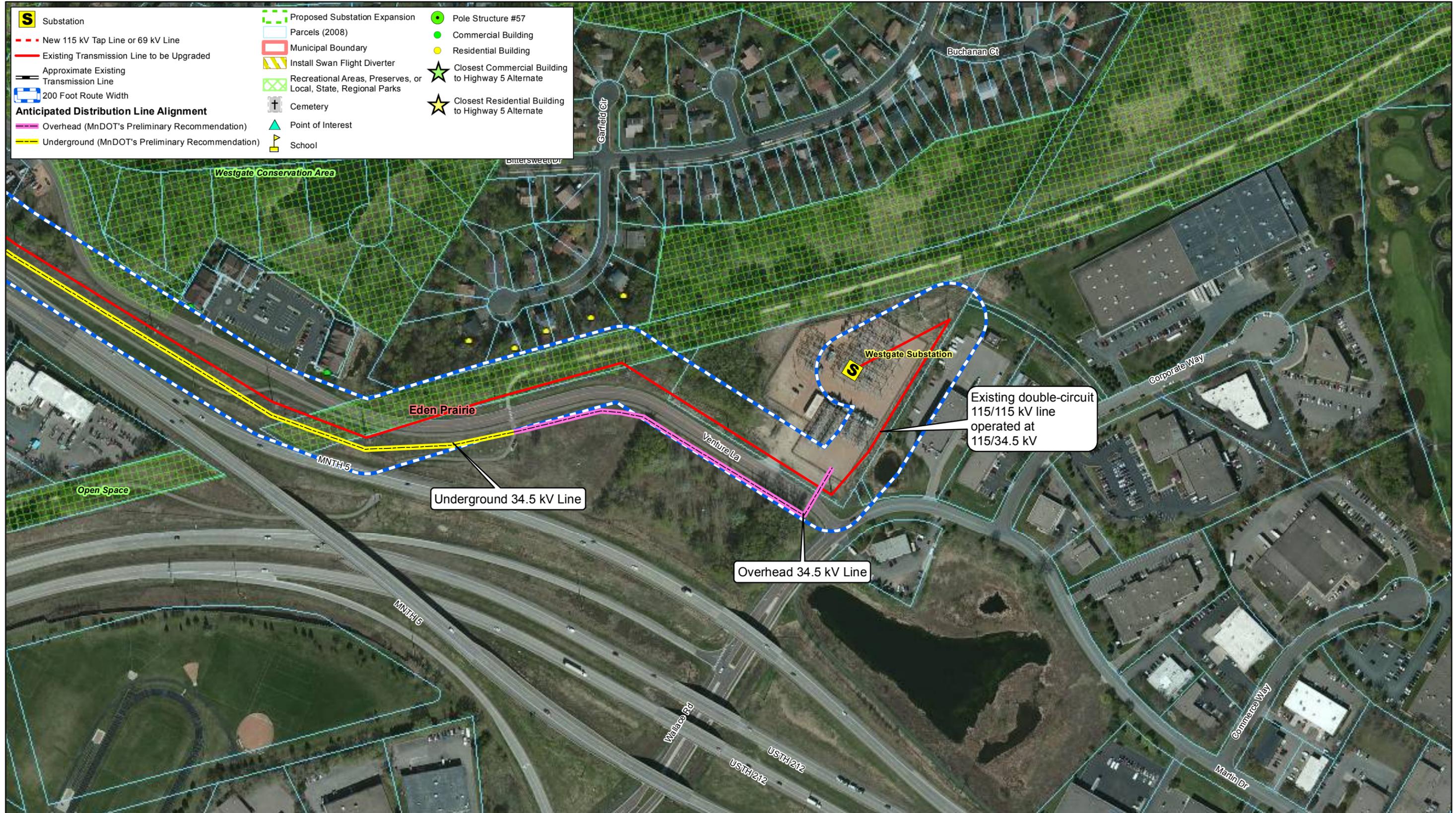
# Scott County - Westgate 115kV Upgrade

Carver, Hennepin and Scott Counties, Minnesota

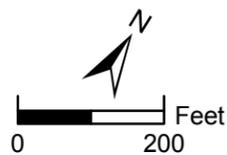
Highway 5 Alternative Mapbook

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- |  |  |   |
|--|--|---|
| <b>S</b> Substation                              | Proposed Substation Expansion                                  | Pole Structure #57                                  |
| New 115 kV Tap Line or 69 kV Line                | Parcels (2008)   | Commercial Building                                 |
| Existing Transmission Line to be Upgraded        | Municipal Boundary   | Residential Building                                |
| Approximate Existing Transmission Line           | Install Swan Flight Diverter                                   | Closest Commercial Building to Highway 5 Alternate  |
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| Overhead (MnDOT's Preliminary Recommendation)    | Point of Interest  |   |
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# Scott County - Westgate 115kV Upgrade

Carver, Hennepin and Scott Counties, Minnesota

Highway 5 Alternative Mapbook

**MINNESOTA PUBLIC UTILITIES COMMISSION  
COMPLAINT HANDLING PROCEDURES FOR  
HIGH-VOLTAGE TRANSMISSION LINES**

**A. Purpose**

To establish a uniform and timely method of reporting complaints received by the permittee concerning permit conditions for site preparation, construction, cleanup and restoration, operation, and resolution of such complaints.

**B. Scope**

This document describes complaint reporting procedures and frequency.

**C. Applicability**

The procedures shall be used for all complaints received by the permittee and all complaints received by the Minnesota Public Utilities Commission (Commission) under Minn. R. 7829.1500 or Minn. R. 7829.1700 relevant to this permit.

**D. Definitions**

**Complaint:** A verbal or written statement presented to the permittees by a person expressing dissatisfaction or concern regarding site preparation, cleanup or restoration or other route and associated facilities permit conditions. Complaints do not include requests, inquiries, questions or general comments.

**Substantial Complaint:** A written complaint alleging a violation of a specific permit condition that, if substantiated, could result in permit modification or suspension pursuant to the applicable regulations.

**Unresolved Complaint:** A complaint which, despite the good faith efforts of the permittee and a person, remains to both or one of the parties unresolved or unsatisfactorily resolved.

**Person:** An individual, partnership, joint venture, private or public corporation, association, firm, public service company, cooperative, political subdivision, municipal corporation, government agency, public utility district, or any other entity, public or private, however organized.

## **E. Complaint Documentation and Processing**

1. The permittee shall designate an individual to summarize complaints for the Commission. This person's name, phone number and email address shall accompany all complaint submittals.
2. A person presenting the complaint should to the extent possible, include the following information in their communications:
  - a. name, address, phone number, and email address;
  - b. date of complaint;
  - c. tract or parcel number; and
  - d. whether the complaint relates to a permit matter or a compliance issue.
3. The permittee shall document all complaints by maintaining a record of all applicable information concerning the complaint, including the following:
  - a. docket number and project name;
  - b. name of complainant, address, phone number and email address;
  - c. precise description of property or parcel number;
  - d. name of permittee representative receiving complaint and date of receipt;
  - e. nature of complaint and the applicable permit condition(s);
  - f. activities undertaken to resolve the complaint; and
  - g. final disposition of the complaint.

## **F. Reporting Requirements**

The permittee shall commence complaint reporting at the beginning of project construction and continue through the term of the permit. The permittee shall report all complaints to the Commission according to the following schedule:

**Immediate Reports:** All substantial complaints shall be reported to the Commission the same day received, or on the following working day for complaints received after working hours. Such reports are to be directed to the Commission's Consumer Affairs Office at 1-800-657-3782 (voice messages are acceptable) or [consumer.puc@state.mn.us](mailto:consumer.puc@state.mn.us). For e-mail reporting, the email subject line should read "PUC EFP Complaint" and include the appropriate project docket number.

**Monthly Reports:** By the 15th of each month, a summary of all complaints, including substantial complaints received or resolved during the preceding month, shall be filed to Dr. Burl W. Haar, Executive Secretary, Public Utilities Commission, using the eDockets system. The eDockets system is located at: <https://www.edockets.state.mn.us/EFiling/home.jsp>

If no complaints were received during the preceding month, the permittee shall file a summary indicating that no complaints were received.

**G. Complaints Received by the Commission**

Complaints received directly by the Commission from aggrieved persons regarding site preparation, construction, cleanup, restoration, operation and maintenance shall be promptly sent to the permittee.

**H. Commission Process for Unresolved Complaints**

Commission staff shall perform an initial evaluation of unresolved complaints submitted to the Commission. Complaints raising substantial permit issues shall be processed and resolved by the Commission. Staff shall notify the permittee and appropriate persons if it determines that the complaint is a substantial complaint. With respect to such complaints, each party shall submit a written summary of its position to the Commission no later than ten (10) days after receipt of the staff notification. The complaint will be presented to the Commission for a decision as soon as practicable.

**I. Permittee Contacts for Complaints and Complaint Reporting**

Complaints may be filed by mail or email to:

Xcel Energy  
Chris Rogers, Principal Siting and Land Rights Agent  
414 Nicollet Mall, MP-7B  
Minneapolis, MN 55401  
(612) 330-6078  
[christopher.c.rogers@xcelenergy.com](mailto:christopher.c.rogers@xcelenergy.com)

This information shall be maintained current by informing the Commission of any changes by eFiling, as they become effective.

**MINNESOTA PUBLIC UTILITIES COMMISSION  
COMPLIANCE FILING PROCEDURE FOR  
PERMITTED ENERGY FACILITIES**

**A. Purpose**

To establish a uniform and timely method of submitting information required by the Commission energy facility permits.

**B. Scope and Applicability**

This procedure encompasses all compliance filings required by permit.

**C. Definitions**

**Compliance Filing:** A filing of information to the Commission, where the information is required by a Commission site or route permit.

**D. Responsibilities**

1. The permittee shall eFile all compliance filings with Dr. Burl W. Haar, Executive Secretary, Public Utilities Commission, through the eDockets system. The eDockets system is located at: <https://www.edockets.state.mn.us/EFiling/home.jsp>

General instructions are provided on the eDockets website. Permittees must register on the website to eFile documents.

2. All filings must have a cover sheet that includes:
  - a. Date
  - b. Name of submitter/permittee
  - c. Type of permit (site or route)
  - d. Project location
  - e. Project docket number
  - f. Permit section under which the filing is made
  - g. Short description of the filing

3. Filings that are graphic intensive (e.g., maps, engineered drawings) must, in addition to being eFiled, be submitted as paper copies and on CD. Paper copies and CDs should be sent to: 1) Dr. Burl W. Haar, Executive Secretary, Minnesota Public Utilities Commission, 121 7th Place East, Suite 350, St. Paul, MN 55101-2147, and 2) Department of Commerce, Energy Environmental Review and Analysis, 85 7th Place East, Suite 500, St. Paul, MN 55101-2198.

The Commission may request a paper copy of any eFiled document.

**PERMIT COMPLIANCE FILINGS<sup>1</sup>**

PERMITTEE:

PERMIT TYPE:

PROJECT LOCATION:

PUC DOCKET NUMBER:

Filing Number	Permit Section	Description of Compliance Filing	Due Date

---

<sup>1</sup> This compilation of permit compliance filings is provided for the convenience of the permittee and the Commission. It is not a substitute for the permit; the language of the permit controls.