



## STATE OF MINNESOTA PUBLIC UTILITIES COMMISSION

DATE: June 6, 2012

TO: Service List

FROM: Burl W. Haar, Executive Secretary

DOCKET: E-6472/GS-06-668

SUBJECT: In the Matter of Joint LEPGP Site Permit, HVTL Route Permit & Pipeline (Partial Exemption) Route Permit Application for the Mesaba Energy Project

RE: **NOTICE OF COMMENT PERIODS**

**Take Note** that on May 21, 2012, Excelsior Energy filed a letter with the Commission requesting confirmation that the Site and Route Permits, issued on March 12, 2010 for the Mesaba Energy Project, are valid for the natural gas-fired generation facility now proposed at the same site. Excelsior also requested confirmation that no additional environmental review is required under state law. The statutory provision under which Excelsior is requesting the Commission certify its previous decisions are, reads as follows:

**Staging and permitting.** (a) A natural gas-fired plant that is located on one site designated as an innovative energy project site under subdivision 1, clause (3), is accorded the regulatory incentives granted to an innovative energy project under subdivision 2, clauses (1) to (3), and may exercise the authorities therein.

(b) Following issuance of a final state or federal environmental impact statement for an innovative energy project that was a subject of contested case proceedings before an administrative law judge:

(1) site and route permits and water appropriation approvals for an innovative energy project must also be deemed valid for a plant meeting the requirements of paragraph (a) and shall remain valid until the earlier of (i) four years from the date the final required state or federal preconstruction permit is issued or (ii) June 30, 2019; and

(2) no air, water, or other permit issued by a state agency that is necessary for constructing an innovative energy project may be the subject of contested case hearings, notwithstanding Minn. Rules, parts 7000.1750 to 7000.2200. (*Minn. Stat. § 216B.1694, Subd. 3*)

The Commission will accept comments on the Excelsior request through **Friday, June 29, 2012** and replies through **Friday, July 13, 2012**. Comments should be *filed electronically* via eDockets at <https://www.edockets.state.mn.us/EFiling> and be addressed to Burl Haar, Executive Secretary, Minnesota Public Utilities Commission, 121 7th Place East, Suite 350, St. Paul, MN 55101-2147.

Questions regarding this matter may be directed to Commission staff person Bret Eknes at (651) 201-2236 or e-mail at [bret.eknes@state.mn.us](mailto:bret.eknes@state.mn.us).

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