

# MINNESOTA DEPARTMENT OF COMMERCE

## NOTICE OF PUBLIC HEARING AND AVAILABILITY OF THE

### ENVIRONMENTAL ASSESSMENT

## TOWER HVTL PROJECT

### PROPOSED BY

### MINNESOTA POWER & GREAT RIVER ENERGY

**St. Louis County, Minnesota**

**PUC Docket No. ET2, E015/TL-06-1624**

**PLEASE TAKE NOTICE** that the Minnesota Department of Commerce (DOC) Energy Facility Permitting staff will hold a Public Hearing on the HVTL Route permit application submitted to the Minnesota Public Utilities Commission (PUC) by Minnesota Power and Great River Energy concerning the proposed Tower HVTL Project.

**Tuesday, May 22, 2007  
Embarrass Town Hall  
7503 Levander Road  
Embarrass, Minnesota**

The hearing will convene at 7:00 p.m. The Honorable Richard Luis, an Administrative Law Judge (ALJ) with the Office of Administrative Hearings will preside as the hearing examiner.

**Description of Project.** The facility (i.e., Tower Transmission Project) for which the permit is requested is approximately 15 miles of new transmission lines, a new Embarrass switching station, and a new Tower substation located in St. Louis County in northeastern Minnesota.

**Statutory Authority.** Under the Power Plant Siting Act (Minnesota Statutes, Sections 216E.01-.216E.18) a route permit from the PUC is required to construct a high voltage transmission line (HVTL). A HVTL is a conductor of electric energy and associated facilities designed for and capable of operating at a nominal voltage of 100 kilovolts or more. The adopted rules for the administration of power plant site permits are contained in Minnesota Rules Chapter 4400. The rules establish the requirements for submitting and processing a permit application.

The application is being reviewed under the Alternative Review Process (Minnesota Rules 4400.2010 and Minnesota Statutes 216E.01 to 216E.18). Under the Alternative Review Process, an applicant is not required to propose any alternative sites or routes. The Department of Commerce Energy Facility Permitting (EFP) staff prepares a document called an Environmental Assessment, and a public hearing is required but it need not be a contested case hearing. The PUC has six months to reach a decision under the Alternative Process from the time the application is accepted.

The official process begins with the determination by the PUC that the application is substantially complete. The PUC accepted the application on January 11, 2007; the final route permit decision must be made by July 12, 2007.

**Environmental Assessment.** As part of the permitting process, the DOC/EFP staff prepared an Environmental Assessment (EA) on the project. On February 13, 2007, DOC/EFP staff held the initial public information/scoping meeting in Embarrass. The purpose of the public meeting was to provide the public with information about the project, afford the public an opportunity to ask questions and present comments, and to solicit input on the content of the EA. The Environmental Assessment was completed by DOC/EFP staff on April 20, 2007, and is available on the PUC webpage cited at the end of this notice.

**Hearing Examiner.** ALJ Judge Richard Luis will preside at the hearing as the hearing examiner. The hearing examiner's role is to conduct the hearing and compile a record for the PUC to consider in reaching a final decision on the permit. Additionally, the DOC/EFP staff has requested that the ALJ write a report and make a recommendation to the DOC on the selection of a HVTL route, the granting of the route permit and on any appropriate permit conditions for the DOC's use in preparing its comments and recommendations to the PUC. Judge Luis's address is Office of Administrative Hearings, 100 Washington Square, Suite 1700, 100 Washington Avenue South, Minneapolis, Minnesota 55401, phone number (612) 349-2542, Richard.Luis@state.mn.us.

**DOC/EFP Project Manager.** Bill Storm of the DOC/EFP staff is the project manager. Mr. Storm can be reached at the DOC offices in St. Paul, tel: (651) 296-9535, fax: (651) 297-7891, e-mail: [bill.storm@state.mn.us](mailto:bill.storm@state.mn.us).

**Public Advisor.** The public advisor for this project is Deborah Pile of the DOC/EFP staff. Ms. Pile can be reached at the DOC offices in St. Paul, tel. (651) 297-2375, e-mail: [deborah.pile@state.mn.us](mailto:deborah.pile@state.mn.us). Ms. Pile can be contacted with questions about the procedure being followed in this matter.

**Hearing Procedure.** This proceeding is being conducted under the alternative review procedures of Minnesota Statute 216E.04 and Minnesota Rules parts 4400.2000 to 4400.2900. This public hearing is less formal than the contested case hearings. By way of example, the procedures to be followed here do not require formal intervention by parties, or a prehearing conference, or pre-filing of written testimony, or cross-examination of witnesses.

The purpose of the public hearing is to compile the record for the PUC to consider in making a final decision on the permit request. The DOC/EFP staff will attend the hearing and make a brief presentation about the project and introduce into the record a number of documents relating to the project, including the application, the Environmental Assessment, and certain procedural documents. Representatives of the applicant (Minnesota Power and Great River Energy) will be present to offer evidence and to answer questions. Members of the public will have an opportunity to ask questions of DOC/EFP staff and applicant representatives, to make statements, and to offer written comments and material into the record.

The record will remain open until Monday, June 4, 2007, at 4:00 p.m. to provide interested persons an opportunity to submit written comments to the hearing examiner. Upon closure of the public comment period, the hearing examiner will assemble the record, along with a report and recommendations, and transmit it to the DOC project manager. The docket is tentatively scheduled to come before the PUC for a final decision during its regularly scheduled meeting on Thursday, July 12, 2007.

**Project Information.** Additional information on this project, including the application and the environmental assessment, are available on the PUC's web page at:

<http://energyfacilities.puc.state.mn.us/Docket.html?Id=18926>