

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

FOR THE MINNESOTA PUBLIC UTILITIES COMMISSION

In the Matter of the Application of
Great River Energy for a Site Permit
for the Elk River Peaking Station

**FINDINGS OF FACT,
CONCLUSIONS AND
RECOMMENDATION**

The above-entitled matter came on for hearing before Administrative Law Judge Richard C. Luis on January 8, 2008, in the Large Hearing Room of the Minnesota Public Utilities Commission ("Commission") in St. Paul, Minnesota.

Michael Bradley, Moss & Barnett, appeared for and on behalf of Applicant Great River Energy (GRE).

Karen Hammel, Assistant Attorney General, appeared on behalf of the Department of Commerce (Department).

Bill Storm, Planning Director for the Department, appeared for the purpose of presenting evidence concerning GRE's site permit application.

Robert Cupit and David L. Jacobson, Analysts for the Commission, appeared on behalf of the staff of the Commission.

NOTICE

Notice is hereby given that, pursuant to Minn. Stat. § 14.61 and the Rules of Practice of the Commission and the Office of Administrative Hearings, exceptions to this Report, if any, by any party adversely affected, must be filed within 15 days of the mailing date hereof with the Executive Secretary, Minnesota Public Utilities Commission, 121 Seventh Place East, Suite 350, St. Paul, Minnesota 55101. Exceptions must be specific, and must be stated and numbered separately. Proposed Findings of Fact, Conclusions and Order should be included, and copies thereof must be served upon all parties. Replies to exceptions are not permitted. Oral argument before a majority of the Commission will be permitted to all parties requesting such argument who are adversely affected by the Administrative Law Judge's recommendation. Such request must accompany the filed exceptions, and an original and 15 copies of each document must be filed with the Commission.

The Commission will make the final determination of the matter after the expiration of the above-set forth period for filing exceptions, or after oral argument, if such is requested and had in the matter.

Further notice is hereby given that the Commission may, at its own discretion, accept or reject the Administrative Law Judge's recommendation and that said recommendation has no legal effect unless expressly adopted by the Commission as its final order.

STATEMENT OF ISSUES

1. Should the Commission grant a Site Permit for the 175 megawatt simple-cycle combustion turbine plant GRE proposes to build in Elk River, Minnesota?
2. Should the Commission approve the location of the proposed plant at GRE's campus situated in Elk River, Minnesota?
3. Should the Commission approve GRE's alternative site location in Rosemount, Minnesota?

The Administrative Law Judge concludes that the Commission should issue the Site Permit as requested by GRE, at Elk River, Minnesota.

Based upon all of the proceedings herein, the Administrative Law Judge makes the following:

FINDINGS OF FACT

Procedural History

1. GRE is a Minnesota generation and transmission cooperative, which provides electric energy and related services to its 28 member cooperatives, which in turn supply electricity and related services to over 620,000 residential, commercial and industrial customers in Minnesota and Wisconsin. The population served in GRE members' areas is approximately 1.5 million people.¹
2. On May 18, 2007, GRE filed a Certificate of Need Application (CON) with the Commission. Because the proposed plant would be fueled by natural gas, the project qualifies for alternative review under Minn. Stat. § 116C.575, subd. 2.
3. On June 14, 2007, GRE applied for a site permit to be used for adding a simple-cycle combustion turbine plant to be built at the site of GRE's existing Elk River Station, located in the City of Elk River, Sherburne County, Minnesota. The nominal summer capacity of the Project would be 175 megawatts (MW). GRE has proposed the Project to assure generating capacity in 2009 and beyond to reliably meet its forecasted customer demand for electricity.²

¹ Exhibit 1, Application for a Site Permit, section 1.2 (<https://www.edockets.state.mn.us/EFiling/ShowFile.do?DocNumber=4385377>).

² Ex. 1, Application for a Site Permit, Introduction and section 1.1.

4. The Department issued a Notice of Public Meeting on July 12, 2007, to provide information to the public regarding both the CON Application and the Site Permit Application, to afford the public an opportunity to ask questions and present comments, and to solicit input on the scope of the Environmental Impact Statement (EIS). The Department published a notice of the filing of the application, a description of the proposed project, directions for obtaining a copy of the application, and a notice of the public meeting to be conducted on July 12, 2007. in the *Star Tribune*,³ The public meetings were held as provided for in the Notice, on July 31, 2007, at the Elk River City Hall, 13065 Orono Parkway NW, Elk River, Minnesota at 7:00 p.m.; and on August 1, 2007, at the Rosemount City Hall, 2875 - 145th Street West, Rosemount, Minnesota at 7:00 p.m.⁴

5. The proposed facility is a large energy facility within the meaning of Minn. Stat. § 216B.2421, subd. 2(1).

6. On August 1, 2007, the Commission ordered that the CON be considered under the alternative review process. The only portion of the CON process referred to the Office of Administrative Hearings (OAH) was for the convening of a public hearing and collection of public comment. The Commission ordered that the remaining CON process be conducted using the Commission's notice and comment process.⁵

7. On the same date the Commission ordered that site permit application be referred to OAH for contested case proceedings. Both the applications were found to be complete as of August 1, 2007. Only GRE was named as a party to the proceeding at the time of referral.⁶

8. On November 26, 2007, the Department issued a Notice of Public Meeting in this matter. The purposes of the public meeting were to compile the record for the Commission to consider in making a final decision on the CON Application and the Site Permit Application, and to receive public comment on the Draft EIS.⁷ The Notice was published in the *Star Tribune* on November 29, 2007.⁸ The Notice was published in the *EQB Monitor* on December 3, 2007.⁹ The Notice was published in the *Elk River Star News* on December 5, 2007 and the *Rosemount Town Pages* on December 7, 2007.¹⁰ Residents near both the preferred and alternative sites and the potentially affected local

³ Ex. 5 (<https://www.edockets.state.mn.us/EFiling/ShowFile.do?DocNumber=4897672>).

⁴ Ex. 4 (<https://www.edockets.state.mn.us/EFiling/ShowFile.do?DocNumber=4730464>).

⁵ *ITMO the Application of Great River Energy for a Certificate of Need for the Elk River Peaking Station*, PUC Docket No. ET-2/CN-07-678 (Order Accepting Filing as Substantially Complete and Adopting Review Process issued August 1, 2007) (<https://www.edockets.state.mn.us/EFiling/ShowFile.do?DocNumber=4740060>).

⁶ *ITMO the Application of Great River Energy for a Certificate of Need for the Elk River Peaking Station*, PUC Docket No. ET-2/GS-07-715 (Order Accepting Application, Initiating Full Review, Referring to Office of Administrative Hearings and Notice of Hearing issued August 1, 2007) (<https://www.edockets.state.mn.us/EFiling/ShowFile.do?DocNumber=4740061>).

⁷ Ex. 13 (<https://www.edockets.state.mn.us/EFiling/ShowFile.do?DocNumber=4846690>).

⁸ Ex. 15 (<https://www.edockets.state.mn.us/EFiling/ShowFile.do?DocNumber=4897708>).

⁹ Ex. 14 (<https://www.edockets.state.mn.us/EFiling/ShowFile.do?DocNumber=4897696>).

¹⁰ Ex. 15.

units of government were notified by letter. GRE also posted the notice of the meeting dates and other information on the Project on its company website.¹¹

9. The public meetings were held as provided for in the Notice, on December 19, 2007, at Rosemount City Hall at 7:00 p.m; and December 20, 2007, at the Elk River City Hall, at 7:00 p.m. A total of approximately eight members of the public attended the two meetings.

Description of the Plant and Associated Facilities

10. GRE's preferred site for the Project is adjacent to the existing Elk River Station in the City of Elk River, Sherburne County.¹² GRE identified an alternative site for the Project on its property in the City of Rosemount, Dakota County.¹³

11. The equipment required for the Project includes:

- a simple cycle combustion turbine ("CT") using "F" class technology, such as a Siemens Model 5000F, with a nominal summer capacity of approximately 175 MW under Midwest Area Power Pool ("MAPP") summertime peaking conditions while operating with natural gas, and a nominal winter capacity of approximately 211 MW operating with distillate fuel oil;
- a generator step-up transformer;
- less than 500 feet of transmission line from the transformers to the existing substation at the Elk River site, and in the alternative, less than 1,000 feet of transmission line from a new switchyard to the existing transmission line at the Rosemount site;
- a new lateral natural gas pipeline, town-border-station and meter;
- an evaporative cooler; and
- an exhaust stack with silencer.¹⁴

12. The Elk River site has two existing 230-kV outlets, seven existing 69-kV lines, and an existing 33 MW Refuse-Derived Fuel (RDF) combustion generation plant. GRE noted that upgrades to this site's substation and one of its 69-kV transmission lines will be required for the Project. The Project does not require a change in operating voltage or making any significant realignment of the 69-kV line.¹⁵

¹¹ *Id.*

¹² Ex. 1, Application for a Site Permit, sections 2.1, and 2.2.

¹³ *Id.* Section 2.3.

¹⁴ Ex. 1, Application for a Site Permit, section 3.1.1, and Figure 3-1; Ex. 11, Draft EIS, section 1.3 (<https://www.edockets.state.mn.us/EFiling/ShowFile.do?DocNumber=4897680>).

¹⁵ Ex. 1, Application for a Site Permit, section 3.1.2.

13. Midwest Independent Transmission System Operator ("MISO") studies indicate that upgrades to sections of the 69-kV line will be needed to accommodate the interconnection of the Project. Using the Elk River site will require upgrading approximately 5.41 miles of 69-kV transmission line in Sherburne and Anoka counties. The transmission line rebuilds may involve changing to taller poles (from approximately 40-55 feet to 60-65 feet above ground) and upgrading wire size. The upgrade will also entail improvements to a 0.19 mile section of 69-kV line at the existing substation at County Road 78 (Hanson Boulevard) and Bunker Lake Boulevard. GRE proposed to finalize the details of such changes when the interconnection studies are complete and MISO makes its final interconnection recommendation.¹⁶

14. In the event that the alternative Rosemount site is used, GRE would construct a switchyard adjacent to the plant to convert the electricity voltage to 345 kV in order to utilize the existing 345-kV transmission line that crosses the site. No additional transmission system modifications would be necessary.¹⁷

15. The Project will use natural gas as its primary fuel, with ultra-low sulfur distillate fuel oil as a back up fuel.¹⁸ At either site, natural gas will be delivered to the Project via the Northern Natural Gas ("NNG") system. NNG will construct and own a new one-half mile, 12-inch lateral pipeline branching from its existing 16-inch pipeline located northeast of the Elk River site. A similar lateral will be needed if the Rosemount site is selected. GRE will own the short segment of the interconnection that extends from the town-border station to the combustion turbine. A town border station will be constructed at the site with a gas meter.¹⁹

16. At the Elk River site, NNG can supply the Project with natural gas from April to November. In the remaining months, NNG does not have natural gas available, due to high local heating load requirements. For that reason, the back up fuel oil will be used during the winter. At the Rosemount site, NNG has indicated that natural gas supplies should be available year-round. At the Rosemount site, back up fuel would only be used if an interruption in service occurred or if fuel costs rose.²⁰

17. The back up fuel oil will be offloaded from tanker trucks to an onsite above-ground storage tank. At the Elk River site, an existing 846,000 gallon tank would be used. GRE would limit the amount of fuel oil stored in the tank to approximately 600,000 gallons to ensure that the volume of oil and oil products stored at the Elk River site remains below 1,000,000 gallons. The tank will be equipped with secondary containment structures according to State and Federal regulations. The Spill

¹⁶ Ex. 1, Application for a Site Permit, section 3.1.2; Ex. 11, Draft EIS, section 1.4.

¹⁷ *Id.*

¹⁸ Ex. 1, Application for a Site Permit, sections 3.1.3; Ex. 11, Draft EIS, section 1.5.

¹⁹ Ex. 1, Application for a Site Permit, sections 1.4.7, 3.1.3 and Figures 3-4 and 3-5; Ex. 11, Draft EIS, section 1.5 and Figures 1-9 and 1-10.

²⁰ Ex. 1, Application for a Site Permit, sections 3.1.3; Ex. 11, Draft EIS, section 1.5.

Prevention Control and Countermeasures plan for the Elk River campus will be updated to account for the new fuel storage.²¹

18. Water at the Elk River site will be supplied by Elk River Municipal Utilities ("ERMU"), which operates 7 wells with a combined capacity of approximately 6,800 gallons per minute ("gpm"). Water at the Rosemount site would be supplied by a newly constructed well. The Project requires demineralized water for cooling and pollution control technologies. The demineralization process takes place over a 24-hour period and the water is stored in an above-ground storage tank. Peak water usage reaches a rate of 600 gpm for this process.²²

19. At the Elk River site, an existing 846,000 gallon storage tank would be used to meet the Project's water storage requirements. The tank would need to be filled once or twice per year. Considering the flexibility GRE has in scheduling water usage, no significant impact on the ERMU water supply system is expected from the Project.²³

20. The greatest demand for water use from the operation of the Project arises from control of nitrogen oxides ("NOx") emissions when the CT is operating on fuel oil. The water used for NOx control will require treatment with a demineralizer water treatment system. Source water will be treated in a rented trailer-mounted demineralizer system and pumped to an onsite storage tank. Demineralized water demand by the CT when operating on fuel oil is approximately 100 to 120 gpm depending on the CT's operating load. Approximately 460,000 gallons of water would be used for NOx control if fuel oil were used for 76 hours in a year.²⁴

21. The second largest demand for water is the CT evaporative cooler. The evaporative cooler is used on hot days to cool and increase the density of air being used by the CT, thereby increasing the CT's power output and efficiency. When the evaporative cooler is in operation, approximately 60 to 85 gpm of water is required, depending on the ambient air temperature, the relative humidity, and the facility operating power level. Approximately 1,000,000 gallons of water would be used if the evaporative coolers were operated for 300 hours in a year. Evaporative cooling water use could coincide with ERMU's peak summer demand. Evaporative cooling is not critical to the Project's operation. In the event that ERMU could not operate a well due to maintenance or other reasons, GRE expressed willingness to coordinate with ERMU by not running the evaporative coolers during periods of peak water demand.²⁵

22. Untreated source water will also be used to supply fire suppression water. The maximum instantaneous use rate for fire suppression water is expected to be 1,500

²¹ *Id.*

²² Ex. 1, Application for a Site Permit, sections 3.1.4 and 4.1.2.1; Ex. 11, Draft EIS, section 1.6.

²³ Ex. 1, Application for a Site Permit, sections 3.1.4 and 4.1.2.1 and Table 3-1; Ex. 11, Draft EIS, section 1.6 and Table 1-1.

²⁴ Ex. 1, Application for a Site Permit, section 3.1.4 and Table 3-1; Ex. 11, Draft EIS, section 1.6 and Table 1-1.

²⁵ *Id.*

gpm. Peak demand for drinking water, sanitary water, and other ancillary plant water uses is expected to be approximately 50 gpm.²⁶

23. The anticipated sources and types of wastewater discharges include the evaporative cooler blow down, compressor section wash water, demineralizer concentrate, sanitary waste, and storm water runoff from the site.²⁷

24. At the Elk River site, GRE plans to dispose of Project process wastewater to the city waste water treatment plant ("WWTP"). The Elk River city WWTP has an average discharge of 1.1 million gallons per day ("MGD") and a maximum discharge of 1.2 MGD. The Project would contribute up to 13% of the flow to the WWTP at its maximum discharge, but less than 0.3% on average. Discharge to the WWTP will require a pre-treatment permit that will include contaminant discharge limits.²⁸ The wastewater discharge will not significantly impact the city WWTP.

25. At the Rosemount site, the evaporative cooler waste stream would be discharged to a Metropolitan Council of Environmental Services ("MCES") sanitary sewer line that runs northwest of the site. A pretreatment permit will likely be required from MCES for the waste water discharge. Alternatively, a National Pollution Discharge Elimination System ("NPDES") permit would be obtained to allow discharge directly to the Mississippi River near the location of the Empire WWTP outfall. This permit could require additional onsite wastewater treatment. Under either approach, a pipeline would be required, either for the MCES discharge or to provide a direct discharge.²⁹

26. The main source of operations wastewater would be the evaporative cooler. When the evaporative cooler is in operation, approximately 30 to 60 gpm of blow down wastewater would be generated, depending on the ambient air temperature, the relative humidity, and the facility operating power level. The wastewater stream would be piped to an onsite lift station that will discharge to the sewer system.³⁰

27. Compressor section wash water will be generated periodically during cleaning of the turbine compressor. This cleaning is necessary to promote efficient, reliable operation of the CT. Compressor wash water will be discharged to an onsite storage tank. The wash water will be analyzed and proper disposal options will be determined based on the analytical results.³¹

28. Spill containment is provided around oil-containing equipment. During rain events, rainwater can collect in the spill containment areas. The containment basins are visually inspected during routine site checks. If there is water within the containment and there is no visible oil sheen, the water is discharged to the ground surface where it

²⁶ *Id.*

²⁷ Ex. 1, Application for a Site Permit, section 3.1.5 and Table 3-2; Ex. 11 Draft EIS, section 1.7 and Table 1-2.

²⁸ Ex. 1, Application for a Site Permit, section 3.1.5; Ex. 11, Draft EIS, section 1.7.

²⁹ Ex. 11, Draft EIS, section 1.7.

³⁰ *Id.*

³¹ *Id.*

will infiltrate into the ground and possibly flow to the onsite storm water pond. If there is a visible sheen, the water is pumped to the plant's oil/water separators for treatment. The oil recovered in the separator is reclaimed and processed offsite.³²

29. Some storm water will also be discharged into the sewer system. The oil/water separator will discharge to the pumping station along with any evaporative cooler blow down and ultimately piped to the sewer system. Some wastewater is also generated from sanitary waste. This wastewater will be discharged to the sanitary sewer system.³³

30. The Project will employ simple cycle combustion turbine technology using both natural gas and fuel oil as the fuel sources, which require air pollution control measures. The CT will be equipped with Best Available Control Technology ("BACT") for NOx, particulate matter ("PM") and carbon monoxide ("CO") emissions.³⁴

31. The CT air pollution controls are inherent to its design. GRE will propose BACT as dry 10w-NOx combustors when firing natural gas and water injection for NOx control when firing fuel oil. The proposed BACT for PM and CO will be good combustion control.³⁵

32. BACT will ultimately be defined by the air emissions permitting process, which is administered by the Minnesota Pollution Control Agency ("MPCA"). Siting the Project at Elk River will require a major amendment to the existing air permit for the Elk River campus to incorporate Prevention of Significant Deterioration ("PSD") permit conditions. If the project were constructed at the Rosemount site, the CT would be the first emission unit for a new facility and would be allowed a higher threshold before triggering the PSD permitting process. The permitting approach for the Rosemount site would be to accept a synthetic minor emissions limit with respect to the PSD review process, which would limit emissions to less than 250 tons per year for any PSD pollutant. A formal BACT review would not be required.³⁶

Environmental and Socioeconomic Impacts Required to Be Considered By Law

33. Minn. Stat. § 216E.03, subd. 7(a), provides that the Commission shall be guided by the state's goals to conserve resources and minimize environmental impacts, minimize human settlement and other land use conflicts, and ensure the state's electric energy security through efficient, cost-effective power supply and electric transmission infrastructure. Subdivision 7(b) states that to facilitate the study, research, evaluation and designation of sites and routes, the Commission shall be guided by the following considerations:

³² *Id.*

³³ *Id.*

³⁴ Ex. 1, Application for a Site Permit, section 3.1.6; Ex. 11, Draft EIS, section 1.8.

³⁵ *Id.*

³⁶ *Id.*

- (1) Evaluation of research and investigations relating to the effects on land, water and air resources of large electric power generating plants and high-voltage transmission lines and the effects of water and air discharges and electric and magnetic fields resulting from such facilities on public health and welfare, vegetation, animals, materials and aesthetic values, including baseline studies, predictive modeling, and evaluation of new or improved methods for minimizing adverse impacts of water and air discharges and other matters pertaining to the effects of power plants on the water and air environment;
- (2) Environmental evaluation of sites and routes proposed for future development and expansion and their relationship to the land, water, air and human resources of the state;
- (3) Evaluation of the effects of new electric power generation and transmission technologies and systems related to power plants designed to minimize adverse environmental effects;
- (4) Evaluation of the potential for beneficial uses of waste energy from proposed large electric power generating plants;
- (5) Analysis of the direct and indirect economic impact of proposed sites and routes including, but not limited to, productive agricultural land lost or impaired;
- (6) Evaluation of adverse direct and indirect environmental effects that cannot be avoided should the proposed site and route be accepted;
- (7) Evaluation of alternatives to the applicant's proposed site or route proposed pursuant to subdivisions 1 and 2;
- (8) Evaluation of potential routes that would use or parallel existing railroad and highway rights-of-way;
- (9) Evaluation of governmental survey lines and other natural division lines of agricultural land so as to minimize interference with agricultural operations;
- (10) Evaluation of the future needs for additional high-voltage transmission lines in the same general area as any proposed route, and the advisability of ordering the construction of structures capable of expansion in transmission capacity through multiple circuiting or design modification;
- (11) Evaluation of irreversible and irretrievable commitments of resources should the proposed site or route be approved; and

(12) When appropriate, consideration of problems raised by other state and federal agencies and local entities.³⁷

34. Minn. Stat. § 216E.03, subd. 7(c) requires that the Commission apply existing regulations of a federal agency where: 1) the utility in this state is subject to that regulation, and 2) the Commission's rules are substantially similar to the federal regulations. Subdivision 7(d) prohibits designation of any site or route that violates state agency rules.

35. Minn. Rule 7849.5910 implements the above statutory considerations and requires that the Commission be guided by its findings with respect to the following factors:

- A. effects on human settlement, including, but not limited to, displacement, noise, aesthetics, cultural values, recreation, and public services;
- B. effects on public health and safety;
- C. effects on land-based economies, including, but not limited to, agriculture, forestry, tourism, and mining;
- D. effects on archaeological and historic resources;
- E. effects on the natural environment, including effects on air and water quality resources and flora and fauna;
- F. effects on rare and unique natural resources;
- G. application of design options that maximize energy efficiencies, mitigate adverse environmental effects, and could accommodate expansion of transmission or generating capacity;
- H. use or paralleling of existing rights-of-way, survey lines, natural division lines, and agricultural field boundaries;
- I. use of existing large electric power generating plant sites;
- J. use of existing transportation, pipeline, and electrical transmission systems or rights-of-way;
- K. electrical system reliability;
- L. costs of constructing, operating and maintaining the facility which are dependent on design and route;
- M. adverse human and natural environmental effects which cannot be avoided;
and

³⁷ Minn. Stat. § 216E.03, subd. 7(b).

N. irreversible and irretrievable commitments of resources.

36. The application and the Environmental Impact Statement contain adequate information to allow the Commission to consider these factors.

(a) Effects on Human Settlement

37. The Project will not displace any residences or businesses. Work on the Project will not displace any other existing or planned land use, including residential land uses. The proposed Elk River site is located within a parcel currently owned by GRE and used for power generation. The nearest residence is located approximately 1,640 feet north-northwest of the Project location.³⁸ At the alternative Rosemount site, the unit would be located within a parcel currently owned by GRE which is being used for agricultural purposes. The nearest resident is located approximately 1,200 feet away.³⁹

38. Impacts to land used as a result of the Project are expected to be minimal.⁴⁰

39. Some noise would be generated during the construction and operation of the Project. Construction noise would be predominantly intermittent sources originating from diesel engine-driven construction equipment. Potential noise impacts would be mitigated by proper muffing equipment fitted to construction equipment and restricting activities conducted during nighttime hours.⁴¹

40. Noise from the turbine operation is a result of air flow through the combustion air intake and from the exhaust gases discharging from the stack. The Project air inlet will be appropriately sized and fitted with diffusers to minimize velocity and, therefore, the noise of air moving into the inlets. The stack will be fitted with silencers to reduce the noise of exhaust gases leaving the plant.⁴²

41. Current ambient noise detectable at the Elk River site consists of intermittent traffic along the local roads, traffic from US Highways 10 and 169, and operation of the existing generating facility.⁴³

42. Current ambient noise detectable at the Rosemount site consists of intermittent traffic along the local roads, traffic from US Highway 52 and Minnesota Highway 55, operation of agricultural equipment, small aircraft, and birds and insects.⁴⁴

³⁸ Ex. 1, Application for a Site Permit, section 4.1.4.2; Ex. 11, Draft EIS, section 4.6.

³⁹ Rosemount Public Meeting Transcript, p. 60.

⁴⁰ Ex. 11, Draft EIS, section 4.6.

⁴¹ Ex. 1, Application for a Site Permit, section 4.1.3; Ex. 11, Draft EIS, section 4.2.

⁴² *Id.*

⁴³ *Id.*

⁴⁴ Ex. 11, Draft EIS, section 4.2.

43. The Project will not result in any violation of the Minnesota Noise Standards at residences located near the site.⁴⁵ No mitigative measures are necessary to address noise.⁴⁶

44. Area aesthetics will not be significantly changed by the Project if it is located at the Elk River site. The Elk River plant site is on the existing Great River Energy campus, and has been previously used for various purposes related to utility operation and maintenance. The plant site and immediate vicinity have an evident industrial/commercial aesthetic. The proposed plant maintains this aesthetic.⁴⁷

45. The Rosemount site is visually dominated by lands used for row-crop agriculture to the south and east. A landfill is to the north, with mixed native/non-native vegetation around the perimeter. A golf course is to the west. Industrial properties dominate further north and northeast, including an oil refinery. The peaking station will provide a strong visual impression given the current landscape. The proposed facility will change the view of the people living in or working around the farm houses nearest to the site or traveling along US Highway 52 and Minnesota Highway 55. These people will see a commercial/industrial looking building.⁴⁸

46. The Project transmission line upgrades associated with the Elk River site will occur along an existing transmission line corridor. Upgrades to the Project transmission lines may involve the use of poles that will be approximately 10-20 feet taller than the existing poles. However, taller poles would not appear significantly different than the existing transmission line configurations, and the current visual aesthetic would be maintained.⁴⁹ No mitigation is necessary regarding aesthetics.⁵⁰

47. Use of the Elk River site is compatible with the City of Elk River zoning. Use of the Rosemount site is compatible with the City of Rosemount zoning. The Elk River site is currently used for generation purposes.⁵¹ No mitigative measures are necessary regarding land uses.⁵²

48. No significant recreational resource exists on or immediately adjacent to the Project at either site. Regardless of the site chosen, area tourism and recreation will not be adversely impacted by the Project.⁵³

49. Infrastructure on the GRE Elk River campus includes water and sewer facilities. Public sewer and water are in the vicinity of the Rosemount site. Both sites

⁴⁵ Ex. 1, Application for a Site Permit, section 4.1.3; Ex. 11, Draft EIS, section 4.2.

⁴⁶ Ex. 11, Draft EIS, section 4.2.

⁴⁷ Ex. 1, Application for a Site Permit, section 4.1.4.3; Ex. 11, Draft EIS, section 4.3.

⁴⁸ Ex. 11, Draft EIS, section 4.3.

⁴⁹ Ex. 1, Application for a Site Permit, section 4.1.4.3; Ex. 11, Draft EIS, section 4.3.

⁵⁰ Ex. 11, Draft EIS, section 4.3.

⁵¹ Ex. 1, Application, sections 4.1.4 and 4.1.4.2; Ex. 11, Draft EIS, section 4.6.

⁵² Ex. 11, Draft EIS, section 4.6.

⁵³ Ex. 1, Application for a Site Permit, section 4.1.4.4; Ex. 11, Draft EIS, section 4.4.

would be served by local fire and police.⁵⁴ No mitigative measures are required to address issues regarding infrastructure.⁵⁵

50. Traffic near the proposed facilities will increase during construction. Local motorists may be temporarily inconvenienced by the increase in large construction vehicles on the roadways and possible delays in traffic. Traffic due to the commutes of construction workers could be expected to produce local impacts over a 30-minute period at the beginning and end of the day and each time a change in shift occurs.⁵⁶⁵⁰

51. Due to the likelihood that traffic levels will be only slightly increased during construction and no increase is expected during facility operation, no mitigation is necessary. The operation at the site will have no impact on traffic patterns or usage.⁵⁷

52. The local community will benefit from the Project construction at either location. Construction of the generating facility, the transmission line upgrades, and the substation improvements (for the Elk River site) will require an estimated 100 highly-skilled, well-paid craft workers to be on site at any one time over the 12-month construction period. Day-to-day operation of Peaking Station will require two to three full-time employees after construction.⁵⁸

53. The Project will contribute to the county's tax base. The state and county will also benefit from income and sales taxes paid as a result of the construction of the Project. The operating staff associated with the Project will pay payroll taxes.⁵⁹

54. GRE estimates the total cumulative economic statewide benefits to be \$61 million.⁶⁰ This calculation is based on a 30-year operating period.⁶¹

(b) Health and Safety

55. If the Project plant is constructed on the existing Great River Energy campus in Elk River, existing framework for supporting public health and safety on the campus would be used.⁶²

56. Security at the Rosemount site would be provided through the use of security gates and surveillance cameras.⁶³ At either site, fire alarms and emergency fire suppression equipment will be located throughout the facility to provide early detection of fire and enable initial response to reduce the risk and spread of fire. Emergency first aid equipment including eyewash stations and first aid kits will also be installed

⁵⁴ Ex. 1, Application for a Site Permit, section 4.1.5.2; Ex. 11, Draft EIS, section 4.13.

⁵⁵ Ex. 11, Draft EIS, section 4.13.

⁵⁶ Ex. 1, Application for a Site Permit, section 4.1.5.2; Ex. 11, Draft EIS, section 4.5.

⁵⁷ Ex. 11, Draft EIS, section 4.5.

⁵⁸ Ex. 1, Application for a Site Permit, section 4.1.5.4; Ex. 11, Draft EIS, section 4.1

⁵⁹ *Id.*

⁶⁰ Ex. 11, Draft EIS, Table 4-3.

⁶¹ Ex. 11, Draft EIS, section 4.1.

⁶² Ex. 1, Application for a Site Permit, section 4.1.5.1; Ex. 11, Draft EIS, section 4.13.

⁶³ Ex. 11, Draft EIS, section 4.13.

throughout the facility. In either location, employees would have regular training in safety and first aid. Severe weather shelters will be designated and clearly identified.⁶⁴

57. Primary access to the Great River Energy campus is off of U.S. Highway 169, U.S. Highway 10 or Main Street. Access to the Project plant location in Elk River will primarily be off Highway 169. The current annual average traffic count on Highway 169 near the plant site is 52,000 vehicles per day with a heavy commercial vehicle count of 3,700 per day. Traffic on Highway 169 will increase slightly, but the increase will not be perceptible considering the existing traffic volumes.⁶⁵

58. There are no mitigative measures necessary to address human health and safety at either location.⁶⁶

(c) Land-Based Economies, Including Agriculture, Forestry, Tourism and Mining

59. The Project will be located on either the existing GRE plant site or on land owned by GRE and currently being used for agricultural purposes; and transmission will utilize existing transmission facilities in the existing transmission corridor. No timber management, tourism or mining activities will be displaced by the plant or by transmission line or substation upgrades.⁶⁷

60. There are no prime farmland units associated with the Project at the Elk River site.⁶⁸ The Rosemount site contains 215 acres which would be considered prime farmland. The limitations on using prime farm land would not apply to the proposal because less than the maximum allowed land use would be required for the Project.⁶⁹

61. Impacts to land use as a result of the Project are expected to be minimal.⁷⁰

(d) Effects on Archaeological and Historical Resources

62. No archaeological or historical resources would be affected by the Project.⁷¹ No mitigation is necessary.⁷²

(e) Effects on the Natural Environment

63. The Project will not impact the geology at either site. Potential impacts of construction are increased impervious surfaces, soil compaction and exposure of the

⁶⁴ Ex. 1, Application for a Site Permit, section 4.1.5.2; Ex. 11, Draft EIS, section 4.13.

⁶⁵ *Id.*

⁶⁶ Ex. 11, Draft EIS, section 4.13.

⁶⁷ Ex. 11, Draft EIS, section 4.6.

⁶⁸ *Id.*

⁶⁹ *Id.*

⁷⁰ *Id.*

⁷¹ Ex. 1, Application for a Site Permit, section 4.1.5.3; Ex. 11, Draft EIS, section 4.10.

⁷² Ex. 11, Draft EIS, section 4.10.

soils to wind and water erosion. Impacts to physiographic features will be controlled and minimal during and after construction activities; these impacts will be short term. No long-term impacts on the natural environment are anticipated from the Project.⁷³

64. At the Elk River site, most of the native vegetation was initially removed through forestry and then for agricultural uses. In recent times, the Project plant site has been part of Great River Energy's campus, and as such the land uses have included ash storage and a utility pole yard. These uses and the associated regradings of the land surface have left a mixture of primarily non-native grasses and flora on the site, with a small stand of red pine.⁷⁴

65. The Rosemount site and its vicinity have been logged, ditched, tilled, and tilled. These activities have effectively removed all evidence of the pre-settlement vegetation. The native vegetation was almost entirely replaced with agricultural crops, dominated by corn and soybeans. The remaining nonagricultural areas were replaced by industrial development.⁷⁵

66. Any disturbance to vegetation due to the Project transmission line upgrade will be minimal and limited to the areas immediately adjacent to pole placements.⁷⁶ No mitigation would be required at either site.⁷⁷

67. The Project is not expected to impact area wildlife adversely.⁷⁸ The Project transmission line and substation upgrades and the switch installation are not expected to impact area wildlife adversely.⁷⁹ No mitigation for fauna is necessary.⁸⁰

(f) Effect on Rare and Unique Natural Resources

68. The Project will not adversely impact federal or state-listed threatened or endangered species. No plants or animals of concern were identified that would be adversely impacted by the Project.⁸¹ No mitigation would be required at the Elk River location.⁸²

69. At the Rosemount site, consideration of maintaining or creating loggerhead shrike habitat within the facility/site buffer area should be given.⁸³ Protecting such habitat would be an appropriate condition for issuance of a Site Permit.

⁷³ Ex. 11, Draft EIS, section 4.7.

⁷⁴ Ex. 1, Application for a Site Permit, section 4.1.6.3; Ex. 11, Draft EIS, section 4.8.

⁷⁵ Ex. 11, Draft EIS, section 4.8.

⁷⁶ *Id.*

⁷⁷ *Id.*

⁷⁸ Ex. 1, Application for a Site Permit, section 4.1.6.4; Ex. 11, Draft EIS, section 4.8.

⁷⁹ *Id.*

⁸⁰ Ex. 11, Draft EIS, section 4.8.

⁸¹ Ex. 1, Application for a Site Permit, section 4.1.6.6; Ex. 11, Draft EIS, section 4.9.

⁸² Ex. 11, Draft EIS, section 4.9.

⁸³ *Id.*

(g) Design Options That Maximize Energy Efficiency, Mitigate Environmental Effects, and Accommodate Expansion

70. The proposed Project will be designed to utilize one of the most efficient CTs in the region. Typical full load heat rates (higher heating value) are 10,395 British Thermal Units per kilowatt-hour (BtuWh), while utilizing natural gas during the summer months, and 9,751 BtuWh while utilizing ultra-low sulfur diesel fuel during the winter months. These heat rates equate to an efficiency of approximately 33% and 35%, respectively.⁸⁴

71. GRE anticipates the proposed Project will have an annual capacity factor of approximately five to ten percent. The plant will have a short start-up sequence, which is characteristic for an "F-Class" machine. The short start-up sequence and rapid loading rate offer significant efficiencies for the peaking service intended for the Project.⁸⁵

72. The addition of the peaking CT and the upgrades to transmission lines and substations/switches will not result in significant adverse environmental impacts to either site or the site surroundings.⁸⁶ Both sites offer a viable option for the Project with minimal effect on natural, cultural and socioeconomic resources, and neither site presents any significant adverse environmental impacts.⁸⁷

73. GRE noted the following as examples of the mitigation that are incorporated into the design choices made for the Project:

- Noise from the turbine operation is a result of air flow through the combustion air intake and from the exhaust gases discharging from the stack. The Project air inlet will be appropriately sized and fitted with diffusers to minimize velocity and (therefore) the noise of air moving into the inlets. The stack will be fitted with silencers to reduce the noise of exhaust gases leaving the plant.⁸⁸
- Water supply can be provided at either site without notable stresses on water availability, and storm water discharge is minor and controlled at the site.⁸⁹
- The CT's primary fuel will be natural gas, chosen for its low air emissions and ready availability from a nearby pipeline. Dry low nitrogen oxide (NOx) combustion technology will be employed to minimize emissions when utilizing natural gas for fuel. Ultra-low sulfur diesel fuel will be used as a back-up fuel when natural gas is unavailable. Demineralized water

⁸⁴ Ex. 1, section 3.3; Ex. 11, Draft EIS, section 1.10.

⁸⁵ *Id.*

⁸⁶ Ex. 1, Application for a Site Permit, section 4.1; Ex. 11, Draft EIS, chapter 4.

⁸⁷ Ex. 1, Application for a Site Permit, section 4.3; Ex. 11, Draft EIS, chapter 4.

⁸⁸ Ex. 1, Application for a Site Permit, section 4.1.3; Ex. 11, Draft EIS, section 4.2.

⁸⁹ Ex. 1, Application for a Site Permit, section 4.3.

injection will be employed to minimize NOx emissions when utilizing diesel fuel.⁹⁰

74. The Elk River site could possibly accommodate an additional CT. The Project is being designed to maximize future options for additional generating capacity on the site; however, GRE currently has no plans for expanding generation capacity at the Elk River site.⁹¹ While the Project could be sited at the Rosemount site, GRE's preference is to use that location for a larger generating facility than this Project.⁹²

75. While either site could be used, the Elk River site is preferable because the size of the proposed plant fits the Elk River site better than it does the Rosemount site. The Rosemount site is significantly larger and would be better used for a larger plant. GRE anticipates using the Rosemount site for a larger simple cycle, combined cycle or renewable fuel plant. The Elk River site is too small for that projected facility, which would be more appropriately sited on the Rosemount property.⁹³

(h) Use or Paralleling of Existing Rights-of-Way, Survey Lines, Natural Division Lines, and Agricultural Field Boundaries

76. Locating the Project at Elk River requires upgrading of existing 69-kV transmission facilities. The Project at Rosemount would use a switchyard to convert the electricity voltage to 345 kV so that it can be sent to the grid through existing transmission. No new rights-of-way are required for either site.⁹⁴

(i) Use of Existing Large Electric Power Generating Plant Sites

77. The Project will use an existing plant site in Elk River in Sherburne County.⁹⁵ The Rosemount site would result in the creation of a new generating plant site.⁹⁶

(j) Use of Existing Transportation, Pipeline, and Electrical Transmission Systems or Rights-of-Way

78. The Project, if located at the Elk River site, includes upgrading existing 69-kV transmission facilities. The Project, if located at Rosemount, would use existing 345-kV transmission facilities. No new utility rights-of-way are required at either location.⁹⁷

⁹⁰ Ex. 1, Application for a Site Permit, section 3.1.1; Ex. 11, Draft EIS, section 1.3.

⁹¹ Ex. 1, Application for a Site Permit, section 2.5.

⁹² Ex. 21, Herda Direct, page 2

(<https://www.edockets.state.mn.us/EFiling/ShowFile.do?DocNumber=4883550>).

⁹³ *Id.*

⁹⁴ Ex. 1, Application for a Site Permit, section 3.1.2; Ex. 1 I, Draft EIS, section 1.4.

⁹⁵ Ex. 1, Application for a Site Permit, section 2.2; Ex. 11, Draft EIS, section 1.2.

⁹⁶ Ex. 1, Application for a Site Permit, section 2.3; Ex. 11, Draft EIS, section 1.2.

⁹⁷ Ex. 1, Application for a Site Permit, section 3.1.2; Ex. 11, Draft EIS, section 1.4.

79. GRE will obtain natural gas for the Project from an existing Northern Natural Gas Company ("NNG") pipeline. A new lateral will need to be built by NNG of approximately 0.5 miles in length that would be required at either site.⁹⁸

(k) Electrical System Reliability

80. This Project is necessary to ensure that GRE has adequate generating capacity in 2009 and beyond to meet reliably its forecasted customer demand for electricity.⁹⁹ This issue will be more directly evaluated and determined by the Commission in the companion Certificate of Need docket.¹⁰⁰ No site permit can be issued unless a Certificate of Need has also been issued.¹⁰¹

(l) Costs of Constructing, Operating and Maintaining the Facility Which Are Dependent on Design and Route

81. Total construction costs for the addition of the Project at the Elk River site are estimated to be about \$100 million. Total construction costs at the alternative Rosemount site were estimated to be of similar magnitude.¹⁰² Given the specific design of the proposed generating facility, the Elk River site offers a more efficient and economic utilization of existing infrastructure.¹⁰³

(m) Adverse Human, Natural and Environmental Effects Which Cannot be Avoided as a Result of Construction and Operation of the Plant

82. No significant adverse human, natural or environmental effects have been identified at either location that arise from the Project.¹⁰⁴

(n) Irreversible and Irrecoverable Commitments of Resources

83. No irreversible or irretrievable commitments of resources have been identified at either location as arising from this Project.

Locations Which Must be Avoided Under the Minnesota Rules for Power Plant Siting

84. Minn. Rule 7849.5940, subp. 1, identifies areas that are prohibited from plant siting or excluded from that siting unless there is no feasible and prudent

⁹⁸ Ex. 1, Application for a Site Permit, sections 3.1.3, 1.4.7; Ex. 11, Draft EIS, section 1.5. Ex. 1, Application for Site Permit, Figures 3-4 and 3-5, indicate the location of the new lateral.

⁹⁹ Ex. 1, Application for a Site Permit, section 1.1.

¹⁰⁰ *ITMO the Application of Great River Energy for a Certificate of Need for the Elk River Peaking Station*, PUC Docket No. ET-2/CN-07-678.

¹⁰¹ Minn. Stat. § 216B.243, subd. 2.

¹⁰² Ex. 1, Application for a Site Permit, section 2.4.

¹⁰³ Ex. 1, Application for a Site Permit, section 4.3.

¹⁰⁴ Ex. 1, Application for a Site Permit, section 4.3; Ex. 1 I, Draft EIS, chapter 4.

alternative. Neither site proposed for the Project has any of the prohibited or excluded uses present.¹⁰⁵

Adequacy of the Environmental Impact Statement

85. Pursuant to Minn. Rule 7849.5340, subp. 2, the Commission cannot make a final determination on a site permit application until it finds that the EIS is adequate. The Department prepared the EIS based on the record and the public hearings held on July 31, August 1, December 19 and December 20, 2007. The only party to comment on the Draft EIS was GRE, and the Department incorporated GRE's suggestions into the Final EIS.

86. The Final EIS is adequate for the Commission to make its decision in this matter.

Based on the Findings of Fact, the Administrative Law Judge makes the following:

CONCLUSIONS

1. The Minnesota Public Utilities Commission has jurisdiction over this matter, pursuant to Minn. Stat. §§ 216B.08 and 216E.02, subd. 2.

2. All relevant procedural requirements of law and rule have been fulfilled.

3. The Project could be lawfully sited at either the Elk River or the Rosemount sites.

4. The Elk River site has been shown to be superior to the Rosemount site due to: a) more efficient use of existing resources for transmission, pipelines, and land use, resulting in a slightly lower cost; b) avoiding proliferation and minimizing the aesthetic impact by using an existing generation site; and c) preserving resources potentially needed for future facilities.

5. Siting the Project at either location will provide benefits to society in a manner compatible with protecting the natural and socioeconomic environments, including human health.

6. The record does not demonstrate that the design, construction, or operation of the project will fail to comply with relevant policies, rules, and regulations of other state and federal agencies and local governments.

7. GRE's proposed sites are acceptable under the provisions of Minn. Stat. § 216E.03, subd. 7, and Minn. Rule 7849.5910.

¹⁰⁵ Ex. 11, Draft EIS, section 4.6.

8. The Final Environmental Impact Statement addressed the issues identified in the Scoping decision and is adequate.

9. Any of the Findings which contain material which should be treated as a Conclusion are adopted as Conclusions.

Based on the Conclusions, the Administrative Law Judge makes the following:

RECOMMENDATION

1. IT IS RECOMMENDED that, upon the issuance of a Certificate of Need for the Project, the Commission issue a Site Permit for the 175 MW simple-cycle combustion turbine large electric power generating plant to be located as proposed by GRE at Elk River, with any appropriate conditions.

Dated: March 18, 2008

/s/ Richard C. Luis
RICHARD C. LUIS
Administrative Law Judge

Reported: Janet Shaddix Elling, R.P.R.
Shaddix & Associates
One Volume

NOTICE

Under Minn. Stat. § 14.62, subd. 1, the agency is required to serve its final decision upon each party and the Administrative Law Judge by first class mail or as otherwise provided by law.



MINNESOTA OFFICE OF ADMINISTRATIVE HEARINGS

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March 18, 2008

To All Persons on the Service List

**BY U.S. MAIL, E-MAIL
AND eFILING**

RE: ITMO the Application of Great River Energy for a Site
Permit for the Elk River Peaking Station; MPUC Docket No.
ET-2/GS-07-715, OAH Docket No. 7-2500-19143-2

Please find enclosed and served on you the Findings of Fact,
Conclusions and Recommendation issued in the above-entitled matter.
The file will be closed and any materials not already eFiled will be returned
under separate cover.

Very truly yours,

/s/ Richard C. Luis

RICHARD C. LUIS
Administrative Law Judge

Telephone: 651-361-7843

Enclosures

**In the Matter of the Application of Great
River Energy for a Site Permit for the Elk
River Peaking Station, and**

**In the Matter of the Application of Great
River Energy for a Certificate of Need for
the Elk River Peaking Station**

Administrative Law Judge’s Service List as September 7, 2007

Persons with the E-File notation can be served electronically using the PUC E-Filing system. Any document not E-filed must be served by mail or courier (with additional copies as noted). No copies of information requests (IRs) are to be served those bearing the **No IRs** notation. Consistent with Commission policy and the First Prehearing Order in this matter, IRs and responses to IRs are **not** to be E-Filed.

<p>Burl W. Haar (E-File or 15 copies; No IRs) MN Public Utilities Commission 121 East Seventh Place, Suite 350 St. Paul, MN 55101-2147 FAX: 651-297-7073</p>	<p>Richard C. Luis (E-File and 1 copy or Original and 1 copy; No IRs) Administrative Law Judge Office of Administrative Hearings 100 Washington Square, Suite 1700 Minneapolis, MN 55401-2138 Richard.Luis@state.mn.us (612) 349-2542</p>
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<p>Robert Cupit Senior Facility Planner MN Public Utilities Commission 121 East Seventh Place, Suite 350 St. Paul, MN 55101-2147</p>	<p>Sharon Ferguson (E-file or 4 copies) MN Department of Commerce 85 Seventh Place East, Suite 500 St. Paul, MN 55101-2198</p>
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OAH Docket Nos. 7-2500-19143-2
7-2500-19096-2
MPUC Docket Nos. ET-2/GS-07-715
ET-2/CN-07-678

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS
FOR THE PUBLIC UTILITIES COMMISSION

In the Matter of the Application of Great
River Energy for a Site Permit for the Elk
River Peaking Station, and

**SUMMARY OF TESTIMONY
AT PUBLIC HEARINGS**

In the Matter of the Application of Great
River Energy for a Certificate of Need for
the Elk River Peaking Station

This matter was initiated with the Minnesota Public Utilities Commission (“MPUC” or the Commission) by Great River Energy (GRE) on May 18, 2007. On that date, GRE filed an Application for a Certificate of Need (CON) for a 175 megawatt (MW) simple cycle combustion turbine (“CT”)(collectively “the Project”).¹ On June 14, 2007, GRE applied for a site permit to allow the Project to be built at GRE’s existing Elk River Station, located in the City of Elk River, Sherburne County, Minnesota.² GRE proposed its property in Rosemount, Minnesota as an alternative location.³

On August 1, 2007, the Commission ordered that the CON be considered under the alternative review process. The only portion of the CON process referred to the Office of Administrative Hearings (OAH) was for the convening of a public hearing and collection of public comment. The Commission ordered that the remaining CON process be conducted using the Commission’s notice and comment process.⁴

Administrative Law Judge (ALJ) Richard C. Luis conducted public hearings in Rosemount and Elk River. The Rosemount public hearing was held on December 19, 2007, at Rosemount City Hall at 7:00 p.m. For Elk River, the public hearing was held on

¹ Application for a Certificate of Need
(<https://www.edockets.state.mn.us/EFiling/ShowFile.do?DocNumber=4159333>)

² Exhibit 1, Application for a Site Permit,
(<https://www.edockets.state.mn.us/EFiling/ShowFile.do?DocNumber=4385377>).

³ Application for a Certificate of Need, Section 2.9 – Site Selection

⁴ *ITMO the Application of Great River Energy for a Certificate of Need for the Elk River Peaking Station*, PUC Docket No. ET-2/CN-07-678 (Order Accepting Filing as Substantially Complete and Adopting Review Process issued August 1, 2007)
(<https://www.edockets.state.mn.us/EFiling/ShowFile.do?DocNumber=4740060>).

December 20, 2007, at 7:00 p.m., at the Elk River City Hall. A total of approximately eight members of the public attended the two meetings. The ALJ was present at both hearings and the opportunity was provided for members of the public to air their views regarding the need for and proposed siting of the Project. The period for written public comments closed on February 8, 2008. No written comments were received from members of the public.

Description of the Project

GRE proposes to install a simple-cycle combustion turbine plant fueled by natural gas with ultra-low sulfur distillate fuel oil as a back up fuel.⁵ The Project is to be built at the site of GRE's existing Elk River Station, located in the City of Elk River, Sherburne County, Minnesota. The nominal summer capacity of the Project would be 175 megawatts (MW). GRE has proposed the Project to assure generating capacity in 2009 and beyond to reliably meet its forecasted customer demand for electricity.⁶

Using the Elk River site will require upgrading approximately 5.41 miles of 69-kV transmission line in Sherburne and Anoka counties. The transmission line rebuilds may involve changing to taller poles (from approximately 40-55 feet to 60-65 feet above ground) and upgrading wire size. The upgrade will also entail improvements to a 0.19 mile section of 69-kV line at the existing substation at County Road 78 (Hanson Boulevard) and Bunker Lake Boulevard. GRE proposed to finalize the details of such changes when the interconnection studies are complete and Midwest Independent Systems Operators (MISO) makes its final interconnection recommendation.⁷

Additional equipment at the Project site includes a generator step-up transformer; less than 500 feet of transmission line from the transformers to the existing substation at the Elk River site, and in the alternative, less than 1,000 feet of transmission line from a new switchyard to the existing transmission line at the Rosemount site; a new lateral natural gas pipeline, town-border-station and meter; an evaporative cooler; and an exhaust stack with silencer.⁸

The Project site is located on the GRE campus in Sherburne County immediately southeast of the City of Elk River.⁹ The Project occupies approximately 11 acres of land within the GRE campus.¹⁰

Hearing Notice

The Notice of Public Meeting was published in the *Star Tribune* on November 29, 2007.¹¹ The Notice was published in the *EQB Monitor* on December 3, 2007.¹² The

⁵ Ex. 1, Application for a Site Permit, sections 3.1.3.

⁶ Ex. 1, Application for a Site Permit, Introduction and section 1.1.

⁷ Ex. 1, Application for a Site Permit, section 3.1.2.

⁸ Ex. 1, Application for a Site Permit, section 3.1.1, and Figure 3-1;

⁹ Ex. 1, Vicinity Map 1-2, (<https://www.edockets.state.mn.us/EFiling/ShowFile.do?DocNumber=4385352>).

¹⁰ *Id.* at section 2.2.

¹¹ Ex. 15 (<https://www.edockets.state.mn.us/EFiling/ShowFile.do?DocNumber=4897708>).

¹² Ex. 14 (<https://www.edockets.state.mn.us/EFiling/ShowFile.do?DocNumber=4897696>).

Notice was published in the Elk River *Star News* on December 5, 2007 and the Rosemount *Town Pages* on December 7, 2007.¹³ Residents near both the preferred and alternative sites and the potentially affected local units of government were notified by letter. GRE also posted the notice of the meeting dates and other information on the Project on its company website.¹⁴

Approximately 8 members of the public appeared at the public hearings. Several of the attendees offered testimony concerning the Project and related issues. The Administrative Law Judge established a deadline of February 8, 2008 for receipt of written comments from any interested person.

The Commission will issue an Order on GRE's applications for a Certification of Need and a Site Permit after examination of this Summary, the hearing transcripts, all written filings submitted by the public and all filings and arguments submitted by the Applicant, the Minnesota Department of Commerce and other persons and entities interested in this matter.

Summary of Testimony in Elk River

Bill Storm, Project Manager with the Department of Commerce's Energy Facilities Permitting Group made a presentation regarding the Department's environmental review for the Project. He also noted the comments that other Department staff had made regarding CN issues.¹⁵

The environmental review conducted by the Department is summarized in a document entitled *Environmental Report: Elk River Peaking Station (Environmental Report)*.¹⁶ The *Environmental Report* is a general document discussing the potential human and environmental impacts of the Project as well as any alternatives to the Project as proposed.

As part of the *Environmental Report* development process, public meetings were held on July 31, 2007 and August 1, 2007 to solicit input into the issues to be addressed in the study. Written comments were also solicited.

The *Environmental Report* detailed the work needed to be performed for the Project, potential impacts, and mitigation measures. No significant impacts requiring extraordinary mitigation measures were identified in the *Environmental Report*. Mitigation measures were detailed for the very limited impacts and potential impacts resulting from the installation and operation of the Project.¹⁷

As of the time of the public hearings, the Department had not recommended whether the Commission should approve the Project.¹⁸ Attendees at the public hearing

¹³ Ex. 15.

¹⁴ *Id.*

¹⁵ Elk River Public Hearing Tr., 10-14 (Storm).

¹⁶ *Environmental Report* (<https://www.edockets.state.mn.us/EFiling/ShowFile.do?DocNumber=4897688> .

¹⁷ *Environmental Report* (<https://www.edockets.state.mn.us/EFiling/ShowFile.do?DocNumber=4897688> .

¹⁸ (<https://www.edockets.state.mn.us/EFiling/ShowFile.do?DocNumber=4877748>)

were invited to comment on the Project and on the Department's inquiry.

Glen Skarbakka, Resource Planning Manager for GRE, discussed the anticipated need for electricity among the member cooperatives and customers of those cooperatives through 2022. GRE primarily purchases electricity from coal-fired generation plants and adds electricity obtained from hydro, natural gas, refuse-derived fuel (RDF), and wind sources. With the increase in wind-generated electricity, the need for peaking power generation increases due to the variability of the wind-generated supply.¹⁹

Vince Herda, Project Manager for GRE, provided an overview of the planning, design, and potential impacts of the Project. Herda set out GRE's reasons for the location, size, and timing of the Project.²⁰

Mark Strohfus, Environmental Project Leader for GRE, provided more specific information on the potential impacts of the Project. Air emissions, noise generated by the Project, and required permitting were detailed in his portion of GRE's presentation.²¹

David Jacobson, Regulatory Unit Manager for the Public Utilities Commission, described the permit process and the PUC's role in the considering the applications of GRE.²²

Ewald Petersen, Sherburne County Commissioner, expressed support for the Project and described the positive relationship between GRE and the County. Commissioner Petersen inquired as to whether the air quality figures presented were different for the two different fuels proposed for the Project's CT. Strohfus responded that the figures were assuming a "worst-case scenario" where fuel oil was being used to fire the turbine. The emissions numbers are projected to be far lower using natural gas to fire the CT. Commissioner Petersen also identified a strong need for electricity in operating pumps and irrigation systems in Sherburne County. He noted that GRE was constructing a transmission and maintenance facility in Big Lake to ensure that service vehicles could be deployed reliably and safely.²³

Chad Westberg, a resident in the Project area, inquired as to the tax impact of adding the Project in Sherburne County. GRE responded that the Project would be providing significant revenue on an annual basis to both Sherburne County and the City of Elk River. Westberg inquired as to the profitability of peaking plants and whether the need for the Project remained with other plants being installed. GRE responded that the Project was a least-cost resource and that its output was expected to ensure high levels of reliability in electric service. Westberg noted that in his experience GRE was a

¹⁹ Elk River Public Hearing Tr., at 22-25 (Skarbakka).

²⁰ *Id.*, at 27-37 (Herda).

²¹ *Id.*, at 38-41 (Strohfus).

²² Elk River Public Hearing Tr., at 15-16 (Jacobson).

²³ Elk River Public Hearing Tr., at 41-42, 45-47, and 58-59 (Peterson).

good company and he had no objections to the Project.²⁴

Summary of Testimony in Rosemount

At the public hearing in Rosemount, GRE and Department made similar presentations to those made in Elk River. Bob Cupit appeared on behalf of the Commission to describe its role in the CON and permitting process.²⁵

Frank Knoll, a resident of the area, noted that moving large equipment such as a CT could cause damage to local roads. Knoll supported the Project, but maintained that Elk River was a better location for it. GRE responded that it was responsible for any damage caused by moving equipment over the roadways.²⁶

Greg Fox, a resident near GRE's property, inquired about the potential for noise impact arising from the Project. GRE described the manner in which the anticipated noise was calculated and how that would impact area residents. GRE responded that the anticipated sound level of 50 dB(A) would be the equivalent of normal room sounds.²⁷

The potential economic impact of the Project was questioned by Fox. GRE responded that a modest increase would be seen in local employment and a significant increase in property tax revenue would occur for the local units of government. Eric Zweber, Senior Planner for the City of Rosemount, noted that the parcel for the Rosemount location was currently zoned for agricultural uses, but that it would be reclassified to commercial uses if the Project was located there.²⁸

Summary of Written Comments

No written comments were received regarding the Project.

Dated this 20th day of March, 2008.

/s/ Richard C. Luis

RICHARD C. LUIS
Administrative Law Judge

Reported: Janet Shaddix Elling, R.P.R.
Shaddix & Associates
Two Volumes

²⁴ Elk River Public Hearing Tr., at 48-55 (Westberg).

²⁵ Rosemount Public Hearing Tr., at 9-41.

²⁶ Rosemount Public Hearing Tr., at 68 (Knoll).

²⁷ Rosemount Public Hearing Tr., at 45-47.

²⁸ Rosemount Public Hearing Tr., at 63-67.



MINNESOTA OFFICE OF ADMINISTRATIVE HEARINGS

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March 20, 2008

To All Persons on the Service List

**BY U.S. MAIL, E-MAIL
AND eFILING**

RE: ITMO the Application of Great River Energy for a Site Permit for the Elk River Peaking Station; MPUC Docket No. ET-2/GS-07-715, OAH Docket No. 7-2500-19143-2, and;

ITMO the Application of Great River Energy for a Certificate of Need for the Elk River Peaking Station; MPUC Docket No. ET-2/CN-07-678, OAH Docket No. 7-2500-19096-2

Please find enclosed and served on you the Summary of Testimony at Public Hearings issued in the above-entitled dockets.

Very truly yours,

/s/ Richard C. Luis

RICHARD C. LUIS
Administrative Law Judge

Telephone: 651-361-7843

Enclosures

**In the Matter of the Application of Great
River Energy for a Site Permit for the Elk
River Peaking Station, and**

**In the Matter of the Application of Great
River Energy for a Certificate of Need for
the Elk River Peaking Station**

Administrative Law Judge’s Service List as September 7, 2007

Persons with the E-File notation can be served electronically using the PUC E-Filing system. Any document not E-filed must be served by mail or courier (with additional copies as noted). No copies of information requests (IRs) are to be served those bearing the **No IRs** notation. Consistent with Commission policy and the First Prehearing Order in this matter, IRs and responses to IRs are **not** to be E-Filed.

<p>Burl W. Haar (E-File or 15 copies; No IRs) MN Public Utilities Commission 121 East Seventh Place, Suite 350 St. Paul, MN 55101-2147 FAX: 651-297-7073</p>	<p>Richard C. Luis (E-File and 1 copy or Original and 1 copy; No IRs) Administrative Law Judge Office of Administrative Hearings 100 Washington Square, Suite 1700 Minneapolis, MN 55401-2138 Richard.Luis@state.mn.us (612) 349-2542</p>
<p>Karen Finstad Hammel Assistant Attorney General 445 Minnesota Street, Suite 1400 St. Paul, MN 55101</p>	<p>Julia Anderson Office of the Attorney General 1400 Bremer Tower 445 Minnesota Street St. Paul, MN 55101-2131 Julia.Anderson@state.mn.us (651) 296-8703</p>
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<p>Robert Cupit Senior Facility Planner MN Public Utilities Commission 121 East Seventh Place, Suite 350 St. Paul, MN 55101-2147</p>	<p>Sharon Ferguson (E-file or 4 copies) MN Department of Commerce 85 Seventh Place East, Suite 500 St. Paul, MN 55101-2198</p>
<p>Curt Nelson OAG-RUD 900 Bremer Tower 445 Minnesota Street St. Paul, MN 55101-2130</p>	<p>Deborah Pile MN Department of Commerce 85 Seventh Place East, Suite 500 St. Paul, MN 55101-2198</p>

<p>William C. Storm MN Department of Commerce 85 Seventh Place East, Suite 500 St. Paul, MN 55101-2198</p>	<p>David Jacobson MN Public Utilities Commission 121 East Seventh Place, Suite 350 St. Paul, MN 55101-2147</p>
<p>Bret Eknes MN Public Utilities Commission 121 East Seventh Place, Suite 350 St. Paul, MN 55101-2147</p>	<p>Nico Kieves Excelsior Energy Inc. 11100 Wayzata Boulevard, Suite 305 Minnetonka, Minnesota 55305</p>

In the Matter of the Application of Great River Energy for a Site Permit for the Elk River Peaking Station

OAH Docket Nos. 7-2500-19143-2
 7-2500-19096-2
 MPUC Docket Nos. ET-2/GS-07-715
 ET-2/GS-07-678

In the Matter of the Application of Great River Energy for a Certificate of Need for the Elk River Peaking Station

Amended Hearing Exhibit List

Class	Exhibit No.	Author	Document Type	Received Date
Public	1	GREAT RIVER ENERGY	INITIAL FILING – TABLE OF CONTENTS AND SECTION 1 https://www.edockets.state.mn.us/Efiling/ShowFile.do?DocNumber=4385377	06/14/2007
Public	1	GREAT RIVER ENERGY	INITIAL FILING – APPENDIX A https://www.edockets.state.mn.us/Efiling/ShowFile.do?DocNumber=4385376	06/14/2007
Public	1	GREAT RIVER ENERGY	INITIAL FILING - AERA ATTACHMENT A TABLE A-1 https://www.edockets.state.mn.us/Efiling/ShowFile.do?DocNumber=4385346	06/14/2007
Public	1	GREAT RIVER ENERGY	INITIAL FILING - AERA ATTACHMENT B https://www.edockets.state.mn.us/Efiling/ShowFile.do?DocNumber=4385347	06/14/2007
Public	1	GREAT RIVER ENERGY	INITIAL FILING - AERA ATTACHMENT C https://www.edockets.state.mn.us/Efiling/ShowFile.do?DocNumber=4385348	06/14/2007
Public	1	GREAT RIVER ENERGY	INITIAL FILING - AIR EMISSIONS RISK ANALYSIS https://www.edockets.state.mn.us/Efiling/ShowFile.do?DocNumber=4385350	06/14/2007
Public	1	GREAT RIVER ENERGY	INITIAL FILING - LOCATION MAP - 1-1 https://www.edockets.state.mn.us/Efiling/ShowFile.do?DocNumber=4385351	06/14/2007
Public	1	GREAT RIVER	INITIAL FILING - LOCATION MAP - 1-2 https://www.edockets.state.mn.us/Efiling/ShowFile.do?DocNumber=4385352	06/14/2007

		ENERGY		
Public	1	GREAT RIVER ENERGY	INITIAL FILING - LOCATION MAP - 1-3 https://www.edockets.state.mn.us/EFiling/ShowFile.do?DocNumber=4385353	06/14/2007
Public	1	GREAT RIVER ENERGY	INITIAL FILING - GENERAL ARRANGEMENT - 2-1 https://www.edockets.state.mn.us/EFiling/ShowFile.do?DocNumber=4385354	06/14/2007
Public	1	GREAT RIVER ENERGY	INITIAL FILING - GRE CAMPUS AND PREFERRED SITE - 2-2 https://www.edockets.state.mn.us/EFiling/ShowFile.do?DocNumber=4385355	06/14/2007
Public	1	GREAT RIVER ENERGY	INITIAL FILING - ROSEMOUNT ALTERNATIVE SITE - 2-3 https://www.edockets.state.mn.us/EFiling/ShowFile.do?DocNumber=4385356	06/14/2007
Public	1	GREAT RIVER ENERGY	INITIAL FILING - SIMPLE CYCLE COMBUSTION TECHNOLOGY 3-1 https://www.edockets.state.mn.us/EFiling/ShowFile.do?DocNumber=4385357	06/14/2007
Public	1	GREAT RIVER ENERGY	INITIAL FILING - TRANSMISSION LINE UPGRADES 3-2 https://www.edockets.state.mn.us/EFiling/ShowFile.do?DocNumber=4385358	06/14/2007
Public	1	GREAT RIVER ENERGY	INITIAL FILING - TRANSMISSION LINE INTERCONNECTION 3-3 https://www.edockets.state.mn.us/EFiling/ShowFile.do?DocNumber=4385359	06/14/2007
Public	1	GREAT RIVER ENERGY	INITIAL FILING - PRELIMINARY GAS PIPELINE ROUTE 3-4 https://www.edockets.state.mn.us/EFiling/ShowFile.do?DocNumber=4385360	06/14/2007
Public	1	GREAT RIVER ENERGY	INITIAL FILING - NATURAL GAS PIPELINE INTERCONNECT ALTERNATIVE SITE 3-5 https://www.edockets.state.mn.us/EFiling/ShowFile.do?DocNumber=4385361	06/14/2007
Public	1	GREAT RIVER ENERGY	INITIAL FILING - WASTEWATER DISCHARGE ROUTE ALTERNATIVE SITE 3-6 https://www.edockets.state.mn.us/EFiling/ShowFile.do?DocNumber=4385362	06/14/2007
Public	1	GREAT RIVER ENERGY	INITIAL FILING - LAND USE MAP - PREFERRED SITE 4-1 https://www.edockets.state.mn.us/EFiling/ShowFile.do?DocNumber=4385363	06/14/2007

Public	1	GREAT RIVER ENERGY	INITIAL FILING - ZONING MAP PREFERRED SITE 4-2 https://www.edockets.state.mn.us/EFiling/ShowFile.do?DocNumber=4385368	06/14/2007
Public	1	GREAT RIVER ENERGY	INITIAL FILING - SURFICIAL GEOLOGY PREFERRED SITE 4-3 https://www.edockets.state.mn.us/EFiling/ShowFile.do?DocNumber=4385369	06/14/2007
Public	1	GREAT RIVER ENERGY	INITIAL FILING - BEDROCK GEOLOGY PREFERRED SITE 4-4 https://www.edockets.state.mn.us/EFiling/ShowFile.do?DocNumber=4385370	06/14/2007
Public	1	GREAT RIVER ENERGY	INITIAL FILING - SOILS ALONG TRANSMISSION LINE 4-5 https://www.edockets.state.mn.us/EFiling/ShowFile.do?DocNumber=4385371	06/14/2007
Public	1	GREAT RIVER ENERGY	INITIAL FILING - RIVERS, STREAMS & MAJOR WATERSHEDS 4-6 https://www.edockets.state.mn.us/EFiling/ShowFile.do?DocNumber=4385372	06/14/2007
Public	1	GREAT RIVER ENERGY	INITIAL FILING - SITES OF BIODIVERSITY SIGNIFICANCE 4-7 https://www.edockets.state.mn.us/EFiling/ShowFile.do?DocNumber=4385373	06/14/2007
Public	1	GREAT RIVER ENERGY	INITIAL FILING - NWI WETLANDS AT PROPOSED PLANT SITE 4-8 https://www.edockets.state.mn.us/EFiling/ShowFile.do?DocNumber=4385374	06/14/2007
Public	1	GREAT RIVER ENERGY	INITIAL FILING - NWI WETLANDS ALONG TRANSMISSION LINE UPGRADES 4-9 https://www.edockets.state.mn.us/EFiling/ShowFile.do?DocNumber=4385375	06/14/2007
Public	1	GREAT RIVER ENERGY	INITIAL FILING - ZONING ALTERNATIVE SITE 4-10 https://www.edockets.state.mn.us/EFiling/ShowFile.do?DocNumber=4385364	06/14/2007
Public	1	GREAT RIVER ENERGY	INITIAL FILING - SOILS AT ALTERNATIVE SITE 4-11 https://www.edockets.state.mn.us/EFiling/ShowFile.do?DocNumber=4385365	06/14/2007
Public	1	GREAT RIVER ENERGY	INITIAL FILING - RIVERS AND WATERSHEDS ALTERNATIVE SITE 4-12 https://www.edockets.state.mn.us/EFiling/ShowFile.do?DocNumber=4385366	06/14/2007
Public	1	GREAT RIVER	INITIAL FILING - NWI & DELINEATED WETLANDS ALTERNATIVE SITE 4-13 https://www.edockets.state.mn.us/EFiling/ShowFile.do?DocNumber=4385367	06/14/2007

		ENERGY		
Public	1	GREAT RIVER ENERGY	INITIAL FILING - ELK RIVER PEAKING STATION-CONTAINS ALL COMPONENTS https://www.edockets.state.mn.us/EFiling/ShowFile.do?DocNumber=4385349	06/14/2007
Public	2	DOC	COMMENTS - AND RECOMMENDATIONS https://www.edockets.state.mn.us/EFiling/ShowFile.do?DocNumber=4574546	07/06/2007
Public	3	OAH	EXHIBITS - EXHIBIT 3 - TRANSMITTAL OF APPLICATION https://www.edockets.state.mn.us/EFiling/ShowFile.do?DocNumber=4897669	01/11/2008
Public	4	DOC	NOTICE - OF PUBLIC MEETING https://www.edockets.state.mn.us/EFiling/ShowFile.do?DocNumber=4730464	07/17/2007
Public	5	OAH	OTHER - EXHIBIT 5 - PUBLISHED NOTICE OF PUBLIC MEETING https://www.edockets.state.mn.us/EFiling/ShowFile.do?DocNumber=4897672	01/11/2008
Public	6	PUC	ORDER - ACCEPTING APPLICATION, INITIATING FULL REVIEW, REFERRING TO OAH & NOTICE OF HEARING https://www.edockets.state.mn.us/EFiling/ShowFile.do?DocNumber=4740061	08/01/2007
Public	7	OAH	OTHER - EXHIBIT 7 - GRE DOCUMENTATION OF NOTIFICATIONS https://www.edockets.state.mn.us/EFiling/ShowFile.do?DocNumber=4897675	01/11/2008
Public	8	OAH	OTHER - EXHIBIT 8 - PUBLIC COMMENTS https://www.edockets.state.mn.us/EFiling/ShowFile.do?DocNumber=4897678	01/11/2008
Public	9	DOC	OTHER - ENVIRONMENTAL REPORT AND EIS https://www.edockets.state.mn.us/EFiling/ShowFile.do?DocNumber=4763134	09/06/2007
Public	10	DOC	NOTICE - OF AVAILABILITY OF DRAFT EIS https://www.edockets.state.mn.us/EFiling/ShowFile.do?DocNumber=4843432	11/21/2007
Public	11	OAH	EXHIBITS - EXHIBIT 11 - DRAFT ENVIRONMENTAL IMPACT STATEMENT - PART A https://www.edockets.state.mn.us/EFiling/ShowFile.do?DocNumber=4897681	01/11/2008
Public	11	OAH	EXHIBITS - EXHIBIT 11 - DRAFT ENVIRONMENTAL IMPACT STATEMENT - PART B https://www.edockets.state.mn.us/EFiling/ShowFile.do?DocNumber=4897683	01/11/2008
Public	11	OAH	EXHIBITS - EXHIBIT 11 - DRAFT ENVIRONMENTAL IMPACT STATEMENT - PART C https://www.edockets.state.mn.us/EFiling/ShowFile.do?DocNumber=4897685	01/11/2008
Public	11	OAH	EXHIBITS - EXHIBIT 11 - DRAFT ENVIRONMENTAL IMPACT STATEMENT - PART D https://www.edockets.state.mn.us/EFiling/ShowFile.do?DocNumber=4897795	01/15/2008
Public	12	OAH	EXHIBITS - EXHIBIT 12 - ENVIRONMENTAL REPORT - PART A https://www.edockets.state.mn.us/EFiling/ShowFile.do?DocNumber=4897687	01/11/2008

Public	12	OAH	EXHIBITS - EXHIBIT 12 - ENVIRONMENTAL REPORT - PART B https://www.edockets.state.mn.us/EFiling/ShowFile.do?DocNumber=4897690	01/11/2008
Public	12	OAH	EXHIBITS - EXHIBIT 12 - ENVIRONMENTAL REPORT - PART C https://www.edockets.state.mn.us/EFiling/ShowFile.do?DocNumber=4897692	01/11/2008
Public	12	OAH	EXHIBITS - EXHIBIT 12 - ENVIRONMENTAL REPORT - PART D https://www.edockets.state.mn.us/EFiling/ShowFile.do?DocNumber=4897694	01/11/2008
Public	13	DOC	NOTICE - OF PUBLIC HEARING https://www.edockets.state.mn.us/EFiling/ShowFile.do?DocNumber=4846690	11/26/2007
Public	14	OAH	EXHIBITS - EXHIBIT 14 - EQB MONITOR 12-3-07 https://www.edockets.state.mn.us/EFiling/ShowFile.do?DocNumber=4897696	01/11/2008
Public	15	OAH	EXHIBITS - EXHIBIT 15 - DOCUMENTATION OF NOTIFICATIONS - PART A https://www.edockets.state.mn.us/EFiling/ShowFile.do?DocNumber=4897708	01/11/2008
Public	15	OAH	EXHIBITS - EXHIBIT 15 - DOCUMENTATION OF NOTIFICATIONS - PART B https://www.edockets.state.mn.us/EFiling/ShowFile.do?DocNumber=4897710	01/11/2008
Public	16	OAH	EXHIBITS - EXHIBIT 16 - PUBLIC HEARING PRESENTATION https://www.edockets.state.mn.us/EFiling/ShowFile.do?DocNumber=4897712	01/11/2008
Public	17	GREAT RIVER ENERGY	EXHIBITS - EXHIBIT 17: PAGE 4 https://www.edockets.state.mn.us/EFiling/ShowFile.do?DocNumber=4893319	01/08/2008
Public	18	GREAT RIVER ENERGY	EXHIBITS - EXHIBIT 18 : PAGE 5 https://www.edockets.state.mn.us/EFiling/ShowFile.do?DocNumber=4893319	01/08/2008
Public	19	GREAT RIVER ENERGY	EXHIBITS - EXHIBIT 19: PAGE 6 https://www.edockets.state.mn.us/EFiling/ShowFile.do?DocNumber=4893319	01/08/2008
Public	20	OAH	EXHIBITS - EXHIBIT 20 - GRE PUBLIC HEARING FLYER https://www.edockets.state.mn.us/EFiling/ShowFile.do?DocNumber=4897714	01/11/2008
Public	21	GREAT RIVER ENERGY	TESTIMONY - DIRECT OF VINCENT HERDA: PAGES 10-13 https://www.edockets.state.mn.us/EFiling/ShowFile.do?DocNumber=4883550	12/31/2007
Public	22	GREAT RIVER ENERGY	TESTIMONY - DIRECT OF MARK STROHFUS: PAGES 4-9 https://www.edockets.state.mn.us/EFiling/ShowFile.do?DocNumber=4883550	12/31/2007

Public	23	DOC	EXHIBIT 23 – FINAL ENVIRONMENTAL IMPACT STATEMENT https://www.edockets.state.mn.us/Efiling/ShowFile.do?DocNumber=4901725	01/22/2008
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