



STATE OF MINNESOTA  
Office of Energy Security



Issued: April 6, 2010

**NOTICE OF PUBLIC HEARINGS**

**In the Matter of the Application for a Route Permit for the Bemidji-Grand Rapids 230kV Transmission Project**

**PUC Docket Number: E-017, E-015, ET-6/TL-07-1327  
OAH Docket Number – 8-2500-20825-2**

**PLEASE TAKE NOTICE** that Public Hearings will be held on the Application of Otter Tail Power Company, Minnesota Power, and Minnkota Power Cooperative (Applicants) to the Minnesota Public Utilities Commission (Commission) for a High Voltage Transmission Line (HVTL) Route Permit for a 230-kV Transmission Line from Bemidji to Grand Rapids, Minnesota.

The combined public hearing and evidentiary hearings will be held April 21-23, 2010, at the dates and times listed below. End times reflect the latest a public hearing will run. Hearings may conclude earlier where all attendees have had the opportunity to comment and all other business has been concluded.

**PUBLIC HEARING DATES & LOCATIONS**

<b>April 21, 2010 (Wednesday)</b>	<b>April 22, 2010 (Thursday)</b>	<b>April 23, 2010 (Friday)</b>
<p><b>6:00 P.M. – 9:00 P.M.</b></p> <p>Senior Center 24 1<sup>st</sup> Street SE Blackduck</p>	<p><b>1:00 P.M. – 4:00 P.M.</b> &amp; <b>6:00 P.M. – 9:00 P.M.</b></p> <p>Holiday Inn Express 2422 Ridgeway Avenue, N.W Bemidji</p>	<p><b>10:00 A.M. – 1:00 P.M.</b></p> <p>Leech Lake Tribal College 6945 Little Wolf Road NW Cass Lake</p> <p><b>4:00 P.M. – 7:00 P.M.</b></p> <p>Morse Town Hall 32775 State Hwy 46 Deer River</p>

**Administrative Law Judge Eric L. Lipman** will preside at the hearing.

**Deadline for Public Comments:** Written public comments to the Administrative Law Judge on the Route Permit Application must be received at the Office of Administrative Hearings by **4:30 p.m. on May 3, 2010**. The mailing address is:

Honorable Eric L. Lipman,  
Administrative Law Judge  
P.O Box 64620  
600 North Robert Street  
Saint Paul, MN 55164-0620  
Facsimile 651-361-7936

**Purpose of Hearing.** The purpose of the public hearing is to receive comments from members of the public and to compile the record for the Commission to consider in making a final decision on the transmission line route permit request. The ALJ will write a report and make a recommendation to the Commission on which route to authorize and on any appropriate permit conditions. The Commission will make a final decision on the route permit at a subsequent Commission hearing.

**Project Description.** The Applicants propose to construct a 230 kilovolt (kV) transmission line between the Wilton Substation, located west of Bemidji, Minnesota, and the Boswell Substation in Cohasset, Minnesota, as well as upgrade both the Wilton and Boswell substations (Project). Depending upon the route selected, the Project may also include expansion of the existing Cass Lake Substation or construction of a new substation in the Cass Lake area and may include construction of a Breaker Station at Nary.

**Route Permit.** Under the Power Plant Siting Act (Minnesota Statutes, § 216E.03, subd. 2) a route permit is required before a HVTL can be constructed. A HVTL is defined as a conductor of electric energy and associated facilities designed for and capable of operation at a nominal voltage of 100 kilovolts or more and greater than 1,500 feet in length. A route permit application for the proposed 230 kV transmission line project was filed by the applicants on June 4, 2008, and was accepted as complete by the Commission on June 30, 2008. The Office of Energy Security (OES), together with the U.S. Department of Agriculture, Rural Utilities Service, prepared a Draft Environmental Impact Statement (EIS) on the proposed project. The Draft EIS discusses potential impacts of the project, evaluates alternatives, and suggests mitigation.

Copies of the Draft EIS, the permit application, and other material are available for public review at the public libraries: in Bemidji, Blackduck, Bovey, Cass Lake, Coleraine, Grand Rapids, Longville, Walker.

Electronic versions of the Route Permit Application, Draft EIS and other documents relevant to this matter are available for viewing or download at the Commission website at:

<http://energyfacilities.puc.state.mn.us/Docket.html?Id=19344> , or on eDockets at:

<https://www.edockets.state.mn.us/EFiling/search.jsp> (“07” year and “1327” number).

**Office of Administrative Hearing Rules:** The ALJ will conduct the contested case hearings in accordance with Minnesota Statutes, Chapter 14, and the Office of Administrative Hearings procedural rules for the Commission’s energy facility permitting process (Minnesota Rules, Chapter 1405). The applicable statutes and rules are available on the Office of the Revisor of Statutes webpage at: <https://www.revisor.mn.gov>. Rules and statutes may also be purchased at the State Bookstore, 660 Olive St., St. Paul, Minn. 55155, phone (651) 297-3000.

**Conduct of Hearing.** At the start of each hearing session, the ALJ will explain the procedural rules for the hearing, including the sequence for providing testimony and questioning witnesses. Members of the public may participate without the necessity of intervening as a party. Representation by legal counsel is permitted but not required of anyone participating in these hearings. Participation includes: a) offering direct testimony; b) offering testimony or other material in written form at or following the hearing; and c) questioning witnesses.

Any person who wishes to question a witness, but does not want to ask the questions, may submit questions in writing to the ALJ, who will then question the witness. Questions may be submitted during the hearing or may be sent to the ALJ in advance of the hearing. A transcript of the hearings will also be available.

**Request for Accommodation:** Any person who needs an accommodation for a disability in order to participate in the hearing, and any person who requires an interpreter, including a foreign language interpreter, should promptly notify the Office of Administrative Hearings, P.O. Box 64620, 600 North Robert Street, St Paul, Minnesota, 55164-0620, Phone: (651)361-7900 (voice) or (651)361-7878 (TDD).

**Continuation of Hearing.** The ALJ may elect to recess the hearing and set additional days for hearing, if necessary.

**Identified Parties and Intervention:** Persons interested in intervening in these proceedings had until February 10, 2010 (Pre-hearing Order December 28, 2009) to file a Petition for Intervention with the ALJ (See Minn. Rules Part 1400.6200). Only the Applicants were named as a party as of the date of this notice.

**Eminent Domain.** If issued an HVTL Route Permit by the Commission, the Applicants may exercise the power of eminent domain to acquire land for this project pursuant to Minnesota Statute 216E.12.

**Department of Commerce – Office of Energy Security.** The OES has designated staff member Suzanne Steinhauer ([suzanne.steinhauer@state.mn.us](mailto:suzanne.steinhauer@state.mn.us); 651-296-2888) is the project permitting manager and Ray Kirsch ([raymond.kirsch@state.mn.us](mailto:raymond.kirsch@state.mn.us); 651-296-7588) is the public advisor. The public advisor is available to answer questions about the permitting procedures and how to effectively participate in the process, but does not provide legal advice. The address for the DOC EFP staff is Suite 500, 85 7<sup>th</sup> Place East, St. Paul, Minn. 55101. Other contact information: Toll Free: 1-800-657-3794; Fax: 651-297-7891 or TTY: Minnesota Relay Services, 1-800-627-3529, and ask for the DOC.

**OES Legal Counsel.** Karen Finstad Hammel, Minnesota Attorney General's Office, 1400 Bremer Tower, 445 Minnesota Street, St. Paul, MN 55101-2127, Phone (651) 757-1248, Fax (651)297-1138, [karen.hammel@state.mn.us](mailto:karen.hammel@state.mn.us).

This document can be made available in alternative formats (i.e., large print or audio tape) by calling 651- 201-2202 (Voice) or 1-800-627-3529 (TTY relay service).