

# **PUBLIC MEETING**

## **PRAIRIE ISLAND NUCLEAR GENERATING PLANT EXTENDED POWER UPRATE & ADDITIONAL DRY CASK STORAGE**

### **Public Informational & Environmental Document Scoping Meeting**

**Minnesota Department of Commerce  
Wednesday, September 10, 2008  
Red Wing Public Library  
225 East Avenue  
Red Wing, MN**



# TONIGHT'S AGENDA

- **Introduction**
  - **Sign-in sheet, comment sheet, materials.**
  - **OES staff, PUC staff, Xcel Energy Representatives.**
- **Xcel Energy Presentation**
- **OES Presentation: CON & PPS Process**
  - **EPU CON Docket E002/CN-08-509**
  - **EPU Siting Permit Docket E002/GS-08-690**
  - **Additional Storage CON Docket E002/CN-08-510**
- **YOUR COMMENTS!**

# XCEL ENERGY PRESENTATION

APPLICATION TO THE  
MINNESOTA PUBLIC UTILITIES COMMISSION  
FOR CERTIFICATES OF NEED FOR THE  
PRAIRIE ISLAND NUCLEAR GENERATING PLANT

FOR

ADDITIONAL DRY CASK STORAGE  
DOCKET No. E002/CN-08-510

AND

EXTENDED POWER UPRATE  
DOCKET No. E002/CN-08-509

MAY 16, 2008



APPLICATION TO THE  
MINNESOTA PUBLIC  
UTILITIES COMMISSION

FOR A  
GENERATING PLANT SITE PERMIT

PRAIRIE ISLAND  
NUCLEAR GENERATING PLANT  
EXTENDED POWER UPRATE PROJECT

DOCKET NO. E002/GS-08-690

AUGUST 1, 2008

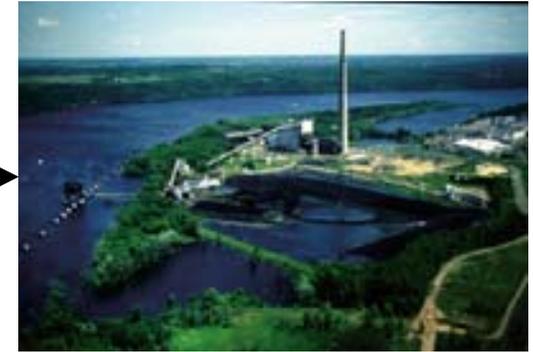
Prepared by Xcel Energy and Nuclear Management Company LLC



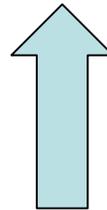
# PUBLIC UTILITIES COMMISSION ENERGY FACILITY PLANNING



Large Wind Energy Conversion Systems



Large Electric Power Generating Plants



High Voltage Transmission Lines



Pipelines

**MINNESOTA  
CERTIFICATE OF NEED  
EXTENDED POWER UPRATE  
PUC Docket No. E002/CN-08-509**

# Minnesota Statutes

## Certificate of Need for large energy facility

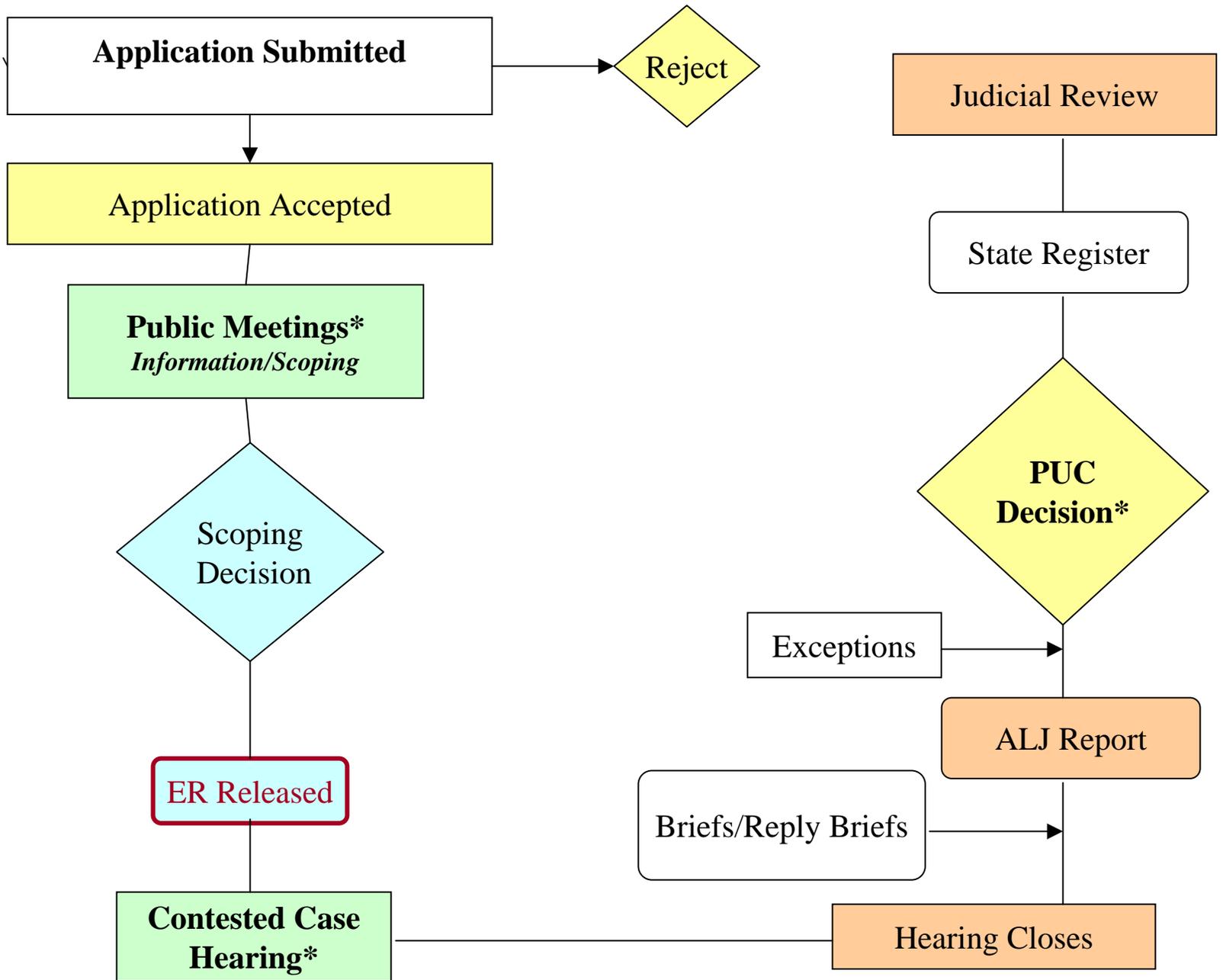
- No large energy facility shall be sited or constructed in Minnesota without the issuance of a certificate of need (CON) by the PUC pursuant to sections 216C.05 to 216C.30.
- Since the PINGP EPU project will increase the generating capacity of the plant by more than 50 MW a CON is required.

# Minnesota Statutes

## Certificate of Need for large energy facility

- On May 16, 2008, Xcel Energy submitted a CON application documenting its position that the PINGP EPU is the most cost-effective option available.
- On July 15, 2008, the Commission accepted the CON application as complete (July 22, 2008 order); the docket number for the certificate of need for the EPU is E002/CN-08-509.

Certificate of Need Process



\* *Public Participation Opportunities*

# EPU CON: Environmental Review

- The Office of Energy security (OES) prepares an Environmental Report (ER) on proposed large electric power generating plants that come before the PUC for a determination of need (Minn. Rules 7849.7100).
- The ER must contain information on the human and environmental impacts of the proposed project associated with the size, type, and timing of the project, system configurations, and voltage.
- The environmental report must also contain information on alternatives to the proposed project and address mitigating measures for anticipated adverse impacts.

# EPU CON: Public Hearing

- Minnesota Statutes § 216B.243, Subd. 4 require a public hearing be held for the CON to obtain public comments on the necessity of the project. The public hearing shall be held at a location and hour reasonably calculated to be convenient for the public.
- An objective of the public hearing shall be to obtain public opinion on the necessity of granting a certificate of need.

# EPU CON: Public Hearing

- In its July 22, 2008, order, the Commission referred the Certificate of Need docket (PUC Docket No. E002/CN-08-509) to the Office of Administrative Hearings to conduct a contested case hearing.
- The ALJ will issue a report containing findings, conclusions, and a recommendation on whether the Commission should issue a certificate of need for the proposed project.

**MINNESOTA  
SITING PERMIT  
EXTENDED POWER UPRATE  
PUC Docket No. E002/GS-08-690**

# Power Plant Siting Act

- The proposed EPU of the electrical generating capacity of the PINGP of 164 MW falls within the definition of a Large Electric Power Generating Plant (LEPGP) in the Power Plant Siting (PPS) Act;
- and, thus, requires a Site Permit from the PUC prior to construction (Minn. Stat. § 216E).

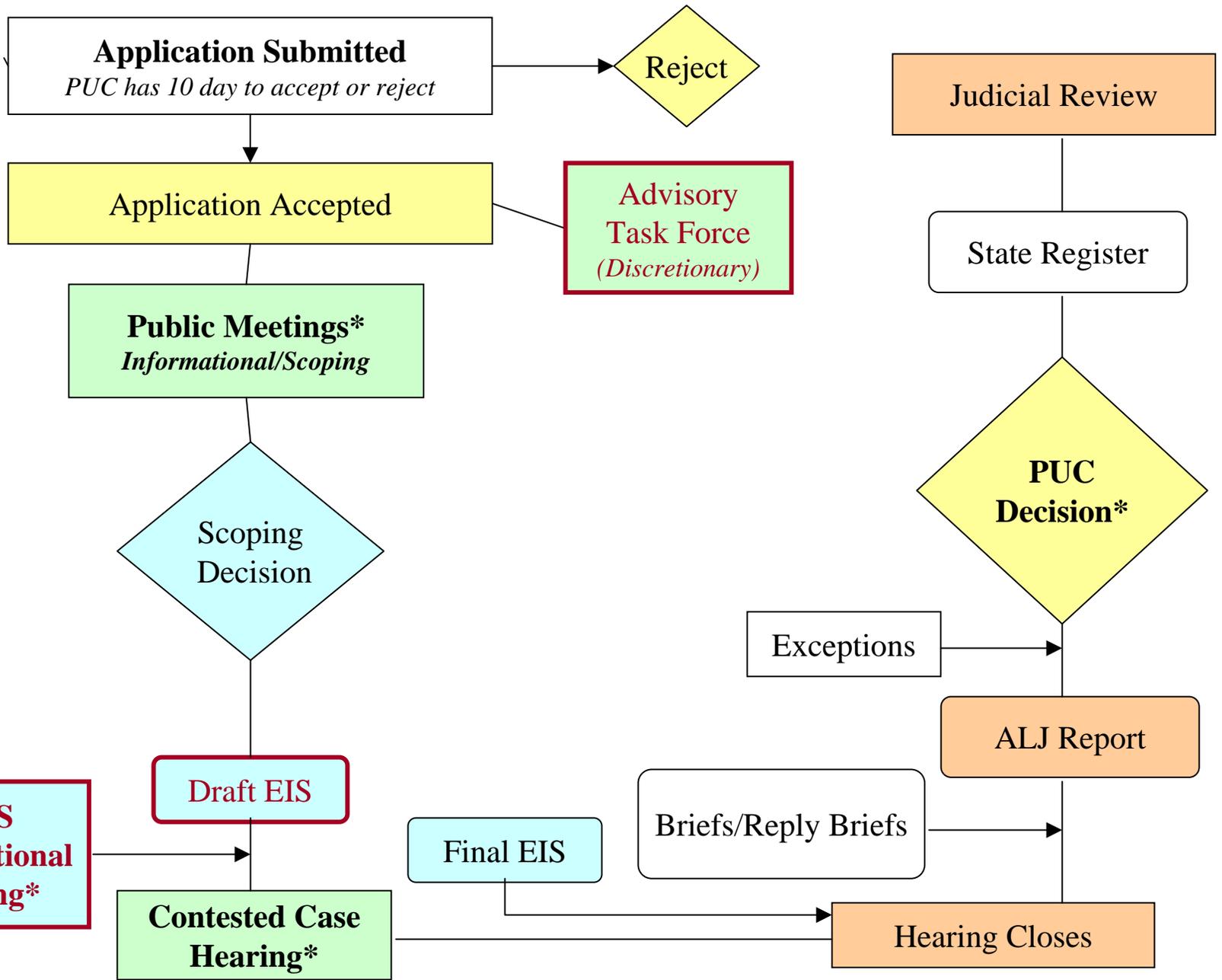
# PPS: PERMITTING PROCESS

- Two processes available for permitting LEPGPs depending on the type and size of the proposed project.
- **Full Review Process** - may take up to one year.
- **Alternative Review Process** - may take up to six months.
- Both require environmental review and public participation.

# PPS: Full Review Process

- On August 1, 2008, Xcel Energy submitted an application for a LEPPG Site Permit pursuant to Minn. Rule 7849.
- The proposed PINGP EPU does not qualify for the alternative environmental review process (Minn. Rule 7849.5500) and will be reviewed under the Full Review Process.

**Full Review Process**  
 (Minnesota Rules 7849.5010 to 7849.5340)



*\* Public Participation Opportunities*

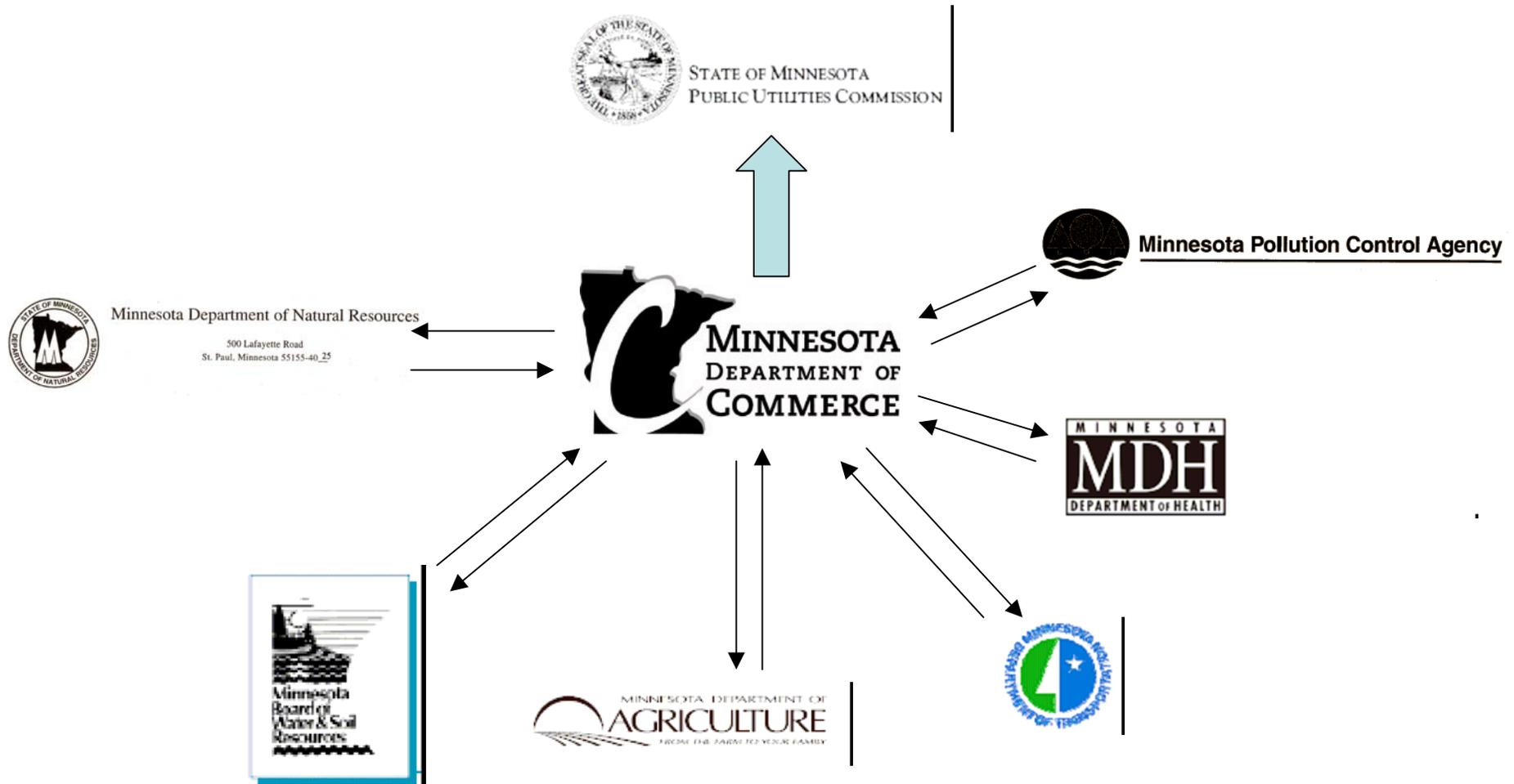
# PPS: Full Review Process

- Applicant must identify an alternative site.\*
- OES holds a Public Information/Scoping Mtg.
- OES prepares an EIS.
- A public hearing must be held before the PUC makes a decision on the matter.
- PUC has one year from the time the application is accepted to reach a final decision

# Other Permitting Agencies

State agencies having jurisdiction (permit authority) involving large energy projects must participate in the siting process

# Participating Agencies



**CERTIFICATE OF NEED  
ADDITIONAL DRY CASK  
STORAGE**

**PUC Docket No. E002/CN-08-510**

# Minnesota Statutes Certificate of Need Additional Dry Cask Storage

- Xcel Energy must obtain a CON from the PUC before additional dry cask storage casks can be used at the ISFSI at PINGP. (Minn. Stat. 116C.83, subd. 2)
- The procedures and criteria for the dry cask storage certificate of Need are contained in Minn. Stat. 216B.243, and Minn. Rules 7855 and 7849.

# Minnesota Statutes

## Certificate of Need

### Additional Dry Cask Storage

- On May 16, 2008, Xcel Energy also filed a CON for additional dry cask storage at the existing Independent Spent Fuel Storage Installation (ISFSI) at the PINGP.
- On July 15, 2008, the Commission accepted the CON application as complete (July 22, 2008 order); the docket number for the certificate of need for the Additional Dry Cask Storage is E002/CN-08-510..

# Minnesota Statutes Certificate of Need Additional Dry Cask Storage

- The CON process must address the impacts of continued operation of PINGP beyond 2014.
- “Any certificate of need for additional storage of spent nuclear fuel for a facility seeking a license extension shall address the impacts of continued operations over the period for which approval is sought.”. (Minn. Stat. 216B.243, subd. 3b)

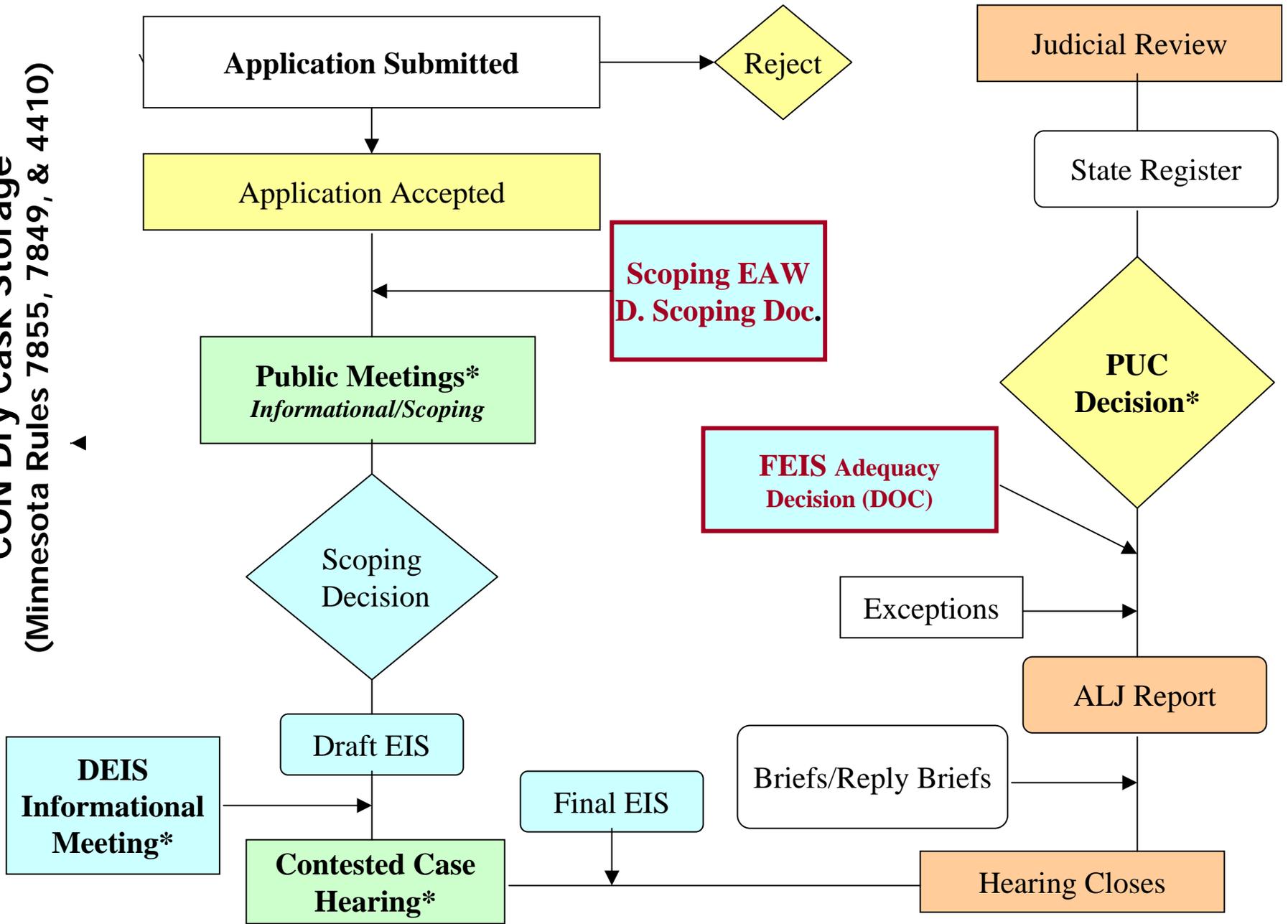
# Minnesota Statutes

## Certificate of Need

### Additional Dry Cask Storage

- If a CON is granted by the PUC, the Minnesota legislature will have the opportunity to review the PUC's decision.
- “To allow opportunity for review by the legislature, a decision by the commission on an application for a certificate of need...is stayed until the June 1 following the next regular annual session of the legislature that begins after the date of the commission decision.. If the legislature does not modify or reject the commission's decision by law enacted during that regular legislative session, the commission's decision shall become effective on the expiration of the stay..“ (Minn. Stat. 116C.83, subd. 3)

**CON Dry Cask Storage**  
(Minnesota Rules 7855, 7849, & 4410)



*\* Public Participation Opportunities*

**COORDINATION  
of the  
PROCESSES**

**EPU CON Docket E002/CN-08-509**

**EPU Siting Docket E002/GS-08-690**

**Dry Cask CON Docket E002/CN-08-510**

# Coordination of Processes Environmental Review

- The three dockets relative to PINGP each requires an environmental review document.

Item	Docket No.	Review Document
CON for the EPU	E002/CN-08-509	Environmental Report
LEPGP Site Permit for the EPU	E002/GS-08-690	Environmental Impact Statement
CON for Additional Dry Casks	E002/CN-08-510	Environmental Impact Statement

OES will hold a single Public Informational/Scoping meeting, develop one scoping document and release one EIS for all three projects to fulfill:

- The Uprate CON and site permit environmental review requirements of 7849.7030 and 7849.5300, respectively, combined pursuant to 7849.7100.
- The Independent Spent Fuel Storage Installation EIS required pursuant to 116C.83, developed in accordance with 116D and Chapter 4410.

# Coordination of Processes

## Public Hearing

- In its July 22, 2008, Order, the Commission referred the Certificate of Need dockets (PUC Dockets E002/CN-08-509 and E002/CN-08-510) to the Office of Administrative Hearings for conduct of the Minnesota Rules Chapter 1400 contested case proceeding.
- The public hearing required in the LEPGP siting docket (Docket E002/GS-08-690) is governed by Minn. Rule 7849.5330, which specifies a contested case hearing.
- Efficiencies could be gained by coordinating the contested case hearings for the two CON proceedings with that required for the LEPGP siting process.

# Coordination of Processes

## Public Hearing

- Administrative Law Judge Richard C. Luis has been assigned to conduct the public hearing in this proceeding. Contact information for the Administrative Law Judge is: Office of Administrative Hearings, 600 North Robert Street, Saint Paul, Minnesota 55164-0620, (651)-361-7843.
- A prehearing conference will be held at 9:30 a.m. on September 12, 2008, in the Large Hearing Room, Minnesota Public Utilities Commission, 121 7th Place East, Suite 350, Saint Paul. MN 55101-2147. Persons wishing to participate in this docket as an official party should attend this conference. Among the issues to be discussed are times and places for public hearings, dates for prefiling of expert testimony and discovery procedures. Notice of public and evidentiary hearings will be provided at a later date.

# Project Information

MPUC Energy Facility Permitting Web-site:

**<http://energyfacilities.puc.state.mn.us/Docket.html?Id=19602>**

MPUC eDocket:

**<http://www.puc.state.mn.us/index.htm>**

Click on eDockets & eFiling, select Search Documents and enter the year and number:

EPU CON = 08, then 509

Siting = 08, then 690

Dry Cask CON = 08, then 510



# LOGISTICS FOR ORAL COMMENTS

- **5 minutes per speaker!**
- An additional opportunity to speak at the end, if time allows.
- Please state your name
- Comment sheets available, if you prefer  
– **due by Tuesday, October 7, 2008**

# DUE DATE FOR COMMENTS

## October 7, 2008

SEND COMMENTS TO:

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