



BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION

**COMMENTS AND RECOMMENDATIONS OF THE
DEPARTMENT OF COMMERCE
ENERGY FACILITY PERMITTING STAFF**

DOCKET NO. ET2/TL-08-712

Meeting Date: January 26, 2012 Agenda Item # 2

Company: Great River Energy and Minnesota Power

Docket No: **ET2/TL-08-712**

**In the Matter of the Route Permit Application for the Southdale to
Scearcyville 115 kV Transmission Line and Breaker Station.**

Issue(s): Should the Commission authorize a minor alteration for the Southdale to Scearcyville 115 kV transmission line project? If so, what conditions, if any, should attach to the minor alteration?

EFP Staff: Scott Ek 651-296-8813

Relevant Documents

Route Permit Application July 17, 2008
Order Granting Route Permit April 9, 2009
Order Granting Amendment of Permit Conditions July 7, 2009
Great River Energy's Request for Minor Alteration December 12, 2011
Notice of Minor Alteration Application and Comment Period December 16, 2011

The enclosed materials are work papers of the Department of Commerce Energy Facility Permitting (EFP) staff. They are intended for use by the Minnesota Public Utilities Commission (Commission) and are based on information already in the record unless otherwise noted.

This document can be made available in alternative formats (i.e. large print or audio) by calling 651-296-0391 (voice). Persons with hearing or speech disabilities may call us through Minnesota Relay at 1-800-627-3529 or by dialing 711.

Documents Attached

Proposed Permit Amendment
Route Deviation Map 1 and 1a
Route Deviation Map 2 and 2a

Relevant documents and additional information can be found on eDockets (Docket 08-712) or the Commission's Energy Facilities Permitting website at:
<http://energyfacilities.puc.state.mn.us/Docket.html?Id=19661>.

Statement of the Issues

Should the Commission authorize a minor alteration for the Southdale to Scearcyville 115 kV transmission line project? If so, what conditions, if any, should attach to the minor alteration?

Introduction and Background

On July 17, 2008, Great River Energy (GRE) and Minnesota Power (permittees) made joint application to the Commission for a new 115 kV (kilovolt) transmission line and breaker station under the alternative permitting process. A route permit for the project was issued by the Commission on April 9, 2009. The Commission also granted the permittees an amendment of permit conditions on July 7, 2009.

On December 12, 2011, the permittees applied to the Commission for a minor alteration to the Southdale to Scearcyville 115 kV transmission line and breaker station project (eDocket No. 201112-69150-01).

Project Description

The project is to construct approximately 9.3 miles of new 115 kV transmission line and a new 115 kV breaker station. The proposed transmission line route will connect the existing GRE "CW-BS" transmission line located on the west side of the city of Baxter in Crow Wing County to a new breaker station to be constructed in northern Sylvan Township in Cass County, Minnesota. The permitted route width ranges from 100 feet to 700 feet and the right-of-way ranges from 70 feet to 100 feet.

Description of Request

The permittees indicate in the minor alteration application that during final engineering and design of the transmission facility two areas would need to deviate from the permitted route.

Deviation 1

The first requested deviation is located at Structure 38 in the NW1/4 of the NW1/4 of section 17, T133N, R29W (Maps 1 and 1a). The permittees state that there was a need to shift the transmission alignment and right-of-way east to avoid a conflict with an existing distribution system in the area. The transmission structures and conductors would continue to be located in the permitted route; however, the shift in alignment would place a portion (~0.1 acre) of the right-of-way in a hayfield outside the permitted route.

Permittees state that the alteration would affect one landowner already impacted by the permitted route and that the alignment shift has been discussed with the affected landowner. An easement agreement for the area in question has already been agreed to by the landowner and was executed on February 16, 2010.

Deviation 2

The second requested deviation is located at Structures 105 to 107 in the NW1/4 of the SW1/4 of section 23, T133N, R29W along the east side of the border running north-south between sections 22 and 23 (Maps 2 and 2a). The permittees maintain that there was a need to shift the transmission structures and right-of-way east, outside the permitted right-of-way (~0.4 acres), to avoid locating the new structures within a wetland/shoreland area near Island Lake and to an area with more structurally stable soils.

Permittees state that the alteration would affect one landowner and that the alignment shift has been discussed with the affected landowner. An easement agreement for the area in question has already been agreed to by the landowner and was executed on January 19, 2010.

Regulatory Process and Procedures

A minor alteration is a change in a large electric power generating plant or high voltage transmission line that does not result in significant changes in the human or environmental impact of the facility (Minnesota Rule 7850.4800). Upon receiving a minor alteration application the Commission is required to mail notice of receipt of the application to those persons on the general list and to those persons on the project list. The Commission is also required to provide at least a ten-day period for interested persons to submit comments on the request.

EFP staff issued notice of the minor alteration request on December 16, 2011, and mailed the notice to the general list and the project list on December 19, 2011. Comments were sought on whether the proposed project is a minor alteration, and any conditions that may be appropriate should the project be authorized as a minor alteration. Persons had until December 30, 2011, to submit comments. No public comments were received.

The Commission may authorize the minor alteration or determine that the alteration is not minor and requires a full permitting decision. The Commission may authorize the minor alteration but impose reasonable conditions on the approval (Minnesota Rule 7850.4800, subpart 3).

Staff Analysis and Comments

New route permits issued by the Commission now include language that allows a permittee to request a route width variation outside the designated route to overcome potential site specific constraints during the plan and profile review process. The new provisions were developed for the Brookings to Hampton 345 kV route permit that was issued by the Commission on September 14, 2010 (Docket No. ET2/TL-08-1474). The permit language is as follows:

Route width variations outside the designated route may be allowed for the permittee to overcome potential site specific constraints. These constraints may arise from any of the following:

- 1) Unforeseen circumstances encountered during the detailed engineering and design process.*
- 2) Federal or state agency requirements.*
- 3) Existing infrastructure within the transmission line route, including but not limited to roadways, railroads, natural gas and liquid pipelines, high voltage electric transmission lines, or sewer and water lines.*
- 4) Planned infrastructure improvements identified by state agencies and local government units and made part of the evidentiary record during the contested case proceeding for this permit.*

Any alignment modifications arising from these site specific constraints that would result in right-of-way placement outside the designated route shall be located so as to have comparable overall impacts relative to the factors in Minnesota Rule 7850.4100 as does the alignment identified in this permit and shall also be specifically identified and documented in and approved as part of the plan and profile submitted pursuant to [applicable section] of this permit.

The deviations requested in this minor alteration application would have likely qualified under Item 1. of this provision. The permit for this project, however, was issued prior to instituting this change in permit language.

EFP staff has reviewed the request for minor alteration and concludes that the permittees have offered reasonable argument to amend the permit for the requested deviations. The impacts for the deviations would be similar to those in the original route permit and will not result in any additional changes in the human or environmental impacts of the approved route as contained within the record. In addition, the existing route permit includes conditions to ensure the line is constructed in a safe, reliable manner and that impacts are minimized or mitigated.

Commission Decision Options

A. Grant the permittees' request to make minor alterations to the approved route and issue a permit amendment authorizing:

1. Deviation 1, as depicted on Maps 1 and 1a., and
2. Deviation 2, as depicted on Maps 2 and 2a.

B. Reject the permittees' request for a permit amendment.

C. Make another decision deemed more appropriate.

EFP Staff Recommendation: Option A

**STATE OF MINNESOTA
PUBLIC UTILITIES COMMISSION**

PERMIT AMENDMENT

**TO THE ROUTE PERMIT FOR CONSTRUCTION
OF A HIGH VOLTAGE TRANSMISSION LINE**

IN CASS COUNTY AND CROW WING COUNTY, MINNESOTA

**ISSUED TO
GREAT RIVER ENERGY AND MINNESOTA POWER**

PUC DOCKET No. ET2/TL-08-712

In accordance with the requirements of Minnesota Rules Chapter 7850.4800, this route permit amendment is hereby issued to:

GREAT RIVER ENERGY AND MINNESOTA POWER

Great River Energy and Minnesota Power, are authorized by this route permit amendment to alter the route and alignment in two locations along the previously permitted Southdale to Scearcyville 115 kV transmission line project as depicted on the attached route maps.

Approved and adopted this ____ day of _____ 2012

BY ORDER OF THE COMMISSION

Burl W. Haar,
Executive Secretary



- Great River Energy CW-SS 115-kV Line
- Structures
 - Transmission Centerline
 - Easement Area
 - Permitted Route Area
 - Non-permitted easement area

Updated: 12/9/2011

0 400 Feet

Map Projection:
UTM, NAD83, Zone15, Meters



Southdale to Scarcyville
115 kV Transmission
Project:
Map 1



- Great River Energy CW-SS 115-kV Line
- Structures
 - Transmission Centerline
 - Easement Area
 - Permitted Route Area
 - Non-permitted easement area

Updated: 12/9/2011

0 100 Feet

Map Projection:
UTM, NAD83, Zone15, Meters



**Southdale to
Scarcyville
115 kV Transmission
Project:
Map 1a**



T133N R29W

City of Baxter

SEC:22

SEC:23

SEC:27

SEC:26

Island Lake

Red River Rd

Red River Rd

- Structures
- Transmission Centerline
- Easement Area
- Permitted Route Area
- Non-permitted easement area

Updated: 12/12/2011

0 400 Feet

Map Projection:
UTM, NAD83, Zone 15, Meters



**Southdale to
Searcyville
115 kV Transmission
Project:
Map 2**



- Structures
- Transmission Centerline
- Easement Area
- Permitted Route Area
- Non-permitted easement area

Updated: 12/12/2011

0 100 Feet

Map Projection:
UTM, NAD83, Zone 15, Meters



**Southdale to
Scarcyville
115 kV Transmission
Project:
Map 2a**