

BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION

David Boyd
J. Dennis O'Brien
Phyllis Reha
Thomas Pugh
Betsy Wergin

Chair
Commissioner
Commissioner
Commissioner
Commissioner

Darrin Lahr
Supervisor, Siting and Land Rights
Xcel Energy
414 Nicollet Mall
Minneapolis, MN 55401

SERVICE DATE: March 4, 2011

DOCKET NO. E-002,ET-2/TL-09-246

In the Matter of the Application for a Route Permit for the Monticello to St. Cloud 345 kV
Transmission Line Project

The above entitled matter has been considered by the Commission and the following disposition
made:

**Approved the Permittees' request and adopted a Permit Amendment, widening the
route width and altering the transmission alignment for one or more of the
following:**

- 1. Span 89-93, as depicted on the attached map.**
- 2. Span 95-97, as depicted on the attached map.**
- 3. Span 122-124, as depicted on the attached map.**

**No further Plan and Profile filing under Route Permit Section IV.A is required to
implement the changes approved in the Permit Amendment.**

The Commission agrees with and adopts the recommendations of the Office of Energy Security
which are attached and hereby incorporated in the Order.

BY ORDER OF THE COMMISSION



Burl W. Haar
Executive Secretary

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BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION

**COMMENTS AND RECOMMENDATIONS OF THE
OFFICE OF ENERGY SECURITY
ENERGY FACILITY PERMITTING STAFF**

DOCKET No. E002, ET2/TL-09-246

Meeting Date: February 24, 2011

Agenda Item # _____

Company: Northern States Power Company (dba Xcel Energy) and Great River Energy

Docket No. E002, ET2/TL-09-246

In the Matter of the Application for a Route Permit for the Monticello to St. Cloud 345 kV Transmission Line Project

Issues: Should the Commission authorize the Applicants' Request for a Permit Amendment for the Monticello to St. Cloud 345 kV Transmission Line?

EFP Staff: David E. Birkholz651-296-2878

Relevant Document(s)

- Compliance Filing (Application for Approval of Route Permit Amendment, Spans 89-93, 95-97, and 122-124) January 11, 2011
- Findings of Fact, Conclusions of Law, And Order Issuing an HVTL Route Permit To Xcel Energy And Great River Energy July 12, 2010

The enclosed materials are work papers of the OES staff. They are intended for use by the Commission and are based on information already in the record unless otherwise noted.

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Attached Document

Proposed Permit Amendment (with maps)

(Relevant documents and additional information can be found on eDockets (09-246) or the PUC Energy Facilities website: <http://energyfacilities.puc.state.mn.us/Docket.html?Id=19957>)

Statement of the Issue

Should the Commission authorize the Applicants' Request for a Permit Amendment for the Monticello to St. Cloud 345 kV Transmission Line?

Introduction and Background

On April 8, 2009, Xcel Energy and Great River Energy (Permittees) filed a route permit application under the full review process for the Monticello to St. Cloud 345 kV transmission line project (Project). The Project is over 200 kV and requires a Certificate of Need (CN). An Order from the Commission on May 13, 2009, granted a CN for the CapX2020 Phase I project, of which this line segment application is a part. The Commission issued an Order on July 12, 2010, issuing a Route Permit for the Project.

Project Description

The permitted Project is located between the city of Monticello in Wright County and St. Joseph Township in Stearns County. The Project includes:

- **Monticello Substation** - Modifications at the existing Monticello Substation to accommodate the proposed 345 kV transmission Line.
- **Monticello to St. Cloud 345 kV Transmission Line** - A 28-mile line constructed primarily on single-pole, double-circuit capable, galvanized steel structures.
- **Quarry Substation** - The new Quarry Substation located west of the city of St. Cloud.

On January 11, 2011, Permittees submitted a request for a permit amendment pursuant to Minnesota Rule 7850.4900 to accommodate expansions of the route width in three locations.

Description of Requested Amendment

The attached Permit Amendment addresses three (3) areas along the permitted route where an amendment to the route has been requested. The request seeks authorization widen the route width and locate the transmission line outside the designated route, as follows:

- **At span 89-93**, places two structures outside the approved route and shifts the alignment approximately 400 feet to the east;
- **At span 95-97**, places one structure outside the approved route and shifts the alignment 375 feet to the west; and
- **At span 122-124**, places one structure outside the approved route less than 50 feet to the south.

Regulatory Framework

On November 5, 2010, Permittees submitted a Plan and Profile compliance filing for poles 77-101. Permittees also requested route width expansions for three areas: poles 89-93, poles 95-97 and 122-124.

On December 2, 2010, the Commission approved the Plan and Profile but declined to approve the route width expansions. The Commission explained:

“Changes in the plan and profile to expand the route width are not consistent with the conditions in Permit Section III.A. Landowner requests are not a sufficient cause to extend the alignment outside the permitted route width. The Applicants are free to provide further explanation on the need for and impacts of these changes in a separate filing or may request a permit amendment to address the issues.”

On January 11, 2011, Permittees submitted the request for a permit amendment pursuant to Minnesota Rule 7850.4900 to accommodate the route width expansions. The landowners (or the Permittees) have the option to request a permit amendment under Minn. Rule 7850.4900 subp. 1; and the Commission has the authority to grant that request:

“The commission may amend any of the conditions in a site permit for a large electric power generating plant or in a route permit for a high voltage transmission line issued by the PUC upon request of any person.”

On January 14, 2011, EFP efiled and mailed the required notice of application to the “general list” and the “project list” and set a public comment period that expired on January 28, 2011.

EFP Staff Analysis and Comments

In each case, the Permittees claim their requested change is in response to requests and communications with the affected landowners. In all cases, the change does not affect any new landowners. In no case did staff receive any comment from the affected landowners disputing Permittees’ claims.

EFP received no comments or letters from the public in response to the notice of the Permit Amendment request.

Poles 89-93

EFP received no agency comments on the requested permit amendment, except for the following statement from the Minnesota Department of Natural Resources (DNR) included in a separate communication to staff. It addresses the public water crossing for the location of poles 89-93:

The permittee ... used the amended route in the License to Cross [Application]. The applicant also used amended routing for orchid survey reports and these were previously reviewed and found adequate. So the DNR has no comments currently regarding the permit amendment document for the review period ending today ... (Jamie Schrenzel, 1/28/11 email)

Staff had a concern about the possible impact of the expanded diagonal crossing from pole 92-93 at Hwy 75 along the Great River Road. However, staff received no comment from Mn/DOT, the Minnesota River Parkway Commission or Wright County.

Poles 95-97

The expansion of the route width in this area moves the alignment closer to the I-94 right-of-way. Staff considers this alteration to be in keeping with Route Permit Section K.1:

“The alignment along Mn/DOT controlled-access highways, in particular I-94, shall occupy and utilize the existing highway right-of-way to the maximum extent practicable. In most instances, this would indicate structure placements within 18 to 25 feet of Mn/DOT right-of-way, which is consistent with Mn/DOT policies and procedures.”

It also allows for the line to bypass a significant grove of trees and vegetation that screens Levimo, LLC, from I-94.

Poles 122-124

The expansion of the route width in this area crosses I-94 in a similar diagonal to the original alignment. Staff review indicates a similar environmental impact for the original and the amended alignment.

Staff Recommendation

Staff suggests that the request for a Permit Amendment is allowed, Commission action is authorized and correct proceedings for notice and comment have been followed under the rule. The Permittee has offered reasonable argument to amend the permit, and the environmental impacts will be similar to those in the original route permit. No comments have been received by Staff contesting the request.

Staff recommends amending the route width in the three instances noted in the Permittees' Permit Amendment request, and as represented in the attached maps.

Staff suggests additionally that, since these same route width changes and transmission line alignments were already included in the November 5, 2010, compliance filing, no further Plan and Profile filing under Route Permit Section IV.A is required to implement the changes approved in the Permit Amendment. EFP would submit an updated review of the original compliance filing.

PUC Decision Options:

- A. Approve the Permittees' request and adopt a Permit Amendment, widening the route width and altering the transmission alignment for one or more of the following:
 - 1. Span 89-93, as depicted on the attached map.
 - 2. Span 95-97, as depicted on the attached map.
 - 3. Span 122-124, as depicted on the attached map.
- B. Determine that no further Plan and Profile filing under Route Permit Section IV.A is required to implement the changes approved in the Permit Amendment.
- C. Reject the Permittees' request for any Permit Amendment to widen the route width and alter the transmission alignment.
- D. Make some other decision deemed more appropriate.

EFP Recommendation: Options A1, A2, A3 and B.

**STATE OF MINNESOTA
PUBLIC UTILITIES COMMISSION**

PERMIT AMENDMENT

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

IN WRIGHT AND STEARNS COUNTIES

**ISSUED TO
NORTHERN STATES POWER COMPANY
AND GREAT RIVER ENERGY**

PUC DOCKET No. E002, ET2/TL-09-246

In accordance with the requirements of Minnesota Rules Chapter 7850.4900, this route permit amendment is hereby issued to:

NORTHERN STATES POWER COMPANY AND GREAT RIVER ENERGY

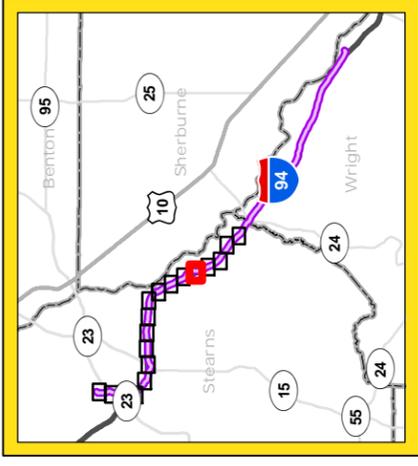
Northern States Power Company, dba Xcel Energy, and Great River Energy are authorized by this permit amendment to alter the route width and alignment in three locations along the previously permitted Monticello to St. Cloud 345 kV Transmission Line Project as depicted on the attached official route maps.

Approved and adopted this 6th day of October 2011

BY ORDER OF THE COMMISSION

Burl W. Haar,
Executive Secretary

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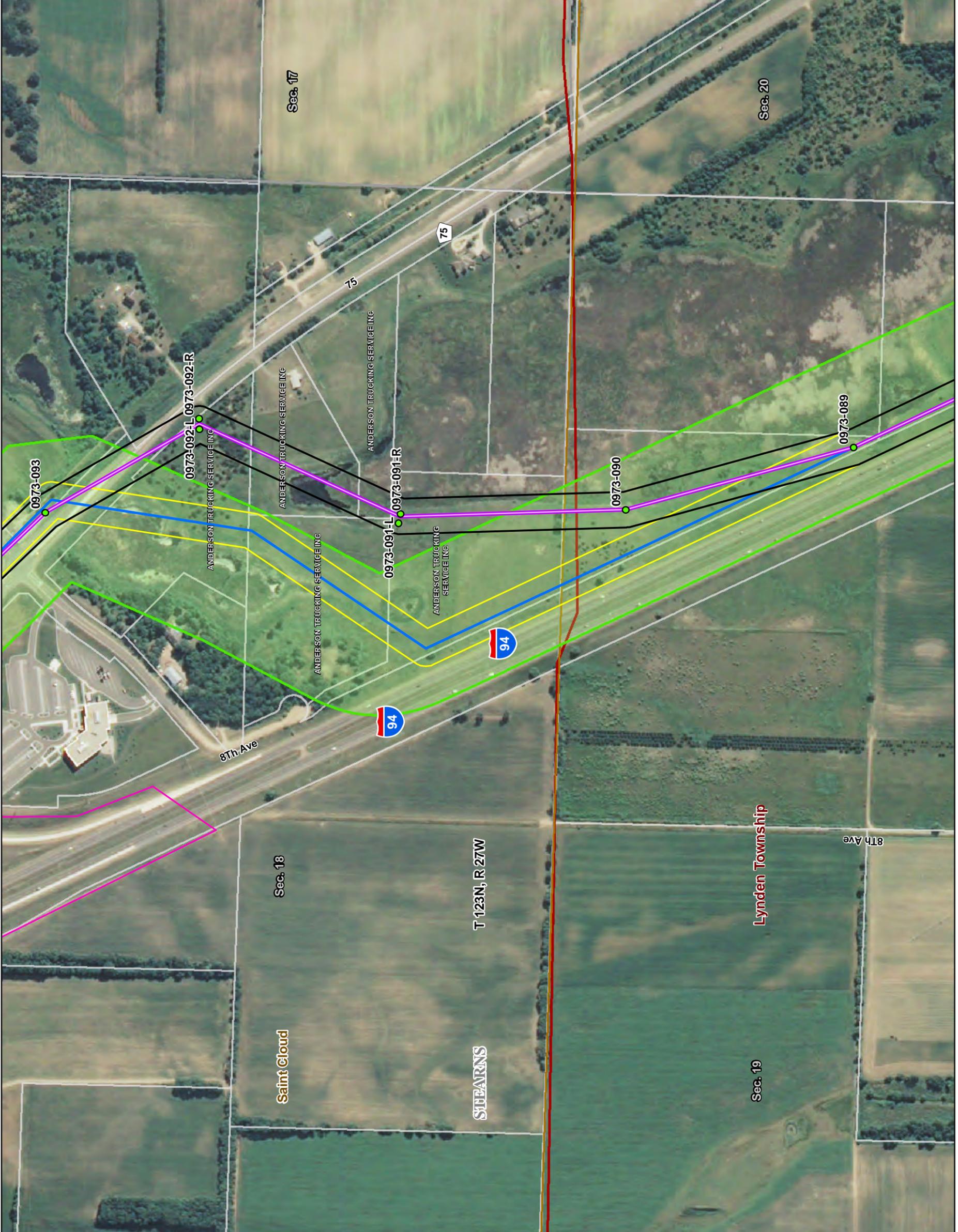
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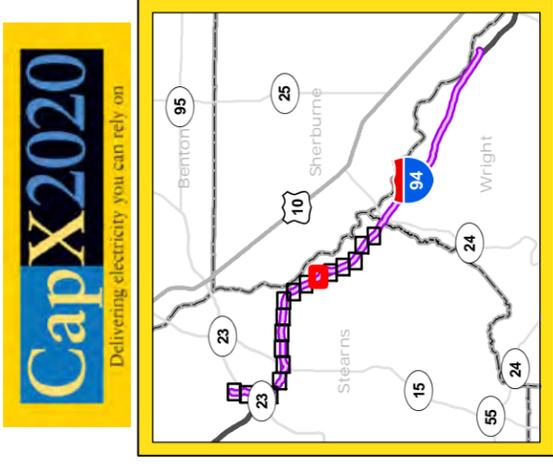
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- P&P Alignment
- P&P Right-of-Way
- PUC RP Anticipated Alignment
- PUC RP Anticipated Right-of-way
- PUC Approved Route
- Quarry Substation Site
- Municipal Boundary
- Township Boundary
- Section Boundary
- Parcel Boundary
- Existing Substation
- Existing Transmission Line**
- 345 kV
- 230 kV
- 115 kV
- 69 kV



**Monticello - St. Cloud
 Final and Permitted
 Alignment Comparison**

DATE: 10/29/10	REVISED: 11/01/10
DRAWN BY: MLTEICHERT	
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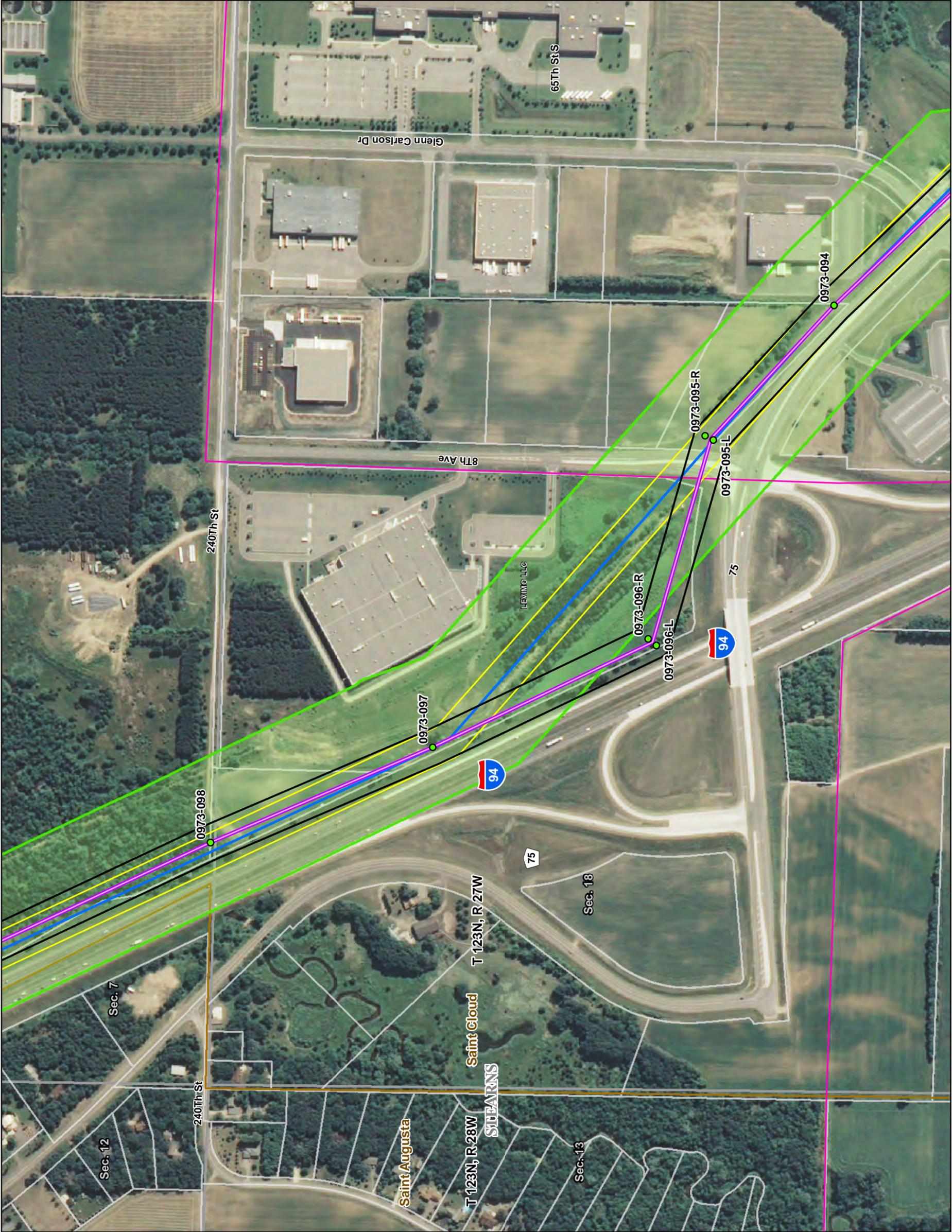
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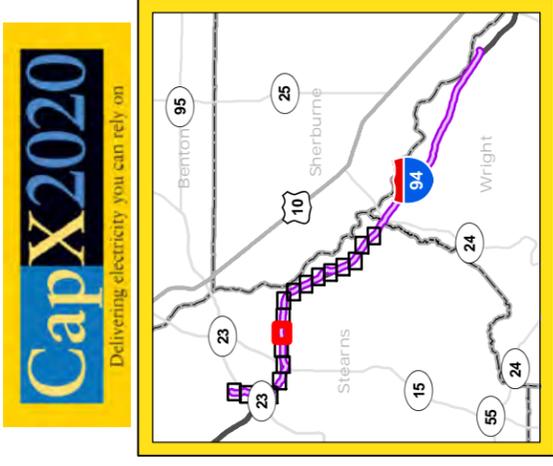
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Legend

- P&P Pole Location
 - ↗ P&P Alignment
 - ↗ P&P Right-of-Way
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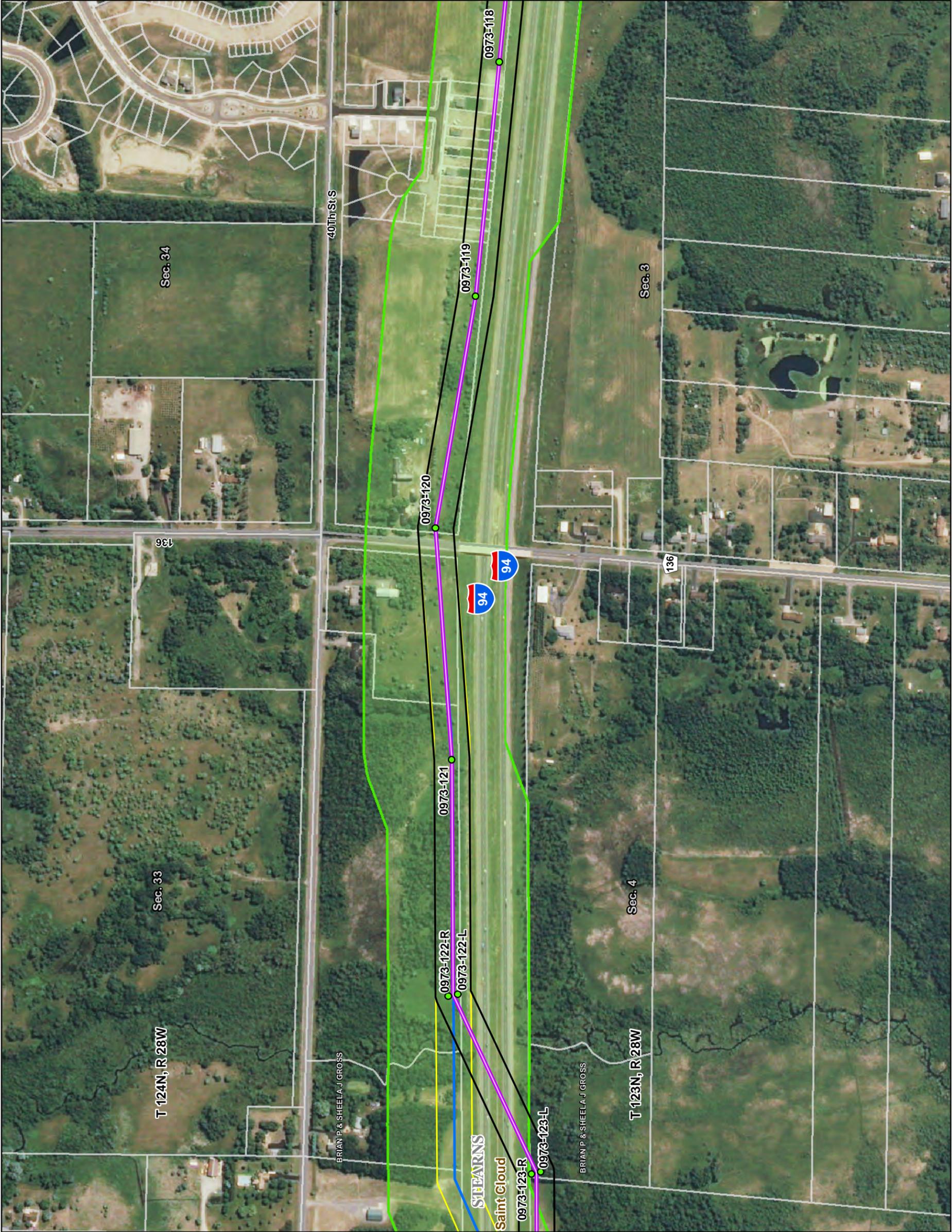


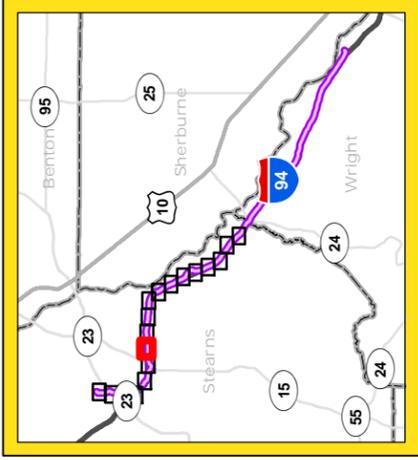
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Legend

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