



STATE OF MINNESOTA
Office of Energy Security



Issued Date: March 15, 2010

Notice of Public Hearings

**In the Matter of the Northern States Power Company (Xcel Energy)
Application for a HVTL Route Permit**

Hiawatha 115 kV Transmission Line Project

**PUC Docket Number: E002/TL-09-38
OAH Docket Number: 5-2500-20599-2**

PLEASE TAKE NOTICE that Public Hearings will be held April 5th and 6th, 2010, at the location and times listed below concerning Xcel Energy's Application to the Minnesota Public Utilities Commission (Commission) for a high voltage transmission line (HVTL) Route Permit for two new distribution substations and two 115 kilovolt (kV) transmission lines in south Minneapolis, in an area known as the Midtown District.

Afternoon Session

Monday, April 5, 2010, 2:00 PM

Tuesday, April 6, 2010, 2:00 PM

Plaza Verde

1516 East Lake Street

Minneapolis, MN 55407

612-724-5332

Evening Session

Monday, April 5, 2010, 7:00 PM

Tuesday, April 6, 2010, 7:00 PM

Plaza Verde

1516 East Lake Street

Minneapolis, MN 55407

612-724-5332

Administrative Law Judge Beverly Jones Heydinger will preside at the hearing.

Deadline for 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 11, 2010**. The mailing address is:

Beverly Jones Heydinger,
Administrative Law Judge

P.O. Box 64620

600 North Robert Street

Saint Paul, MN 55164-0620

routecomments.oah@state.mn.us

Facsimile 651-361-7936

Please include the PUC Docket Number – E-002/TL-09-38, and the OAH Docket Number – 15-2500-20599-2, on all correspondence.

Purpose of the Public 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 meeting.

Project Description. Xcel Energy proposes to construct two new distribution substations and two 115 kilovolt (kV) transmission lines in south Minneapolis, in an area known as the Midtown District. Xcel Energy has included four separate alternative routes and five design options for consideration in its application. Xcel Energy also identifies two locations for the Hiawatha Substation and two locations for the Midtown Substation.

Route Permit. Under the Power Plant Siting Act (Minn. Statute 216E, subd. 2), a route permit from the Commission is required to build a high-voltage transmission line. A high-voltage transmission line is a conductor of electric energy and associated facilities designed for and capable of operation at a nominal voltage of 100 kilovolts (kV) or more and is greater than 1,500 feet in length. A route permit application for the proposed 115 kV transmission line project was filed by the applicants on April 24, 2009, and was accepted as complete by the Commission on May 26, 2009. The Office of Energy Security (OES) staff 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.

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=19981> or eDockets at:

<https://www.edockets.state.mn.us/EFiling/search.jsp> (“09” year and “38” 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>. Statutes and rules may also be purchased at Minnesota’s Bookstore, 660 Olive St., St. Paul, Minn. 55155, or telephone at (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. 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 proceedings 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.

Evidentiary Hearing. The evidentiary hearings for the parties on the HVTL Route Permit Application will convene in the Public Utilities Commission Large Hearing Room, 121 7th Place East, St. Paul, Minnesota on April 12, 2010, beginning at 9:30 am and shall continue on April 13-16, April 19-21, April 26-30, and May 3-4, 2010, as necessary to complete the presentation of the evidence.

Identified Parties and Intervention. Persons interested in intervening in these proceedings had until January 20, 2010, (Pre-hearing Order, December 7, 2009) to file a Petition for Intervention with the ALJ (See Minn. Rules Part 1400.6200). The parties to this proceeding are: the Applicant, Midtown Greenway Coalition, City of Minneapolis, Crew2, Inc., Hennepin County, Little Earth of United Tribes, Longfellow Community Council, Seward Neighborhood Organization, Corcoran Neighborhood Organization, Phillips West Neighborhood Organization, Wells Fargo Bank, Midtown Phillips Neighborhood Association, and East Phillips Improvement Coalition.

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

Project Contacts and Mailing Lists. The OES has appointed staff to assist persons interested in taking part in the permitting process. For more information, contact one of the persons listed below:

Department of Commerce – Office of Energy Security

The OES has designated staff member Bill Storm (651-296-9535, bill.storm@state.mn.us) as project manager and Deborah Pile (651-297-2375, deborah.pile@state.mn.us) as public advisor. You may contact them at: Department of Commerce, Office of Energy Security, 85 7th Place East, Suite 500, St. Paul, MN 55101-2198. 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.

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).