



August 19, 2013

**ELECTRONIC FILING**

Dr. Burl W. Haar  
Executive Secretary  
Minnesota Public Utilities Commission  
350 Metro Square Building  
121 Seventh Place East  
St. Paul, MN 55101

**Re: *In the Matter of the Application for a Route Permit for the Fargo to St. Cloud 345 kV Transmission Line Project***  
Request for Minor Alteration, including Route Width Variation due to Federal Agency Requirement  
MPUC Docket No. E002, ET2/TL-09-1056

Dear Dr. Haar:

Northern States Power Company, a Minnesota corporation, and Great River Energy, a Minnesota cooperative corporation ("Permittees"), hereby submit this request for a minor alteration for a one-mile segment of the Fargo-St. Cloud 345 kV Project ("Project"). The deviation from the approved route width between poles Nos. 315 and 319 is required to avoid a United States Department of Agriculture ("USDA"), Natural Resource Conservation Service ("NRCS") Wetlands Reserve Program ("WRP") Easement that prohibits placement of the line within the approved route.

Applicants note that the Minnesota Public Utilities Commission ("Commission") previously reviewed and approved the plan and profile for this segment that did not include this minor alteration. This filing includes a Plan Sheet identifying the Proposed Alignment and route change (Attachment A) and a Plan and Profile for the Proposed Alignment (Attachment B).

**Relevant Procedural Background**

On May 28, 2013, Permittees submitted a Plan and Profile for Pole Nos. 277 to 371 (Segment 4) generally consistent with the Anticipated Alignment identified in the Route Permit. The Anticipated Alignment crosses certain land burdened by the WRP Easement (Pole Nos. 315-319). (The WRP Easement was granted May 31, 2011, just before the Route Permit was issued on June 24, 2011.) The Department of Commerce, Energy Facility Permitting Staff issued a letter dated June 28, 2013 advising the Commission that the Plan and Profile complied with the terms and conditions of the Route Permit.

On June 13, 2013, while the Plan and Profile was under review, Permittees met with NRCS staff to discuss possible modifications to the WRP Easement to allow construction of the Project within the

approved route. NRCS staff advised that transmission lines are prohibited unless the WRP Easement is modified. NRCS staff further stated that the process for modifying an easement can take up to a year or more. NRCS staff could recall one case where a WRP Easement was modified and could provide no assurances that approval would be likely here.

To comply with the terms of the federal easement which prohibits construction of a transmission line, Permittees developed the Proposed Alignment as the shortest, least impactful alignment around the WRP Easement. **Attachment A** identifies the approved route width, the Anticipated Alignment and the Proposed Alignment. The WRP Easement encumbers parcel 18-004-0700 on both sides of I-94. The Proposed Alignment requires a route segment change as shown on **Attachment A** (“Modified Route”). The Modified Route is 3,900 feet long and 150 feet wide. The Plan and Profile for the Proposed Alignment is provided in **Attachment B**.

### **Applicable Law and Analysis**

A minor alteration is a change in a high voltage transmission line that does not result in significant changes in the human or environmental impact of the facility subject to the Power Plant Siting Act, Minnesota Statutes Chapter 216E. Permittees requesting a minor alteration must submit the application to the Commission. Minn. R. 7850.4800. The Commission is authorized to approve a minor alteration after providing “at least a ten-day period for interested persons to submit comments on the application or to request that the matter be brought to the [C]ommission for consideration.” Minn. R. 7850.4800, Subp. 2.

The minor alteration is required because the NRCS’s WRP Easement requirements prohibit construction of a transmission line on a parcel within the approved route. Permittees therefore request approval of a widened route width between Pole Nos. 315 and 319 as shown on Attachment A. The following tables and enclosed attachments demonstrate that the change would not result in a significant change in the human or environmental impact of the facility. To the contrary, the impacts of the Proposed Alignment would be comparable to the impacts of the Anticipated Alignment considering the routing factors set forth in Minn. R. 7850.4100.

### **Landowners**

The minor alteration will affect one new parcel and two previously affected parcels. However, all parcels are owned by previously affected landowners: Dan Solum and Kevin Solum and James and Pamela Braton. Applicants are working with landowners to purchase easements for the Proposed Alignment. A copy of this filing is being sent to these affected landowners.

**Table 1. Summary of Requested Alignment and Right-of-Way Changes**

Structures Identifying Beginning and End of the Segment for the Change Requests	Page Number in Initial Plan and Profile Filing, if there was a prior filing	Page Number in [Revised] Plan and Profile for the Change Requests	Map Page Number in Initial Plan and Profile Filing, if additional map sheets were attached	Map Page Number in this Change Request	Distance Between Structures that Mark the End Points of the Segment	How Many Landowners Are Affected and the Parcels Affected	Describe the Requested Change and the Reason for the Change
<b>Structure 315 to 319</b>	NH-253190-127 NH-253190-129	NH-253190-127 NH-253190-129	Attachment 2, Sheet 7	Attachment 2, Sheet 7	0.9 mile	Landowners affected=2 Parcels affected=3	Change is necessary to avoid USDA Wetland Reserve Program Easement

**Table 2A. Criteria and Data to Assess Impacts of Requested Route Adjustment: Structures 315 to 319**

Criteria (add other criteria as appropriate)	Units	Permitted Alignment	Proposed Alignment	Other Information Important to this Request
<b>Length of the Transmission Line</b>	feet or miles	0.8 mile	0.9 mile	
<b>Length that is In or Parallel to Existing Right-of-Way</b>	feet or miles	0.8 miles	0 miles	
<b>Number of Roads Crossed</b>	number	0	0	
<b>Number of Parcels Crossed</b>	number	3	3	
<b>Number of Residences Within the Right-of Way</b>	number	0	0	
<b>Number of Non-Residential Buildings Within the Right-of-Way</b>	number	0	0	
<b>Area of Agricultural Land Crossed</b>	acres	6.9	8.4	
<b>Area of Forested Land Crossed</b>	acres	0	0	

(cont'd)

Criteria (add other criteria as appropriate)	Units	Permitted Alignment	Proposed Alignment	Other Information Important to this Request
Area of Mineral or Metal Mining Resources within Right-of-Way	acres	0	0	
Area of Wetlands Crossed	acres	2.5	2.2	Original alignment located in wetlands restoration easement area
Transmission Line Distance Across a Lake, Stream, Drainage or Other Waterway	feet or miles	3 drainageway crossings. Total distance 61 feet across drainageways	3 drainageway crossings. Total distance 34 feet across drainageways	There are no national wild, scenic and recreational rivers, or trout streams crossed
Area of Open Land Crossed	acres	0 Acres	0 Acres	
Area of Developed Land Crossed	acres	0 Acres	0 Acres	
Area of Parks, Waterfowl Production Areas, Wildlife Management Areas, Wildlife Refuges, and Prairie within the Right-of-Way	acres	0	0	
Number and Count of Known Protected or Endangered Species	number of species, count within species	0	0	
Number of Archeological and Historic Resources	number	0	0	

Table 3A. Assessment of Impacts of Requested Alignment or Right-of-Way Change: Structures 315 to 319

Routing Factor Minn. Rules 7850.1900 subp. 3. and Minn. Rules 7850.4100	Impact Regarding Alignment and Right-of-Way Change Requested
Effects on human settlement, including, but not limited to displacement, noise, aesthetics, cultural values, recreation and public services	No human settlements, recreation or public service areas are crossed by the requested minor alteration or the PUC Anticipated Alignment.
Effects on public health and safety	No change
Effects on land-based economies, including, but not limited to agriculture, forestry, tourism and mining	The proposed alignment crosses 8.4 acres of farmland while the permitted alignment crosses 6.9 acres of farmland. Poles on both options were placed to minimize impacts to farming.
Effects on archeological and historic resources	No change

(cont'd)

Routing Factor Minn. Rules 7850.1900 subp. 3. and Minn. Rules 7850.4100	Impact Regarding Alignment and Right-of-Way Change Requested
Effects on the natural environment, including effects on air and water quality resources and flora and fauna	Proposed route avoids an area of proposed wetland restoration.
Effects on rare and unique natural resources	No change
Application of design options that maximize energy efficiencies, mitigate adverse environmental effects, and could accommodate expansion of transmission or generating capacity	No change
Use or paralleling of existing rights-of-way, survey lines, natural division lines, and agricultural field boundaries	Requested change results in a decrease of 0.9 mile following road right-of-way
Use of existing large electric power generating plant sites	No change
Use of existing transportation, pipeline, and electrical transmission systems or rights-of-way	No change
Electrical system reliability	No change
Cost of constructing, operation and maintenance which are dependent on design and route	Requested change results in an increase in construction costs of approximately \$200,000
Human and natural environmental effects that cannot be avoided	No change
Irreversible and irretrievable commitments of resources	No change
Measures that might be implemented to mitigate the potential human and environmental impacts identified above and the estimated costs of the mitigative measures	No change
Wilderness Areas: No high voltage transmission line may be routed through state or national wilderness areas (Prohibition, Minn. Rules 7850.4300)	No change
Parks and Natural Areas: No high voltage transmission line may be routed through state or national parks or state scientific and natural areas unless the transmission line would not materially damage or impair the purpose for which the area was designated and no feasible and prudent alternative exists. Economic considerations alone do not justify use of these areas for a high voltage transmission line (Prohibition, Minn. Rules 7850.4300)	No change

Dr. Burl W. Haar  
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**Conclusion**

Applicants respectfully request that the Commission approve the proposed minor alteration to avoid the WRP Easement. Please contact me at (612) 330-5835 or [thomas.hillstrom@xcelenergy.com](mailto:thomas.hillstrom@xcelenergy.com) if there are any questions regarding this filing.

Sincerely,

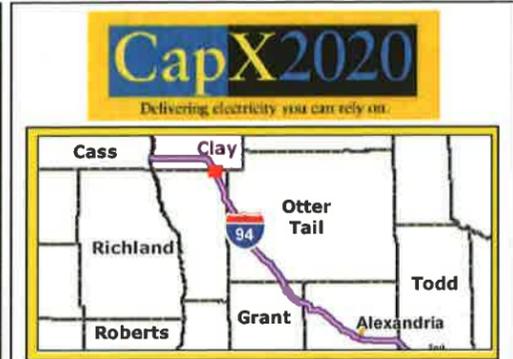


Tom Hillstrom  
Permit Project Lead  
Xcel Energy

Enclosures

Cc w/encs.: Bret Eknes, Minnesota Public Utilities Commission  
David Birkholz, Minnesota Dept. of Commerce, Energy Facility Permitting  
Dan Solum  
Kevin Solum  
James and Pamela Braton

5643824

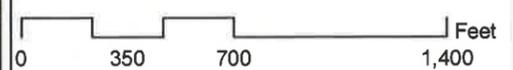


**Legend**

- Applicants Proposed Pole Location
  - Applicants Proposed Alignment
  - Applicants Proposed Right-of-Way
  - PUC RP Anticipated Alignment
  - PUC RP Anticipated Right-of-Way
  - PUC Approved Route
  - Residence
  - Non-residential Structure
  - ✈ Airport
  - River/Stream
  - NWI Wetland
  - Center Pivot Irrigation
  - Waterfowl Production Area
  - USFWS Wetland Easement
  - Wildlife Management Area
  - BWSR RIM Easement
  - MnDOT Scenic Easement
  - Municipal Boundary
  - Township Boundary
  - Parcel Boundary
  - Existing Substation
- Existing Transmission Line (kV)**
- 345
  - 250
  - 230
  - 115
  - 69



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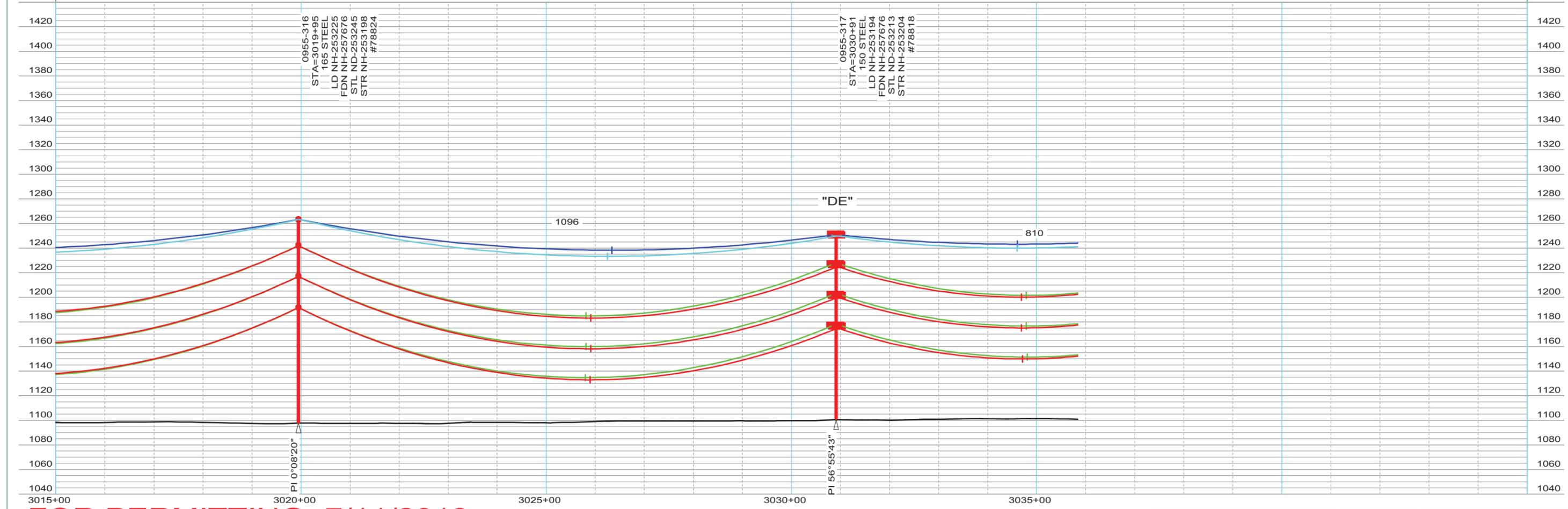
**Fargo - St. Cloud  
Final and Permitted  
Alignment Comparison**

DATE: 07/09/13      DRAWN BY: MLTEICHERT

Xcel0122295 CapX Monticello to Fargo  
GIS\Fargo\MXD\2013\03\AB\_Reroute\CapX  
\_Plan\_Profile\_AB\_Reroute\_314\_320.mxd



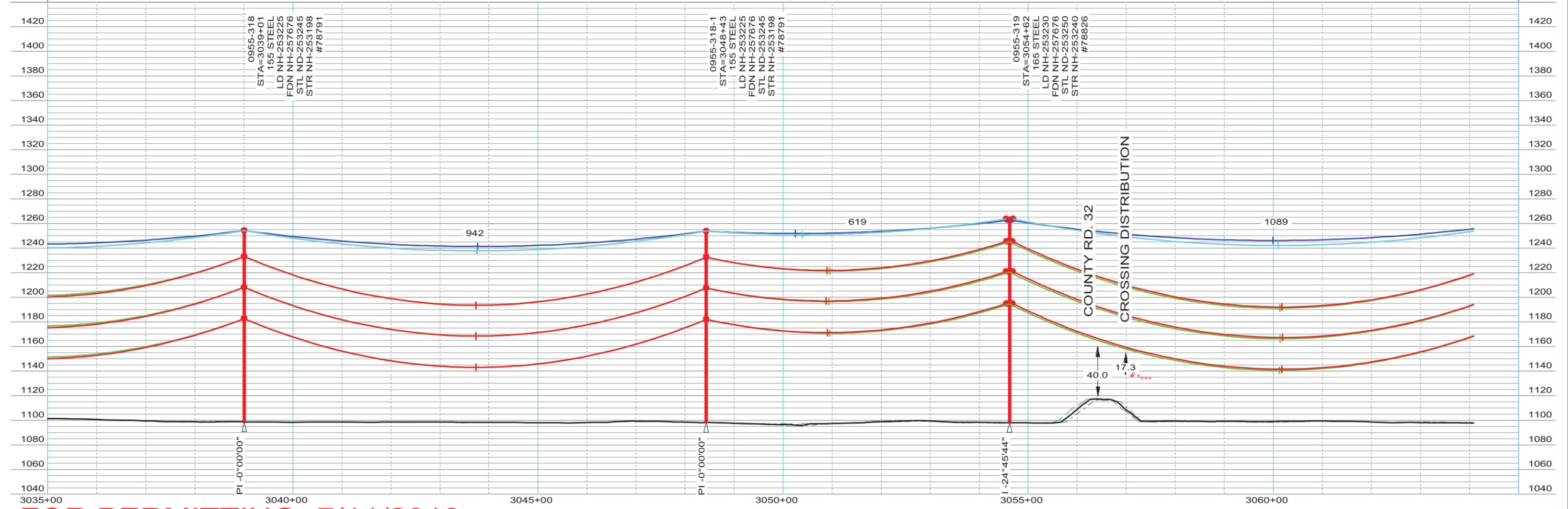
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**FOR PERMITTING- 7/11/2013**

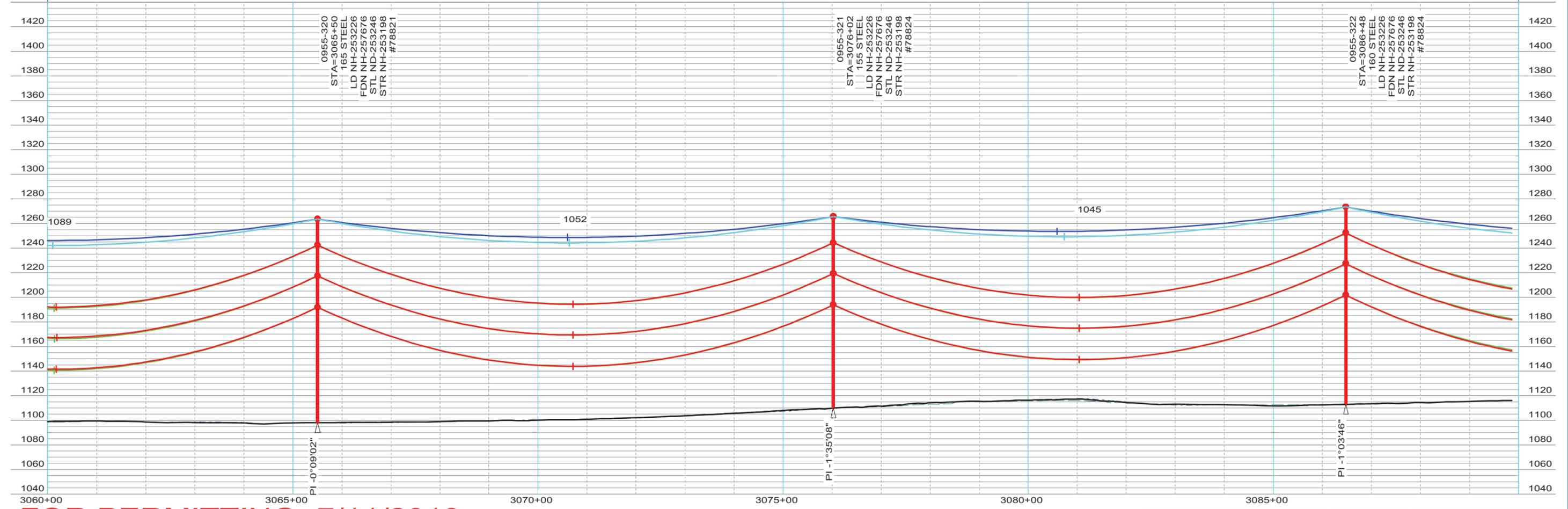
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ENGINEERING DEPARTMENT, MINNEAPOLIS, MN	LINE NO. L0955	NH-253190-130	REV F

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

**CERTIFICATE OF SERVICE**  
MPUC Docket No. E002, ET2/TL-09-1056

Rachel Rolseth certifies that on the 19<sup>th</sup> day of August, 2013, she filed a true and correct copy of **Request for Minor Alteration, including Route Width Variation due to Federal Agency Requirement**, by posting it on [www.edockets.state.mn.us](http://www.edockets.state.mn.us). Said document was also served via U.S. Mail to the attached list of affected landowners, and via U.S. Mail and e-mail as designated on the Official Service List on file with the Minnesota Public Utilities Commission.

*/s/ Rachel Rolseth*

\_\_\_\_\_  
Rachel Rolseth

List of Affected Landowners

<b>Name</b>	<b>Address</b>
Dan Solum Kevin Solum	3330 130th Street Rothsay, MN 56579
Dan Solum Kevin Solum	3330 130th Street Rothsay, MN 56579
James and Pamela Braton	1044 300th Avenue Barnesville, MN 56514

First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
Lisa	Agrimonti	lagrimonti@briggs.com	Briggs And Morgan, P.A.	2200 IDS Center 80 South 8th Street  Minneapolis, MN 55402	Electronic Service	No	OFF_SL_9-1056_Official
Julia	Anderson	Julia.Anderson@ag.state.mn.us	Office of the Attorney General-DOC	1800 BRM Tower 445 Minnesota St St. Paul, MN 551012134	Electronic Service	Yes	OFF_SL_9-1056_Official
Elizabeth	Brama	ebrama@briggs.com	Briggs and Morgan	2200 IDS Center 80 South 8th Street Minneapolis, MN 55402	Electronic Service	No	OFF_SL_9-1056_Official
Kodi	Church	kchurch@briggs.com	Briggs & Morgan	2200 IDS Center 80 South Eighth Street Minneapolis, Minnesota 55402	Electronic Service	No	OFF_SL_9-1056_Official
Kenneth and Linda	Eikmeier	N/A		8825 Old Highway Road  St. Cloud, MN 56301	Paper Service	No	OFF_SL_9-1056_Official
Chad	Felstul	c.felstul@pemlaw.com	Pemberton Sorlie Rufer and Kershner	P.O. Box 866 110 North Mill Street Fergus Falls, MN 56538	Electronic Service	No	OFF_SL_9-1056_Official
Sharon	Ferguson	sharon.ferguson@state.mn.us	Department of Commerce	85 7th Place E Ste 500  Saint Paul, MN 551012198	Electronic Service	Yes	OFF_SL_9-1056_Official
Burl W.	Haar	burl.haar@state.mn.us	Public Utilities Commission	Suite 350 121 7th Place East St. Paul, MN 551012147	Electronic Service	Yes	OFF_SL_9-1056_Official
Scott	Hylla	N/A	North Route Citizens Alliance	12385 Co Rd #5  Holdingford, MN 56340	Paper Service	No	OFF_SL_9-1056_Official
Will	Kaul		Great River Energy	12300 Elm Creek Boulevard  Maple Grove, MN 553694718	Paper Service	No	OFF_SL_9-1056_Official

First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
H. Morrison	Kershner	m.kershner@pemlaw.com	Pemberton Sorlie Rufer and Kershner	P.O. Box 866 110 North Mill Street Fergus Falls, MN 56538	Electronic Service	No	OFF_SL_9-1056_Official
Cally	Kjellberg	ckjellberg@quinlivan.com	Quinlivan & Hughes, PA	PO Box 1008 400 S. 1st St., Ste. 600 St. Cloud, mn 56302	Electronic Service	No	OFF_SL_9-1056_Official
Michael	Krikava	mkrikava@briggs.com	Briggs And Morgan, P.A.	2200 IDS Center 80 S 8th St Minneapolis, MN 55402	Electronic Service	No	OFF_SL_9-1056_Official
Darrin F.	Lahr		Xcel Energy	8701 Monticello Lane  Maple Grove, MN 55369	Paper Service	No	OFF_SL_9-1056_Official
Kent	Larson		Xcel Energy	414 Nicollet Mall MP 800 Minneapolis, MN 55401	Paper Service	No	OFF_SL_9-1056_Official
John	Lindell	agorud.ecf@ag.state.mn.us	Office of the Attorney General-RUD	1400 BRM Tower 445 Minnesota St St. Paul, MN 551012130	Electronic Service	Yes	OFF_SL_9-1056_Official
Paula	Maccabee	Pmaccabee@visi.com	Just Change Law Offices	1961 Selby Avenue  St. Paul, MN 55104	Paper Service	No	OFF_SL_9-1056_Official
Lyn Richert and Terra	O'Neil	N/A		2583 86th Avenue  St. Cloud, MN 56301	Paper Service	No	OFF_SL_9-1056_Official
Joyce H.	Osborn			PO Box 1165  Burnsville, MN 55337	Paper Service	No	OFF_SL_9-1056_Official
Carol A.	Overland	overland@legalectric.org	Legalelectric - Overland Law Office	1110 West Avenue  Red Wing, MN 55066	Electronic Service	No	OFF_SL_9-1056_Official

First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
Richard	Pemberton	r.pemberton@pemlaw.com	Pemberton Sorlie Rufer and Kershner	P.O. Box 866 110 North Mill Street Fergus Falls, MN 56538	Electronic Service	No	OFF_SL_9-1056_Official
Shawn	Perry	shawn.perry@ppplp.com	Perry & Perry	5401 Gamble Drive Suite 270 Minneapolis, MN 55416	Electronic Service	No	OFF_SL_9-1056_Official
Laureen	Ross McCalib	lrossmccalib@greenergy.com	Great River Energy	12300 Elm Creek Boulevard  Maple Grove, MN 55369-4718	Electronic Service	No	OFF_SL_9-1056_Official
Stephen	Rufer	s.rufer@pemlaw.com	Pemberton Sorlie Rufer and Kershner	P.O. Box 866 110 North Mill Street Fergus Falls, MN 56538	Electronic Service	No	OFF_SL_9-1056_Official
Jamie	Schrenzel	jamie.schrenzel@state.mn.us	Minnesota Department of Natural Resources	500 Lafayette Road  Saint Paul, MN 55117	Electronic Service	No	OFF_SL_9-1056_Official
John	Scott	N/A		39522 115th Ave.  St. Joseph, MN 56374	Paper Service	No	OFF_SL_9-1056_Official
David	Seykora	dave.seykora@state.mn.us	MN Department of Transportation	395 John Ireland Boulevard  Mail Stop 130 St. Paul, MN 55155-1899	Electronic Service	No	OFF_SL_9-1056_Official
Janet	Shaddix Elling	jshaddix@janetshaddix.com	Shaddix And Associates	Ste 122 9100 W Bloomington Frwy Bloomington, MN 55431	Electronic Service	Yes	OFF_SL_9-1056_Official
Jennifer	Smestad	jsmestad@ottertail.com	Otter Tail Corporation	215 South Cascade Street  Fergus Falls, MN 565380496	Electronic Service	No	OFF_SL_9-1056_Official

First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
Donna	Stephenson	dstephenson@greenergy.com	Great River Energy	12300 Elm Creek Boulevard  Maple Grove, MN 55369	Electronic Service	No	OFF_SL_9-1056_Official
SaGonna	Thompson	Regulatory.Records@xcelenergy.com	Xcel Energy	414 Nicollet Mall FL 7  Minneapolis, MN 554011993	Electronic Service	No	OFF_SL_9-1056_Official
Jennifer	Thulien Smith	jennifer.thulien-smith@xcelenergy.com	Xcel Energy Services, Inc.	414 Nicollet Mall, 5th Floor  Minneapolis, MN 55401	Electronic Service	No	OFF_SL_9-1056_Official
Robert and Pauline	Undersander	Rob.Undersander@gmail.com		8497 Old Hwy Rd N  St. Cloud, MN 56301	Electronic Service	No	OFF_SL_9-1056_Official
Gerald	Von Korff	jvonkorff@moon.com		PO Box 1497  St. Cloud, MN 56302	Electronic Service	No	OFF_SL_9-1056_Official
Tim and Brenda	Weisbrich	N/A		8601 Old Highway Road  St. Cloud, MN 56301	Paper Service	No	OFF_SL_9-1056_Official