



September 20, 2011

VIA 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: Application for Approval of Route Permit Amendment

***In the Matter of the Application for a Route Permit for the Fargo to St. Cloud
345 kV Transmission Line Project
MPUC Docket No.: ET-2, E002/TL-09-1056***

Dear Dr. Haar:

Northern States Power Company, a Minnesota corporation, and Great River Energy, a Minnesota cooperative corporation, (“Permittees”), request that the Minnesota Public Utilities Commission (“Commission”) approve a route permit amendment for the Route Permit for the Fargo to St. Cloud 345 kV Transmission Line Project (“Project”) pursuant to Minnesota Rule 7850.4900. Specifically, Permittees request that the route width be modified in twelve areas in response to proposals brought forward by affected landowners. Permittees believe these adjustments to the Route Permit are appropriate because they were requested by affected landowners, because there is consensus among landowners from whom easements would be required, and because the adjusted route segments have comparable overall impacts relative to the factors in Minnesota Rule 7850.4100.

Enclosed Documents

An overview map depicting the location of each of the twelve proposed route adjustments follows this cover letter. To facilitate Commission consideration of each proposed route adjustment in turn, Permittees enclose the following documents for each individual proposal:

- A. Maps depicting the Permitted Route segment and the corresponding route adjustment
- B. A brief narrative description of the route adjustment.
- C. A table itemizing the impacts of the route segment as permitted and with the route adjustment

Applicable Law

A route permit amendment may be granted to amend any conditions in a route permit. Minn. R. 7850.4900, Subp. 1. Permittees requesting a route permit amendment must submit an application for the route permit amendment. Minn. R. 7850.4900, Subp. 2. After receiving the application, the Commission is authorized to approve a route permit amendment after providing “at least a 10-day period for interested persons to submit comments on the application or request the matter be brought to the [C]ommission for consideration.” Minn. R. 7850.4900, Subp. 2.¹

Summary of Analysis for Proposed Changes

On June 24, 2011, the Commission issued a Route Permit for the Project identifying both an authorized route and an anticipated alignment for the Project. Shortly thereafter, Permittees initiated right-of-way discussions with landowners.

During these discussions, Permittees received feedback from many landowners as to the feasibility of potential alternatives. In many cases, impacted landowners worked together in small groups to propose alternative alignments through their or other willing landowners’ property. The reroutes generally sought to accomplish one goal – reduce the proximity of the transmission line to residential or farmstead properties. As a result of these discussions, Permittees identified a number of adjustments that are unanimously supported by all landowners from whom an easement would be required. These route adjustment areas are numbered as Adjustments 2, 3, 4.1 or 4, 5, 6, 8, 9C, 9W, 11, 13, 15, and 16.²

The Project team reviewed the route adjustments for impacts, constructability, and effect on landowners. Our analysis shows, as is typically the case, that some impacts decrease and some increase. On balance the overall impacts are comparable to those of the original Route Permit, with the main outcome being a reduction in residential impacts. The estimated costs associated with the reroutes are generally in line with the overall Project cost assumptions.

Alternatives Not Carried Forward

In certain instances, landowners sought route modifications but did not have the unanimous support of the landowners whose land the right-of-way would cross. One such landowner group (“the E-5 Landowners”) appeared at the Commission hearing and requested that a different alternative be selected, utilizing the AS-5 segment. On September 14, 2011, ten of these landowners filed route amendment requests with the Commission.

¹ Should the Commission determine that the type of alterations requested by this filing are minor alterations, Permittees request that this application be processed under Minnesota Rule 7850.4800.

² Each potential route adjustment proposed by a landowner was numbered in chronological order according to when it was first proposed to Permittees (as opposed to by its location on the Route or any other numbering system). Because not all adjustments were universally supported by landowners or technically feasible, not all potential adjustments have been carried forward and those being proposed are not consecutively numbered. Permittees have opted not to change the numbering because all supporting documentation for each route adjustment bears the original numbering system.

At the Commission hearing, due process concerns were expressed by the Commission. Applicants expressed willingness to explore the proposal and, if all affected landowners came together uniformly, to seek a Route Permit Amendment. Since that time, Permittees have contacted all of the landowners along AS-5 from whom an easement would be required. None of these landowners supported the change. Based on the lack of consensus, Permittees are not proposing a route alternative for this area. Permittees will provide additional detail, as appropriate, in response to the E-5 landowners' separate filing.

Conclusion

Because all landowners in the adjusted route rights-of-way have expressed support for the changes identified in this submission, and because overall impacts are comparable among the Permitted and adjusted route segments, Permittees request that the Commission grant an amendment to the Route Permit for the locations described above and in the enclosed materials.

Permittees will be sending a letter to landowners within the route adjustments and within the corresponding segments of the Permitted Route to inform them of these proposals. Thank you, and please contact me with any questions at darrin.f.lahr@xcelenergy.com or (763) 493-1808.

Sincerely,



Darrin Lahr
Supervisor, Siting and Land Rights
Xcel Energy
Minneapolis, MN 55402

Enclosures

cc: w/enclosures:

David Birkholz, Minnesota Department of Commerce Energy Facility Permitting

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Permit for the Fargo to St. Cloud 345 kV
Transmission Line Project

OAH 15-2500-20995-2
PUC No. ET-2, E-002/TL-09-1056

CERTIFICATE OF SERVICE

Jill N. Yeaman certifies that on the 20th day of September, 2011, she filed a true and correct copy of **Northern States Power Company and Great River Energy's Application for Approval of Route Permit Amendment** via eDocket (www.edockets.state.mn.us). Said document(s) were also served via U.S. Mail and emailed as designated on the Official Service List on file with the Minnesota Public Utilities Commission and as attached hereto.

*/s/ Jill N. Yeaman*_____

Service List Member Information

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