



STATE OF MINNESOTA
Office of Energy Security



Issued: October 13, 2010

NOTICE OF AVAILABILITY OF
DRAFT ENVIRONMENTAL IMPACT STATEMENT,
PUBLIC INFORMATION MEETINGS,
AND PUBLIC HEARINGS

In the Matter of the Northern States Power Company (Xcel Energy) Applications for a High Voltage Transmission Line Certificate of Need and Route Permit for the Pleasant Valley to Byron 161 kilovolt (kV) Transmission Line Project in Dodge, Olmsted and Mower counties (PUC Docket Number: E002/CN-08-992 and TL-09-1315)

PLEASE TAKE NOTICE that the Minnesota Department of Commerce, Office of Energy Security (OES) has released the Draft Environmental Impact Statement (DEIS) for the Pleasant Valley to Byron 161 kV Transmission Project for public comment, as well as the date, location and times for the informal public meetings and formal public hearings.

Copies of the DEIS can be obtained through the OES State Permit Manager, or may be viewed at the Public Utilities Commission (Commission) web site:

<http://energyfacilities.puc.state.mn.us/Docket.html?Id=25695>

A hard copy will be available for viewing at the following public libraries:

Rochester Public Library 101 2 nd Street Southeast Rochester, MN 55904-3776	Kasson Public Library 16 1 st Avenue Northwest Kasson, MN 55944-1471
Stewartville Public Library 110 2 nd Street SE Stewartville, MN 55976	

Informal Public Meetings and Formal Public Hearings

OES will conduct public information meetings to obtain comments on the DEIS. Administrative Law Judge Manuel J. Cervantes from the Minnesota Office of Administrative Hearings will preside over public and evidentiary hearings following the meetings. The meetings and hearings will be held on:

Tuesday, October 26, 2010

***Informal meetings to begin at 1 p.m. and 6 p.m.**

***Formal hearings to begin at 2 p.m. and 7 p.m.**

at

American Legion - Byron

505 Frontage Road

Byron, MN 55920-1275

[*Note: The public needs only attend either the afternoon or evening session. The same material and format will be used in each session.]

Project Description

Xcel Energy has submitted Applications to construct and operate a new 161 kV high voltage transmission line (HVTL) between an existing substation in Pleasant Valley Township, Mower County, to an existing substation in the city of Byron, Olmsted County. The applicant's preferred route would be located primarily in Mower and Dodge counties, and the alternative route would be located in Mower and Olmsted counties. During the public scoping process, three alternative route segments and one route alternative that follows an existing transmission line were recommended for review. These alternatives are evaluated in the DEIS.

The proposed 18-mile line will be constructed on single-pole, weathering steel, brace-post type structures. The height of the poles will range from 70 to 90 feet, with the spans between poles ranging from 400 to 650 feet. The typical right-of-way width for the transmission line is 80 feet.

Construction of the Project is proposed to begin in the first quarter of 2011 and be completed and the line in-service by fourth quarter 2011.

Environmental Review

Two separate Commission approvals are required to build the Pleasant Valley to Byron 161 kV Transmission Line Project. First, the Applicant must obtain a Certificate of Need under Minnesota Statute 216B.243. Second, a Route Permit for a high voltage transmission line under Minnesota Statutes Chapter 216E is also required. The two applications were filed by Xcel Energy on December 3, 2009. The certificate of need application was accepted as complete on February 18, 2010. The route permit application was accepted as complete by the Commission on February 9, 2010.

OES is responsible for preparing an Environmental Report (ER) for the Certificate of Need Application under Minnesota Rule 7849.1200. An ER considers size, type, timing, voltage and system configurations and general environmental impacts of a project.

Route permit applications for high voltage transmission lines are subject to environmental review (Minn. Rules 7850). Environmental review for an HVTL project of this size requires the preparation of an Environmental Impact Statement (EIS). The EIS contains information on the human and environmental impacts of the proposed project and examines mitigating measures for anticipated impacts. To focus the content or "scope" of the EIS, OES staff conducted public meetings in March, 2010 to gather comments and suggestions on the proposed project.

In this Project, the Director of the Office of Energy Security has elected to combine environmental review for the two applications. An EIS (in lieu of an ER) has been prepared as provided for under Minn. Rule 7849.1900, supd. 2. The EIS includes an analysis of alternatives as required for the certificate of need under Minn. Rule 7849.1200.

Public Participation – DEIS review

In addition to accepting verbal and written comments at the informal public meeting, OES will also accept written comments through **Tuesday, November 9, 2010**, on the DEIS. Comments can be faxed, mailed or emailed to the OES Project Manager (see contact information below). Comments can also be submitted electronically at:

<http://www.energyfacilities.puc.state.mn.us/publicComments.html>

OES will respond to the timely substantive comments received on the Draft EIS consistent with the scoping decision and prepare the final EIS.

Purpose of Hearing

The purpose of the public hearing is to receive input on or about the Project from members of the local community and general public. During the public hearing, members of the public may offer either oral or written testimony, offer exhibits for inclusion in the public hearing record, and ask questions of the applicant and agency representatives. Any person who wishes to ask questions, but does not want to ask the questions personally, may submit them in writing to the ALJ who will then ask the question during the hearing.

Interested persons may comment on the certificate of need and route permit applications, or on the project generally. The hearing will continue until all persons have had the opportunity to offer testimony and ask questions. If needed, the hearing may be recessed and continued by the ALJ. At the close of written comment period, Judge Cervantes will prepare a written summary of the comments received at the hearing and 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 consider them, and the entire record, in its deliberations of the certificate of need and route permit applications.

Conduct of Public Hearings

OES staff will be present at the hearing and make a brief presentation about the project and introduce into the record a number of documents relating to the project, including the application and certain procedural documents. Representatives of the applicant (Xcel Energy) will be present to offer evidence and to answer questions. Members of the public will have an opportunity to ask questions of OES and Xcel Energy representatives, to make statements, and to offer written comments and material into the record at the public hearing.

The hearing will be conducted pursuant to Minnesota Rules Chapters 1400 and 1405. The applicable statutes and rules can be found on the Revisor's webpage at: <https://www.revisor.mn.gov/pubs/>. Rules and statutes may also be purchased at the State Bookstore, 660 Olive St., St. Paul, Mn. 55155; phone (651) 297-3000.

Electronic versions of the Route Permit Application, Certificate of Need Application, Draft EIS, and other documents relevant to this matter are available for viewing or download on eDockets at: <https://www.edockets.state.mn.us/EFiling/search.jsp> (Enter "08" year and "992" number for the Certificate of Need, or "09" year and "1315" number for the Route Permit docket).

Written Comments

Written comments regarding the certificate of need and route permit should be submitted directly to Judge Cervantes. Comments may be submitted by U.S. Mail, fax or email. Comments will be accepted through November 9, 2010, and should include the Office of Administrative Hearings (OAH) Docket Number 16-2500-21470-2. Mailed comments must be postmarked by that date. Faxed, emailed, and delivered comments must be received by 4:30 P.M. that date.

Identified Parties and Intervention

Persons interested in intervening in these proceedings have until October 11, 2010, (Pre-hearing Order) to file a Petition for Intervention with the ALJ (See Minn. Rules Part 1405.0900). The only party to this proceeding is the applicant (Xcel Energy).

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).

Eminent Domain

If issued a Site 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 Information

Administrative Law Judge: Manuel J. Cervantes, Office of Administrative Hearings, 600 North Robert Street, Saint Paul, Minnesota 55101, (651) 361-7945, manuel.cervantes@state.mn.us

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, karen.hammel@state.mn.us.

OES State Permit Manager (Draft EIS): Matthew Langan, 85 7th Place E., Suite 500, St. Paul, Minnesota 55101-2198, (651) 296-2096, matthew.langan@state.mn.us

OES Public Advisor: Deborah Pile, 85 7th Place E., Suite 500, St. Paul, Minnesota 55101-2198, (651) 297-2375, deborah.pile@state.mn.us

Commission Public Advisor (Certificate of Need): Bret Eknes, 121 7th Place E., Suite 350, St. Paul, Minnesota 55101-2147, (651) 201-2236, bret.eknes@state.mn.us

Other contact information: Toll-Free Tel: 1-800-657-3794, Fax: 651-297-7891 or TTY: Minnesota Relay Service, 800-627-3529, ask for DOC.