

85 7th Place East, Suite 500, St. Paul, MN 55101-2198
main: 651.296.4026 tty: 651.296.2860 fax: 651.297.7891
www.commerce.state.mn.us

PUBLIC COMMENT SHEET

Pleasant Valley to Byron Transmission Line Project

PUC Docket Number: E002/TL-09-1315

Name:

Anita Madery

Representing:

Address:

66061 270th Ave

Email:

Kasson MN

Comments:

Using the existing easements¹ for additional lines would have much less of an impact on every one involved. Straighter route, shorter route, much less expensive, much fewer homes impacted. The money saved could be used to ensure the lines would be more reliable, and less effected by weather events.

I am in support of the alternate Byron route because the preferred route passes within a few feet of my house. I have lived there for 40 plus years and have many established trees that I have planted that would be effected. ~~By the preferred route.~~

Please submit comments by 4:30pm, April 8, 2010 to:

Matthew Langan
Minnesota Dept. of Commerce
85 7th Place East
Suite 500
St. Paul, MN 55101-2198

Email: matthew.langan@state.mn.us
Phone: 651-296-2096
Fax: 651-297-7891





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PUBLIC COMMENT SHEET

Pleasant Valley to Byron Transmission Line Project

PUC Docket Number: E002/TL-09-1315

Name: Anita Madery Representing: _____

Address: 66061 270th Ave Email: _____
Kasson MN. 55944

Comments: I don't want the 161 Kv line run in front of my place because of health risks, decrease in property value, scarring the beauty of the area. My son. went thru the added expense of burning the power line to his house as not to diminish the aesthetics of the land. I propose to run the line in your existing easment for your 345 Kv line, or if we are to use the preferred Byron route, continue south from byron a few miles further to on 280th Ave then west on Co ~~15~~ road 8, then turn south on Dods Co 15. this would avoid the tight spot in front of my home. Using the existing easment for 345 Kv line from Byron to Pleasant Valley substation. is straighter would cost less money. disturb less of the environment. I don't want a landscape littered with power lines down every road, at least not high voltage power lines.

Please submit comments by **4:30pm, April 8, 2010** to:

Matthew Langan
Minnesota Dept. of Commerce
85 7th Place East
Suite 500
St. Paul, MN 55101-2198

Email: matthew.langan@state.mn.us
Phone: 651-296-2096
Fax: 651-297-7891

From: linda blum [lindab1948@yahoo.com]

Sent: Thursday, April 08, 2010 11:37 AM

To: Langan, Matthew (COMM)

Subject: TL-09-1315

Dear Matt-

We listened with interest to the various presentations regarding planning for routing of a new transmission line from Pleasant Valley to Byron ("TL-09-1315").

We understand the principles elaborated to justify their recommendations of preferred or alternate lines versus use of the existing easement for a second line or upgrading the existing line.

After pondering the information, we have the following comments.

1. We are reluctant to believe that a panel of nonresident outsiders—who have a predetermined agenda—can provide meaningful, appropriate consideration of the local impact of a project from the standpoint of aesthetics, value, or land owner's plans for his property because they are not personally invested or impacted by their decisions. Most people acquire property with a plan or dream for its use. We are naturally resistant to having an outside entity disrupt that dream for their purpose.

2. Preferred line/alternate line versus use of existing corridor:

We assume the preferred line was chosen due to the convenience afforded by the hard surface road (Dodge County highway 15) and the inconvenience of the alternate route river crossing. The preferred line would make access for construction, maintenance and repair of the line easier than the alternate route or the existing corridor.

However, Dodge County highway 15 is fairly heavily travelled by local traffic, work commuters to surrounding cities, and agricultural traffic. Have the planners considered the extent of traffic flow disruption and added risk to the traveling public (as well as power company employees) associated with construction, inspection, maintenance and repair of a line that is adjacent to this busy roadway versus that of the low speed, low use alternative line or the no traffic current corridor?

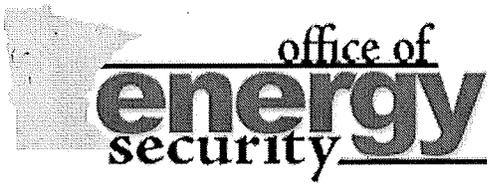
Use of Dodge County highway 15 preferred line requires placement of approximately 180 (1 every 500 feet for 18 miles) immovable metal power poles, most within range of accidental impact of highway speed traffic. This potential hazard could be essentially eliminated by location of the line along a low traffic or no traffic right of way. Is convenient access for sporadic power line maintenance traffic worth the risk and inconvenience of the everyday motorist?

To use Dodge County highway 15 preferred line with its attendant risks and inconvenience

could be justified if there were no other choices, but by the planners' own admissions there are other choices.

Thank you for allowing our comments.

Sincerely,
Dan and Linda Blum



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www.commerce.state.mn.us

PUBLIC COMMENT SHEET

Pleasant Valley to Byron Transmission Line Project

PUC Docket Number: E002/TL-09-1315

Name:

J.L. Boyum

Representing:

Landowners who live along preferred route

Address:

71383 270th Ave Hayfield, MN
55940

Email:

j1boyum@kmtel.com

Comments:

Attached is a petition against the preferred Xcel energy route. It includes many reasons why the 161 kV Transmission Project should follow the already existing 345 kV corridor.

This petition is signed by landowners who live along Xcel energy's preferred route.

We ask that you would give this petition serious consideration.

Thank you.

Please submit comments by **4:30pm, April 8, 2010** to:

Matthew Langan
Minnesota Dept. of Commerce
85 7th Place East
Suite 500
St. Paul, MN 55101-2198

Email: matthew.langan@state.mn.us
Phone: 651-296-2096
Fax: 651-297-7891

EACH name signed, is a person who owns land and lives on the preferred route.

In the matter of the Xcel transmission line project from the Pleasant Valley sub-station to the Byron station. We request that the Office of energy security deny both the preferred and alternate routes.

Xcel Energy already has a line and corridor that we feel would be safer and do less damage to people and property. We live along the preferred route and the line would jump across the County road in many places in order not to cross over homes and certain terrain. We can just see a down line on a highly traveled road like ours. Where the existing 345kv line and corridor is located now there is no public travel. We do not feel by constructing the new 161kV one mile either side of the current 345kV is necessary when a corridor already exists where homes, land, and people will not be disrupted. The existing 345kV corridor is shorter and safer, and we feel would be cheaper to build the new line in that corridor. There are many more people that would have to have their land acquired along either the preferred route or the alternate route.

Other things to consider along the preferred route are existing power lines above and below the ground, telephone and fiber optic cables, gas lines, tile or field lines, century old oak stands, virgin forest, DNR documented species of yellow lady slipper, rare ferns and orchids.

We are also told that it might cause problems with our GPS signals in our tractors and combines. The application of chemical fungicides applied by planes and helicopters for the prevention and control of disease will become more expensive because they don't like to fly near high lines. We are sure there are many more problems, but the most important thing is safety, and for that reason alone we feel the transmission line should be located as far from the public as you can. The best corridor would be along-side the present 345kV line and corridor. Transmission lines along our frontage land lowers our land valuations but does not lower our property taxes.

Thank you for your consideration of this petition.

Derald Boyer	71383	270 th Av.	Hayfield
Julie Boyer	"	"	"
Todd Daniel	73323	270 th Ave	Hayfield
Lauri Daniels	73323	270 th Ave.	Hayfield
Tony Bane	73481	270 th Ave	Hayfield
Paula Bane	73481	270 th Ave	Hayfield
Garth Sho	74718	270 th Ave	Hayfield
Rene Folan	75053	270 Ave	HAYFIELD
Ken Sunell	26874	755 th St	Hayfield,
Tracy Johnson			Hayfield
Dan Stahl	27017	Judge mowr el	Sargeant
Allen Simonson	33573	680 AVE	SARGEANT
Tom Sexton	12670	125 AV.	Sargeant Mm.

Dale Tegen 74992 270th Ave Hayfield MN 55940

Rhonne Wernmann 72190 270th Ave Hayfield, MN. 55940

Wayne Ineson 71554 270th Ave Hayfield MN

Scott Gith 31918 680 Ave Dexter, MN 55940

James H. Koussett 22183 680 AVE DEXTER, MN 55926

Trinity A. Howri 68070 B25th St Dexter MN 55926

Each name signed, is a person who lives and owns land on the preferred route

In the matter of the Xcel transmission line project from the Pleasant Valley sub-station to the Byron station. We request that the Office of energy security deny both the preferred and alternate routes.

Xcel Energy already has a line and corridor that we feel would be safer and do less damage to people and property. We live along the preferred route and the line would jump across the County road in many places in order not to cross over homes and certain terrain. We can just see a down line on a highly traveled road like ours. Where the existing 345kv line and corridor is located now, there is no public travel. We do not feel by constructing the new 161kV one mile either side of the current 345kV is necessary, when a corridor already exists where homes, land, and people will not be disrupted. The existing 345kV corridor is shorter and safer, and we feel would be cheaper to build the new line in that corridor. There are many more people that would have to have their land acquired along either the preferred route or the alternate route.

Other things to consider along the preferred route are existing power lines above and below the ground, telephone and fiber optic cables, gas lines, tile or field lines, century old oak stands, virgin forest, DNR documented species of yellow lady slipper, rare ferns and orchids.

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Thank you for your consideration of this petition.

~~Jean Boyum~~
Gerald Miller
Sandy Miller
Nancy Danielson
Byron Danielson
Mark Thomas
Thomas G. Burt
John Hyle
Robin Heim
Marla Ness
Dale Ness
[Signature]

Mary Adam
Tom Ness
Jean Boyum
Patrick Boyum
William Felt's
Marjorie Fudge
Joy Sain
David David
Raymond
Robert Alrick
Sue Ness
Sterling Ness
Beth Hoster

Jim Ness

Josh Muey

Corey Cook

Melinda M. Smith

Carolee Schanck

~~Just Y Bernard~~

Mike Stark

Sandra Stark

Bonny Maderly

Mike Maderly

Mike Maderly

Grita Maderly

Jon C. Ebersole

Addie Havisine

Ardean Gjornson

Emma Gjornson

We would like
the lines raised
at least 20' to eliminate
the draw.

From: corpa@juno.com
Sent: Thursday, April 08, 2010 11:40 PM
To: Langan, Matthew (COMM)
Cc: coreyc86@yahoo.com
Subject: Comments related to TL-09-1315 (161kV line for Pleasant Valley to Byron)

These comments are in regards to docket TL-09-1315 (the Pleasant Valley to Byron 161kV high-voltage transmission line).

I would like to see this line run along with the 345kV line that runs between the preferred and alternate routes.

The existing 345kV line runs between the exact two substations as the proposed 161kV line. I realize the issue with reliability, but it seems this route would have the least impact on the environment and people in the area.

Maybe the best option is to rebuild/upgrade the existing 345kV line to accommodate the extra load. Excel

representatives said this option would cost more, but I believe it may be worth it. It's more money short-term, but since the line will last for decades, it may be worth-while over the long-term.

One of my primary concerns with the proposed routes (both preferred and alternate), is the impact it will have on the environment - especially around the Salem Creek area. The preferred route will impact this Salem Creek area on Dodge County 15, just south of 670th Street. Much of this area is virgin woodland. One example of the natural resources in this area is Jim Postier's property where Yellow Lady Slippers grow naturally (just south of Salem Creek on County Rd 15). Jim has had the DNR visit his property and they noted that it was the most southern growth of Yellow Lady Slippers in Minnesota. You may wish to contact Jim for more information. I'm not as familiar with the Salem Creek area on alternate route, but I suspect it has similarities.

Even if the proposed 161kV line is not able to share the Right of Way with the existing 345kV line from end to end, I would request that they share the Right of Way at least through the Salem Creek area to minimize impact on the environment.

To accommodate this lessened impact on the Salem Creek area, I propose the following route:

- Byron Substation to 280th Ave south
- Follow 280 Ave south until you get to the Salem Creek area, then go east to the existing 345kV Right of Way
- Follow the existing 345kV Right of Way south through the Salem Creek area
- Once south of the Salem Creek area, go back to either the preferred or alternate route (assuming again that the 345kV line can't be followed). Since the alternate route is very close to the existing 345kV Right of Way south of Salem Creek, it probably makes most sense to follow the alternate route from there south to the Pleasant Valley station. The alternate route is all gravel roads down to the Pleasant Valley station (I'm not sure if gravel roads are preferred or not, but it may be safer).

Thank you for your time and serious consideration of these comments.

Sincerely,
Corey Carlson
67623 270th Ave
Kasson, MN 55944
(507) 365-8939

From: apache@web.lmic.state.mn.us
Sent: Thursday, April 08, 2010 12:54 PM
To: Langan, Matthew (COMM)
Subject: Christie Thu Apr 8 12:53:37 2010 E002/TL-09-1315

This public comment has been sent via the form at:
www.energyfacilities.puc.state.mn.us/publicComments.html

You are receiving it because you are listed as the contact for this project.

Project Name: Xcel Energy Pleasant Valley to Byron 161kV Transmission Line

Docket number: E002/TL-09-1315

User Name: Dana Christie

County: Olmsted County

City: Stewartville

Email: DanaDeeCee@aol.com

Phone:

Impact: Hi, I have property along both potential routes, and have no real objections to either route. The community does need a dependable electric power supply. What bothers me is that there does not seem to be a "master plan". This proposed line only covers a "current need" plus 100 mw of additional. This does not cover the potential need of proposed windfarms in the area. It also bothers me that Xcel did not know the condition of, or possible planned upgrades of currently used power lines (competitors). Essentially the lack of cooperation between power companies, causing possibly unneeded corridors to be sought. I believe seven lines were mentioned at the public hearing. I'm aware of one of those, which is well over 50 years old. The approach of re-building a aging line may be a better solution. Thanks Dana Christie

Mitigation:

Submission date: Thu Apr 8 12:53:37 2010

This information has also been entered into a centralized database for future analysis.

For questions about the database or the functioning of this tool, contact:

Andrew Koebrick
andrew.koebrick@state.mn.us

Minnesota Department of Natural Resources

500 Lafayette Road • St. Paul, MN • 55155-40



April 8, 2010

Matthew Langan, Permit Manager
Energy Facility Permitting
Minnesota Department of Commerce
85 7th Place East, Suite 500
St. Paul, MN 55101-2198

Re: Route Permit Application Review and EIS Scoping for the Pleasant Valley to Byron 161kV Transmission Line Project [PUC Docket Number: E002/TL-09-1315]

Dear Mr. Langan:

The Minnesota Department of Natural Resources (DNR) has reviewed the route permit application for the Pleasant Valley to Byron 161kV Transmission Line Project and offers the following comments for consideration in development of the draft route permit and Environmental Impact Statement (EIS). Comments provided include review of possible effects to public waters and associated species, rare species, and topics for which more information would be helpful to include in the EIS.

Both the preferred and alternative routes cross public waters. As indicated in Table 28, a license to cross public waters will be required from the MDNR Division of Lands and Minerals. Also, if any infrastructure is placed in public waters, then a public waters work permit would be required from the MDNR Division of Waters. The EIS should include more detailed information about crossing public waters, including a discussion of possible mitigation options for any flora or fauna affected. The possibility of using flight diverters should be discussed in the EIS if transmission lines cross public waters.

On page 88, the application states that water bodies, watercourses and wetlands will be spanned to the extent possible, but on page 84 the application states that impacts to aquatic organisms are not addressed under Rare and Unique Natural Resources because the waterways "can be spanned." If it is possible that the project will impact waterways, then impacts to aquatic organisms should be addressed. Botanical surveys and mussels surveys may be needed if there will be disturbance within any waterways.

Impacts to rare species would be minimized provided the transmission line spans waterways and wetlands. This would include floodplains, which are potential habitat for the wood turtle (*Clemmys insculpta*). Given the presence of rare species (wood turtle, ellipse, Ozark minnow) that are vulnerable to deterioration in water quality, especially increased siltation, it is important that effective erosion prevention and sediment control practices be implemented and maintained near the rivers and creeks. The EIS should include a discussion of this topic.

The northern cricket frog (*Acris crepitans*) and the timber rattlesnake (*Crotalus horridus*) records are historical records, so the DNR concurs with the applicant that these species would not be impacted by the proposed project.

Table E1 seems to be incomplete. The ellipse (*Venustaconcha ellipsiformis*), state-listed as threatened, and American ginseng (*Panax quinquefolius*), state-listed as special concern, have also been documented within a one-mile radius of the preferred route.

The route application discusses a large wooded area located along the Alternate Route and generally discusses tree removal, but does not discuss mitigation measures for impacts to wooded areas. The topic of avoidance or mitigation should be explored in greater detail for wooded land cover in the EIS so that the two routes can be better compared.

The route application discusses re-seeding of disturbed areas. Additional information about the species that



would be used for re-seeding would be helpful to include in the EIS.

Thank-you for the opportunity to provide review comments for the Pleasant Valley to Byron 161kV Transmission Line Project route permit application and for EIS scoping. Please contact me with any questions or if any clarification is needed.

Sincerely,

A handwritten signature in cursive script that reads "Jamie Schrenzel". The signature is written in black ink and is positioned above the typed name.

Jamie Schrenzel
Principal Planner
Environmental Review Unit
(651) 259-5115

Pleasant Valley to Byron Transmission Line Project

PUC Docket Number: E002/TL-09-1315

Timothy & Theresa Horvei
68070 325th St
Dexter, MN 55926

timb@benike.com

Comments:

We ask the State of Minnesota Public Utilities Commission to consider:

7850.4100 FACTORS CONSIDERED.

In determining whether to issue a permit for a large electric power generating plant or a high voltage transmission line, the commission shall consider the following:

- A. effects on human settlement, including, but not limited to, displacement, noise, aesthetics, cultural values, recreation, and public services;
- B. effects on public health and safety;
- H. use or paralleling of existing rights-of-way, survey lines, natural division lines, and agricultural field boundaries;
- J. use of existing transportation, pipeline, and electrical transmission systems or rights-of-way;

Effects on Humane Settlement

The Excel Energy Application for a 161 kV High Voltage Transmission Line Route Permit, if approved, will have an adverse effect on the aesthetic value and resale potential of every home site it passes over or near. The closer the transmission line the greater the loss.

For residents living between the existing 345 kV line and the proposed 161 kV line cell phone and AM Radio signals will be non-existent. Therefore, neither of these means of communication would be available to learn of impending severe weather or to communicate any type of 911 information to emergency service departments. Frontier Phone Company is our only land line option. We have an unacceptable number of documented service failures for our land line for which they have credited our account. We need a reliable source of 911 service coverage and believe a second HVTL will completely eliminate this.

Heart attacks, trauma or severe injury all require rapid response from emergency service. Living between two high voltage power lines would eliminate the option of having a Mayo One helicopter land on or near the site needed. This could have disastrous implications to any person seeking prompt medical attention in which 'time to treatment' is of consequence.

Effects on Public Health and Safety

The "preferred route" of the application begins by heading north along 680th Avenue in Pleasant Valley Township, Mower County. Coinciding with an approximate 1.5 mile length of this route is a large high pressure gas line buried along the side of the road.

Combining a high voltage transmission line and a high pressure gas pipeline poses a threat to the safety of all of the families along the combined route and any innocent bystanders or travelers in the event of an accident.

Excel Energy is considering placing at least one power pole near the existing high pressure gas pipeline. In the event the pipeline is nicked or ruptured during the installation the level of destruction would be catastrophic. See attached photos.

Unanswered safety questions remain regarding what happens in the event lightning strikes the power pole installed near the buried high pressure gas pipeline. If a grounding wire is in place what effect does this surge of electricity have on the buried gas pipe line?

Unanswered safety questions remain regarding what happens in the event the high voltage line or lines come down in a weather event and 161 kV of electricity are going into the ground directly above the buried high pressure gas line.

The potential for disaster exists in the event wind or flooding should topple one of these power poles installed near the buried high pressure gas pipeline. This section of roadway has flooded in the past. These power lines are needed to harness wind generated electricity. Both of these concerns are real.

We believe that these questions are truly unanswered. There have been no real world tests because the danger is too great and the testing too expensive and too unsafe to complete.

Alternate Routes

These safety issues lead to the proposal of alternate routes. The alternate route proposed by Excel Energy would avoid the issue of safety surrounding the buried high pressure gas pipeline.

A potential second alternate route could run west from the Pleasant Valley substation along Mower County 1, then head north through the fields between the Root River and 680th Avenue to 325th St, travel west and rejoin the original preferred route north of the Root River. (This route could follow fence lines or field lines between Haven Industries and 680th Avenue.)

In the event moving the line cross-country is too expensive for Excel Energy a third potential alternate route could run west from the Pleasant Valley substation along Mower County 1, then head north along 675th Avenue to 325th St, travel west and rejoin the original preferred route north of the Root River.

Advantages of either of the two alternate section proposals to the preferred route:

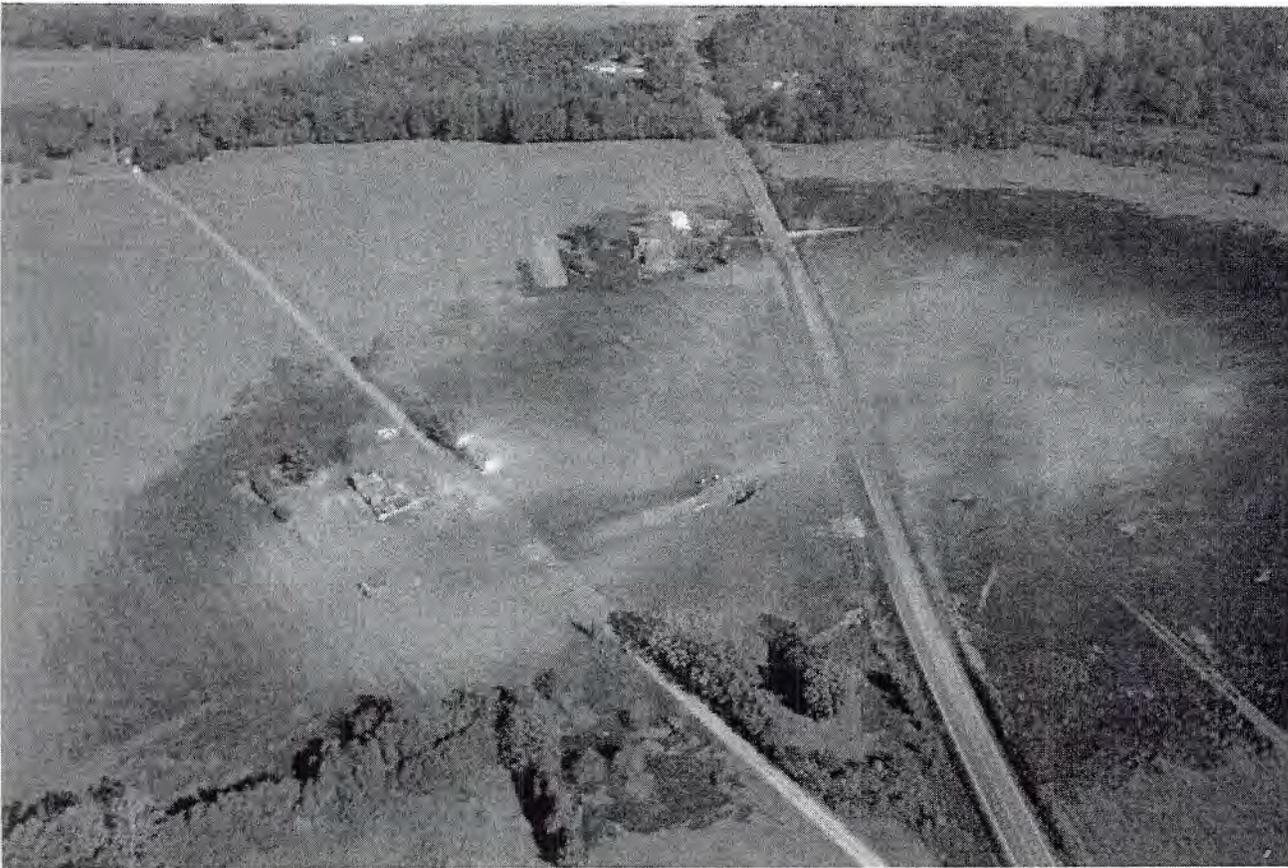
- Any of these alternate routes would avoid placing a high voltage transmission line over an existing buried high pressure gas pipeline.
- There may be potential to use the existing 161 kV poles along County 1 to accomplish either of these routes.
- Either of the two new proposed routes would reduce the number of homes impacted by 50 or 60%, depending on the proposal.
- This route would avoid any impact from spring flooding by the Root River branch that crosses 680th Avenue. This section has flooded numerous times resulting in road closings and wash outs at this location.

Excel Energy can afford to place the HVTL in an area away from the buried high pressure gas line. The homes and lives of the families living along the “preferred route” depend upon you recognizing the unwarranted risk Excel Energy is asking you to put us at.

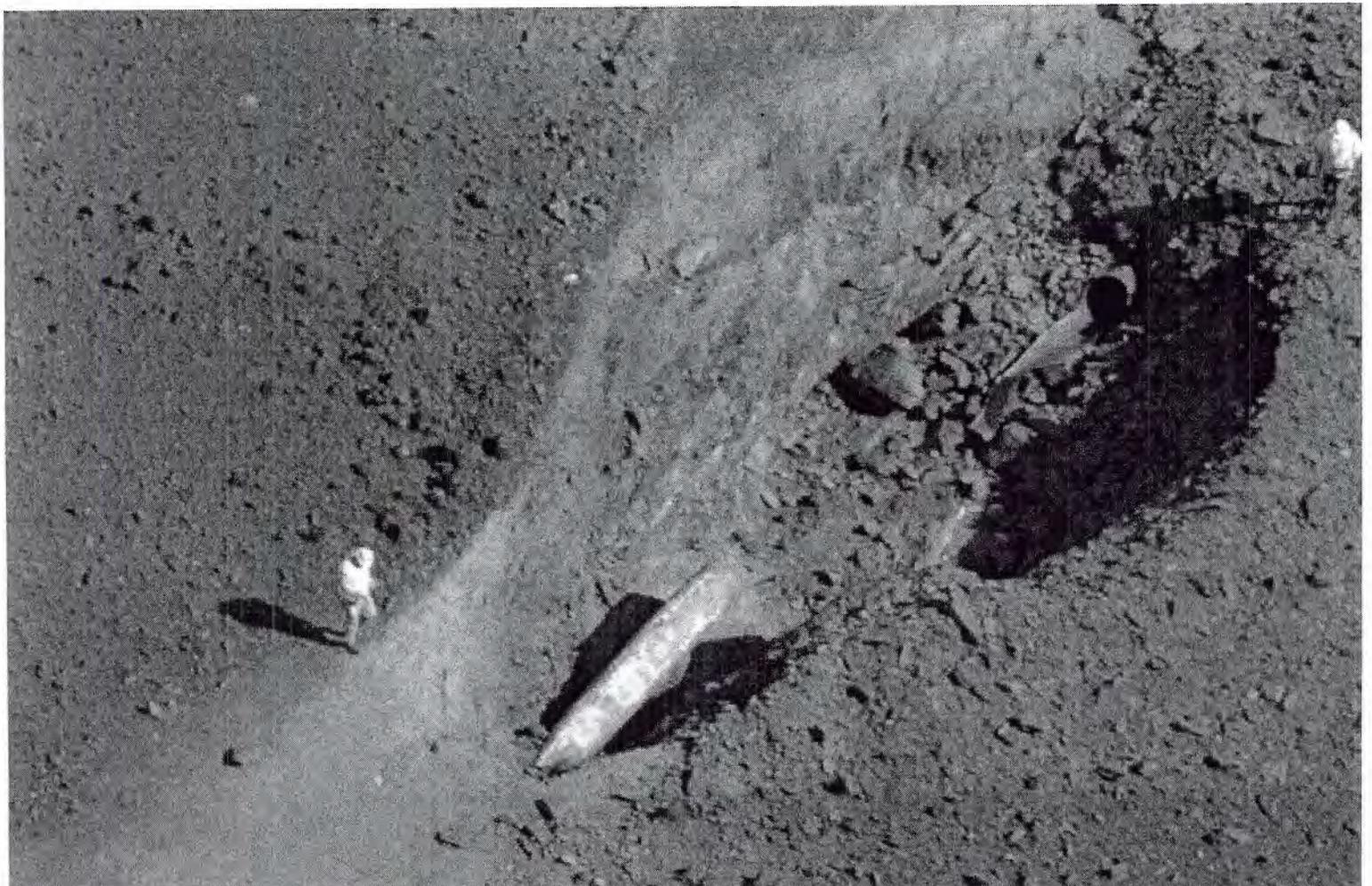
We appreciate your taking the time to consider our concerns, to listen to us as citizens of Minnesota and to consider approving the alternate route proposed by Excel Energy, or one of the alternative routes we have proposed today.

Thank you,

Timothy & Theresa Horvei



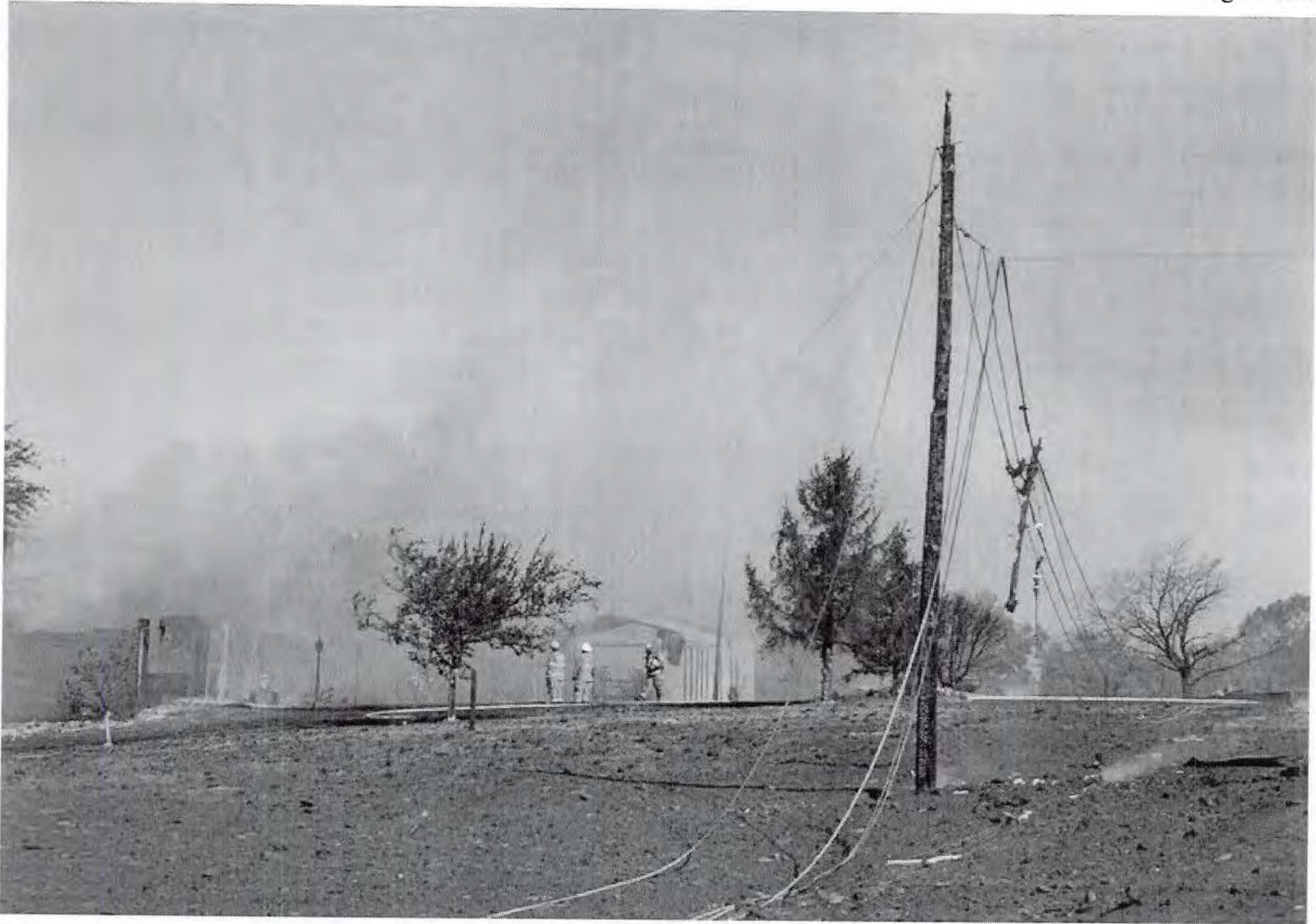
This is what a high pressure gas main is capable of.

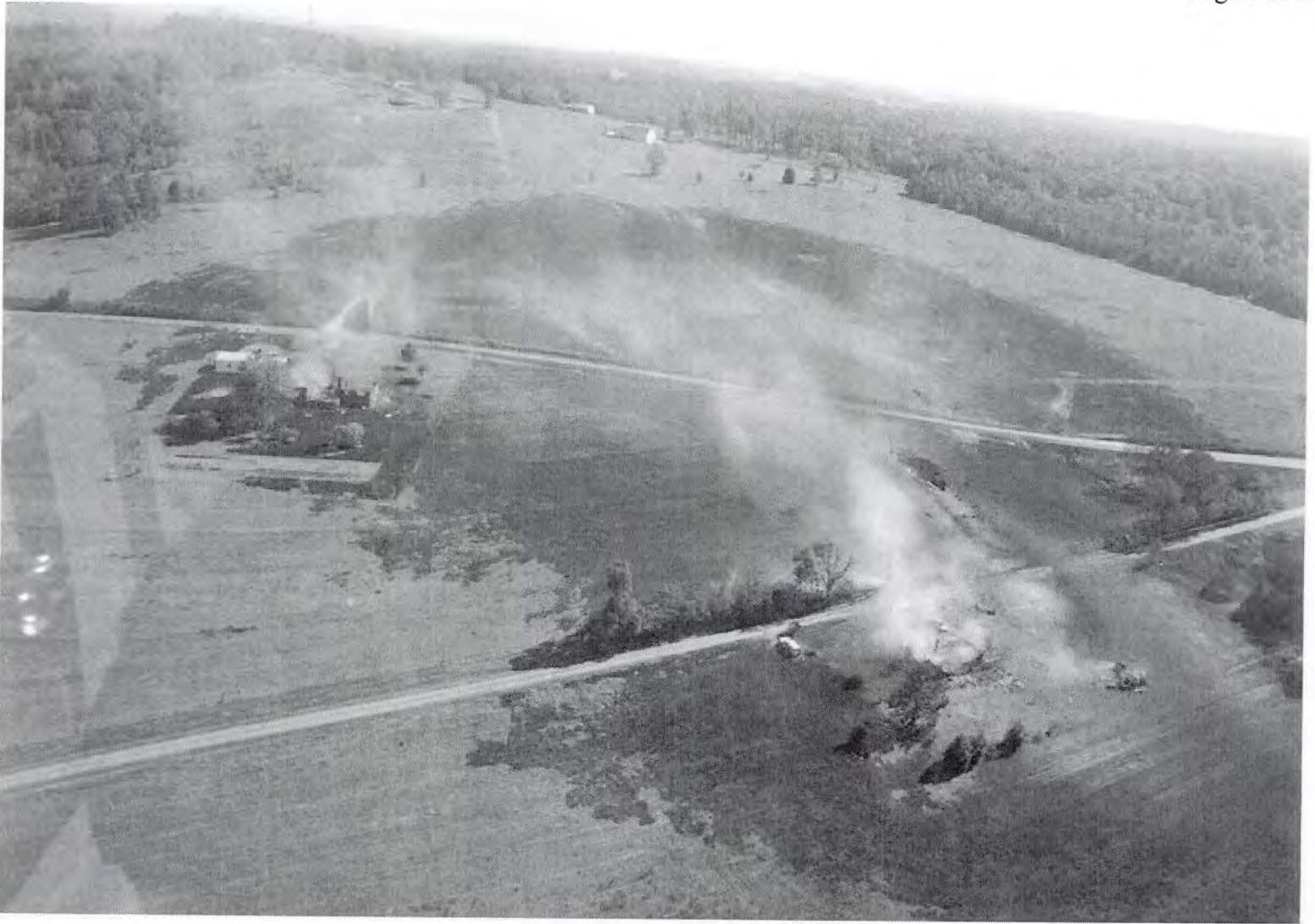


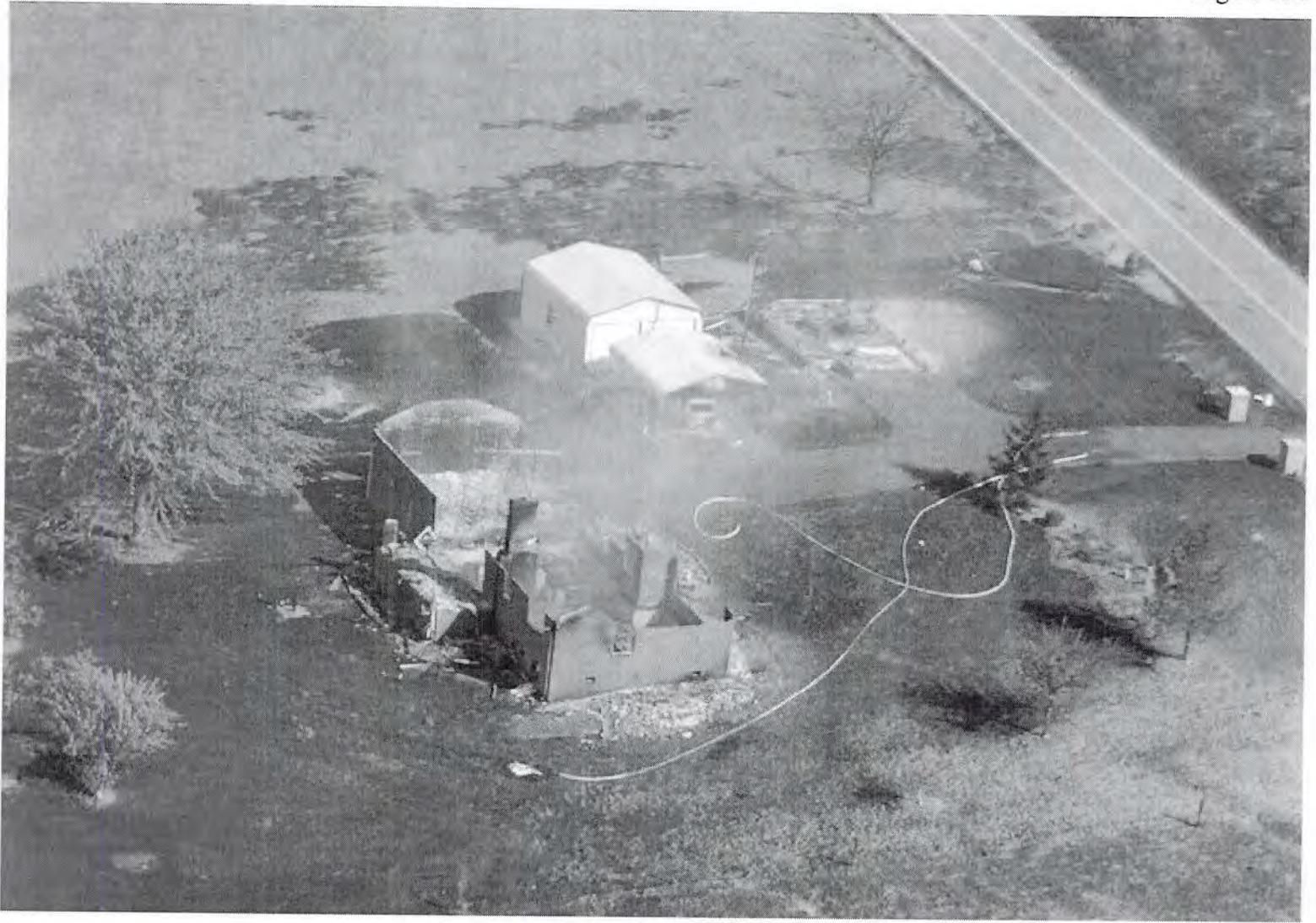






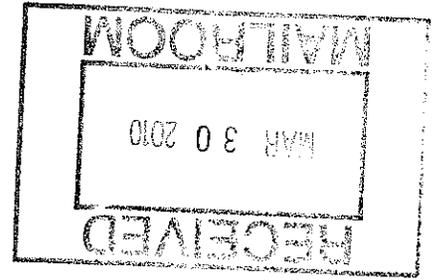






March 29, 2010

Matthew Langan
Minnesota Dept. of Commerce
85 7th Place East
Suite 500
St. Paul, Mn. 55101-2198



PUC Docket Number: E002/TL-09-1315
(Pleasant Valley to Byron Transmission Line project)

Dear Mr. Langan:

After the meeting we had at Byron, I just want to make it clear to you that I am more concerned about human lives than I am my trees, etc. I understand you have to put these lines in some place. I just ask that you put it where the least number of people's lives could be bothered by it. To the north of me where the Don and Joann Thoe live, it doesn't seem right that they have to have that big 350kv line close by on the east, and then to have this 160kv close by on the west. You know there is some stray voltage from all this electricity. They've already experienced that with the bigger line. Across the road from me, the Gilbertsons have two little children. So many of us are in our Sunset years of our lives, and most of us have lived here most of our lives, will we be made to move so that others may have more conveniences? One life is as important as another. Are there people whose houses are as close to the road as they are in our area? I'm just asking that you take that into your consideration when determining the route to take.

Sincerely,

Margaret Kirchner
31973 680th Ave.
Dexter, Minnesota 55926



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mail: 651.296.4026 tty: 651.296.2860 fax: 651.297.7891
www.commerce.state.mn.us

PUBLIC COMMENT SHEET

Pleasant Valley to Byron Transmission Line Project

PUC Docket Number: E002/TL-09-1315

Name: Michael Madery

Representing:

Address: 6626 270th Ave
Kasson MN 55944

Email: madlewi@myclearwave.net

Comments:

I would like to see the studies that have been done about the ill effects that there may be for people, and animals that live in close proximity to a high voltage transmission line.

What steps are excel energy doing to ensure our health will not be affected by this high voltage, or stray voltage to our cattle, us and our cattle?

~~Do you~~ If there were a weather event that would take the existing line out of commission. It certainly would effect the proposed line routs only 1.5 miles apart.

Please submit comments by 4:30pm, April 8, 2010 to:

Matthew Langan
Minnesota Dept. of Commerce
85 7th Place East
Suite 500
St. Paul, MN 55101-2198

Email: matthew.langan@state.mn.us
Phone: 651-296-2096
Fax: 651-297-7891

From: Sandy Miller [jersand@kmtel.com]

Sent: Wednesday, April 07, 2010 11:02 AM

To: Langan, Matthew (COMM)

Subject: Transmission Line Project PUC#E002/TL-09-1315

Dear Mr. Langan, We hope you will consider using the existing corridor from Pleasant Valley to Byron. To the average taxpayer it makes the most sense to use what is available rather than creating a new pathway back and forth over existin farmland and homes. Most taxpayers also do not wish to live near transmission lines...due to health concerns, property evaluations and more damage to the area wildlife. Please strongly consider using the existing corridor! Thank you, Sandra Miller, Gerald Miller and Matthew Miller



Minnesota Department of Transportation

395 John Ireland Boulevard
Mail Stop 130
Saint Paul, MN 55155-1899

Phone: (651) 366-4791
Fax: (651) 284-0592
Dave.Seykora@state.mn.us

April 8, 2010

Matt Langan – Planning Director
Office of Energy Security
Minnesota Department of Commerce
85 7th Place East, Suite 500
St. Paul, MN 55101-2198

Re: In the Matter of the Xcel Energy Applications for a 161 kV High Voltage Transmission Line (HVTL) Route Permit and a Certificate of Need (CN) for the Pleasant Valley to Byron Transmission Line Project in Dodge, Olmsted and Mower Counties.
PUC Docket Numbers: E002/TL-09-1315 and CN-08-992

Dear Mr. Langan:

On March 8, 2010, the Minnesota Office of Energy Security (OES) issued a Notice Of Public Information and EIS Scoping Meetings and request for public comments on the scope of the Draft Environmental Impact Statement (DEIS) relating to the route permit application by Xcel Energy for a 161 kV High Voltage Transmission Line Route Permit and Certificate of Need for the Pleasant Valley to Byron Transmission Line Project in Dodge, Olmsted and Mower Counties. The Minnesota Department of Transportation (Mn/DOT) attended the EIS Scoping meeting and has reviewed the route permit application regarding the proposed transmission line project and submits the following comments in response to the Notice.

Mn/DOT appreciates the opportunity to comment on the scope of the DEIS. Mn/DOT wishes to participate in the development of the DEIS so that it will contain a thorough evaluation of the effects various route proposals may have on the state transportation system. Mn/DOT's fundamental interest is to ensure that the DEIS identifies and quantifies, to the extent possible, any impacts the proposed high voltage transmission line (HVTL) may have on the safety of the transportation system, the effectiveness of the operations or maintenance of the state trunk highway system, and any additional costs that may be imposed on the state trunk highway fund as a result of the location of the proposed HVTL.

Mn/DOT's approach to the HVTLs such as those involved in the Xcel's proposal is to work to accommodate these HVTLs within or as near as feasible to the trunk highway rights of way, based on an evaluation of the specific locations to ensure that appropriate clearance is maintained to preserve the safety of the traveling public and highway workers and the effective operation of the highway system now and in the foreseeable future. Mn/DOT has adopted a formal policy and procedures for accommodation of utilities on the highway rights-of-way ("Utility Accommodation Policy"). A copy of Mn/DOT's policy can be found at <http://www.dot.state.mn.us/utility/files/pdf/appendix-b.pdf>.

Mn/DOT's policy seeks to permit utilities to occupy portions of the highway rights-of-way where such occupation does not put the safety of the traveling public or highway workers at risk or unduly impair the public's investment in the transportation system. The comments in this letter should be read in conjunction with the enclosed document that provides the detailed background on Mn/DOT's Utility Accommodation Policy.

Based on our review of the route permit application, it appears that the preferred route does not have any segments that would run parallel to a Minnesota trunk highway close enough to occupy a portion of the highway right. The alternate route appears to have one segment that would run parallel to MN 30 for about a half a mile. Both the preferred and alternate routes appear to require a crossing of both MN 30 and US 14.

Mn/DOT does not currently have any plans scheduled for construction to widen MN 30 in the area of the proposed HVTL. However, there is a bituminous mill and overlay project planned in that area for the year 2015.

Mn/DOT does not have any plans scheduled for construction to widen US 14 in the area of the proposed HVTL. However, there is a heavy bituminous mill and overlay project planned for the year 2012 from CSAH 5 in Byron to US 52. In addition, there may be reason to preserve additional land for public use in and around the city of Byron adjacent to US 14. While US 14 is unlikely to change alignment in the Byron area anytime soon, a 2 to 4 lane realignment is planned from Dodge Center to Owatonna.

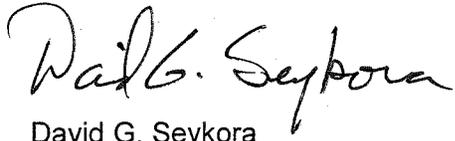
Highway crossings by utilities generally do not pose insurmountable difficulties in issuing a permit, and Mn/DOT routinely grants such permits to a variety of types of utilities. These permits usually have conditions associated with them, such as placement of the poles so that they do not become a physical obstruction that might be struck by an errant vehicles or block the visibility of traffic. Mn/DOT also does not permit utilities to run diagonally across intersections and prefers that crossings occur as close to right angles as possible. Mn/DOT has a long history of working with Xcel and other utilities to establish appropriate conditions in locations where the utility seeks to cross a trunk highway. Mn/DOT does not anticipate encountering circumstances that would prevent it from being able to grant a permit, with appropriate conditions, for the HVTL proposed in this matter to cross MN 30 and US 14.

Please note that it appears the proposed new HVTL is within 10 miles of Rochester International Airport.

Any work, possible placement of structures, materials or access to adjacent properties within Mn/DOT right of way is of concern. If work is required within Mn/DOT right of way for temporary or permanent access, please coordinate with Tom Streiff, District 6A Permits, at 507-286-7592 or thomas.streiff@state.mn.us.

Mn/DOT has a continuing interest in working with the OES to ensure that possible impacts to highways, airports, waterways, rail lines and the environmentally significant areas of highway right of way are adequately addressed. We appreciate the opportunity to provide these comments.

Sincerely,

A handwritten signature in black ink that reads "David G. Seykora". The signature is written in a cursive, flowing style.

David G. Seykora
Office of the Chief Counsel

Enclosure

cc: Thomas Hillstrom, Xcel Energy



Minnesota Department of Transportation

Memorandum

Engineering Services Division

395 John Ireland Boulevard

St. Paul, MN 55155-1899

Mn/DOT Utility Accommodation Policy - High Voltage Transmission Line Route Applications

Mn/DOT's approach to route permit applications by owners of high voltage transmission lines (HVTLs) is to work to accommodate these HVTLs within or as near as feasible to the trunk highway rights of way, based on an evaluation of the specific locations to ensure that appropriate clearance is maintained to preserve the safety of the traveling public and highway workers and the effective operation of the highway system now and in the foreseeable future. Mn/DOT has adopted a formal policy and procedures for accommodation of utilities on the highway rights-of-way ("Utility Accommodation Policy"). A copy of Mn/DOT's policy can be found at <http://www.dot.state.mn.us/utility/files/pdf/appendix-b.pdf>.

This document provides a detailed background on Mn/DOT's Utility Accommodation Policy. Mn/DOT's policy seeks to permit utilities to occupy portions of the highway rights-of-way where such occupation does not put the safety of the traveling public or highway workers at risk or unduly impair the public's investment in the transportation system.

The provisions of the Utility Accommodation Policy are based on the framework of several interrelated state and federal laws that led to its creation. This document will outline the legal and regulatory structure under which the Policy was adopted, and will then discuss the types of circumstances and concerns that must be considered when applying the Utility Accommodation Policy to a specific situation as Mn/DOT works to accommodate a utility in a highway right-of-way while preserving the safe and efficient operation of the highway. This detailed background on the Utility Accommodation Policy will serve as the foundation for comments providing input on specific impacts associated with a HVTL route permit application.

I. Legal Framework Applicable to Mn/DOT's Utility Accommodation Policy

Mn/DOT's policy regarding accommodation of utilities is governed by both federal and state statutes and regulations. These comments will first describe the primary federal laws and then the state laws

A. Applicable Federal Laws

Certain highways in Minnesota are part of the National Highway System, which is established under 23.U.S.C. §103. The National Highway System and the Dwight D

Eisenhower National System of Interstate and Defense Highways (Interstate System) are together known as the Federal-aid System. 23 U.S.C. §103(a). See also 23 CFR Part 470. In addition to the highways on the National Highway System, other highways also receive federal funding. Together, the highways in the National Highway System, the Interstate System, plus the other highways that receive federal funding are known as "Federal-aid highways." 23 CFR §470.103.

Congress articulated the transportation policy of the United States in 23 U.S.C. §101(b). Among other things, Congress noted that "it is in the national interest to preserve and enhance the surface transportation system to meet the needs of the United States for the 21st Century," that "the current urban and long distance personal travel and freight movement demands have surpassed the original forecasts and travel demand patterns are expected to continue to change," and that "special emphasis should be devoted to providing safe and efficient access for the type and size of commercial and military vehicles that access designated National Highway System intermodal freight terminals." 23 U.S.C. §101(b)(3)(A), (B) and (E).

Federal law requires that "The real property interest acquired for all Federal-aid projects . . . shall be adequate for the construction, operation, and maintenance of the resulting facility and for the protection of both the facility and the traveling public." 23 C.F.R. §710.201(e). In addition, all real property that is part of the Federal-aid highway system must be devoted exclusively to highway purposes unless an alternative use is permitted by federal regulation or the Federal Highway Administration ("FHWA"). This basic proposition is stated in 23 C.F.R. §710.403, which provides:

"(a) The [State Transportation Department] must assure that all real property within the boundaries of a federally-aided facility is devoted exclusively to the purposes of that facility and is preserved free of all other public or private alternative uses, unless such alternative uses are permitted by Federal regulation or the FHWA. An alternative use must be consistent with the continued operation, maintenance, and safety of the facility, and such use shall not result in the exposure of the facility's users or others to hazards."

Similarly, 23 C.F.R §1.23 restricts use of the highway right-of-way unless otherwise permitted. This section provides:

"(a) Interest to be acquired. The State shall acquire rights-of-way of such nature and extent as are adequate for the construction, operation and maintenance of a project.

(b) Use for highway purposes. Except as provided under paragraph (c) of this section, all real property, including air space, within the right-of-way boundaries of a project shall be devoted exclusively to public highway purposes. No project shall be accepted as complete until this requirement has been satisfied. The State highway department shall be responsible for preserving such right-of-way free of all public and private installations, facilities or encroachments, except (1) those approved under paragraph (c) of this section; (2) those which the Administrator approves as constituting a part of a highway or as necessary for its operation, use or maintenance for public highway purposes and (3) informational sites established and maintained in accordance with Sec. 1.35 of the regulations in this part.

(c) Other use or occupancy. Subject to 23 U.S.C. 111, the temporary or permanent occupancy or use of right-of-way, including air space, for nonhighway purposes and the reservation of subsurface mineral rights within the boundaries of the rights-of-way of Federal-aid highways, may be approved by the Administrator, if he

determines that such occupancy, use or reservation is in the public interest and will not impair the highway or interfere with the free and safe flow of traffic thereon.”

(Emphasis added.)

Federal law recognizes accommodating the placement of utility facilities as a permissible exception to the general mandate that all of a highway right-of-way, including the air space above the right-of-way, must be used solely for highway purposes. Section 109(l) of Title 23 of the U. S. Code provides:

- “(1) In determining whether any right-of-way on any Federal-aid highway should be used for accommodating any utility facility, the Secretary shall—
- (A) first ascertain the effect such use will have on highway and traffic safety, since in no case shall any use be authorized or otherwise permitted, under this or any other provision of law, which would adversely affect safety;
 - (B) evaluate the direct and indirect environmental and economic effects of any loss of productive agricultural land or any impairment of the productivity of any agricultural land which would result from the disapproval of the use of such right-of-way for the accommodation of such utility facility; and
 - (C) consider such environmental and economic effects together with any interference with or impairment of the use of the highway in such right-of-way which would result from the use of such right-of-way for the accommodation of such utility facility. “

The U.S. DOT has implemented this statutory directive by adopting the rules relating to accommodation of utilities found at 23 C.F.R. Part 645, Subpart B. These regulations require that each state transportation department submit its policies for accommodating utilities within highway rights of way to the FHWA. 23 C.F.R §645.215(a). See also 23 C.F.R §645.209(c). The FHWA will approve the policy upon determination that it is consistent with federal statutes and regulations, and any changes to the policy are also subject to FHWA approval. 23 C.F.R §645.215(b) and (c). Once a state's policy has been approved by the FHWA, the state transportation department can approve requests by a utility to use or occupy part of the right-of-way of a highway that is part of the Federal-aid highway system if the request is encompassed by that policy. Exceptions to the policy can be granted, but if a state proposes to grant to a utility an exception to its utility accommodation policy, the exception is subject to review and approval by the FHWA. 23 C.F.R § 645.215(d). This may be considered a federal action which would need to meet all requirements of the National Environmental Policy Act (NEPA), 42 U.S.C. §4321 et seq., to be in conformance with federal regulations.

B. Applicable Minnesota Laws

In addition to these federal laws, Mn/DOT's policy on utility accommodation must also conform to laws of the State of Minnesota. Article 14 of the Minnesota Constitution establishes the state trunk highway system. It also establishes “a trunk highway fund which shall be used solely for the purposes [of constructing, improving and maintaining the trunk highway system].” Minn. Const. Art. 14, §5. Under Minn. Stat. §161.20, the Commissioner of the Department of Transportation is charged with the responsibility to carry out the directive of Article 14 to construct, improve and maintain the trunk highway system, subject to the directive that trunk highway funds may be used only for trunk highway purposes.

Minnesota has several statutes relating to use of highway rights-of-way by utilities. Minn. Stat. §222.37, Subd. 1, provides in part:

“Any . . . power company . . . may use public roads for the purpose of constructing, using, operating, and maintaining lines . . . for their business, but such lines shall be so located as in no way to interfere with the safety and convenience of ordinary travel along or over the same; and in the construction and maintenance of such line . . . the company shall be subject to all reasonable regulations imposed by the governing body of any county, town or city in which such public road may be.”

Minn. Stat. § 161.45 provides additional obligations for utility facilities occupying portions of a trunk highway right-of-way. Section 161.45, Subd. 1 provides in part:

“Electric transmission . . . lines . . . which, under the laws of this state or the ordinance of any city, may be constructed, placed or maintained across or along any trunk highway . . . may be so maintained or hereafter constructed only in accordance with such rules as may be prescribed by the commissioner who shall have power to prescribe and enforce reasonable rules with reference to the placing and maintaining along, across, or in any such trunk highway of any of the utilities hereinbefore set forth.”

Subdivision 2 of §161.45 specifies the general rule that if the relocation of a utility placed in a trunk highway right-of-way is necessitated by a construction project on the trunk highway, the utility bears the costs associated with the relocation of its facility. However, if a utility facility is located on the Interstate System, then the cost of relocation of such facility is to be paid out of the state Trunk Highway Fund. See Minn. Stat. § 161.46. Minnesota Rules part 8810.3100 through 8810.3600 contain rules relating to placement of utility facilities in trunk highway rights of way. Under part 8810.3300, a utility must obtain a permit for any construction or maintenance work in a trunk highway right-of-way. In addition, Subp. 6 of part 8810.3300 requires that, except for the negligent acts of the state, its agents and employees, the utility shall assume all liability for and save the state harmless from any and all claims arising out of the utility's work and occupation of a portion of the trunk highway right-of-way.

C. Mn/DOT's Utility Accommodation Policy

Mn/DOT has adopted a policy statement regarding the circumstances and methods under which it will grant permits to utilities to occupy a portion of a trunk highway right-of-way. Mn/DOT's Utility Accommodation Policy is in conformance with the federal and state statutes and regulations described above, and is also consistent with the American Association of State Highway and Transportation Officials (AASHTO) publications, A Guide for Accommodating Utilities Within Highway Right-of-Way and A Policy on the Accommodation of Utilities Within Freeway Right-of-Way. Mn/DOT's Utility Accommodation Policy has been reviewed and approved by FHWA under 23 CFR §645.215(b). Therefore, with respect to Federal-aid highways, further review and approval by the FHWA is required for Mn/DOT to grant an exception to the general application of the Policy, but FHWA review and approval is not necessary for permits granted within the scope of the Policy.

Mn/DOT's Utility Accommodation Policy recognizes that it is in the public interest for utility facilities to be accommodated on highway rights-of-way when such use does not interfere with the flow of traffic and safe operation of vehicles or otherwise conflict with applicable laws or impair the function of the highway. The Policy applies to all utilities, both public and private.

Therefore it speaks in somewhat generic terms to cover as many anticipated situations as possible.

The Policy was developed with integrated sections, and two or more sections usually need to be read together when applying the Policy to the context of a utility accommodation circumstance. Some of the provisions most relevant to the Applicants' route proposals include:

- Part I.F – articulates the general policy of accommodation of utilities;
- Part I.G – contains provisions for granting exceptions to the Policy;
- Part V – addresses the location requirements for utilities occupying a portion of a highway right-of-way that apply to most highways;
- Part X – contains specific requirements relating to overhead power and communication lines.

II. Overview of Transportation-Related Impacts of HVTLs on Trunk Highways

The routes proposed by an Applicant for a HTVL route permit often either cross over or run parallel to trunk highways in a number of locations. When a route is ultimately selected by the Minnesota Public Utilities Commission (MPUC), the Applicant will need to obtain a valid permit from Mn/DOT in any location where the HVTL will occupy any portion of the highway right-of-way.

In recent applications for HTVL route permit, Mn/DOT has engaged in an ongoing dialogue with representatives of electric utilities and the OES in an effort to identify information that will be needed to assess the permit applications and, to the degree that specificity is possible in each proceeding, areas where specific concerns will need to be addressed along various potential route/alignment scenarios. Mn/DOT believes these discussions have been beneficial for all participants. The discussions have been challenging due to the large number of locations where the proposed HVTL routes and the trunk highways potentially intersect, the variety of unique circumstances that exist along each of these potential locations, and the number of unknowns and uncertainties surrounding the selection of the actual locations where the electric utilities will eventually apply for permits from Mn/DOT.

One of the concepts that has been discussed with the electric utilities and the OES is the importance of recognizing that highway rights-of-way do not have a uniform width. The width of the right-of-way, and the distance from the centerline of the roadway to the boundary of the right-of-way, varies from highway to highway, and even from mile to mile along a given highway. The reasons for this variability are many, and include considerations such as the time when the right-of-way was purchased, the topography and geology of the area, the negotiations with the individual landowners from whom the right-of-way was acquired, and the timing and nature of changes and upgrades to the highway that have occurred over the years.

Therefore, a uniform policy that an HVTL can safely be located "X" feet or "Y" feet outside the highway right-of-way boundary line generally does not work well. A two-dimensional map does not provide sufficient information to determine a suitable alignment for a HVTL. Rather, Mn/DOT's approach is to evaluate the type of activities that regularly occur on and along highways. These activities can be evaluated in three groups – (a) traffic that uses a highway, (b) maintenance, repair and related activities and structures associated with the ongoing operation of the highway, and (c) construction activities that are likely to occur in the foreseeable future. These functions or uses of the highway each have a zone – i.e., a height

and width – in which they take place either along the roadway surface or in the ditches, near bridges, intersections or interchanges where the maintenance and construction activities take place.

Once the zones of these recurring highway activities are identified, a safety buffer zone from the location of the energized wires of the HVTLs must be applied. The Occupational Safety and Health Administration (OSHA) and the National Electric Safety Code (NESC) can provide guidance on the safety clearances for activities near various voltages of HVTLs. The OSHA or NESC safety buffer should be applied between the zones of transportation activities and the location of the energized lines.

1. Traffic That Uses a Highway

Minnesota's trunk highways are designed to facilitate both personal travel and the distribution of freight throughout the state. Pursuant to Minn. Stat. §§169.80 and 169.81, vehicles that do not exceed 13 feet 6 inches in height and 8 feet 6 inches in width can be operated on Minnesota's highways without a permit. Vehicles with larger dimensions, excluding farm vehicles, must obtain a permit. Over the past 5 years, Mn/DOT has issued 233,376 permits for oversize vehicles to operate on state trunk highways. These do not include oversize farm machinery (which do not require a permit) nor movements of houses or other buildings such as grain bins. The number of building moves varies between 400 and 600 per year. Of the oversize vehicle permits issued, 73 were for vehicles over 18 feet 5 inches high, with the largest reaching nearly 37 feet high. An example of the type of oversize loads frequently transported over trunk highways are the blades, base sections and nacelles used in constructing wind turbines.

In addition to freight and building moves, other traffic on the roadway portion of trunk highways includes such activities as snowplows, which operate on both the roadway and the shoulder. Snowplows are about 13 feet tall, and when their boxes are raised to distribute sand and salt, their height can reach as high as 18 feet. The relative size of snowplows on a typical highway surface is depicted in the drawing enclosed as Attachment 1.

2. Maintenance, Repair and Operational Activities

In addition to the zone associated with traffic traveling on a highway, there is another zone associated with maintenance and operational activities alongside the roadways. Examples of maintenance activities performed by highway workers, and the types of equipment commonly associated with those activities, include the following:

- guardrail and fence installation and repairs, using augers, loaders and skidsteers (which commonly have raised buckets for pulling posts, etc.).
- vegetation control, using mowers, bucket trucks for tree trimming, and equipment for applying herbicides.
- cleaning ditches, culverts and drains, using backhoes and excavators of various sizes that have boom arms that are used to scoop dirt and vegetation and deposit it into a dump truck that will be parked alongside the highway. Mn/DOT's larger ditch dredging equipment has a horizontal reach as long as 60 feet and a vertical operating dimension of up to 47 feet.
- vehicular accidents on highways often require special equipment to retrieve vehicles and repair damage. For example, when large vehicles such as trucks or buses run off the

road or go down large ditches or into wetlands, large equipment with booms or winches may be used to pull them out.

- bridge inspections, using snoopers which have articulating arms that can lift a worker out over the side and then underneath the bridge structure.

Occasionally there is a need for immediate medical transport from roadside locations due to accidents and illnesses. For these situations there are a number of air medical helicopters stationed throughout Minnesota that will land in the roadside environment. These aircraft require clear approach and departure paths as well as an area large enough for the helicopter to land. Given the dimensions of the helicopters used in Minnesota, an area with a diameter of 90 feet should be considered the minimum requirement for landing. There should be two approaches to this area from different directions separated by an arc of at least 90° so that the aircraft can land and take off without a tailwind. Powerlines can be a particularly difficult obstruction for helicopter landings at night. The lines themselves are nearly invisible to the pilot, who must use the presence of poles as evidence that the lines exist. Most helicopters operating in this environment have line cutters installed on the aircraft to cut powerlines they encounter. Even so, helicopter crashes occur when powerlines get entangled in their rotor system or landing gear.

Mn/DOT also maintains a number of structures alongside highways necessary for the safe and efficient operation of the highway, each of which requires periodic installation, maintenance and repair work. Examples of these structures include:

- road signs. The largest signs tend to be on freeways. Signs that extend out over the travel portion of a freeway must have 17.33 feet of clearance to the bottom of the sign, and the top of such signs can be 30.5 feet tall and may require boom trucks, bucket trucks or cranes to install or maintain such signs. Roadside guide signs along freeways can reach 13 feet tall and tend to be located as far out in the clear zone as practical.
- light posts, traffic control signals and poles for traffic monitoring cameras exist at various locations along highways, and range in height from 20 to 50 feet.
- high mast light towers are used along some freeways, and range in height from 100 to 140 feet.
- noise walls, which can be up to 20 feet high, are becoming increasingly common along freeways.

The relative size of some of these structures on a typical highway surface is depicted in the drawing enclosed as Attachment 2.

Another type of physical item located along highways is snow fences, either structural or living. Some snow fences are in the highway right-of-way, and others are placed by agreement with adjoining landowners and may be 150 feet off the highway right-of-way. Mn/DOT is usually able to work out arrangements with a utility owner regarding height and placement of vegetation used as a living snow fence in locations where a utility is placed. If living snow fences owned by Mn/DOT need to be removed or relocated to accommodate a utility placement, compensation for the removed vegetation is usually required as a condition for issuance of the permit.

3. Future Construction Activities

Mn/DOT continually evaluates the future needs for the trunk highway system and has construction projects in varying stages of development. Some have been designed and funded

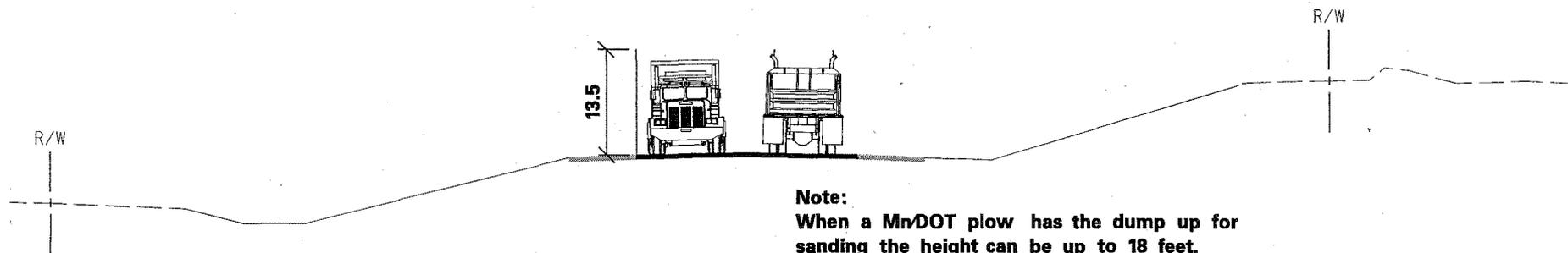
and are ready for construction. Others have been identified as needed or are anticipated due to development trends but have not yet been funded. The types of construction projects Mn/DOT performs that could be impacted by the location of a HVTL range from relatively minor changes to the width of a highway to major reconstruction projects. Examples of such construction projects might include:

- widening a roadway by addition of travel lanes or turn lanes, installation of a roundabout, or widening a shoulder area;
- rebuilding a highway in a way that changes the location or grade of a roadway; and
- addition of an overpass or interchange on a freeway or other highway.

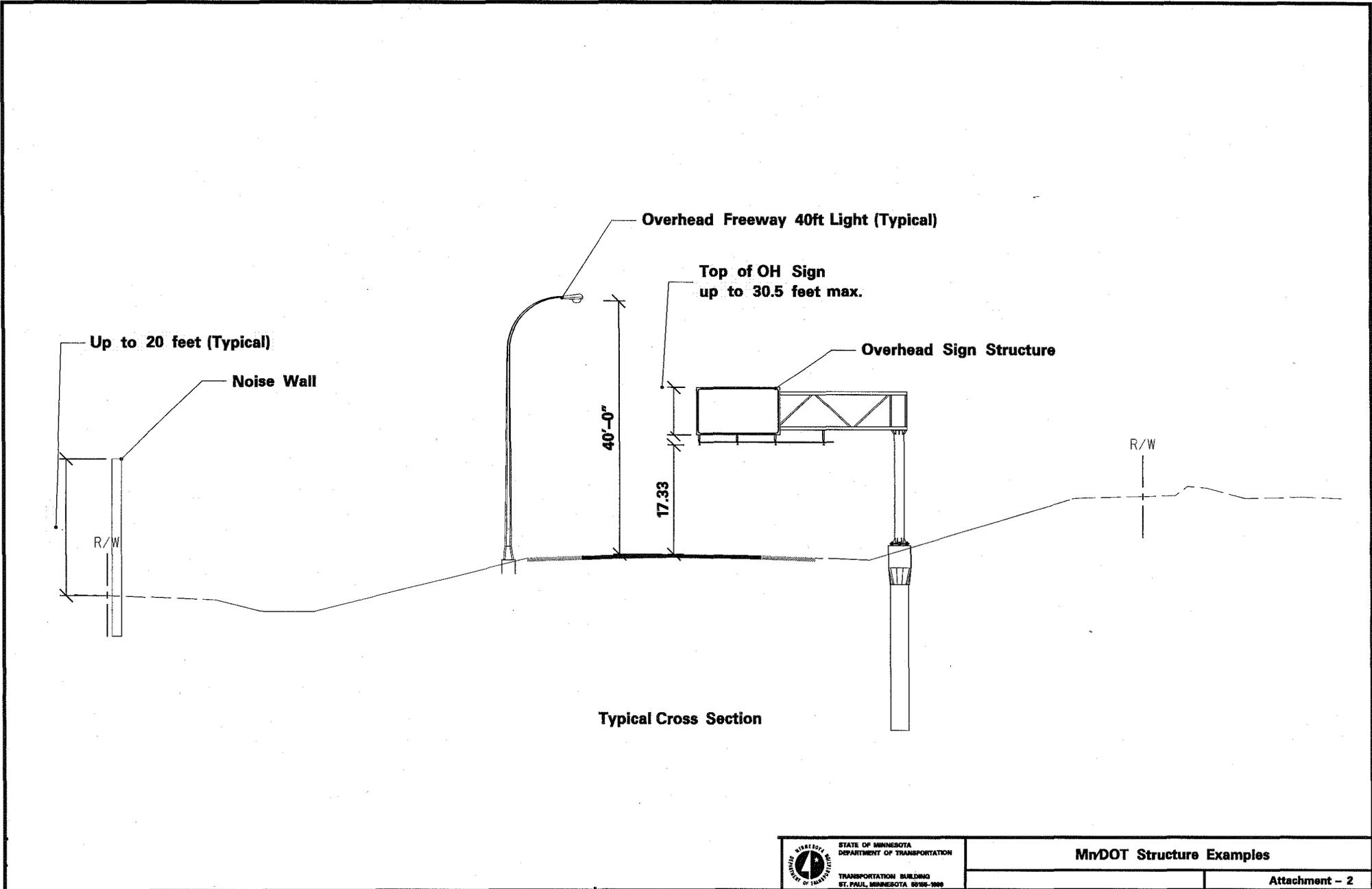
In addition to changes in the configuration of a highway, consideration must be given to the equipment used during the construction process. Construction projects often involve the use of large excavators and cranes similar in size to the equipment described above which Mn/DOT uses for its maintenance activities. The equipment used in bridge work is especially large, usually requiring cranes with long booms to lift material into place. The equipment used on construction projects also needs to be refueled at the job site, which requires consideration of the safety precautions necessary for this procedure.

The activities associated with vehicular traffic using the roadway surface have a zone in which they typically occur. The drawings enclosed as Attachments 1, 2 and 3 do not depict a specific location on a specific highway. Rather, they are illustrative of the zones or areas on any given highway where transportation-related activities may take place. The lighter shaded area above the roadway surface in the drawing enclosed as Attachment 3 depicts the zone or area in which vehicular traffic on the roadway may operate. The zone within which the activities associated with maintenance work take place is depicted by the darker shaded area on the drawing enclosed as Attachment 3. In addition to evaluating these zones of activity, Mn/DOT will also consider factors such as the width of the right-of-way, the topography of the land and the geometry of the roadway in a specific location when assessing the suitability of that location for an HVTL to occupy a portion of a highway right-of-way.

Location of a HVTL in close proximity to a highway right-of-way limits future expansion or reconstruction of highways due to the complex and extremely costly nature of either moving the transmission lines or moving the path of the highway. In order for the Minnesota Public Utilities Commission to make a fully-informed selection of a route based on all the pros and cons of the various alternatives, these costs should be recognized and evaluated in the EIS evaluation of the impacts of the proposed routes. The EIS should include an evaluation of the risk of trunk highway funding liabilities, and the potential magnitude of such liabilities, that may be imposed on the Trunk Highway Fund resulting from various proposed alignments along trunk highway rights-of-way.



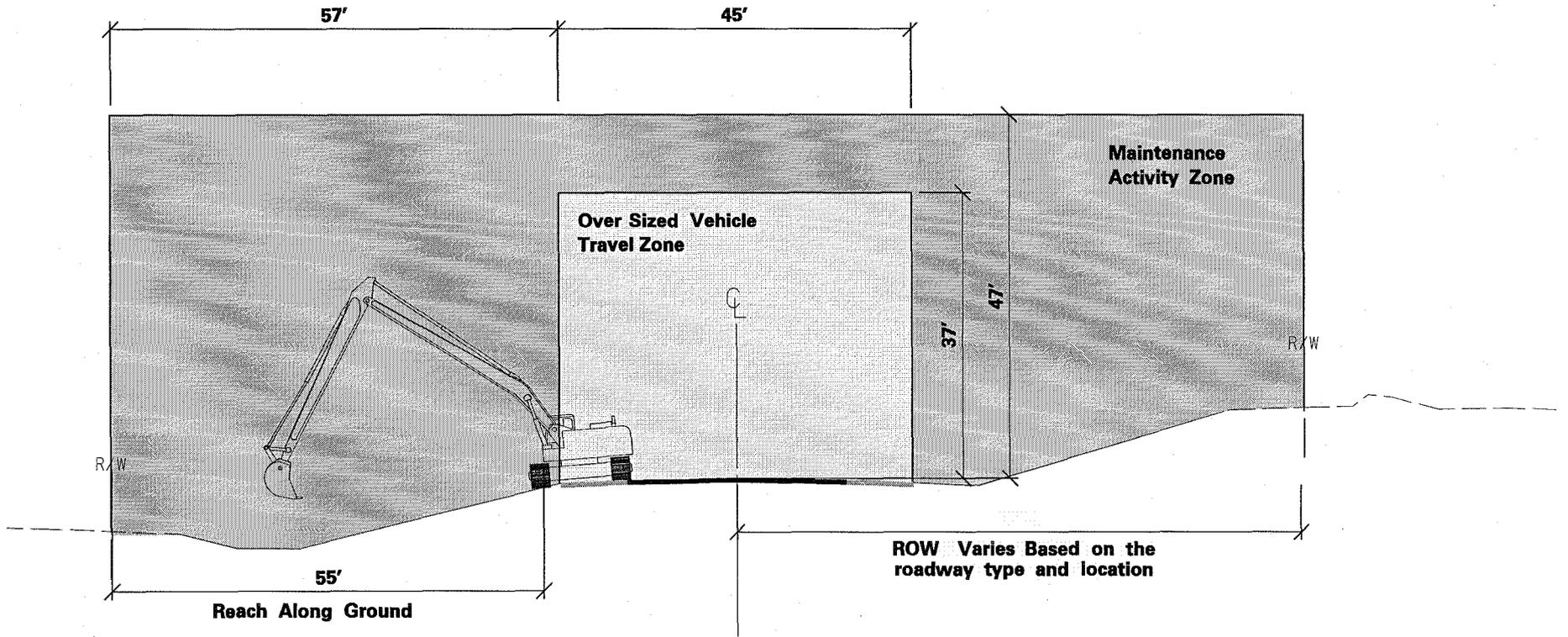
Typical Cross Section



Typical Cross Section

Note:

All Zones vary based on roadway types and locations



Typical Cross Section

To Whom It May Concern–Matthew Langan–Office of Energy Security
(Concerning the proposed high line wires on highway 15 in Dodge County)

From: Beth A. Postier
67531 270th Ave
Kasson, MN 55944

This is a very difficult letter for me to write. There are many concerns that our family has about the new power lines that are being proposed. I will bullet those concerns. Please take into consideration our feelings. I am concentrating on how this will affect our woods. Feel free to contact my husband Jim, who has an even more details on how this power line would affect our future plans for our son, Anslee, who is autistic.

- 1- We live in Canisteo Township with the Salem Creek on our northern border. We have 20 acres. This has been a dream of ours to raise our family in a rural/woodland setting. We have three children. There is one section of our property (which happens to be right up along side of highway 15) that is a “virgin forest”. Most of the woodlands in this area once had hog or cattle pasturing in it. You can tell by an areal photo where old highway 15 went before the new bridge was put in. It looks like a “pizza slice of woods”. That “slice” is a virgin forest that has never been interrupted. There are unbelievable amounts of spring and summer flowers that are abundant in this piece of woodland.
- 2- We have a rare, but very large, patch of yellow lady slippers. Derek Anderson from the MN DNR has been to our property – last spring and summer and documented their existence. This whole section would be eliminated with this project. As you may not know, these are very sensitive plants and do not transplant well.
- 3- We have other unique “rare” wildflowers in this section that are not in other parts of our woods: liver leaf hepaticas, maiden hair ferns, wild orchids, bellwort, a huge section of dames rocket near the river, Turk’s cap lily. This would be a devastating loss!
- 4- Our only maple tree section is in this woodland next to highway 15. There are five large maple trees with numerous small saplings beginning to grow. This would be eliminated.
- 5- Other wildflowers that grow in this area that would be eliminated: may apples, Jacob’s ladder, Virginia waterleaf, leaks, anenomes,

yellow, purple and white violets, wild geraniums, flocks, jack in the pulpits, blood roots, trout lily, meadow rue, false meadow rue, solomon's seal, false solomon's seal, wild ginger, nodding trillium, jewel weed, yarrow, fleabane, black-eyed susans, goats beard, morel mushrooms.

- 6- Access to our family's deepest swimming hole (which we use nearly every day in the summer)! Would it be safe swimming underneath these wires everyday in what would be a very open-sun burned area? This area is also a very popular fishing spot. If this area is cleared and poles put in it would affect local fisherman.
- 7- We have an abundant area of wild blackberries that grow in the eastern meadow. These would be eliminated.

OTHER IMPORTANT POINTS TO CONSIDER:

When you look at the satellite imagery of both sides of highway 15, **why are the lines going on our side?** Don't let the more "open" meadow seem like a reason. There is no one living on the east side of the highway property. Our lot has a telephone line/box, water access and power ready to go. The other lot on the other side does not. There is also an inactive quarry on the east side. No one lives near it. The line would be less visible or not as concerning there. And most importantly, why cross over to our side. You are already on the east side and switch over right by our driveway. Why?

Our meadow area (lot number one) next to highway 15 has a purpose. It is the **future home site for our son, Anslee** who is autistic. When he nears adulthood, we plan on building him a house on the east side of our property. We have brought in and placed an underground water connection to this lot so it will be ready to go. The proposed high line wire would go right through the area where the water line is. You'll need to keep in mind that this lot for Anslee is narrow at the beginning and it will really limit where a new home can be built. We'll need that area on the east side of the property for driveway access and there is a need to be careful because of the water line. There is a telephone box already there for future use. We want Anslee to be as independent as he can and still have his parents near him. We have even "sketched" ideas of his house and large fenced in area for playground/trail use.

We have **voltage/wattage concerns**. (See information from the DNR.) How much “unseen” energy is being sent out? We are still concerned about the results of the long term studies? Can anyone ensure complete safety?

Property value? This one is serious. Do you know what our property value is with river access right now? This section has a beautiful meadow and a virgin forest part of it. That will be destroyed with high line wires and all the clearing that is needed! Keep in mind that we have two lots with narrowed southern property lines. If the proposed lines went through it would affect both lots, hence interrupting the property value of both lots.

When the new bridge and highway was made it cut deep into the land making visible limestone cliffs. To get up high onto our property, will **severely impact the usability of the first lot**, which has a narrow pie shaped entrance.

My husband and I, if we had to choose **would like this project to run where the current lines are**. It will be least disruptive to all involved. At the informational meeting it was discussed that two lines close together wouldn't be good in case of a wind storm/tornado would knock the wires/poles down. What are the chances? Would we accept a day or two without power verses the destruction of this proposed project? If the current line is not a choice, going on the east side of the road would be our next alternative, thus preserving the usability of our first lot. Remember it is already on the east side and then comes over to our side right by our driveway/cul-de-sac.

I would like to **invite anyone from Excel Energy or the OES to come out** in a few weeks when the spring flowers are at their peak. How about in early summer when the yellow lady slippers are in full bloom? Come out in the autumn- oh the beauty of fall, the maple trees are simply gorgeous! It is a sight to see!

Thank you for taking an honest look at our situation. We feel that we have a unique property and we have a lot to loose if this proposed high line wire goes through our woodland and meadow. **The loss is really two-fold: first for our son, Anslee and second, for the rare virgin forest that runs so close to highway 15.**

Thank you,
Beth A. Postier

Matthew Langan
PUC Docket – E002/TL-09-1315

I will address the proposed 161 KV Transmission Line PUC Docket Number: E002/TL-09-1315 from Pleasant Valley Substation to the Byron Substation from 6 Prospectives.

1. Kalmar Township Supervisor (13 years)
2. Past member the Olmsted County Roadway Management Taskforce (35 Year Plan)
3. Past member of Olmsted County Planning and Advisory Commission (just completed 2-3 year terms)
4. Member of Rochester-Olmsted Council of Governments (Presently Chairmen of ROCOG)
5. Property Owner
6. Business Owner

Presently my Father and I have four sets of the existing 345 KV Lines that run in to the Byron Sub Station from the south. I do wish to make it perfectly clear that I do understand the need; in fact regardless of preferred route or alternate route our properties will be affected. The final choice must impact the public in the least and keep open all opportunities for growth and development.

From a township outlook we assume that our road right of way will not be compromised, as long as the road way remains a township road. We do our own planning and zoning in our township, and if an interchange at the intersection of 19th Avenue and HWY 14 becomes a reality someday, the county line road or 19th Avenue right of way will be needed to increase significantly. Mn/DOT may not have this marked as something in the near future, but the city of Byron and Kalmar township believes that this interchange may happen even if it take 20-40 or more years. The city of Byron have gone way beyond adopting official maps or just saying they would like and interchange at their location. Substantial investments have been made for their industrial park, by water and sewer, but most impressively re-routing their roads to accommodate an inter-change. I believe what will really compromise 19th Avenue is to have pole settings on both sides of the road to miss the residents along this route. This really restricts opportunities for road right of way expansions. As for transmission lines in an interchange area, I do not understand how they can co-exist with on ramps. off ramps and the height an overpass. With the substation in Byron we always have interest of what's happening there, because 171 acres that substation is located on, is in our township and all the roads around it and into it are township roads (both gravel and blacktop). So road damage to excessive weight is always monitored.

As a past member of Olmsted County Roadway management taskforce it was our task to work with neighboring counties, neighboring out communities and all communities in Olmsted county and pull together all thoughts of transportation and roadways (existing and future) and map them out so they will not be compromised in the future (hence the 35 year plan) leaves us to preserving 19th Avenue and HWY 14 interchange.

As a member of Olmsted County Planning Advisory Commission we have for the last couple years been reviewing the land use plan, which also included input from the townships and communities on their plans for growth. Again, restricting 19th Avenue (County line road) and the future of our interchange is something most feel will comprise growth and development in the future.

Three years ago I was appointed to Rochester-Olmsted Council of Governments (ROCOG). Presently I serve as chairman of this group of elected officials, which basically officially adopt all road improvements and issues in regards to Olmsted County. The roads in regards to this transmission line are not top of the future road improvements, but are on the list and should not be comprised.

As a property owner the alternate route really makes sense to our family, simply it shows the new alternate route running along the existing 345KV line that is on our property and been there since the mid 1960s. I will share some thoughts at the end of this letter that I brought up at the information meeting in Byron for possibly a hybrid route. On a personal note our farm will receive state recognition and a plaque at the State Fair this year for becoming a century farm in Minnesota (100 years of continues family ownership). I do not know if this has an historic value in these issues.

I have been in correspondence with Xcel Energy as early as December 1, 2008 when 1st aerial photos and road information was sent in regards to this project. I have spoken with Tom Hillstrom numerous times by phone, email and in person at various conferences we both attended. I also had a van full of engineers and Tom that stopped once in the winter of 2009.

As a business owner we operate what is known as Tweite's Pumpkin Patch. 2010 makes our 22 years of operating this amusement park. Our farm is involved in Agritoruism, we have 20 acres of permanent amusements in addition we have 6-8 acres of U-pick pumpkins for our customers. During a six week period we are open 7 days a week to the general public. Last year attendance was a few short of 30,000 and this is over 6 times the population of Byron. The rest of the year our business is only open to corporate and family private events and picnics. These types of events generate 100 to 1500 people per single event (the event could be only the banquet hall or use all 20 acres plus the corn maze starting in August) To find out more of what services we offer please go to our website www.tweite.com (keep in mind we are in process of updates for 2010). Permanent parking is now up to 750 cars in the lots with and overflow field that was used three times in 2008 and four times in 2009. As in all discussions and correspondence with Xcel Energy, issues of public health and safety must be addressed as you mix people with the lines in our recreation areas north of our north parking lot. This area includes a four acre corn maze, tricycle racing tracks, and numerous permanent thinking mazes. We want to identify that we have an existing parking lot, and numerous amusements along the entire 19th Ave. road right away of our property. I also wish to mention we also sell advertising in our maze. Last year an Austin TV station KAAL 6 was featured (see maze on website). This year the Boy Scouts of America will be a part of the maze celebrating their 100th year along with our 100 years celebration for our farm.

We also are currently in negotiations with KAAL 6 in Austin and KTTC 10 in Rochester for their purchase of maze advertising. These logo spots are sold at a significant source of revenue to our fall business. So compromising our maze is something we wish not to happen. If the preferred route is chosen we need to have a written agreement that there will be absolutely no disruption or compromise to the parking lots, corn maze and amusements along the route during the summer and autumn months.

During Tom Hillstrom's presentation he had said that both the preferred route and the alternate route were very comparable, only some river crossing issues separated them in regards to one over the other.

The hybrid route I would like to suggest is using the preferred route up until 10th St. SW. Instead of turning north, continue east on 10th St. SW until the existing 345 KW line, then head north connecting up with the alternate route. This route runs with the 345 KW line but the distance to Byron is over half of the alternative route anyway. This hybrid route presents less impact to a number of residences, but biggest win will be that not one road will be compromised and the interchange area will be untouched. Looking at the map of the routes, all three routes are within a half a mile of one another, all meeting at the substation. In fact, if this hybrid route is not considered than the alternate route seems the logical route based on less impact to major roadways and I believe is also supported strongly by the city of Byron.

I will also be sending you a hard copy of this letter along with some aerial photos.

Please feel free to contact me.
507-421-6834

Thank you for your consideration,

Tom Tweite