



**BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION**

**COMMENTS AND RECOMMENDATIONS OF THE  
OFFICE OF ENERGY SECURITY  
ENERGY FACILITY PERMITTING STAFF**

**DOCKET NO. E002/TL-09-1448**

Meeting Date: March 11, 2010

Agenda Item # \_\_\_

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Company: Northern States Power Company (Xcel Energy)

Docket No. E002/TL-09-1448

**In the Matter of the Application for a Route Permit for the CapX2020  
Hampton-Rochester-La Crosse High Voltage Transmission Lines**

Issues: Should the Commission establish an Advisory Task Force structure and charge?

OES Staff: Matthew A. Langan .....651-296-2096

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**Relevant Document(s)**

Route Permit Application ..... January 19, 2010

The enclosed materials are work papers of the Office of Energy Security (OES) Energy Facility Permitting (EFP) staff. They are intended for use by the Public Utilities Commission and are based on information already in the record unless otherwise noted.

This document can be made available in alternative formats, i.e., large print or audio tape, by calling (651) 201-2202 (Voice) or 1-800-627-3529 (TTY relay service).

## **Attached Document(s)**

1. Hampton to Mississippi River Advisory Task Force: Draft Structure and Charge
2. Hampton to Northern Hills and North Rochester to Mississippi River Advisory Task Forces: Draft Structure and Charge

(Relevant documents and additional information can be found on eFilings (09-1448) or the PUC Facilities Permitting website: <http://energyfacilities.puc.state.mn.us/Docket.html?Id=25731>)

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## **Statement of the Issues**

Should the Commission establish an Advisory Task Force structure and charge for the CapX2020 Hampton-Rochester-La Crosse transmission lines project?

## **Introduction and Background**

On January 19, 2010, Xcel Energy submitted a high voltage transmission line (HVTL) Route Permit application to the Commission for the proposed CapX 2020 Hampton-Rochester-La Crosse Transmission Line Project (Project). At its meeting on February 25, 2010, the Commission accepted the route permit application as complete, and authorized the Office of Energy Security to establish Advisory Task Forces and develop a proposed structure and charge for the task forces. The Commission asked EFP staff to bring the proposed structure and charge back to the Commission for review.

### ***Project Description***

The Project includes an 81- to 91-mile 345 kV HVTL and a 15-mile 161 kV HVTL located in Dakota, Goodhue, Olmsted, and Wabasha counties, Minnesota. The proposed project would cross the Mississippi River into the State of Wisconsin at a location near Kellogg, Minn. The Project also includes construction of a new North Rochester substation, and improvements to the existing Hampton and Northern Hills substations.

The proposed structures for the 345 kV HVTL are double circuit-capable, single-pole, self-weathering steel structures. The height of these poles will range from 130 to 170 feet, with the spans between poles ranging from 700 to 1,000 feet. The typical right-of-way width for the 345 kV transmission line is 150 feet. The proposed structures for the 161 kV HVTL are single-pole, steel structures 70 to 105 feet in height, with spans between the poles ranging from 400 to 700 feet. The applicant has requested a route width of 1000 feet for both the 345 kV and 161 kV lines. In some locations, the applicant has requested route widths greater than 1,000 feet to provide routing flexibility near existing or anticipated future developments.

The estimated cost of the Project for facilities to be located in Minnesota is between \$229 and \$253 million (2009 dollars), depending on the final route selected. Construction of the Project is expected to begin in the third quarter of 2011. The applicant anticipates the 345 kV HVTL will be completed and the line in-service by second quarter 2015, and the 161 kV HVTL in-service by fourth quarter 2012.

## **Regulatory Process and Procedures**

Minnesota Statutes Section 216E.03, subd. 2, provides that no person may construct a high voltage transmission line without a route permit from the Commission. An HVTL is defined as a transmission line of 100 kV or more and greater than 1,500 feet in length in Minnesota Statutes Section 216E.01, subd. 4. The transmission line proposed here is an HVTL and therefore a route permit is required prior to construction. The application was submitted pursuant to the provisions of the Full Permitting Process outlined in Minnesota Rules 7850.1700 to 7850.2700. Route permit applications under the full review process must provide specific information about the proposed project, applicant, environmental impacts, alternatives and mitigation measures (Minnesota Rule 7850.1900). An applicant under this process is required to propose two routes, and identify one as a preferred route. EFP staff conducts public information and scoping meetings and prepares an Environmental Impact Statement (EIS), and a public contested-case hearing is required.

The permit review process begins with the determination by the Commission that the application is complete, allowing staff to initiate the public participation and environmental review processes. The Commission has one year to reach a final decision from the time the application is accepted (Minnesota Rule 7850.2700).

### ***Advisory Task Force***

Minnesota Statute 216E.08 authorizes the Commission to appoint an advisory task force (ATF) to assist with identifying additional routes or specific impacts to be evaluated in an EIS. A task force terminates when the OES Director issues an EIS scoping decision.

An advisory task force appointed to evaluate sites or routes considered for designation may be comprised of as many persons as designated by the Commission, but shall contain at least one representative from each of the following:

- regional development commissions,
- counties,
- municipal corporations, and
- a town board from each county in which a route is proposed to be located.

No officer, agent, or employee of the applicant shall serve on the advisory task force.

Minnesota Rule 7849.5270 directs the Commission to determine whether to appoint a task force as early in the process as possible. In addition, Minnesota Rule 7849.5270, subp. 2, allows a citizen to request appointment of a task force. The Commission would then need to determine at their next meeting if a task force should be appointed or not.

## **EFP Staff Analysis and Comments**

EFP staff has developed two separate structure and charges for the Commission's consideration. One structure and charge incorporates the entire route from Hampton, Minn. to the Mississippi River crossing near Kellogg, Minn. The other structure and charge calls for two separate ATFs: one task force from the Hampton Substation Area to the North Rochester Substation area, and one from the Northern Hills Substation area to the Mississippi River crossing near Kellogg. EFP believes either scenario is feasible within timeframes established by Minnesota Rule.

### Hampton to Mississippi River Advisory Task Force

An Advisory Task Force must include a representative of each county, municipal corporation, and one town board member from each county where the route is proposed to be located. [Note: there is no Regional Development Commission in the project area.] The preferred and alternative routes cross four counties, and up to eight municipalities. By including a town board member from each of the four counties, this ATF would be comprised of 16 members. Based on past transmission line permitting processes, and the experience of the State of Minnesota Management Analysis Division which facilitates the task force meetings, an ATF of 16 members is feasible, and could be slightly larger, if necessary.

A single, project-wide task force would allow all members to share information at the same time, which is beneficial for a linear project. A single, project-wide task force was used on the Bemidji to Grand Rapids transmission line project, a 68-mile line which included several route alignments. Task force proceedings can accommodate sub-groups that wish to focus on specific issues (e.g. river crossings), or locations (e.g. the Pine Island area), and then bring that information back to the full group for consideration.

### Hampton to Northern Hills and North Rochester to Mississippi River Advisory Task Forces

Based on EFP staff's understanding from the Commission's February 25, 2010 meeting, the Commission asked staff to develop a scenario where more than one Task Force would be established for the project. By establishing two task forces, there would likely be a reduced number of sub-groups required during the meetings. Participants would likely not need to travel as far to attend the meetings. And perhaps, additional interested town board members or non-governmental groups could be accommodated in a two task force approach.

In this scenario, Goodhue and Olmsted counties, and the City of Pine Island would be asked to participate on both task forces, which may or may not be a manageable demand on their time. Also, alternatives developed by one task force directly affect the other, and by separating the task forces, they do not have the benefit of discussing potential connection points at the same meeting or within the same task force.

In either scenario, technical experts from State Agencies will be invited to attend task force meetings to provide information on a variety of issues, resources, and policies.

Based on the benefits of information sharing and coordination on a linear project; the ability to accommodate the required number of counties, municipalities, and town board members; the past experience of conducting a project-wide task force, and the effective use of representatives' time, EFP staff recommends the Commission authorize one Task Force, the Hampton to Mississippi River Advisory Task Force.

## **Commission Decision Options**

### **A. Advisory Task Force**

1. Authorize the OES to establish the Hampton to Mississippi River advisory task force with the charge and structure recommended in Attachment 1.
2. Authorize the OES to establish the Hampton to North Rochester and Northern Hills to Mississippi River advisory task forces with the charge and structures recommended in Attachment 2.
3. Make another decision deemed more appropriate.

**DOC OES EFP Staff Recommendation:** Staff recommends options A1



**In the Matter of the CapX 2020 Route  
Permit Application for a 345 kV and 161 kV  
Transmission Line Project from Hampton  
to Rochester to La Crosse, Wisconsin in  
Dakota, Goodhue, Olmsted and Wabasha  
Counties**

**CAPX 2020 HAMPTON-ROCHESTER  
-LA CROSSE  
ADVISORY TASK FORCE  
DECISION AND CHARGE  
PUC Docket E002/TL-09-1448**

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**CAPX2020 HAMPTON-ROCHESTER-LA CROSSE  
ADVISORY TASK FORCE AUTHORIZATION**

The above-entitled matter has come before the Office of Energy Security (OES) Director for a decision on the appointment of an advisory task force (ATF) to advise the Public Utilities Commission (Commission) on the Xcel Energy route permit application for the Hampton to Rochester to La Crosse 345 kV and 161 kV Transmission Line Project (Project).

As authorized by the Commission, the OES Director is establishing an Advisory Task Force by this Order to assist in identifying impacts and route alternatives to be evaluated in the environmental impact statement (EIS) prepared by OES Energy Facilities Permitting (EFP) staff for the proposed Hampton-Rochester-La Crosse Transmission Line Project. The area in question is the length of the project from the Hampton Substation in Dakota County to the Minnesota River crossing in Wabasha County.

ATF members are being solicited, as required by Minn. Stat. 216E.08, Subpart 1, from the following affected governmental units:

County	Dakota
County	Goodhue
County	Olmsted
County	Wabasha
City	Cannon Falls
City	Dennison
City	Hampton
City	Kellogg
City	Pine Island
City	Randolph
City	Rochester
City	Wanamingo
Township	
Township	
Township	
Township	

The ATF will include 16 local government members and up to two additional representatives of governmental or nongovernmental organizations, as appropriate.

OES herein charges the ATF members to:

1. Assist in determining specific impacts and issues of local concern that should be assessed in the EIS by adding detail to the draft Scoping Document;
2. Assist in determining potential route alternatives that should be assessed in the EIS.

ATF members will be expected to participate with OES staff in up to three meetings and to assist staff with the development of a summary of the task force's work. Meetings will be facilitated by the Management Analysis Division of the Minnesota Management and Budget Office as engaged by OES staff.

The CapX2020 Hampton-Rochester-La Crosse ATF will expire upon issuance of the OES Director's EIS Scoping Decision.

### **THE DIRECTOR MAKES THE FOLLOWING ORDER**

**WHEREAS**, the applicants submitted an application for a route permit for the Project on January 19, 2010; and

**WHEREAS**, Minn. Stat. 216E.08 provides for the establishment of an ATF to assist the Commission in carrying out its duties; and

**WHEREAS**, in its \_\_\_\_\_, Order the Commission authorized OES to establish an ATF and develop a structure and charge for the ATF; and

**WHEREAS**, Minn. Stat. 216E.08 establishes that an ATF comprise at least one representative from each county and municipal corporation, and at least one town board member from each county in which a route is proposed to be located;

**THEREFORE**, The OES Director herein establishes the CapX2020 Hampton-Rochester-LaCrosse Advisory Task Force, authorizes OES EFP to appoint members of the ATF and adopts the above determination with regard to its structure and charge.

Signed this \_\_\_\_ day of March, 2010

STATE OF MINNESOTA  
DEPARTMENT OF COMMERCE  
OFFICE OF ENERGY SECURITY

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William Glahn, Director





**In the Matter of the CapX 2020 Route Permit Application for a 345 kV and 161 kV Transmission Line Project from Hampton to Rochester to La Crosse, Wisconsin in Dakota, Goodhue, Olmsted and Wabasha Counties**

**CAPX 2020 HAMPTON-ROCHESTER  
-LA CROSSE  
ADVISORY TASK FORCES  
DECISION AND CHARGE  
PUC Docket E002/TL-09-1448**

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**CAPX2020 HAMPTON-ROCHESTER-LA CROSSE  
ADVISORY TASK FORCES AUTHORIZATION**

The above-entitled matter has come before the Office of Energy Security (OES) Director for a decision on the appointment of advisory task forces (ATF) to advise the Public Utilities Commission (Commission) on the application by CapX2020 route permit for the Hampton to Rochester to La Crosse 345 kV and 161 kV Transmission Line Project (Project).

As authorized by the Commission, the OES Director is establishing Advisory Task Forces by this Order to assist in identifying impacts and route alternatives to be evaluated in the environmental impact statement (EIS) prepared by OES Energy Facilities Permitting (EFP) staff for the proposed Hampton-Rochester-La Crosse Transmission Lines Project. One Task Force would focus on the area between the Hampton Substation and the Northern Hills Substation; and another Task Force would focus on the area between the North Rochester Substation and the Minnesota River crossing in Wabasha County. Combined, the two Task Forces would include representatives (as listed below) along the entire length of the project from the Hampton Substation in Dakota County to the Minnesota River crossing in Wabasha County.

ATF members are being solicited, as required by Minn. Stat. 216E.08, Subpart 1, from the following affected governmental units:

**Hampton to Northern Hills Advisory Task Force**

County	Dakota
County	Goodhue
County	Olmsted
City	Cannon Falls
City	Dennison
City	Hampton
City	Pine Island
City	Randolph
City	Rochester
City	Wanamingo
Township	
Township	
Township	

The ATF will include 13 local government members and up to an additional two representatives of governmental or nongovernmental entities, as appropriate.

**North Rochester to Mississippi River Advisory Task Force**

County	Goodhue
County	Olmsted
County	Wabasha
City	Kellogg
City	Pine Island
Township	
Township	
Township	

The ATF will include 8 local government members and up to two additional representatives of governmental or nongovernmental entities, as appropriate.

OES herein charges the ATF members to:

1. Assist in determining specific impacts and issues of local concern that should be assessed in the EIS by adding detail to the draft Scoping Document;
2. Assist in determining potential route alternatives that should be assessed in the EIS.

ATF members will be expected to participate with OES staff in up to three meetings and to assist staff with the development of a summary of the task force's work including their preferences or recommendations, if any. Meetings will be facilitated by the Management Analysis Division of the Minnesota Management and Budget Office as engaged by OES staff.

The CapX2020 Hampton to Northern Hills and North Rochester to Mississippi River ATFs will expire upon issuance of the OES Director's EIS Scoping Decision.

**THE DIRECTOR MAKES THE FOLLOWING ORDER**

**WHEREAS**, the applicants submitted an application for a route permit for the Project on January 19, 2010; and

**WHEREAS**, Minn. Stat. 216E.08 provides for the establishment of an ATF to assist the Commission in carrying out its duties; and

**WHEREAS**, in its \_\_\_\_\_, Order the Commission authorized OES to establish an ATF and develop a structure and charge for the ATF; and

**WHEREAS**, Minn. Stat. 216E.08 establishes that an ATF comprise at least one representative from each county and municipal corporation, and at least one town board member from each county in which a route is proposed to be located;

**THEREFORE**, The OES Director herein establishes the CapX2020 Hampton to Northern Hills and North Rochester to Mississippi River Advisory Task Forces, authorizes OES EFP to appoint members of the ATF and adopts the above determination with regard to its structure and charge.

Signed this \_\_\_\_\_ day of March, 2010

STATE OF MINNESOTA  
DEPARTMENT OF COMMERCE  
OFFICE OF ENERGY SECURITY

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William Glahn, Director

Executive Summary

CapX2020

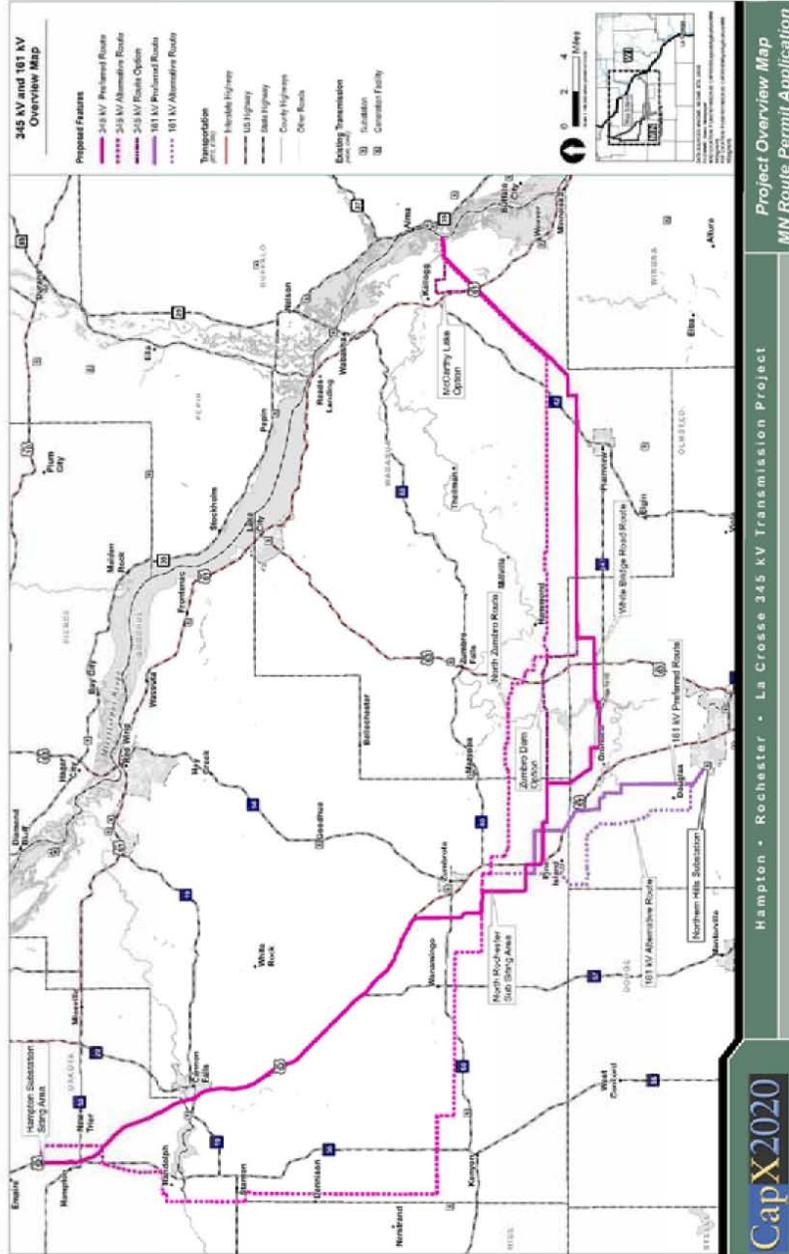


Figure ES-1: Project Overview Map  
 Hampton - Rochester - La Crosse 345 kV Transmission Project