

BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION

Beverly Jones Heydinger  
David C. Boyd  
Nancy Lange  
Dan Lipschultz  
Betsy Wergin

Chair  
Commissioner  
Commissioner  
Commissioner  
Commissioner

In the Matter of Xcel Energy’s Application for a  
Route Permit for the CapX 2020 Hampton –  
Rochester – La Crosse High Voltage  
Transmission Line

ISSUE DATE: March 26, 2014

DOCKET NO. E-002/TL-09-1448

ORDER APPROVING MINOR  
ALTERATION REQUESTS

**PROCEDURAL HISTORY**

On May 30, 2012, the Commission issued an amended route permit, with conditions, for the Hampton – Rochester – La Crosse High Voltage Transmission Line Project, a portion of a larger transmission line project known as CapX 2020.

On January 22, 2014, Xcel Energy (Xcel or permittee) requested Commission approval of two changes in the approved route under the “minor alteration” provisions of Minn. R. 7850.4800:

- Segment 1 Pine Island Township -- Pole Numbers 3-9 -- Xcel proposed to correct a cartographic/Geographic Information Service (GIS) error in preparing the route maps, which placed approximately 65 feet of transmission line right-of-way outside the approved route width. The request is to expand the route to allow sufficient space within the route for right-of-way for the permitted anticipated alignment.
- Segment 2 Oronoco Township -- Poles 49-53 -- Xcel proposed to modify the proposed route alignment between these poles at the request of a landowner, to reduce the line’s impact on farming operations.

On January 28, 2014, the Commission solicited public comment on Xcel’s request. The Energy Environmental Review and Analysis unit of the Minnesota Department of Commerce (the EERA) recommended approval of the minor alteration requests. One member of the public commented on the proposed alteration to Segment 2, opposing the alteration. The commenter, David Stolp, contended that the proposal was not a minor alteration because it would have a significant aesthetic impact on the Century Farm that had been in his family since 1887.

On March 12, 2014, the Commission met to consider the matter.

## **FINDINGS AND CONCLUSIONS**

### **I. The Legal Standard**

Xcel requested Commission approval of two minor alterations to the Hampton – Rochester – La Crosse High Voltage Transmission Line Project under Minn. R. 7850.4800. The rule defines a minor alteration as “a change in a large electric power generating plant or high voltage transmission line that does not result in significant changes in the human or environmental impact of the facility.”

### **II. Segment 1**

According to the EERA, Xcel’s proposed alteration to Segment 1 (Poles 3-9), located in Pine Island Township along the south edge of 500th Street near the North Rochester Substation, does not seek a change in alignment. Instead it seeks to correct the route width to coincide with the permitted alignment, due to a mapping error by Xcel. Because no change in alignment is proposed, the EERA stated that there should be little or no impact from the change and, accordingly, no significant change in the human or environmental impacts of the segment.

No public comments were filed regarding this proposed change.

The Commission concurs with the assessment and recommendation of the EERA, and concludes that the requested route alteration to Segment 1 does not result in significant changes in human or environmental impacts, and therefore constitutes a minor alteration to the approved route. Having reviewed the application and the comments, the Commission concurs with the recommendation of the Department of Commerce to approve the minor alteration.

### **III. Segment 2**

The EERA also recommended approval of Xcel’s proposed alteration to Segment 2 (Poles 49-53), located near the intersection of Power Dam Road and White Bridge Road NW in Oronoco Township as a minor alteration request. According to Xcel, this alteration changes the route to accommodate a landowner’s request to replace a two-pole 90 degree angle in a cultivated field with one pole to be located in an unfarmed rocky area of the affected property. Xcel further stated that the number of poles on neighboring parcels of land is unchanged.

Xcel stated that the impacts of the proposed route width and alignment change are comparable to or reduced from those of the original alignment under routing factors set forth in Minn. R. 7850.4100. Xcel asserted that there would be no change to the effects on human settlement, including “. . . displacement, noise, aesthetics, cultural values, recreation and public services.” Finally, Xcel stated that the proposed change would reduce agricultural impacts to the affected property.

The EERA agreed that the route width modification and new alignment actually reduce the human and environmental impacts of the segment, finding that the additional route width should have little or no impact, and that the change would not impact any additional landowners.

An adjoining property owner filed comments, urging the Commission to find that the proposed change does not meet the definition of a minor alteration, should be denied, and that a full permitting decision on the change should be required. The property owner argued that the

proposed change would have a negative effect on the aesthetic value of his family's Century Farm because more poles and power lines would be visible from the farmstead.

The Commission concurs with the EERA that the proposed change qualifies as a minor alteration and should be approved. It is a minor alteration because it will not "result in significant changes in the human or environmental impacts of the facility," as those impacts are delineated in Minn. R. 7850.4100. It will be approved because, on balance, its impacts on the human and natural environments are fewer and less severe than the impacts of the originally permitted alignment.

The originally permitted route disrupted agricultural production; the minor alteration restores production capacity by relocating poles to unfarmed areas. That is the primary advantage of the minor alteration and the reason it was sought by the landowner. Additionally, however, the minor alteration reduces the length of the line by .15 miles, reduces the amount of agricultural land crossed by 2.3 acres, reduces wetlands affected by .8 acres, and reduces construction costs by approximately \$160,000.<sup>1</sup> On balance, these considerations outweigh the visual impact that relocating the poles has on the neighboring farmstead and justify approving the minor alteration.

### **ORDER**

1. The requested minor alteration for Segment 1 -- Pine Island area (Pole Numbers 3-9) of the Hampton – Rochester – La Crosse transmission line project is authorized.
2. The requested minor alteration for Segment 2 -- Oronoco Township area (Pole Numbers 49-53) of the Hampton – Rochester – La Crosse transmission line project is authorized.
3. This Order shall become effective immediately.

BY ORDER OF THE COMMISSION

Burl W. Haar  
Executive Secretary



This document can be made available in alternative formats (e.g., large print or audio) by calling 651.296.0406 (voice). Persons with hearing loss or speech disabilities may call us through their preferred Telecommunications Relay Service.

---

<sup>1</sup> See Xcel's Minor Alteration Request of January 22, 2014.