

STATE OF MINNESOTA  
OFFICE OF ADMINISTRATIVE HEARINGS  
FOR THE PUBLIC UTILITIES COMMISSION

In the Matter of the Application of Prairie  
Rose Transmission, LLC for a Route  
Permit for the 115 kV Interconnection  
Project in Rock County

**SUMMARY OF TESTIMONY  
AT PUBLIC HEARINGS**

Pursuant to Minn. R. 7850.2300 and 7850.3500, Administrative Law Judge Eric L. Lipman conducted a public hearing on the evening of November 17, 2011 at the Memorial Hall in Jasper, Minnesota. The public hearing was held to elicit public comment on the proposed routing of a 115 kV transmission line. The hearing record closed at the end of the public comment period on December 1, 2011.

**BACKGROUND ON THE APPLICATION**

The proposed transmission line would connect the Prairie Rose 200 megawatt wind farm to the larger power transmission grid. The complete line would span approximately 29 miles, from the Prairie Rose Wind Farm Substation in Rose Dell Township, Minnesota, to the Split Rock Substation in Brandon, South Dakota. Depending upon the route alternative that is selected, the Minnesota portion of the proposed Project would be between 5 ½ to seven miles long, before crossing the border into South Dakota. The proposed route would be sited along a combination of existing road right-of-way and private land adjacent the public road right-of-way.

As detailed in its application materials, Prairie Rose Transmission maintains that the proposed design would support over 300 Megawatts of electricity from wind generation -- a capacity that will serve the Prairie Rose Wind Farm and allow for future expansion of generation in the area. Further, the applicants assert that the Project could be added to the local and regional transmission and distribution network, providing outlets to a broader geographic area.

The Commission will issue Orders on the Application for the Routing Permit after a review of this Summary, the hearing transcripts and all of the filings submitted in this matter.

## **SUMMARY OF TESTIMONY AT THE PUBLIC HEARING**

During the public hearing, six members of the public were in attendance and signed the hearing roster.<sup>1</sup> One of those who registered on the hearing roster offered testimony during the hearing.

At the outset of the hearing, the Administrative Law Judge made introductory remarks; followed by short presentations from Michael J. Kaluzniak of the Commission's staff and David E. Birkholz, a Program Manager with the Energy Permitting Unit of the Department of Commerce; followed by a presentation from Prairie Rose Transmission.

*Remarks by Mr. Peter Bendorf:* Peter Bendorf, counsel to David Kolsrud, a landowner who owns land along the South Dakota portion of the proposed route, made inquiries of the applicants and Department of Commerce staff. He expressed concern over electromagnetic radiation that might be emitted from the proposed transmission line and urged that the line be routed along Interstate 90 to mitigate these impacts.<sup>2</sup>

## **WRITTEN COMMENTARY**

The Administrative Law Judge received two written comments prior to close of the post-hearing comment period on December 1, 2011.

*Comments of Ms. Jamie Schrenzel:* Ms. Schrenzel, a Planner with the Minnesota Department of Natural Resources' Environmental Planning Unit, urged the Commission to establish greater clarity as to the range of choices available to the applicant when routing the proposed line. Specifically, Mr. Schrenzel urged the Commission to require avoidance of key areas of Biodiversity Significance as listed on the Minnesota County Biological Survey. Alternatively, if these sites are not avoided, Ms. Schrenzel urged the Commission to insist upon detailed surveys and reporting so that the impacts to these areas could be reduced. Lastly, Ms. Schrenzel makes a call for more detail in the assessment documents themselves so that sister agencies – like the DNR – can better assess proposed avoidance measures and mitigation plans.<sup>3</sup>

*Comments of Mr. Tony Sullins:* Mr. Sullins, a Field Supervisor for the United States Department of Interior's Fish and Wildlife Service, urged the Commission to condition the granting of a routing permit upon compliance with a number of measures to protect local habitat. To protect avian habitat, Mr. Sullins suggested an early survey of raptor nests, a regimen for reporting deaths of migratory birds and plans to avoid construction near active nests. Additionally, to avoid harm to the Topeka Shiner – an endangered species – Mr. Sullins urged route conditions that prohibited construction

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<sup>1</sup> See, Hearing Roster (November 17, 2011).

<sup>2</sup> See, Hearing Transcript at 20.

<sup>3</sup> See, Comments of Jamie Schrenzel, Department of Natural Resources, Environmental Planning Unit.

either within the channel or the banks of the Split Rock Creek, as well as measures to mitigate the amount of erosion entering the creek.<sup>4</sup>

Dated: December 8, 2011

/s/ Eric L. Lipman

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ERIC L. LIPMAN  
Administrative Law Judge

Reported: Transcripts Prepared, 1 Volume (Shaddix and Associates)

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<sup>4</sup> See, Comments of Tony Sullins, U.S. Department of the Interior, Fish and Wildlife Service.



## MINNESOTA OFFICE OF ADMINISTRATIVE HEARINGS

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December 8, 2011

Dr. Burl W. Haar, Executive Secretary  
MN Public Utilities Commission  
350 Metro Square Building  
121 Seventh Place East  
St. Paul, MN 55101

**RE: *In the Matter of the Application of Prairie Rose Transmission, LLC  
for a Route Permit for the 115 kV Interconnection Project in  
Rock County; MPUC Docket No. IP 6838/TL-10-134  
OAH Docket No. 8-2500-22381-2***

Dear Dr. Haar:

The document listed below has been filed with the E-Docket system and served as specified on the attached service list.

Summary of Testimony at Public Hearings

Sincerely,

/s/ Eric L. Lipman

ERIC L. LIPMAN  
Assistant Chief Administrative Law Judge

Telephone: (651) 361-7842

ELL:mo  
Encl.

cc: All Parties on the Official Service List

STATE OF MINNESOTA  
OFFICE OF ADMINISTRATIVE HEARINGS  
ADMINISTRATIVE LAW SECTION  
P. O. BOX 64620  
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**CERTIFICATE OF SERVICE**

<b>Case Title: <i>In the Matter of the Application of Prairie Rose Transmission, LLC for a Route Permit for the 115 kV Interconnection Project in Rock County</i></b>	<b>OAH Docket No. 8-2500-22381-2 PUC Docket No. IP 6838/TL-10-134</b>
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Mary Osborn certifies that on Thursday, December 08, 2011, she served a true and correct copy of the attached Summary of Testimony at Public Hearings; by placing it in the United States mail with postage prepaid, or as indicated on the attached service list, addressed to the following individuals:

All Parties on the Official Service List	

cc: Susan Schleisman

First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret
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