

BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION

Ellen Anderson
J. Dennis O'Brien
Phyllis Reha
David Boyd
Betsy Wergin

Chair
Commissioner
Commissioner
Commissioner
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SERVICE DATE: April 15, 2011

DOCKET NO. IP-6838/TL-10-134

In the Matter of the Prairie Rose Transmission, LLC Route Permit Application for a 115 kV Transmission Line in Rock County for interconnection of the Prairie Rose Wind Farm (WS-10-425)

The above entitled matter has been considered by the Commission and the following disposition made:

Accepted the Prairie Rose 115 kV Transmission Line Route Permit Application as complete and authorized OES EFP to process the application under the alternative review process in Minn. Rule 7850.2900-3900.

Authorized OES EFP to name a public advisor in this case.

Determined that based on the available information, an advisory task force is not necessary at this time.

The Commission agrees with and adopts the recommendations of the Office of Energy Security which are attached and hereby incorporated in the Order.

BY ORDER OF THE COMMISSION



Burl W. Haar
Executive Secretary



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BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION

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

DOCKET NO. IP-6838/TL-10-134

Meeting Date: April 14, 2011 Agenda Item # 3

Company: **Prairie Rose Transmission, LLC**

Docket No. **IP-6838/TL-10-134**

**In the Matter of the Prairie Rose Transmission, LLC Route Permit
Application for a 115 kV Transmission Line in Rock County for
interconnection of the Prairie Rose Wind Farm (WS-10-425).**

Issue(s): Should the Commission accept the application as substantially complete? If accepted, should the Commission authorize the OES to appoint a public advisor and an advisory task force?

OES EFP Staff: David E. Birkholz651-296-2878

Relevant Documents

Prairie Rose Transmission, LLC Route Permit Application.....March 10, 2011

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

Document(s) Attached

Project Location Map (Application) March 10, 2011

(Relevant documents and additional information can be found on eDockets (10-134) or the PUC Facilities Permitting website: <http://energyfacilities.puc.state.mn.us/Docket.html?Id=28283>)

Statement of the Issues

Should the Commission accept the route permit application as complete? If complete and accepted, should the Commission allow OES EFP to name a public advisor? Should the Commission authorize OES EFP to develop a charge and convene an advisory task force?

Introduction and Background

On March 10, 2011, Prairie Rose Transmission, LLC (Applicant) filed a route permit application under the alternative review process for the Prairie Rose Wind Farm 115 kV transmission line project (Project). Prairie Rose Transmission LLC is a wholly-owned subsidiary of Geronimo Wind Energy LLC.

Project Description

The complete proposed transmission line would span approximately 24 miles, from the Prairie Rose Wind Farm Substation in Rose Dell Township in Rock County to the Split Rock Substation in Brandon, South Dakota. The Minnesota portion of the proposed Project would be approximately 5.5 to seven miles long. The single-circuit transmission line would head west along County Highway 7 to County Highway 23. There it would continue due west along Township Road 72 to the Minnesota-South Dakota border. The proposed route would be sited along a combination of existing road right-of-way (ROW) and private land adjacent the public road ROW.

The proposed structures would be single-pole steel structures that would range in height between 60 and 80 feet. The span length between structures would range between 350 and 600 feet depending on site-specific considerations. The right-of-way for the proposed 115 kV electrical transmission line would generally be 80 feet in width.

The estimated cost for the 24 miles of transmission line between the Prairie Rose Wind substation and the Split Rock Substation is \$15 million. The portion of this cost relating to the Minnesota piece of the Project is estimated to be approximately \$5 million.

Regulatory Process and Procedures

High voltage transmission lines (HVTL) with a voltage of less than 200 kV usually do not require a separate Certificate of Need (CN) under Minn. Rule 7849. However, a CN was required for this project as the line crossed the Minnesota state border. The CN for the HVTL is being reviewed as part of the Prairie Rose Wind Farm large wind energy conversion system (LWECS) CN review in docket number IP-6838/CN-10-80.

Applicants for a high voltage transmission line with a voltage between 100-200 kV may file a route permit application under the Alternative Review Process under Minnesota Rule 7850.2900-3900. Under this process, OES EFP staff conducts public information and scoping meetings and prepares an Environmental Assessment (EA); and a public, non-contested case hearing is required.

Route permit applications under this review process must provide specific information about the proposed project, applicant, environmental impacts and mitigation measures as laid out in Minn. Rule 7850.1900, except the applicant need not propose any alternative routes to the preferred route as required in the Full Review Process.

The Commission may accept an application as complete, reject an application and require additional information to be submitted, or accept an application as complete upon filing of supplemental information (Minn. Rule 7850.2000). 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 six months to reach a final decision from the time the application is accepted (Minn. Rule 7850.3900).

Public Advisor

Upon acceptance of an application for a route permit, the Commission must designate a staff person to act as the public advisor on the project (Minn. Rule 7850.3400). The public advisor is someone who is available to answer questions from the public about the permitting process and assist them in participating in that process. In this role, the public advisor may not act as an advocate on behalf of any person.

The Commission can authorize OES EFP to name a member from its staff as the public advisor or assign a Commission staff member. The role has typically been filled by an OES EFP staff member.

Advisory Task Force

The Commission can authorize an advisory task force (Minnesota Statute 216E.08). An advisory task force comprises representatives of local governmental units and may include other interested persons. A task force can be charged with identifying additional routes or specific impacts to be evaluated in the EA and terminates when the OES Director issues a scoping decision.

The Commission is not required to assign an advisory task force for every project. However, if the Commission does not name a task force, Minn. Rule 7850.3600 allows a person to request appointment of a task force. The Commission would then need to determine if a task force

should be appointed or not. The decision whether to appoint an advisory task force does not need to be made at the time of accepting the application; however, it should be made as soon as practicable to ensure its charge can be completed prior to an EA scoping decision by the OES Director.

Environmental Review

Applications for a route permit under the alternative review process require an Environmental Assessment (EA), which is prepared by OES EFP staff under Minn. Rule 7850.3700. An EA is a written document that describes the human and environmental impacts of a proposed project (and selected alternative routes) and methods to mitigate such impacts. The Director of the Office of Energy Security determines the scope of the EA.

Public Hearing

Applications for route permits under the alternative review process require a Public Hearing to be held as per Minn. Rule 7850.3800. The hearing would be held in the area where the proposed project would be located.

OES EFP Staff Analysis and Comments

OES EFP staff reviewed and evaluated the Prairie Rose 115 kV Transmission Line Project route permit application through its draft and final versions, and concludes that the application meets the content requirements of Minnesota Rule 7850.1900. Staff recommends that the Commission accept the Application with the understanding that if additional information is requested by the EFP staff, these requests will be addressed promptly.

Advisory Task Force

In analyzing the merits of establishing an advisory task force for a project, staff considers four characteristics: size, complexity, known or anticipated controversy, and sensitive resources.

Project Size. At approximately 5.5 to seven miles, the proposed 115 kV line is a relatively small project that poses few potential environmental impacts.

Complexity. The proposed route is fairly straightforward in routing along an existing road corridor, along County Rd 7 and Township Rd 72. The area has a low population density and is rural and agricultural in nature.

Known or Anticipated Controversy. The Applicants had met with officials of Rock County and Rose Dell Township before submitting an application. The Applicant does not have the right of eminent domain and will necessarily coordinate with local government and private landowners for easements. The only comments received to date were from a number of people commenting in the CN hearing that they objected to an overhead transmission line.

Sensitive Resources. The proposed route does not directly impact any endangered or threatened species or habitat. The route would cross a “Moderate” Minnesota County Biological Survey

area, spanning a wetland/stream between Sections 35 and 26. The Applicant has requested a wider route width in this area to obviate impacts.

Based on the analysis above, including the short length of line located within a single township and the proposed alignment along existing roadways, staff concludes that an advisory task force is not warranted in this case. Staff would continue to assist local landowners and other citizens in understanding the routing process and in identifying opportunities for participating in further development of alternative routes, recommending issues for study in the EA, and development of permit conditions.

Commission Decision Options

A. Application Acceptance

1. Accept the Prairie Rose 115 kV Transmission Line Route Permit Application as complete and authorize OES EFP to process the application under the alternative review process in Minn. Rule 7850.2900-3900.
2. Reject the route permit application as incomplete and issue an order indicating the specific deficiencies to be remedied before the Application can be accepted.
3. Find the Application complete upon the submission of supplementary information.
4. Make another decision deemed more appropriate.

B. Public Advisor

1. Authorize OES EFP to name a public advisor in this case.
2. Appoint a Commission staff person as public advisor.
3. Make another decision deemed more appropriate.

C. Advisory Task Force

1. Authorize OES EFP to establish an advisory task force and develop a proposed structure and charge for the task force.
2. Determine that based on the available information, an advisory task force is not necessary at this time.
3. Make another decision deemed more appropriate.

OES EFP Recommendations: Staff recommends options A1, B1, and C2.

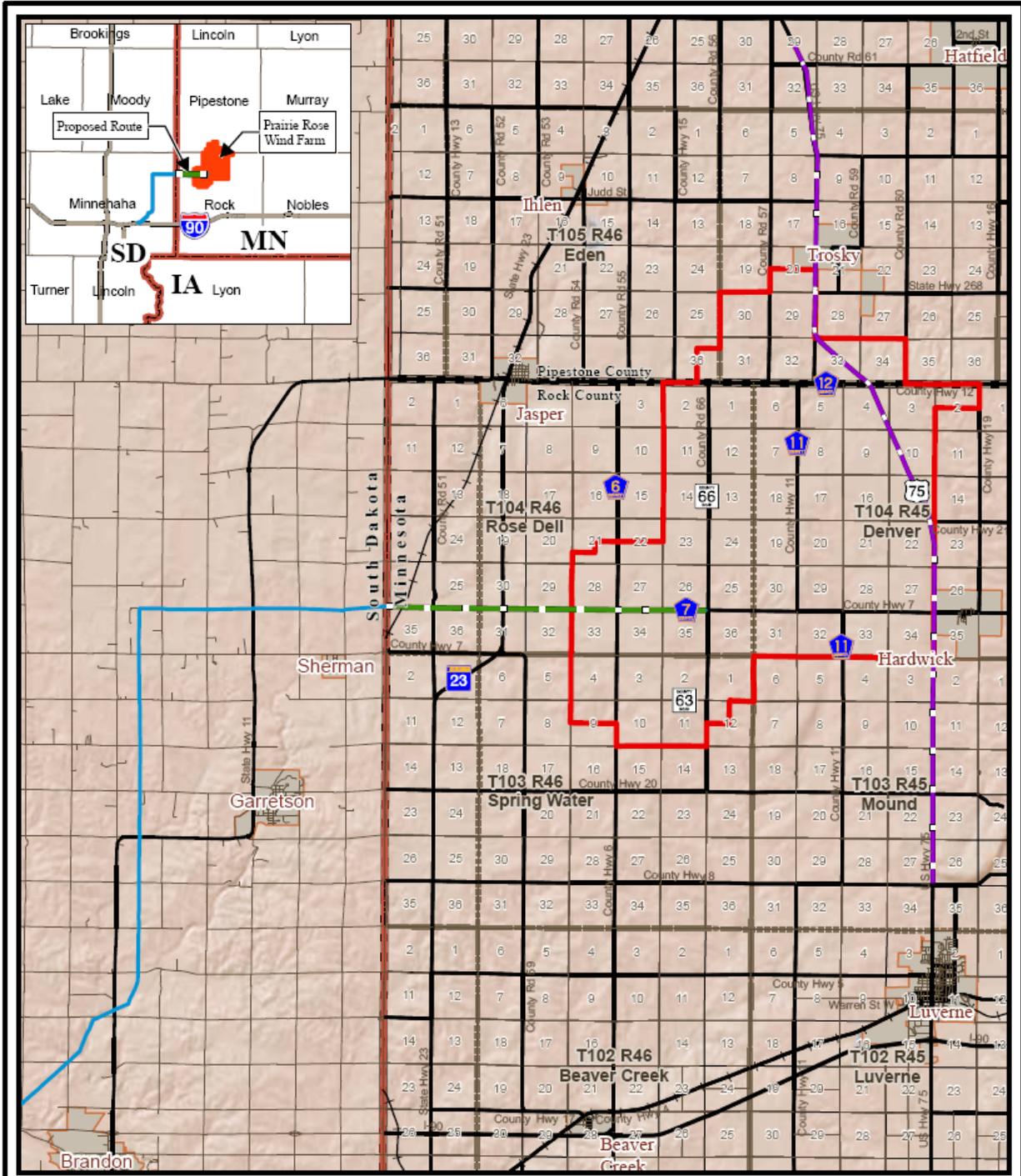


Figure 1. Project Location
 Prairie Rose Wind Farm
 Geronimo Wind Energy
 Rock and Pipestone Counties, MN

HDR

GERONIMO WIND ENERGY

0 0.5 1 2 3 4 5 Miles