

BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION

Beverly Jones Heydinger
David C. Boyd
J. Dennis O'Brien
Phyllis A. Reha
Betsy Wergin

Chair
Commissioner
Commissioner
Commissioner
Commissioner

In the Matter of the Route Permit Application of
Great River Energy for the Parkers Prairie
115kV Transmission Line Project in Otter Tail
County

ISSUE DATE: August 28, 2012

DOCKET NO. ET-2/TL-11-867

ORDER ISSUING ROUTE PERMIT

PROCEDURAL HISTORY

On October 24, 2011, Great River Energy filed a route permit application to upgrade an existing transmission line from 41.6 kilovolts (kV) to 115 kV, to add 360 feet of new transmission line, and to expand an existing substation near Parkers Prairie in Otter Tail County (the Project).

On March 19, 2012, the Energy Facilities Permitting Unit of the Department of Commerce (EFP) filed an Environmental Assessment on the Project.

On April 10, 2012 a public hearing was held at Prairie Event Center in Parkers Prairie. Administrative Law Judge (ALJ) Richard C. Luis presided over the hearing and submitted his Summary of Public Testimony on May 24, 2012.

On June 18, 2012, the EFP filed comments in support of issuing the route permit and recommending that the Commission select an alignment utilizing both the north and south sides of County State Aid Highway (CSAH) 6. On the same day, the EFP also submitted its Findings and Conclusions on the route permit request, as well as a draft permit with its recommended route and alignment.

On July 9, 2012, Great River Energy filed reply comments requesting use of an alignment along the south side of CSAH 6 and requesting other clarifications to the EFP's Findings and Conclusions and draft route permit.

On July 19, 2012, the EFP filed reply comments, recommending that the Commission adopt Great River Energy's proposed clarifications, except the proposed changes to the route alignment. The EFP recommended that the Commission select either the alignment recommended by the EFP in its initial comments or a variation on that alignment.

On August 2, 2012, the matter came before the Commission.

FINDINGS AND CONCLUSIONS

I. Background

In its application, Great River Energy stated that the Project will remove approximately 2.1 miles of an existing 41.6 kV transmission line and replace it with a new 115 kV line. The Project also includes expansion of a nearby substation to accommodate the new transmission line. Great River Energy stated that the Project will address potential low voltage issues in the rural areas immediately west of Parkers Prairie.

Because the Project exceeds 100 kV and is greater than 1,500 feet in length, a route permit is required.¹ Further, the Project qualifies for the alternative review process under Minn. Stat. § 216E.04 because it is between 100 and 200 kV. Under alternative review, an applicant is not required to proposed alternative routes, but projects are subject to an environmental assessment (EA), the scope of which is determined by the Department.² The EA must include:

- A. a general description of the proposed facility;
- B. a list of any alternative sites or routes that are addressed;
- C. a discussion of the potential impacts of the proposed project and each alternative site or route on the human and natural environment;
- D. a discussion of mitigative measures that could reasonably be implemented to eliminate or minimize any adverse impacts identified for the proposed project and each alternative site or route analyzed;
- E. an analysis of the feasibility of each alternative site or route considered;
- F. a list of permits required for the project; and
- G. a discussion of other matters identified in the scoping process.³

On January 17, 2012, the EFP filed the EA Scoping Decision, which identified the following issues to be addressed in the EA: the general description of the Project; the regulatory framework; engineering and design; construction; the affected environment, potential impacts, and mitigative measures; and alternative alignments (Great River Energy was not required to identify alternative routes under the alternative review process; however, alternative *alignments* were developed). On March 19, 2012, the EFP filed the EA.

II. Environmental Assessment

The Commission has reviewed the EA and the record created at the public hearing under Minn. Rules, part 7850.3900. Based on its review, the Commission finds that the EA and the record created at the public hearing adequately address the issues identified in the Scoping Decision.

¹ Minn. Stat. §§ 216E.01, subd. 4 and 216E.03, subd. 2.

² Minn. Stat. § 216E.04, subd. 3; Minn. Rules, part 7850.3100; Minn. Stat. § 216E.04, subd. 5; and Minn. Rules, part 7850.3700, subp. 3.

³ Minn. Rules, part 7850.3700, subp. 4.

Specifically, Sections 1 through 4 of the EA include a Project description and address the Project's regulatory framework, its engineering and design, and its construction. Section 5 of the EA addresses potential impacts and mitigation measures on the following: environmental setting; socioeconomics; human settlement; public health and safety; public services; electronic interference; land-based economies; archaeological and historic resources; zoning and land use compatibility; water resources; soils; flora; fauna; and rare and unique natural resources. Section 6 of the EA compares four alignment alternatives along County State Aid Highway 6 (CSAH 6) that would minimize impacts on nearby properties.

III. Route Permit

At the Commission meeting on the matter, the parties agreed on all issues and concurred in further development of an alignment that utilizes both sides of CSAH 6, with a crossing at 555th Avenue, to minimize several potential impacts, including impacts on a commercial tree farm, a farmstead, a service wire, and a grain bin located in the Project right-of-way. Great River Energy stated that it would continue working with landowners of abutting properties to minimize the potential impacts of locating the line near those properties.

The EFP recommended that the Commission issue a route permit to Great River Energy consistent with the EFP's June 18 Findings and Conclusions, as modified in the EFP's July 19 reply comments to include clarifications requested by Great River Energy. And although the EFP had initially recommended including a designated alignment in the route permit to better ensure that potential impacts would be mitigated, the EFP subsequently concurred with Great River Energy that continuing to coordinate with affected landowners on developing the alignment eastward from 555th Avenue is appropriate.

The Commission concurs with the parties that further development of the alignment eastward from 555th Avenue is warranted to address and minimize the impacts described above. The Commission will therefore authorize an alignment that utilizes both sides of CSAH 6 and crosses from the south to the north side of CSAH 6 at 555th Avenue. The Commission will also authorize use of a 300-foot route width east from 555th Avenue and direct Great River Energy to continue coordinating with affected landowners on the exact parameters of the alignment in that area. The Commission will also direct Great River Energy to file a summary of its discussions on the alignment and identify the final alignment selected in its Plan and Profile.⁴

The Commission also concurs with the parties that Great River Energy has satisfied the conditions for a route permit under Minn. Rules, parts 7850.2800 – 7850.3900 and finds that the Project is consistent, under Minn. Stat. § 216E.03, subd. 7 and Minn. Rules, part 7850.4000, with state goals to conserve resources, minimize environmental impacts, minimize human settlement and other land use conflicts, and ensures the state's electric energy security through efficient, cost-effective power supply and electric transmission infrastructure. The Commission will therefore adopt the EFP's Findings of Fact and Conclusions, as modified on July 19, 2012, and issue the route permit to Great River Energy in the form attached.

⁴ The Plan and Profile review process is described in Section 4.1 of the draft route permit and requires Great River Energy to file, in preparation for construction, detailed specifications depicting the right-of-way, alignment, and structures that will be used in constructing the Project.

ORDER

1. The Commission hereby finds that the environmental assessment address the issues identified in the scoping decision.
2. The Commission hereby approves and adopts the EFP's proposed Findings of Fact and Conclusions, including modifications recommended by Great River Energy, with which the EFP concurred in its July 19, 2012 reply comments.
3. The Commission hereby designates the route, as described by the EFP in its July 19, 2012 Reply Comments, to permit use of an alignment that utilizes both sides of County State Aid Highway 6 and crosses from the south to the north side of the highway at 555th Avenue.
4. The Commission hereby authorizes use of a 300-foot route width eastward from 555th Avenue.
5. Great River Energy shall continue working with landowners along the alignment eastward from 555th Avenue to minimize the impacts described herein.
6. Great River Energy shall file a summary of the discussions on the alignment and identify the final selected alignment in its Plan and Profile.
7. The Commission hereby issues a high-voltage transmission line route permit, with appropriate conditions, as amended by the EFP to Great River Energy for the Parkers Prairie 115 kV Transmission Line Project, including all associated facilities.
8. This Order shall become effective immediately.

BY ORDER OF THE COMMISSION

Burl W. Haar
Executive Secretary



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