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August 1st, 2012

David Birkholz, State Permit Manager
Minnesota Department of Commerce
85 7th Place East, Suite 500
St. Paul, MN 55101-2198

RE: In the Matter of the SWTC Scott County-Bluff Creek-Westgate 69 kV to 115 kV Transmission Line Upgrade
PUC Docket No. E002/TL-11-948

Dear Mr. Birkholz,

On June 18th, 2012 the Minnesota Department of Commerce Energy Facility Permitting (EFP) issued a Notice of Public Information and Scoping meeting and a request for public comment on the scope of the environmental assessment (EA) relating to the route permit application by Xcel Energy for the SWTC Scott County-Bluff Creek-Westgate 69 kV to 115 kV Transmission Line Upgrade in Carver, Hennepin and Scott Counties. The Minnesota Department of Transportation (MnDOT) has reviewed the application regarding the proposed project and submits the following comments in response to the Notice.

MnDOT appreciates the opportunity to comment on the scope of the EA. MnDOT wishes to participate in the development of the EA so that it will contain a thorough evaluation of the effects various route proposals may have on the state transportation system. MnDOT's fundamental interest is to ensure that the EA identifies and quantifies, to the extent possible, any impacts the proposed high voltage transmission line (HVTL) may have on the safety of the transportation system, the effectiveness of the operations or maintenance of the state trunk highway system and any additional costs that may be imposed on the state trunk highway fund as a result of the location of the proposed HVTL.

MnDOT's approach to the HVTLs such as those involved in the Xcel Energy's proposal is to work to accommodate these HVTLs within or as near as feasible to the trunk highway rights of way, based on an evaluation of the specific locations to ensure that appropriate clearance is maintained to preserve the safety of the traveling public and highway workers and the effective operation of the highway system now and in the foreseeable future. MnDOT has adopted a formal policy and procedures for accommodation of utilities on the highway rights-of-way (Utility Accommodation Policy"). A copy of MnDOT's policy can be found at http://www.dot.state.mn.us/utility/files/pdf/appendix-b.pdf

MnDOT's policy seeks to permit utilities to occupy portions of the highway rights-of-way where such occupation does not put the safety of the traveling public or highway workers at risk or unduly impair the public's investment in the transportation system. The EA should assess the relationship of the placement of the proposed utility poles and the location of the highway activities for both the current traveled way and the future traveled way since future improvements to the highway may change the proximity of the proposed HVTL and make the line close enough to occupy a portion of the highway right-of-way.

Highway crossings by utilities generally do not pose insurmountable difficulties in issuing a permit, and MnDOT routinely grants such permits to a variety of types of utilities. These permits usually have conditions associated with them, such as ensuring that the wires are high enough that they will not pose a hazard to highway users or maintenance employees. Highway crossings should occur as close to right angles as possible.

A review of route permit application shows that in Segment 5 an Alternate Alignment could continue to parallel trunk highway (TH) 7 until Vinehill Rd. This potential Alternative Alignment requires significant study of the considerations that may constrain the transmission line placement at this location. It is unclear at this time whether MnDOT would be able to issue a Utility Permit to Xcel in that area. MnDOT requests that Xcel consult with MnDOT's Metro District planners to minimize the likelihood that the final location of the HVTL would unduly constrain future options for highway improvements.

Additionally, MnDOT is uncertain whether and where Xcel will be replacing poles located on or near MnDOT right-of-way as part of this project. In the areas where the existing transmission line is close to the highway right-of-way of TH 41, TH 5 and TH 7, there may be opportunity to improve safety or address other concerns by adjusting the location of some of the poles. For example, the lines being replaced along TH 41 currently run very close to the east side of TH 41. The pole on the southeast side of TH 41/Chaska Road is located very close to this intersection.

Any HVTL construction work, including delivery or storage of structures, materials or equipment that may affect MnDOT right of way is of concern such that MnDOT should be involved in planning and coordinating such activities. If work is required within MnDOT right-of-way for temporary or permanent access, please coordinate with Buck Craig, Metro Permits at 651-234-7911 or Buck.Craig@state.mn.us
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MnDOT has a continuing interest in working with the EFP to ensure that possible impacts to highways, airports, waterways, rail lines and the environmentally significant areas of highway right-of-way are adequately addressed. We appreciate the opportunity to provide these comments.

Sincerely,

Stacy M. Kotch

Stacy Kotch
Utility Transmission Route Coordinator
Minnesota Department of Transportation

cc: Molly McCartney – Metro Sr. Transportation Planner
Timothy Rogers – Xcel Energy