

BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION

Beverly Jones Heydinger	Chair
David Boyd	Commissioner
Nancy Lange	Commissioner
Dan Lipschultz	Commissioner
Betsy Wergin	Commissioner

Patrick Smith, Director of Environmental Planning SERVICE DATE: October 29, 2014
Odell Wind Farm, LLC
7650 Edinborough Way, Suite 725 DOCKET NO. IP-6914/TL-13-591
Edina, MN 55435

In the Matter of the Application of Odell Wind Farm, LLC for a Route Permit for the Odell Wind Farm High Voltage Transmission Line Project in Cottonwood, Jackson, and Martin Counties

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

Determined that the environmental assessment and the record created at the public hearing addresses the issues identified in the environmental assessment scoping decision.

Approved and adopted the administrative law judge's Findings of Fact, Conclusions of Law and Recommendation for Odell Wind Farm High Voltage Transmission Line Project in Cottonwood, Jackson, and Martin Counties, but incorporating changes proposed by Odell Wind Farm, LLC, supported by the Minnesota Department of Commerce, and set forth below:

FINDINGS OF FACT

* * *

3. The Proposed Route of the Project extends from the new Odell Wind Farm substation located in Section 32 of Mountain Lake Township in Cottonwood County and heads east along County Highway 17 to Jackson County Highway 85/600th Avenue. The Proposed Route then turns to run south for approximately one mile. The Proposed Route then turns to run east along Jackson County's 930th Street where, after approximately one mile, it crosses into Martin County and continues east along 240th Street for approximately two miles until the intersection of 240th Street and 30th Avenue. The Proposed Route turns south for the final time on 30th Avenue, ending approximately one and a half miles south at the proposed Woad Hill Substation at the intersection of 30th Avenue and 230th Street in Section 8 or

Section 16 of Cedar Township in Martin County.¹

4. The Woad Hill Substation was originally proposed for the southeast corner of the intersection of 230th Street and 30th Avenue in Section 16 of Cedar Township.² In design discussions with Xcel Energy, which owns the transmission line to which the Woad Hill Substation will connect, it was determined that the placement of the Woad Hill Substation in the southeast corner of the intersection of 230th Street and 30th Avenue may not be practicable due to Xcel Energy's internal design spacing requirements for substations and switchyards.³ Ongoing discussions between Odell and Xcel Energy have resulted in the need for Odell to investigate the option of locating the Woad Hill Substation in the northwest quadrant of the intersection of 230th Street and 30th Avenue in Section ~~16~~ 8.⁴ Odell submitted a request to the Commission to modify the route slightly to accommodate the option of locating the Woad Hill Substation there instead.⁵

* * *

54. Mr. Davis of EERA testified at the public hearing that the option presented by Odell to locate the Woad Hill Substation in the northwest quadrant of the intersection of 230th Street and 30th Avenue in Section ~~16~~ 8 would address the DNR's request to keep the Woad Hill Substation as far from Cedar Creek as practicable.⁶

RECOMMENDATION

* * *

2. The Commission should grant Odell Wind Farm, LLC, a route permit to construct approximately 9.5 miles of new overhead 115 kV transmission line between the proposed project substation for the Odell Wind Farm and the proposed Woad Hill Substation and to construct the Woad Hill Substation.

a. Approximately 9.5 miles of new overhead 115 kV transmission

¹ *Id.* [Exhibit 1, Application,] at Figure 1.1.

² *Id.* at Figure 1.1.

³ Direct Testimony and Schedules for Jordan Burmeister (Burmeister Testimony), eDocket ID No. 20147-101292-01 at 4.

⁴ *Id.* at 4.

⁵ Ex. 10, Odell Change to Route in Route Permit Application (Route Modification), eDocket ID No. 20146-100231-01

⁶ Public Hearing Transcript, eDocket ID No. 20148-101990-01.

line between the proposed project substation for the Odell Wind Farm and the proposed Woad Hill Substation. The Project will extend from the new Odell Wind Farm Substation, located in Section 32 of Mountain Lake Township in Cottonwood County, to the new Woad Hill Substation, in Section 8 or Section 16 of Cedar Township in Martin County. The HVTL line originates at the Odell Wind Farm Substation and heads east along County Highway 17 to Jackson County Highway 85/600th Avenue. The Project then turns to run south for approximately one mile. The Project then turns to run east along Jackson County's 930th Street where, after approximately one mile, it crosses into Martin County and continues east along 240th Street for approximately two miles until the intersection of 240th Street and 30th Avenue. The Project turns South for the final time on 30th Avenue, ending approximately one and a half miles south at the proposed Woad Hill Substation at the intersection of 30th Avenue and 230th Street in Martin County. The route width for the transmission line is between 150 and 600 feet. For the majority of the Proposed Route, the route width is 150 feet extending from the road centerline. In Sections 1 and 12 of T104 R34 in Jackson County, the route width is 300 feet, 150 feet on each side of the road centerline. In Sections 6 and 7 of T104 R33 in Martin County, the route width is 600 feet; and,

b. The Woad Hill Substation, which will be a 345/115 kV substation on the Lakefield Generation-Fieldon segment of Xcel Energy's Lakefield Junction Wilmarth 345 kV transmission line. The Woad Hill Substation will be located in Section 8 or Section 16 of Cedar Township in Martin County at the intersection of 230th Street and 30th Avenue with the final configuration determined during discussions and negotiations between the applicant and Xcel Energy.

Issued a high-voltage transmission line route permit to Odell Wind Farm, LLC identifying a specific route and permit conditions for the Odell Wind Farm High Voltage Transmission Line Project, modified as set forth below:

2.0 PROJECT DESCRIPTION

*** * ***

2.2.1 Substations

The new Woad Hill Substation will be constructed either in the NW or SE quadrant of east of 30th Avenue and south of 230th Street in Section 8 or Section 16 of Cedar Township in Martin County. The substation will consist of supporting structures for high voltage electrical structures, breakers, transformers, lightning protection, and control equipment. The area around the substation will be fenced with driveway access from the east and north. The ground within the substation will be graded and secondary containment areas for the transformer will be installed as necessary. Gravel will be placed

on the surface of the ground in and around the substation to assist with weed control. The Wood Hill Substation will take up approximately 10 acres of land.

* * *

3.0 DESIGNATED ROUTE

* * *

The Project will utilize a variable 150 to 600 foot route width. The majority of the Route will be 150 feet wide extending from the road centerline. The route width in Sections 1 and 12 of Kimball Township in Jackson County will be 300 feet, extending 150 feet on both sides of the road centerline in order to provide flexibility to accommodate distances from home. The route width in Sections 6 and 7 of Cedar Township in Martin ~~Martine~~ County will be 600 feet to allow flexibility to work around a known easement title issues.

The Commission agrees with and adopts the recommendations of the Department of Commerce which are attached and hereby incorporated into the order. This order shall become effective immediately.

BY ORDER OF THE COMMISSION



Burl W. Haar
Executive Secretary



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In the Matter of the Route Permit Application by
Odell Wind Farm, LLC for a 115 kV Transmission Line and
Associated Facilities in Cottonwood, Jackson, and Martin
Counties, Minnesota

Minnesota Public Utilities Commission
ATTACHMENTS
Docket No. IP-6914/TL-13-591

1. Administrative Law Judge's Finding of Fact, Conclusions of Law and Recommendation (August 25, 2014) (Administrative Law Judge's Report)
2. Master Exhibit List
3. Odell Wind Farm, LLC's Exceptions to the Administrative Law Judge's Report (September 4, 2014)
4. The Minnesota Department of Commerce's Exceptions to Administrative Law Judge's Report (September 15, 2014)
5. Route Permit
 - Route Maps
 - Attachment A – Complaint Procedures for High-Voltage Transmission Lines
 - Attachment B – Compliance Filing Procedure for Permitted Energy Facilities

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

In the Matter of Odell Wind Farm, LLC's
Route Permit Application for the Proposed
115kV Transmission Line and Associated
Facilities in Cottonwood, Jackson, and
Martin Counties, Minnesota

**FINDINGS OF FACT,
CONCLUSIONS OF LAW AND
RECOMMENDATION**

This matter is before Administrative Law Judge Steve M. Mihalchick on the application of Odell Wind Farm, LLC (Odell or the Applicant) for a route permit to construct a new 9.5-mile 115 kilovolt (kV) high voltage transmission line (HVTL) and associated facilities in Cottonwood, Jackson, and Martin Counties, Minnesota, from the planned Odell Wind Farm Substation in Cottonwood County to the proposed Woad Hill Substation in Martin County (the Project or Transmission Line Project). The Administrative Law Judge was assigned to conduct a public hearing, provide a summary of public testimony, and prepare a report to the Public Utilities Commission (PUC or Commission) setting forth Findings of Fact, Conclusions of Law and a Recommendation on the merits of the Project, alternatives to the Project, any preferred route alternative, and comments and recommendations, if any, on the conditions and provisions of the proposed permit.

The public hearing was conducted by the Administrative Law Judge on July 9, 2014, at Windom Community Center in Windom, Minnesota. The hearing continued until all persons who desired to speak had done so. The written comment period closed on July 23, 2014, at 4:30 p.m. The only comment received was from the Department of Natural Resources.

Jordan Burmeister, Project Manager at Geronimo Wind Energy, LLC, and Jeremy Duehr, Attorney for Odell Wind Farm, LLC, appeared at the public hearing on behalf of the Applicant.

Richard Davis, Environmental Review Manager, appeared on behalf of the Energy Environmental Review and Analysis Unit (EERA) of the Department of Commerce (DOC or Department).

Michael Kaluzniak, Senior Energy Facility Planner, appeared on behalf of the staff of the Commission.

STATEMENT OF ISSUE

Has the Applicant satisfied the factors set forth in Minn. Stat. § 216E.03 and Minn. R. ch. 7850 for a route permit for its proposed 115 kV transmission line from the Odell Wind Farm Substation in Cottonwood County, Minnesota, to the proposed Woad Hill Substation in Martin County, Minnesota (the Project or Transmission Line Project)?

SUMMARY OF CONCLUSIONS AND RECOMMENDATION

The Administrative Law Judge concludes that the Applicant has satisfied the applicable legal requirements and recommends that the Commission grant the Applicant a route permit for the Project, along the Proposed Route described below, and subject to the conditions discussed below.

Based on information in the Application, the Environmental Assessment by EERA, the testimony at the public hearing, the written comment of the Department of Natural Resources, and exhibits received in this proceeding, the Administrative Law Judge makes the following:

FINDINGS OF FACT

The Applicant

1. Geronimo Wind Energy, LLC d/b/a Geronimo Energy, LLC, a Minnesota limited liability company, develops and builds renewably energy projects throughout the United States. Geronimo formed Applicant Odell Wind Farm, LLC, a wholly-owned subsidiary, to own both the Transmission Line Project and an up to 200 megawatt (MW) wind energy project (Odell Wind Farm) in Cottonwood, Jackson, Watonwan, and Martin Counties. The Transmission Line Project will serve the Odell Wind Farm by connecting it to an Xcel Energy transmission line.¹

The Project

2. The Project will be located in Mountain Lake Township in Cottonwood County, Kimball Township in Jackson County, and Cedar Township in Martin County. The Project will be approximately 9.5 miles of new single circuit overhead 115 kV transmission line stretching from the planned Odell Wind Farm substation in Cottonwood County to the proposed Woad Hill Substation in Martin County.²

3. The Proposed Route of the Project extends from the new Odell Wind Farm substation located in Section 32 of Mountain Lake Township in Cottonwood County and heads east along County Highway 17 to Jackson County Highway 85/600th Avenue. The Proposed Route then turns to run south for approximately one mile. The Proposed Route then turns to run east along Jackson County's 930th Street where,

¹ Exhibit (Ex.) 1, Application, eDocket ID Nos. 201312-94551-01, 201312-94551-02, 201312-94551-03, and 201312-94551-04 (Application) at 3.

² *Id.*

after approximately one mile, it crosses into Martin County and continues east along 240th Street for approximately two miles until the intersection of 240th Street and 30th Avenue. The Proposed Route turns south for the final time on 30th Avenue, ending approximately one and a half miles south at the proposed Woad Hill Substation at the intersection of 30th Avenue and 230th Street in Section 16 of Cedar Township in Martin County.³

4. The Woad Hill Substation was originally proposed for the southeast corner of the intersection of 230th Street and 30th Avenue in Section 16 of Cedar Township.⁴ In design discussions with Xcel Energy, which owns the transmission line to which the Woad Hill Substation will connect, it was determined that the placement of the Woad Hill Substation in the southeast corner of the intersection of 230th Street and 30th Avenue may not be practicable due to Xcel Energy's internal design spacing requirements for substations and switchyards.⁵ Ongoing discussions between Odell and Xcel Energy have resulted in the need for Odell to investigate the option of locating the Woad Hill Substation in the northwest quadrant of the intersection of 230th Street and 30th Avenue in Section 16.⁶ Odell submitted a request to the Commission to modify the route slightly to accommodate the option of locating the Woad Hill Substation there instead.⁷

5. The Woad Hill Substation will consist of supporting structures for high voltage electrical structures, breakers, transformers, lightning protection, and control equipment as specified in the Interconnection Agreements to be entered into with Midcontinent Independent System Operator, Inc. (MISO) and Xcel Energy. Odell estimates the substation will take up 10 acres of land.⁸ From the Woad Hill Substation, the Project will connect to the electrical grid via a single 345 kV span connecting the Woad Hill Substation to Xcel's new 345 kV switchyard. The 345 kV span will be less than 1,500 feet and will be permitted by Odell through Martin County.⁹ The switchyard and any modification to the existing 345 kV transmission line or any new 345 kV span to connect the switchyard to the existing transmission line will be designed, permitted, and built by Xcel Energy.¹⁰

6. The proposed location for the Odell Wind Farm substation is within the Odell Wind Farm's Project boundary. It is located north of Jackson County Road 17 in Section 32 of Mountain Lake Township in Cottonwood County. The Odell Wind Farm Substation has been permitted under Docket No. IP6914/WS-13-843.¹¹

³ *Id.* at Figure 1.1.

⁴ *Id.* at Figure 1.1.

⁵ Direct Testimony and Schedules for Jordan Burmeister (Burmeister Testimony), eDocket ID No. 20147-101292-01 at 4.

⁶ *Id.* at 4.

⁷ Ex. 10, Odell Change to Route in Route Permit Application (Route Modification), eDocket ID No. 20146-100231-01

⁸ Application at 34.

⁹ Route Modification at 4

¹⁰ Application at 9.

¹¹ Order Issuing Site Permit and Approving Avian and Bat Protection Plan (Order Issuing Site Permit), eDocket ID No. 13-843, (July 17, 2014).

Structure Types and Spans

7. The Applicant proposes to use wood or steel structures capable of handling a single-circuit load by constructing the single-circuit transmission line on wood or steel monopole structures.¹²

8. The poles will have an average height of 65 to 70 feet. The typical span length will be 400 feet.¹³

Conductors

9. The conductor for each of the three phases of the 115 kV line will be 1272 kcmil (one thousand circular mils) ACSR (Aluminum Conductor Steel Reinforced) "Bittern" transmission line.¹⁴

Route Width

10. Odell has proposed the Project utilize a variable 150 to 600 foot route width for the 115 kV HVTL. The majority of the Proposed Route will be 150 feet wide extending from the road centerline. Odell is requesting that the Proposed Route width in Sections 1 and 12 of Kimball Township in Jackson County be 300 feet, extending 150 feet on both sides of the road centerline. The proposed 300 foot route width in this area will allow additional flexibility to accommodate distances from homes.¹⁵ Odell is requesting a 600 foot route width in Sections 6 and 7 of Cedar Township in Martin County. In this area, the additional route width will allow flexibility to work around a known easement title issue in Section 7.¹⁶

Right-of-Way

11. Odell entered into Transmission Easement Agreements (transmission easements) with private landowners that describe the easement and terms of the agreement. The transmission easements include a strip of land that is 80 feet wide parallel and adjacent to the existing road right-of-way and a strip of land comprising one-half of the existing road right-of-way. The road rights-of-way are generally 66 feet for township roads or 100 feet for county roads. Therefore, the total easement width in the transmission easements is 113 feet along township roads and 130 feet along county roads. To accommodate the area included within its transmission easements, Odell is requesting rights-of-way of 113 and 130 feet for the Project.¹⁷

¹² Application at 9.

¹³ Ex. 12, Notice of Environmental Assessment (EA Notice), eDocket ID No. 20147-101131-01 at 13.

¹⁴ Application at 10.

¹⁵ Application at 6.

¹⁶ Application at 7. Transcript of Public Hearing at 15.

¹⁷ Application at 7.

Project Schedule

12. The Project construction will begin after applicable federal, state, and local approvals have been obtained, property and right of way (ROW) are acquired, soil conditions are established and final design is completed.¹⁸

Project Cost

13. The estimated cost for the 9.5 miles of transmission line between the Odell Wind Farm Substation and the Woad Hill Substation is \$3.5 million. The estimated cost of the proposed Woad Hill Substation is \$2 million.¹⁹

14. Operation and maintenance costs for the transmission line will be nominal in the initial years of operation. Annual operation and maintenance costs for 115 kV transmission lines in the Upper Midwest are typically \$300-\$600 dollars per mile of transmission right-of-way.²⁰

Procedural Summary

15. On July 8, 2013, in accordance with Minn. R. 7850.2800, subp. 2, the Applicant filed a letter with the Commission noticing its intent to submit a route permit application under the alternative permitting process set forth in Minn. Stat. § 216E.04 and Minn. R. 7850.2800 to 7850.3900.²¹

16. On December 12, 2013, the Applicant filed a route permit application (Application) with the Commission for a 115 kV transmission line to be constructed in Mountain Lake Township in Cottonwood County, Kimball Township in Jackson County, and Cedar Township in Martin County.²²

17. The Applicant mailed a Notice of Filing of Route Permit Application on December 26, 2013, to those persons whose names are on the general list maintained by the Commission for this purpose, local and regional officials, and property owners in compliance with Minn. R. 7850.3300 and 7850.2100.²³

18. Odell also completed newspaper notice in the *Jackson County Pilot*, the *Fairmont Sentinel*, and the *Cottonwood County Citizen* in compliance with Minn. R. 7850.3300 and 7850.2100, subp. 4.²⁴

19. No application for Certificate of Need was made because the Project is exempt from Certificate of Need requirements. It does not meet the length requirement

¹⁸ *Id.* at 12 and 13.

¹⁹ *Id.* at 6.

²⁰ EA Notice at 16.

²¹ Notice of Route Permit Application under Alternative Review (Route Permit Notice), eDocket ID No. 20137-88942-01.

²² Application

²³ Affidavits of Publication of Newspaper Notices, eDocket ID Nos. 20141-95836-01 and 20141-95738-01.

²⁴ *Id.*

to be a “large energy facility” under Minn. Stat. § 216B.2421 because it is less than 10 miles in length and does not cross a state border.

20. The EERA staff recommended that the Commission accept the route permit application as complete and determine that an advisory task force was not necessary.²⁵

21. On February 4, 2014, the Commission accepted the application as complete and authorized the EERA staff to process the application under the alternative permitting process in Minn. R. 7850.2900 to 7850.3900. The Commission also authorized the Commission staff to name a public advisor and determined that an advisory task force was not necessary at that time.²⁶

22. On January 23, 2014, EERA issued and mailed a Notice of Public Information Meeting to those persons whose names are on the project list maintained by the Commission for this purpose in compliance with Minn. R. 7850.3500, subp. 1 and 7850.2300, subp. 2. EERA also sent the Notice to designated State Agency Technical Representatives.²⁷

23. A hard copy of the route permit application was made available at the Mountain Lake Public Library, Jackson Public Library, Trimont City Library, and Windom Public Library.²⁸

Public Meeting

24. The scoping process is the first step in developing an environmental assessment. The Department of Commerce is required to “provide the public with an opportunity to participate in the development of the scope of the environmental assessment by holding a public meeting and by soliciting public comments.”²⁹ During the scoping process, alternative routes may be suggested for evaluation in the environmental assessment.³⁰

25. In accordance with Minn. R. 7850.3500, subp. 1, and 7850.2300, subps. 1 to 4, EERA and Commission staff held a joint public information and environmental assessment scoping meeting on February 10, 2014, in Windom, Minnesota. Four members of the public attended the scoping meeting. One landowner within the

²⁵ Order Finding Application Complete and Referring Matter to the Office of Administrative Hearings (Order Finding Application Complete), eDocket ID Nos. 20142-96156-01 and 20142-96156-02.

²⁶ *Id.*

²⁷ Ex. 3, Notice of Public Information and Environmental Assessment Scoping Meeting, eDocket ID No. 20141-95727-01.

²⁸ *Id.*

²⁹ Minn. R. 7850.3700, subp. 2.

³⁰ Minn. R. 7850.3700, subp. 2B.

Proposed Route spoke at the meeting, and expressed support for the Project and willingness to work with Odell to accommodate routing on his property.³¹

26. The public comment period on the scope of environmental assessment closed on February 24, 2014.³² EERA received one letter during the scoping comment period.³³

27. The Department of Natural Resources (DNR) submitted comments suggesting the Woad Hill Substation be located in the western portion of the proposed substation site to provide an increased buffer between the substation and Cedar Creek. The DNR comment letter included a statement on the requirements of the License to Cross Public Lands and Waters. The DNR also commented that the Natural Heritage Review completed for the Odell Wind Farm project is not valid for the Transmission Line Project, and a Natural Heritage Review request should have been submitted prior to the submission of the Route Permit Application.³⁴ For this Project, the DNR reviewed the data and concurred with Odell that there are no rare features within one mile of the Project area.³⁵

28. No alternative routes were suggested through oral or written comments.³⁶

29. The scoping decision for the environmental assessment was signed by the Deputy Commissioner of Commerce on April 14, 2014, filed with the Commission, and made available to the public as provided in Minn. R. 7850.3700, subp. 3, on April 17, 2014.³⁷

Environmental Assessment

30. The Environmental Assessment in this matter (EA) was filed with the Commission and made available on June 30, 2014.³⁸ The EA was prepared in accordance with Minn. R. 7850.3700, and contained all the information required.

31. The Project is being reviewed under the Alternate Review Process of Minn. Stat. § 216E.04, as ordered by the Commission.³⁹ Questions of need, including size, type, and timing; alternative system configurations; and voltage are not included in the scope of environmental review conducted under the Alternate Review Process.⁴⁰

³¹ Ex. 9, Odell Wind HVTL Project – DOC Environmental Assessment Scoping Decision (Scoping Decision), eDocket ID No. 20144-98456-01 at 1.

³² *Id.*

³³ Notes from Odell Wind HVTL Public Information and EA Scoping Meeting (Scoping Meeting Notes), February 10, 2014, eDocket ID No. 20142-96887-01.

³⁴ Scoping Decision at 1.

³⁵ Staff Briefing Papers for April 10, 2014 Meeting, eDocket ID No. 20144-97903-01 at 3.

³⁶ Scoping Decision at 2.

³⁷ *Id.*

³⁸ Ex. 13, Odell Wind HVTL Environmental Assessment (EA), eDocket ID No. 20146-101031-01.

³⁹ Order Finding Application Complete.

⁴⁰ Minn. Stat. § 216E.02, subd. 2.

32. On July 1, 2014, EERA provided a Notice Availability of EA to those persons whose names are on the Project contact list, local and regional officials, and property owners in compliance with Minn. R. 7850.3700, subd. 6, and to the state and federal agency technical representatives.⁴¹

33. On July 8, 2014, EERA mailed the EA to the Windom Public Library, Jackson County Library, Trimont Public Library, and Mountain Lake Public Library, and requested that the EA be made available for public review.⁴²

34. The EA was provided to the public agencies with authority to permit or approve the proposed project and was also posted to eDockets and the Commerce Energy Facilities Permitting website in accordance with Minn. R. 7850.3700, subp. 6.

35. Pursuant to Minn. R. 7850.3700, subp. 6, EERA published a Notice of Availability of EA in the EQB Monitor on July 9, 2014.⁴³

36. The EA evaluated the Proposed Route including the three options proposed by the Applicant for the Woad Hill Substation.

Public Hearing

37. Pursuant to Minn. Stat. § 216E.03, subd. 6, the Applicant published a Notice of Public Hearing in the *Jackson County Pilot* on June 26, 2014, the *Cottonwood County Citizen* on June 25, 2014, and the *Fairmont Sentinel* on June 25, 2014.⁴⁴

38. On June 20, 2014, a Notice of Public Hearing was mailed to those persons whose names are on the project contact list, local and regional officials, and property owners in compliance with Minn. Stat. § 216E.03, subd. 6, and to the state and federal agency technical representatives.⁴⁵

39. On June 20, 2014, Commission staff provided a Notice of Public Hearing to chief executives of the regional development commissions, counties, organized towns, townships, and incorporated municipalities in accordance with Minn. Stat. § 216E.03, subd. 6.

40. The Administrative Law Judge conducted the public hearing on July 9, 2014, at the Windom Community Center in Windom, Minnesota. The Administrative Law Judge provided an opportunity for members of the public to ask questions or comment on the Project verbally and to submit questions and comments in writing.⁴⁶

⁴¹ Notice of Public Hearing (Public Hearing Notice), eDocket ID Nos. 20146-100636-01 and 20146-100636-02.

⁴² EERA Comments and Analysis at 3, eDocket ID No. 20148-102239-01.

⁴³ EQB Monitor Notice, eDocket ID No. 20147-101288-01.

⁴⁴ Publication of Notice of Public Hearing in *Jackson County Pilot*, *Fairmont Sentinel*, and *Cottonwood County Citizen*, eDocket ID No. 20147-101678-01.

⁴⁵ Public Hearing Notice.

⁴⁶ Public Hearing Transcript, eDocket ID No. 20148-101990-01.

41. Approximately seven members of the public attended the public hearing. All persons who desired to speak were afforded a full opportunity to make a statement on the record.⁴⁷

42. Pursuant to Minn. R. 7850.3800, subp. 3, Environmental Review Manager Richard Davis of the EERA was present at the public hearing and described the alternative route permitting process, his review of the Project, and introduced the EA and other relevant documents for the record.

43. Jeremy Duehr, from the law firm of Fredrikson & Byron, P.A., appeared at the public hearing on behalf of Odell in this matter. Also present at the public hearing for Odell was Jordan Burmeister.

44. Michael Kaluzniak, Planning Director, was at the public hearing on behalf of the Commission.

45. Public comments on the proposed Project were accepted by the Administrative Law Judge through July 23, 2014.⁴⁸ The only comment filed was one from the DNR.⁴⁹

46. The public hearing transcript was filed by the court reporter on August 4, 2014.⁵⁰

47. Members of the public who spoke at the public hearing supported the Project. One landowner within the proposed route spoke at the hearing and expressed support for the Project and his willingness to work with Odell to accommodate routing on his property. A representative from the Windom Economic Development Authority spoke at the hearing and expressed support for the Project and the economic benefits it will bring to the region.⁵¹

Public Hearing Comment Letters

48. In its letter to the Administrative Law Judge, the DNR incorporated and restated the comments it had made in its letter to Mr. Davis on February 24, 2014.⁵² It continued to encourage configuring the Woad Hill Substation to avoid the eastern portion of substation area nearest Cedar Creek.

49. The DNR also indicated that Table 2 on page 9 of the EA did not identify the need for the Applicant to apply to the DNR for a License to Cross Public Lands and

⁴⁷ *Id.*

⁴⁸ *Id.*

⁴⁹ Ex. 17, DNR 7/23/14 Additional Comment, eDocket ID No. 20147-101686-01.

⁵⁰ Public Hearing Transcript, eDocket ID No. 20148-101990-01.

⁵¹ Public Hearing Transcript, eDocket ID No. 20148-101990-01.

⁵² See, Finding No. 27.

Waters. The license is required because the Proposed Route includes two crossing of the public watercourse known as Cedar Creek.⁵³

50. No other written comments were received by the Administrative Law Judge during the comment period.

Environmental Assessment of Route

51. According to the EA, the Proposed Route has human and environmental impacts, some of which are unavoidable if the project is permitted and built. However, the Proposed Route is not expected to cause an irreversible or irretrievable commitment of resources, except for the use of water for dust abatement during construction and the commitment of labor and fiscal resources to develop and build the Project.⁵⁴

52. EERA determined that Odell's request to expand the Proposed Route was not deemed to be a substantial change or substantial new information that significantly affected the potential environmental effects of the Project or the availability of reasonable alternatives.⁵⁵

53. All proposed configurations of the Woad Hill Substation would be sited entirely within currently tilled cropland and would therefore be expected to have similar environmental impacts.⁵⁶

54. Mr. Davis of EERA testified at the public hearing that the option presented by Odell to locate the Woad Hill Substation in the northwest quadrant of the intersection of 230th Street and 30th Avenue in Section 16 would address the DNR's request to keep the Woad Hill Substation as far from Cedar Creek as practicable.⁵⁷

Displacement

55. The Applicant has stated that the transmission line will be designed to avoid displacement of existing residences or businesses.⁵⁸

Noise

56. The Minnesota Pollution Control Agency (MPCA) has established standards for the regulation of noise levels.⁵⁹

57. For residential land, the MPCA noise limits are 60-65 A-weighted decibel (dBA) during the daytime and 50-55 dBA during the nighttime. For commercial land, the

⁵³ Ex. 17, DNR 7/23/14 Additional Comment, eDocket ID No. 20147-101686-01.

⁵⁴ EA at 63.

⁵⁵ Public Hearing Transcript, eDocket ID No. 20148-101990-01.

⁵⁶ Burmeister Testimony, at 5.

⁵⁷ Public Hearing Transcript, eDocket ID No. 20148-101990-01.

⁵⁸ Application at 13.

⁵⁹ Minn. R. 7030; Ex. 2 at 27.

MPCA noise limits are 65-70 dBA during the daytime and nighttime. For industrial land, the MPCA noise limits are 75-80 dBA during the daytime and nighttime.⁶⁰

58. There will be noise generated by construction equipment during the construction of the Project. The closest residences to the application alignment are the three homes located within the Proposed Route. Where the Proposed Route width is 600 feet in T104 R33 Section 6 in Martin County, one home is approximately 60 feet from the application alignment. In T104 R34 Section 12 in Jackson County, two homes are approximately 200 feet from the application alignment and substation location. Noise levels produced by a 115 kV transmission line and substation are generally less than outdoor background levels and therefore are not usually audible. Therefore, no noise impacts are expected. Construction will be limited to daytime hours to avoid nighttime construction noise. After construction, no proposed impacts are anticipated, so mitigation is not necessary.⁶¹

Aesthetics

59. The Project will result in an alteration of the current visual landscape through construction of wood or steel poles of approximately 70 feet in height, the construction of the Woad Hill Substation, consisting of components typically found at substations: a control building, fencing, transformer and transmission line.⁶²

60. The Proposed Route mitigates visual disruptions in the rural landscape by siting the route along existing roadway corridors. The combination of these two linear features (the Project and the road) minimizes impacts to the landscape to the greatest extent possible.⁶³ Security lighting within the Woad Hill Substation will be shielded downward to minimize lighting impacts on surrounding residences.⁶⁴

Cultural Values

61. The communities in the vicinity of the Project have cultural values tied to rural agriculture, light industry, and recreation.⁶⁵

62. The presence of the Project will not significantly impact the agricultural land use or general character or cultural values of the area. As demonstrated by other transmission projects in the Midwest, agricultural practices continue throughout construction and operations.

Recreation

63. There are no recreational facilities located along the Proposed Route.⁶⁶

⁶⁰ Minn. R. 7030.0040; Ex. 13 at 30.

⁶¹ EA at 30-31.

⁶² Application at 33.

⁶³ EA at 33.

⁶⁴ *Id.*

⁶⁵ Application at 31.

64. There are a variety of recreation opportunities approximately four miles west of the Project, near the Des Moines River. The following State Wildlife Management Areas are within five miles of the Project: Bennett State Wildlife Management Area; Banks State Wildlife Management Area; Fossum State Wildlife Management Area; and, Laurs Lake State Wildlife Management Area. There is one Waterfowl Production Area (Christiana) within five miles of the Project. Mountain County Park is approximately five miles north of the Project. Fossum State Wildlife Management Area is approximately 2.5 miles northeast of the Project. Two public trails are within five miles of the Project: the Riverside Snowmobile Trail and the Elm Creek Trail. The Riverside Snowmobile Trail runs north and northeast of the Project. The Elm Creek Trail is a five-mile ATV trail located south of the Project on private land in Martin County. Recreation opportunities include boating, hunting, fishing, wildlife viewing, and hiking.⁶⁷

65. Because all Project facilities will be located on private lands, there will be no direct impacts to recreational facilities. Indirect impacts to recreational resources will be visual in nature and limited to persons using public or private property in or near the Project. During construction, the noise from increased vehicle traffic and construction activities may temporarily alter the experience of those using recreational resources. In order to maintain safety standards, hunting and other recreational activities may be temporarily suspended when construction or maintenance personnel are working at the Project. After construction is completed, the specific locations of the facilities may also impact hunting by affecting the direction in which hunters may shoot (to avoid striking transmission facilities).⁶⁸

66. To the extent possible, the Project's facilities will be placed in a manner so as to avoid impacts to recreational resources. No additional mitigation to recreational resources is proposed.⁶⁹

Public Services/Utilities

67. Public services and utilities are generally defined as services provided by government entities including hospitals, fire and police departments, schools, roads and highways, public parks, and water supply. Utilities also include private wells, septic systems and other utilities. Given the rural nature of the project area, public services are limited.⁷⁰

68. The Applicant will work with MnDOT, the counties, the relevant townships, and all public service providers to coordinate any potential or planned outages when consolidating facilities.⁷¹

⁶⁶ *Id.* at 32.

⁶⁷ *Id.*

⁶⁸ *Id.*

⁶⁹ EA at 43.

⁷⁰ Application at 33.

⁷¹ *Id.*

69. Impacts to public services are expected to be minimal. Impacts to telecommunications, electrical, and water services would likely occur during construction maintenance activities, and may involve temporary disruptions of service to facilitate relocation of facilities. No permanent impacts to local services are anticipated. No impacts to regional gas services. Impacts associated with interconnecting the line with the grid will be coordinated with MISO and Xcel Energy.⁷²

Public Health and Safety

70. The Project will be designed and constructed in compliance with local, state, and National Electrical Safety Code (NEESC) standards regarding clearance to the ground, clearance to utilities, clearance to buildings, strength of materials and right-of-way widths.⁷³

71. The Project will be equipped with protective devices to safeguard the public in the event of an accident or fall. The protective equipment is designed to de-energize the transmission line should such an event occur.⁷⁴ In addition, proper signage will be posted to warn the public of safety risks associated with the equipment.⁷⁵

Airport Flight Safety

72. Three private airports/airstrips are located within five miles of the Project. Two of these airstrips are located in Mountain Lake Township in Cottonwood County; one airstrip is 1.3 miles from the Project, the other airstrip is 2.5 miles from the Project. The closest public use airport is Windom Municipal Airport, which is located approximately nine miles northwest of the Project in Cottonwood County.⁷⁶

73. The Applicant is coordinating with the landowners of the private airports/airstrips and has sited the transmission line far from their facilities. No impacts are anticipated due to the distance of each of the airports/airstrips from the Project.⁷⁷

Electric and Magnetic Fields

74. The issue of electric and magnetic fields was discussed in the EA.⁷⁸ A number of national and international health agencies (e.g., the Minnesota Department of Health, the World Health Organization, the National Institute of Environmental Health Sciences) have concluded in their research that there is insufficient evidence to prove a connection between electric and magnetic field exposures and health effects. Research has not been able to establish a cause and effect relationship between exposure to magnetic fields and human disease, nor a plausible biological mechanism by which

⁷² EA at 48.

⁷³ Application at 24.

⁷⁴ Application at 24.

⁷⁵ *Id.*

⁷⁶ *Id.* at 24-25.

⁷⁷ *Id.*

⁷⁸ EA at 34-42.

exposure to electric and magnetic fields could cause disease.⁷⁹ The maximum magnetic field for this Project, as calculated by the Applicant, would be 153.87 milligauss, one meter above the ground and directly below the line.⁸⁰ No Minnesota regulations have been established pertaining to magnetic fields from high-voltage transmission lines. The Environmental Quality Board (EQB) and the Commission have historically recommended an 8 kV/m maximum electric field for transmission lines of 500 kV or greater to prevent potential shock hazards.⁸¹ The maximum electric field for this Project, as calculated by the Applicant, would be 1.80 kV/m, at one meter above the ground.⁸²

75. The absence of any demonstrated impact by electric field and magnetic field exposure supports the conclusion that there is no demonstrated impact on human health and safety. No adverse effects from electric fields and magnetic fields on health are expected for persons living or working at locations along or near the proposed Project.⁸³

Stray Voltage

76. Transmission lines (alternating current or AC) can induce “stray” voltage on nearby conductive objects. When the electric-magnetic field of a transmission line is within range of a nearby conductive object, a voltage may be induced on the object. The magnitude of the voltage depends on the weather conditions, the object’s ability to collect an electric charge (capacitance), and vary with the object’s shape, size, orientation and location, object to ground resistance.⁸⁴

77. If a voltage is induced on an object insulated from the ground and a person touches the object, a small current (induced current or stray voltage) would pass through their body to the ground. This current may produce a spark discharge or mild shock to the individual. This type of stray voltage occurs most often on long fences and distribution lines built under transmission. Proper grounding of metal objects under the transmission line is the best method of avoiding these shocks. Most shocks from induced current are considered more of a nuisance than a danger. The Commission’s electric field limit of 8 kV/m was designed to prevent serious hazard from shocks due to induced voltage under transmission lines. The NESC sets an induced current limit of five milliamps (mA) for objects under transmission lines.⁸⁵

78. Stray voltage (neutral to earth voltage, or NEV) is an extraneous voltage that appears on grounded surfaces in buildings, barns and other structures. This type

⁷⁹ *Id.* at 42.

⁸⁰ Application at 21.

⁸¹ See In the Matter of the Petitions of Northern States Power Company d/b/a Xcel Energy and Dairyland Cooperative for Permits to Construct a 115 kV and 161 kV Transmission Line from Taylors Falls to Chisago County Substation, Docket No. E-002/TL-06-1677, Environmental Assessment at 45 (Aug. 20, 2007); Ex. 13 at 35.

⁸² Application at 18.

⁸³ EA at 42.

⁸⁴ *Id.* at 37.

⁸⁵ *Id.* at 38.

of stray voltage may result from damaged, corroded, or poorly connected wiring or damaged insulation (contact voltage). Stray voltage (NEV) and its impact on dairy farms is normally an issue associated with electrical distribution lines and is a condition that can exist between the neutral wire of a service entrance and grounded objects in buildings. Transmission lines do not, by themselves, create NEV, but they can induce voltage on a distribution circuit that is parallel and immediately under the transmission line. This induced voltage only occurs in the immediate vicinity of the distribution circuit and does not travel along the transmission or distribution line.⁸⁶

79. The quality of the farm/structure wiring system has the largest single influence on contact voltage. Stray voltage (NEV) sources can be reduced in three fundamental ways: reduce the current flow on the neutral system; reduce the resistance of the neutral system; or improve the grounding of the neutral system. Making good electrical connections and making sure that these connections are maintained by the proper choice of wiring materials for wet and corrosive locations will reduce the resistance of the grounded neutral system and thereby reduce NEV levels.

80. Appropriate measures will be taken by the Applicant during transmission line design, construction, and operation to prevent the potential for any stray voltage problems from this Project particularly in areas where the Project is parallel to or crosses distribution lines.⁸⁷ The Applicant will be required to address and rectify any stray voltage problems that arise during transmission line operation, as a condition of the route permit.

Effects on Land Based Economies

81. The majority of the land near the Project is cultivated farmland. Corn, soybeans, small grains, and forage crops are grown throughout the three counties. Cash crops and livestock production are the major sources of agricultural income. Martin County is listed as the second highest livestock-producing county in Minnesota. Martin and Jackson Counties are listed in the top ten counties for Minnesota crop production, with Martin County ranking sixth and Jackson County ranking eighth.⁸⁸

82. Although Jackson, Cottonwood, and Martin Counties are large livestock-producing areas, the Applicant has not identified any livestock operations along the Proposed Route. Construction and maintenance of the Project will result in permanent and temporary impacts to farmland such as soil compaction and crop damage. Permanent impacts will occur as a result of structure placement along the route centerline. The Applicant estimated that the permanent impacts in agricultural fields will be approximately 20 square feet per pole, or about 0.06 acres in total. In addition, the Applicant has estimated that the Wood Hill Substation will take up 10 acres of land for a total permanent impact of 10.06 acres.⁸⁹

⁸⁶ *Id.*

⁸⁷ Application at 22.

⁸⁸ *Id.* at 34.

⁸⁹ *Id.*

83. The Applicant intends to place the poles as close as feasible (approximately five feet) from the edge of the roadway right-of-way. The Applicant will work with landowners to identify appropriate locations for poles. The final spacing and location of poles will be done to accommodate the movement of farm equipment between and around their locations while still maintaining safety and design standards. The Applicant has elected to use a span between poles that is at the upper end of typical span lengths to minimize the number of poles. The Applicant will coordinate construction of the Project either before crops are planted or following harvest, if possible. If this is not possible, the Applicant will compensate for any impact to crops, including compaction that might result from construction. Additionally, the Applicant will compensate for crop impacts resulting from the operations and maintenance of the Project.⁹⁰

84. The EA indicates that the Project would permanently impact approximately 10 acres of agricultural land.⁹¹

85. Because the route follows existing ROW for its entire length, clearing of trees would be minimal. Tree clearing will be limited to the transmission right-of-way and adjacent areas that impact safe operation of the transmission facilities, and will be a condition of the route permit.

86. There are no tourism and recreation activities located along the route that may be indirectly impacted by the Project because of viewshed or alteration of the landscape. The route will not impact or interfere with existing recreational areas or recreational/tourism opportunities within or near the Project area.⁹²

87. There are no mined areas or identified potential mineral resources in the immediate area of the Proposed Route or Woad Hill Substation.⁹³

Archaeological and Historic Resources

88. No known archaeological or architectural resources were identified within or adjacent to the Proposed Route. Therefore, no impacts are anticipated during the installation of the Project.⁹⁴

89. The Applicant shall make every effort to avoid impacts to identified archaeological and historic resources when installing the Project on the approved route. In the event that an impact would occur, the Applicant will consult with the Commission, State Historic Preservation Office and invited consulting parties. Where feasible, avoidance of the resource is required.

⁹⁰ *Id.* at 34-35.

⁹¹ EA at 23.

⁹² Application at 33.

⁹³ EA at 45.

⁹⁴ *Id.* at 49.

Air Quality

90. Air quality impacts associated with transmission lines are minimal. During construction, temporary impacts associated with fugitive dust could occur.

91. Post-construction, the creation of ozone can occur as a result of corona, which can occur in localized areas around transmission lines or other energized electrical devices. This reaction also occurs when lightning strikes. Corona can cause the breakdown and ionization of air within a few centimeters of the conductor. This produces a small amount of ozone and oxides of nitrogen in the air surrounding the conductor. Ozone is very reactive, and it combines easily with other elements in the atmosphere, thus making it short-lived in the environment.⁹⁵

92. Proper erosion control methods and Best Management Practices will be used during construction to minimize impacts associated with fugitive dust. Post-construction, the potential impacts from the corona effect are limited and not anticipated to impact air quality. No additional mitigation measures will be necessary.⁹⁶

Water Quality and Water Resources

93. The Proposed Route is located within the Blue Earth River and Watonwan River watersheds. There is one public water course along the Proposed Route – Cedar Creek. Cedar Creek crosses the Proposed Route at two locations on the eastern end of the Proposed Route, and parallels the Route for approximately 0.3 miles. Cedar Creek is a perennial stream along this stretch. Federal Emergency Management Agency Flood Insurance Rate Maps indicate a floodplain along Cedar Creek. There are no PWI basins along the Proposed Route.⁹⁷

94. There are two National Wetlands Inventory mapped wetlands totaling 0.5 acres within the Proposed Route. These wetlands are drained temporarily flooded emergent wetlands. A 3.96-acre semi-permanently flooded emergent wetland is just south of the Proposed Route on its western end. Inspection of aerial photographs indicates that wetland is located in a cropped field. Cedar Creek, which crosses the Proposed Route as discussed above, is classified as R2UBGx, which means it is an excavated, low-gradient stream with an unconsolidated bottom, where surface water is present except in extreme drought.⁹⁸

95. Impacts to water resources are expected to be minor. The transmission line will be designed to span wetlands and watercourses to the extent practicable. A short-term effect on water quality is possible during the construction phase of the Project due to sedimentation.⁹⁹

⁹⁵ Application at 37-38.

⁹⁶ EA at 51.

⁹⁷ Application at 38.

⁹⁸ *Id.*

⁹⁹ *Id.*

96. Formal field wetland delineations will be conducted along the Proposed Route prior to construction. If the Project will permanently or temporarily impact waters of the U.S., Minnesota public waters, jurisdictional waters, or 100-year floodplains, the Applicant will apply for the necessary permits prior to construction and will work with officials to minimize impacts. Prior to construction, a Storm Water Pollution Prevention Plan will be prepared to control sedimentation during construction, and a National Pollutant Discharge Elimination System permit will be obtained.¹⁰⁰

Flora (Plant life)

97. The flora along the Proposed Route is primarily agricultural. Agricultural landscapes are dominated by plots of corn, soybeans, or oats.¹⁰¹

98. The Project will result in minimal temporary and permanent impacts to natural vegetation along the Proposed Route.¹⁰²

99. All areas disturbed due to construction activities would be restored to pre-construction contours. In non-cultivated areas, reseeding would occur in a timely manner using native, non-invasive plant species.¹⁰³

Fauna (Wildlife)

100. In general, the wildlife encountered near the Proposed Route is adapted to agriculture and development. Commonly encountered wildlife species include white-tailed deer, raccoon, striped skunk, mallard, Canada goose, red-winged blackbird, common grackle, American crow, American robin, and introduced species such as house sparrow, house finch, rock pigeon, ring-necked pheasant, and European starling.¹⁰⁴

101. The Applicant conducted a Tier 1 and 2 analysis of the Odell Wind Farm, which includes the Proposed Route, including an inventory of existing biological resources, native prairie, and wetland areas. Tier 3 avian and bat surveys have also been completed.¹⁰⁵

102. The greatest risk of impact to wildlife from the Project is associated with injury or death of bird species from collisions with or electrocution by the transmission line. Typically these impacts involve raptors, waterfowl, or other large birds. Minor displacement impacts may be associated with the construction of the Project, but these will be temporary in nature. The Applicant does not anticipate any long-term population-level impacts.¹⁰⁶

¹⁰⁰ *Id.*

¹⁰¹ EA at 54.

¹⁰² *Id.*

¹⁰³ *Id.*

¹⁰⁴ Application at 41.

¹⁰⁵ *Id.*

¹⁰⁶ *Id.*

103. The Project will be constructed according to the Avian Power Line Interaction Committee (APLIC) recommended safety standards in order to reduce avian collisions and electrocution. The Applicant will work with the EERA, DNR, and the U.S. Fish and Wildlife Services (USFWS) to identify any areas that may require marking of the transmission line to reduce the likelihood of collision. The Applicant prepared a draft Avian and Bat Protection Plan (ABPP) for the Odell Wind Farm and included measures related to the Project. The ABPP states that transmission structures will not be located within wetland areas to the extent feasible and whenever avoidance of wetland areas is not feasible, flight diverters will be installed on portions of above-ground transmission lines crossing those areas.¹⁰⁷

Rare and Unique Natural Resources

104. The Minnesota NHIS, DNR, and USFWS have been consulted to identify potential rare species in or near the Proposed Route. The NHIS identified no records of rare or unique national resources within one mile of the Proposed Route. The Minnesota Biological Survey (MBS) has completed a survey of this area for native plant communities. There are no identified MBS sites within one mile of the Proposed Route.¹⁰⁸

105. The USFWS has identified the Poweshiek skipperling's range and proposed critical habitat to include areas within Cottonwood County, and the prairie bush clover range extends into Cottonwood, Jackson, and Martin Counties. The Poweshiek skipperling is currently proposed to be listed as Endangered under the Endangered Species Act (ESA) and state special concern species, which is found in native prairie remnants. The prairie bush clover is a federal and state threatened species typically found in dry prairie sites. There are no known prairie sites within one mile of the Proposed Route.¹⁰⁹

106. Three state special concern species (trumpeter swan, Franklin's gull, and American white pelican) were observed within the Odell Wind Farm Project during the Tier 3 surveys. None of these species are protected by the federal ESA. Additionally, bald eagles, which are federally-protected under the Bald and Golden Eagle Protection Act, were observed during Tier 3 surveys. Both the trumpeter swan and bald eagle observations were from the northwestern portion of the Odell Wind Farm Project site, away from the Proposed Route.¹¹⁰

107. Due to the predominating agricultural habitat along and adjacent to the Proposed Route, impacts to rare and unique natural resources are expected to be minimal. The greatest potential for impact is the possibility that large birds will collide with the transmission line.¹¹¹

¹⁰⁷ *Id.*

¹⁰⁸ *Id.* at 42.

¹⁰⁹ *Id.*

¹¹⁰ *Id.* at 43.

¹¹¹ EA at 55 and 57.

108. The Project has been sited away from known records of rare and unique natural resources, including native habitat. The Applicant will construct the Project according to APLIC-recommended safety standards to reduce the potential for avian collisions and electrocution. If impacts to threatened or endangered species are identified, the Applicant will work with regulatory agencies to identify appropriate avoidance, minimization, and mitigative measures.¹¹²

Costs of Construction, Operation, and Maintenance

109. As stated in above in the description of the Project, the estimated cost for 9.5 miles of transmission line between the Odell Wind Farm Substation and the Woad Hill Substation is \$3.5 million. The estimated cost of the Woad Hill Substation is \$2 million.¹¹³

110. As stated above in the description of the Project, operation and maintenance costs for the transmission line will be nominal in the initial years of operation since the line will be new and minimal maintenance is required. Annual operation and maintenance costs for 115 kV transmission lines in the Upper Midwest are typically \$300 to \$600 per mile of transmission right-of-way. The principal operations and maintenance cost will be incurred through scheduled inspections which will be performed monthly by either truck or fixed-wing aircraft.¹¹⁴

Interference

111. Corona from transmission line conductors can generate electromagnetic “noise” in the radio and television frequency range. This noise can cause interference with the reception of these signals depending on the frequency and strength of the signal.¹¹⁵

112. AM radio frequency interference typically occurs immediately under a transmission line and dissipates rapidly to either side. If radio interference from transmission line corona does occur, satisfactory reception from AM radio stations can be restored by appropriate modification of (or addition to) the receiving antenna system.¹¹⁶

113. While interference with TV signal and two-way mobile radio is not expected, if interference issues arise, the Applicant will work with affected parties to correct the problem.¹¹⁷ Interference with FM radio is generally not a problem because of the excellent interference rejection properties inherent in FM broadcast band.¹¹⁸

¹¹² Application at 43.

¹¹³ *Id.* at 5.

¹¹⁴ *Id.* at 6.

¹¹⁵ EA at 31.

¹¹⁶ *Id.*

¹¹⁷ *Id.* at 32.

¹¹⁸ *Id.*

Summary of Human and Environmental Impacts and Commitment of Resources

114. The Proposed Route has human and environmental impacts, some of which are unavoidable if the Project is permitted and built. The Proposed Route is not expected to cause an irreversible or irretrievable commitment of resources, except for the use of water for dust abatement during construction and the commitment of labor and fiscal resources to develop and build the Project.¹¹⁹

115. The Proposed Route minimizes human and environmental impacts to the extent practicable.

116. The Proposed Route is 9.5 miles long and does not require a Certificate of Need.

117. The Proposed Route shall include the additional route area proposed by the Applicant.¹²⁰

118. The Proposed Route is feasible and should cause minimal economic and environmental impact due to placement of the route along the existing ROW.

Based on the Findings of Fact, the Administrative Law Judge makes the following:

CONCLUSIONS OF LAW

1. Any of the foregoing Findings more properly designated as Conclusions are hereby adopted as such.

2. The Commission has jurisdiction over the subject matter of this proceeding pursuant to Minn. Stat. § 216E.03, subd. 2.

3. The Project qualifies for review under the alternative permitting process of Minn. Stat. § 216E.04 and Minn. R. 7850.2800.

4. EERA has conducted an appropriate environmental analysis of the Project for purposes of this route permit proceeding and the EA satisfies Minn. R. 7850.3700. Specifically, the EA and the record address the issues and alternatives identified in the Scoping Decision to a reasonable extent considering the availability of information, includes the items required by Minn. R. 7850.3700, subp. 4, and was prepared in compliance with the procedures in Minn. R 7850.3700.

5. Odell gave notice as required by applicable statutes and rules, namely, Minn. Stat. §§ 216E.03, subds. 3a and 4; and 216E.04, subd. 4; and Minn. R. 7850.2100, subps. 2 and 4.

¹¹⁹ EA at 63.

¹²⁰ Route Modification

6. Notice was provided by EERA and the Commission as required by applicable statutes and rules, namely, Minn. Stat. §§ 216E.03, subd. 6; and 216E.04, subd. 6; and Minn. R. 7850.2300, subp. 2; 7850.2500, subps. 2, 7, 8 and 9; 7850.3500, subp. 1; 7850.3700, subps. 2; 3; and 6; and 7850.3800.

7. A public hearing was conducted in a community near the Proposed Route. Proper notice of the public hearing was provided and the public was given the opportunity to speak at the hearing and to submit written comments.

8. All procedural requirements for the Route Permit were met.

9. The Proposed Route satisfies the Route Permit factors set forth in Minn. Stat. § 216E.04, subd. 8, which incorporates the considerations in Minn. Stat. § 216E.03, subd. 7, and satisfied the factors in Minn. R. 7850.4100.

10. The Proposed Route does not present a potential for significant adverse environmental effects pursuant to the Minnesota Environmental Rights Act and the Minnesota Environmental Policy Act.

11. The Proposed Route is the best alternative on the record for the Transmission Line Project and the Woad Hill Substation.

12. The Route Permit should be granted for the Proposed Route.

13. The general Route Permit conditions are appropriate for the Project.

14. The Route Permit should also include a condition that Odell will obtain from the DNR a License to Cross Public Lands and Waters for the two crossing of Cedar Creek.

15. The Route Permit should require Odell to obtain all required local, state, and federal permits and licenses, to comply with the terms of those permits or licenses, and to comply with all applicable rules and regulations.

Based upon these Conclusions of Law, the Administrative Law Judge makes the following:

RECOMMENDATION

1. The Commission should conclude that all relevant statutory and rule criteria necessary to obtain a site permit have been satisfied and that there are no statutory or other requirements that preclude granting a route permit based on the record.

2. The Commission should grant Odell Wind Farm, LLC, a route permit to construct approximately 9.5 miles of new overhead 115 kV transmission line between the proposed project substation for the Odell Wind Farm and the proposed Woad Hill Substation and to construct the Woad Hill Substation.

- a. Approximately 9.5 miles of new overhead 115 kV transmission line between the proposed project substation for the Odell Wind Farm and the proposed Woad Hill Substation. The Project will extend from the new Odell Wind Farm Substation, located in Section 32 of Mountain Lake Township in Cottonwood County, to the new Woad Hill Substation, in Section 16 of Cedar Township in Martin County. The HVTL line originates at the Odell Wind Farm Substation and heads east along County Highway 17 to Jackson County Highway 85/600th Avenue. The Project then turns to run south for approximately one mile. The Project then turns to run east along Jackson County's 930th Street where, after approximately one mile, it crosses into Martin County and continues east along 240th Street for approximately two miles until the intersection of 240th Street and 30th Avenue. The Project turns South for the final time on 30th Avenue, ending approximately one and a half miles south at the proposed Woad Hill Substation at the intersection of 30th Avenue and 230th Street in Martin County. The route width for the transmission line is between 150 and 600 feet. For the majority of the Proposed Route, the route width is 150 feet extending from the road centerline. In Sections 1 and 12 of T104 R34 in Jackson County, the route width is 300 feet, 150 feet on each side of the road centerline. In Sections 6 and 7 of T104 R33 in Martin County, the route width is 600 feet; and,
 - b. The Woad Hill Substation, which will be a 345/115 kV substation on the Lakefield Generation-Fieldon segment of Xcel Energy's Lakefield Junction-Wilmarth 345 kV transmission line. The Woad Hill Substation will be located in section 16 of Cedar Township in Martin County at the intersection of 230th Street and 30th Avenue with the final configuration determined during discussions and negotiations between the Applicant and Xcel Energy.
3. That the route permit conditions identified above be incorporated into the route permit.
 4. That the Applicant be required to take those actions necessary to implement the Commission's orders in this proceeding.

Dated: August 25, 2014

s/Steve M. Mihalchick

STEVE M. MIHALCHICK
Administrative Law Judge

Reported: Shaddix & Associates
Transcript Prepared

NOTICES

The Commission may, at its own discretion, accept, modify, or reject the Administrative Law Judge's recommendations. The recommendations of the Administrative Law Judge have no legal effect unless expressly adopted by the Commission as its final order.

Exceptions to this Report, if any, by any party adversely affected must be filed under the timeframes established in the Commission's rules of practice and procedure, Minn. R. 7829.2700 and 7829.3100, unless otherwise directed by the Commission. Exceptions should be specific and stated and numbered separately. Oral argument before a majority of the Commission will be permitted pursuant to Minn. R. 7829.2700, subp. 3. The Commission will make the final determination of the matter after the expiration of the period for filing exceptions, or after oral argument, if an oral argument is held.



MINNESOTA OFFICE OF ADMINISTRATIVE HEARINGS

600 North Robert Street
Saint Paul, Minnesota 55101

Mailing Address:
P.O. Box 64620
St. Paul, Minnesota 55164-0620

Voice: (651) 361-7900
TTY: (651) 361-7878
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August 25, 2014

See Attached Service List

**Re: In the Matter of the Odell Wind Farm, LLC's Route Permit Application
for the Proposed 115 kV Transmission Line and Associated Facilities**

**OAH 48-2500-31501
MPUC IP-6914/TL-13-591**

To All Persons on the Attached Service List:

Enclosed and served upon you is the Administrative Law Judge's **FINDINGS OF FACT, CONCLUSIONS OF LAW AND RECOMMENDATION** in the above-entitled matter.

If you have any questions, please contact my legal assistant Kendra McCausland at (651) 361-7870 or kendra.mccausland@state.mn.us.

Sincerely,

s/Steve M. Mihalchick

STEVE M. MIHALCHICK
Administrative Law Judge

SMM:klm
Enclosure

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS
PO BOX 64620
600 NORTH ROBERT STREET
ST. PAUL, MINNESOTA 55164

CERTIFICATE OF SERVICE

In the Matter of the Odell Wind Farm, LLC's Route Permit Application for the Proposed 115 kV Transmission Line and Associated Facilities	OAH Docket No.: 48-2500-31501
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Kendra McCausland certifies that on August 25, 2014 she served the true and correct **FINDINGS OF FACT, CONCLUSIONS OF LAW AND RECOMMENDATION** by eService, and U.S. Mail, (in the manner indicated below) to the following individuals:

First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret
Julia	Anderson	Julia.Anderson@ag.state.mn.us	Office of the Attorney General-DOC	1800 BRM Tower 445 Minnesota St St. Paul, MN 551012134	Electronic Service	Yes
Christina	Brusven	cbrusven@fredlaw.com	Fredrikson Byron	200 S 6th St Ste 4000 Minneapolis, MN 554021425	Electronic Service	No
Jeremy	Duehr	jduehr@fredlaw.com	Fredrikson & Byron, P.A.	200 South Sixth Street Suite 4000 Minneapolis, Minnesota 55402-1125	Electronic Service	No
Sharon	Ferguson	sharon.ferguson@state.mn.us	Department of Commerce	85 7th Place E Ste 500 Saint Paul, MN 551012198	Electronic Service	No
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In the Matter of the Route Permit Application by
 Odell Wind Farm, LLC for a 115 kV Transmission Line and
 Associated Facilities in Cottonwood, Jackson, and Martin
 Counties, Minnesota

Minnesota Public Utilities Commission
MASTER EXHIBIT LIST
 PUC Docket No. IP-6914/TL-13-591
 OAH Docket No. 48-2500-31501

Item Number	Author	Date	Description	eDockets Number
1	ODELL WIND FARM, LLC	7/8/2013	INITIAL FILING--NOTICE OF ROUTE PERMIT APPLICATION UNDER ALTERNATIVE REVIEW	20137-88942-01
2	ODELL WIND FARM LLC	12/12/2013	INITIAL FILING--COVER INITIAL FILING--APPLICATION INITIAL FILING--MAPS INITIAL FILING--APPENDIX A	201312-94551-01 201312-94551-02 201312-94551-03 201312-94551-04
3	PUC	1/23/2014	NOTICE--OF PUBLIC INFORMATION AND ENVIRONMENTAL ASSESSMENT SCOPING MEETING	20141-95727-01
4	ODELL WIND FARM, LLC	1/23/2014	COMPLIANCE FILING	20141-95738-01
5	ODELL WIND FARM, LLC	1/27/2014	COMPLIANCE FILING--SUPPLEMENT-NEWSPAPER NOTICE & TEAR SHEET & AFFIDAVIT OF PUBLICATION	20141-95836-01
6	PUC	2/4/2014	ORDER FINDING APPLICATION COMPLETE AND REFERRING MATTER TO THE OFFICE OF ADMINISTRATIVE HEARINGS CERTIFICATE OF SERVICE AND SERVICE LIST	20142-96156-01 20142-96156-02
7	MN DNR	2/24/2014	COMMENTS	20142-96736-01

Item Number	Author	Date	Description	eDockets Number
8	MN DOC-EERA	2/28/2014	PUBLIC COMMENTS--NOTES FROM ODELL WIND HVTL PUBLIC INFORMATION AND EA SCOPING MEETING 2-10-14, WINDOM COMMUNITY CENTER	20142-96887-01
9	DOC-EERA	4/17/2014	OTHER--ODELL WIND HVTL PROJECT - DOC ENVIRONMENTAL ASSESSMENT SCOPING DECISION	20144-98456-01
10	ODELL WIND FARM, LLC	6/6/2014	OTHER--ODELL CHANGE TO ROUTE IN ROUTE PERMIT APPLICATION	20146-100231-01
11	PUC	6/20/2014	NOTICE--OF PUBLIC HEARING CERTIFICATE OF SERVICE AND SERVICE LIST	20146-100636-01 20146-100636-02
12	DOC EERA	7/1/2014	NOTICE--OF ENVIRONMENTAL ASSESSMENT	20147-101131-01
13	DOC-EERA	7/1/2014	OTHER--ODELL WIND HVTL ENVIRONMENTAL ASSESSMENT	20146-101031-01
14	ODELL WIND FARM, LLC	7/8/14	DIRECT TESTIMONY AAND SCHEDULES FOR JORDAN BURMEISTER	20147-101292-01
15	ODELL WIND FARM, LLC	7/23/14	Affidavit of Publication	20147-101678-01
16	DOC EERA	7/9/14	EQB Monitor Notice	20147-101288-01

September 4, 2014

VIA ELECTRONIC FILING

Dr. Burl W. Haar
Executive Secretary
Minnesota Public Utilities Commission
121 Seventh Place East, Suite 350
Saint Paul, MN 55101-2147

**Re: In the Matter of the Odell Wind Farm, LLC's Route Permit Application for the Proposed 115 kV Transmission Line and Associated Facilities in Cottonwood, Jackson, and Martin Counties
MPUC No. IP-6914/ TL-13-591 and OAH 48-2500-31501**

Dear Dr. Haar:

Enclosed please find Odell Wind Farm, LLC's Exceptions to the ALJ's Findings of Fact, Conclusions of Law and Recommendation that were efiled today via eDockets.

A copy of this filing is also being served upon the persons on the Official and Special Service Lists. Please let me know if you have any questions regarding this filing.

Sincerely,

/s/ Jeremy P. Duehr

Jeremy P. Duehr
Attorney at Law
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JPD/kfb

Enc.

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**STATE OF MINNESOTA
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 Odell Wind Farm, LLC's
Route Permit Application for the Proposed
115 kV Transmission Line and Associated
Facilities in Cottonwood, Jackson and Martin
Counties, Minnesota

**EXCEPTIONS TO THE ALJ'S FINDINGS
OF FACT, CONCLUSIONS OF LAW, AND
RECOMMENDATION**

**OAH 48-2500-31501
PUC No. IP-6914/WS-13-591**

I. INTRODUCTION

Odell Wind Farm, LLC ("Odell" or the "Applicant") agrees with, and recommends that the Minnesota Public Utilities Commission ("Commission") adopt the Administrative Law Judge's ("ALJ") comprehensive Findings of Fact, Conclusions of Law and Recommendation filed on August 25, 2014 in the above-referenced docket ("ALJ Report")¹, subject to the one exception discussed below related to the location options for the proposed Woad Hill Substation.

II. DISCUSSION

B. Proposed Location of Woad Hill Substation

The ALJ Report accurately states that the Woad Hill Substation was originally proposed for the southeast corner of the intersection of 230th Street and 30th Avenue in Section 16 of Cedar

¹ Findings of Fact, Conclusions of Law and Recommendation, *In the Matter of Odell Wind Farm, LLC's Route Permit Application for the Proposed 115kV Transmission Line and Associated Facilities in Cottonwood, Jackson, and Martin Counties, Minnesota* Docket No. IP-6914/TL-13-591 (August 25, 2014).

Township. As described in the ALJ Report, the placement of the Woad Hill Substation in that location may not be practicable due to Xcel Energy's internal design spacing requirements for substations and switchyards. As a result, Odell investigated the option of locating the Woad Hill Substation in the northwest quadrant of the intersection of 230th Street and 30th Avenue. The ALJ Report and portions of the record incorrectly state that the northwest quadrant of the intersection of 230th Street and 30th Avenue is in Section 16 of Cedar Township rather than Section 8 of Cedar Township. Odell respectfully requests that the Commission correct Findings of Fact 3, 4 and 54 and Recommendations Sections 2(a) and 2(b) of the ALJ's Report to reflect that the northwest quadrant of the intersection of 230th Street and 30th Avenue is in Section 8 and that proposed Woad Hill Substation may be located in Section 8 or Section 16 depending upon discussions with Xcel Energy. As corrected, the relevant Findings of Fact and Recommendations read as follows:

3. The Proposed Route of the Project extends from the new Odell Wind Farm substation located in Section 32 of Mountain Lake Township in Cottonwood County and heads east along County Highway 17 to Jackson County Highway 85/600th Avenue. The Proposed Route then turns to run south for approximately one mile. The Proposed Route then turns to run east along Jackson County's 930th Street where, after approximately one mile, it crosses into Martin County and continues east along 240th Street for approximately two miles until the intersection of 240th Street and 30th Avenue. The Proposed Route turns south for the final time on 30th Avenue, ending approximately one and a half miles south at the proposed Woad Hill Substation at the intersection of 30th Avenue and 230th Street in Section 8 or Section 16 of Cedar Township in Martin County.³
4. The Woad Hill Substation was originally proposed for the southeast corner of the intersection of 230th Street and 30th Avenue in Section 16 of Cedar Township.⁴ In design discussions with Xcel Energy, which owns the transmission line to which the Woad Hill Substation will connect, it was determined that the placement of the Woad Hill Substation in the southeast corner of the intersection of 230th Street and 30th Avenue may not be practicable due to Xcel Energy's internal design spacing requirements for substations and switchyards.⁵ Ongoing discussions between Odell and Xcel Energy have resulted in the need for Odell to investigate the option of locating the Woad Hill Substation in the northwest quadrant of the intersection of 230th Street and 30th Avenue in Section ~~16~~ 8.⁶

Odell submitted a request to the Commission to modify the route slightly to accommodate the option of locating the Woad Hill Substation there instead.⁷

54. Mr. Davis of EERA testified at the public hearing that the option presented by Odell to locate the Woad Hill Substation in the northwest quadrant of the intersection of 230th Street and 30th Avenue in ~~Section 16~~ Section 8 would address the DNR's request to keep the Woad Hill Substation as far from Cedar Creek as practicable.⁵⁷
2. The Commission should grant Odell Wind Farm, LLC, a route permit to construct approximately 9.5 miles of new overhead 115 kV transmission line between the proposed project substation for the Odell Wind Farm and the proposed Woad Hill Substation and to construct the Woad Hill Substation.
 - a. Approximately 9.5 miles of new overhead 115 kV transmission line between the proposed project substation for the Odell Wind Farm and the proposed Woad Hill Substation. The Project will extend from the new Odell Wind Farm Substation, located in Section 32 of Mountain Lake Township in Cottonwood County, to the new Woad Hill Substation, in Section 8 or Section 16 of Cedar Township in Martin County. The HVTL line originates at the Odell Wind Farm Substation and heads east along County Highway 17 to Jackson County Highway 85/600th Avenue. The Project then turns to run south for approximately one mile. The Project then turns to run east along Jackson County's 930th Street where, after approximately one mile, it crosses into Martin County and continues east along 240th Street for approximately two miles until the intersection of 240th Street and 30th Avenue. The Project turns South for the final time on 30th Avenue, ending approximately one and a half miles south at the proposed Woad Hill Substation at the intersection of 30th Avenue and 230th Street in Martin County. The route width for the transmission line is between 150 and 600 feet. For the majority of the Proposed Route, the route width is 150 feet extending from the road centerline. In Sections 1 and 12 of T104 R34 in Jackson County, the route width is 300 feet, 150 feet on each side of the road centerline. In Sections 6 and 7 of T104 R33 in Martin County, the route width is 600 feet; and,
 - b. The Woad Hill Substation, which will be a 345/115 kV substation on the Lakefield Generation-Fieldon segment of Xcel Energy's Lakefield Junction-Wilmarth 345 kV transmission line. The Woad Hill Substation will be located in Section 8 or Section 16 of Cedar Township in Martin County at the intersection of 230th Street and 30th Avenue with the final configuration determined during discussions and negotiations between the Applicant and Xcel Energy.

These corrections clarify the potential locations of the proposed Woad Hill Substation in Cedar Township, Martin County.

III. CONCLUSION

Applicant respectfully requests that the Commission adopt the ALJ Report in its entirety, with the exception of the corrections to Findings of Fact 3, 4, and 54 and Recommendation 2, discussed above. In addition, the Applicant respectfully requests that the Commission issue a route permit to Odell incorporating the clarifications provided above.

Dated: September 4, 2014

Respectfully submitted,

/s/ Jeremy P. Duehr

Christina K. Brusven (#0388226)

Jeremy P. Duehr (#0391808)

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September 15, 2014

Burl W. Haar
Executive Secretary
Minnesota Public Utilities Commission
127 7th Place East, Suite 350
St. Paul, MN 55101-2147

RE: Exceptions to Administrative Law Judge's Report
Odell Wind Farm, LLC - Odell Wind HVTL Project
Docket No. IP-6914/TL-13-591
OAH 48-2500-31501

Dear Dr. Haar:

In accordance with the Office of Administrative Hearing's Order on May 27, 2014, the Minnesota Department of Commerce Energy Environmental Review and Analysis (EERA) staff is providing the Commission with EERA's exceptions to the Administrative Law Judge's Report filed on August 25, 2014.

EERA staff is available to answer any questions the Commission may have.

Sincerely,

A handwritten signature in cursive script that reads "Richard Davis".

Richard Davis
EERA Staff

**STATE OF MINNESOTA
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 Odell Wind Farm, LLC's
Route Permit Application for the Proposed
115 kV Transmission Line and Associated
Facilities in Cottonwood, Jackson and
Martin Counties, Minnesota

PUC IP-6914/WS-13-591
OAH 48-2500-31501

**DOC EERA'S EXCEPTIONS TO
ADMINISTRATIVE LAW
JUDGE'S REPORT**

I. INTRODUCTION

The Department of Commerce, Energy Environmental Review and Analysis (EERA), respectfully submits the following exceptions to the Findings of Fact, Conclusions, and Recommendation (Report) issued by Administrative Law Judge Steve M. Mihalchick (ALJ) for the proposed Odell Wind Farm, LLC (Applicant) new 9.5 mile 115 kV high voltage transmission line (HVTL) in Cottonwood, Jackson and Martin counties (Project). Overall, the 23-page report provides a comprehensive analysis of the record evidence. EERA supports the ALJ's recommendation to issue a Route Permit to Odell Wind Farm, LLC (Applicant).

Specifically, EERA recommends that the Minnesota Public Utilities Commission (Commission) issue a Route Permit to Odell Wind Farm, LLC for the new 9.5 mile 115 kV HVTL extending

from the proposed Odell Wind Farm Substation to the proposed Woad Hill Substation incorporating the recommendations provided below.

II. PROPOSED MODIFICATIONS TO ALJ REPORT

EERA respectfully suggests the following changes to the ALJ's report, as identified by the Applicant in their September 4, 2014 Exceptions to the ALJ's Finding of Fact, Conclusions of Law, and Recommendations.

EERA agrees with the Applicant's proposed corrections with respect to location of the Woad Hill Substation, which includes corrections to Findings of Fact 3, 4, and 54 and Recommendation 2 in the ALJ's Report.

EERA staff appreciates the opportunity to submit these exceptions.

In conclusion EERA recommends issuance of a Route Permit to Odell Wind Farm, LLC utilizing the ALJ's Report Conclusions of Law and Recommendations, with the Applicant's correction to 2.

Dated: September 15, 2014

Respectfully submitted,



Richard I. Davis
Environmental Review Manager

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STATE OF MINNESOTA PUBLIC UTILITIES COMMISSION

**ROUTE PERMIT FOR CONSTRUCTION OF A HIGH-VOLTAGE TRANSMISSION
LINE AND ASSOCIATED FACILITIES**

**IN
COTTONWOOD, JACKSON AND MARTIN COUNTIES**

**ISSUED TO
ODELL WIND FARM, LLC**

PUC DOCKET NUMBER IP-6914/TL-13-591

In accordance with the requirements of Minnesota Statutes Chapter 216E and Minnesota Rules Chapter 7850 this route permit is hereby issued to:

ODELL WIND FARM, LLC

Odell Wind Farm, LLC is authorized by this route permit to construct 9.5 miles of single circuit overhead 115 kilovolt (kV) High Voltage Transmission Line, up to 1,500 feet of a single 345 kV High Voltage Transmission Line, the Woad Hill Substation in Martin County, and associated facilities.

The transmission line and associated facilities shall be built within the route identified in this permit and as portrayed on the official route maps, and in compliance with the conditions specified in this permit.

Approved and adopted this 29th day of October, 2014

BY ORDER OF THE COMMISSION



Burl W. Haar,
Executive Secretary

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FIGURES

Route Maps

ATTACHMENTS

Attachment A – Complaint Procedures for High-Voltage Transmission Lines

Attachment B – Compliance Filing Procedure for Permitted Energy Facilities

1.0 ROUTE PERMIT

The Minnesota Public Utilities Commission (Commission) hereby issues this route permit to Odell Wind Farm, LLC (Permittee) pursuant to Minnesota Statutes Chapter 216E and Minnesota Rules Chapter 7850. This permit authorizes the Odell Wind Farm, LLC to construct up to 9.5 miles of single circuit overhead 115 kilovolt (kV) High Voltage Transmission Line (HVTL) and up to 1,500 feet of a single 345 kV High Voltage Transmission Line, and as identified in the attached route permit maps, hereby incorporated into this permit.

1.1 Pre-emption

Pursuant to Minn. Stat. § 216E.10, this route permit shall be the sole approval required to be obtained by the Permittee for construction of the transmission facilities and this permit shall supersede and preempt all zoning, building, or land use rules, regulations, or ordinances promulgated by regional, county, local and special purpose governments.

2.0 PROJECT DESCRIPTION

The Project includes construction of approximately 9.5 miles of 115 kV high voltage transmission line, and associated facilities, including a 1,500-foot 345 kV HVTL, in Cottonwood, Jackson, and Martin counties, Minnesota, beginning at the planned Odell Wind Farm Substation in Cottonwood County to the proposed Woad Hill Substation in Martin County (the Project). The Project will provide interconnection to the 200-megawatt (MW) Odell Wind Farm located in Cottonwood, Jackson, Watonwan, and Martin Counties.

2.1 Project Location

The Project area includes the following locations:

County	Township Name	Township	Range	Section
Cottonwood	Mountain Lake	105N	34W	32,33,34,35,36
Jackson	Kimball	104N	34W	1,2,3,4,5,11,12
Martin	Cedar	104N	34W	4,5,6,7,8,9,16,17

2.2 Associated Facilities

The transmission line and associated facilities shall be designed to meet or exceed all relevant local and state codes, the National Electric Safety Code (NESC), and North American Electric Reliability Corporation (NERC) requirements.

This includes standards relating to clearances to ground, clearance to crossing utilities, clearance to buildings, strength of materials, clearances over roadways, right-of-way widths, and permit requirements. The transmission line shall be equipped with protective devices to safeguard the public if an accident occurs.

2.2.1 Substations

The new Woad Hill Substation will be constructed either in the NW or SE quadrant of 30th Avenue and south of 230th Street in Section 8 or Section 16 of Cedar Township in Martin County. The substation will consist of supporting structures for high voltage electrical structures, breakers, transformers, lightning protection, and control equipment. The area around the substation will be fenced with driveway access from the east and north. The ground within the substation will be graded and secondary containment areas for the transformer will be installed as necessary. Gravel will be placed on the surface of the ground in and around the substation to assist with weed control. The Woad Hill Substation will take up approximately 10 acres of land.

2.2.2 Structures

The Permittee will use wood and/or T steel structures capable of handling a single-circuit load by constructing the single-circuit transmission line on wood and/or steel monopole structures, direct-embedded in approximately 3-foot diameter holes augured to a depth of approximately fourteen percent of the total structure height, or approximately 9 to 14 feet. Pole structures will be located approximately 350 to 400 feet apart.

Final design and geotechnical investigations may warrant the use of special structures to avoid sensitive areas or to accommodate special engineering circumstances. Structure installations may require special engineering techniques in some locations, due to hydric soils, near and above surface bedrock, and other subsurface conditions. The near and above surface bedrock design and construction would typically involve using specialized drilling equipment to bore a hole directly into the bedrock. The need for self-supporting angle and dead-end or atypical structures will be determined during final design.

The table below identifies the structure types as presented in the route permit application.

Line Type	Conductor	Structure		Foundation	Approximate Height	Approximate Span
		Type	Material			
115 kV	1272 kcmil ACSR	Monopole	Wood	Direct embed	65-70 feet	400 feet
		Self-Supporting	Steel	Drilled Pier Concrete Foundation ¹		

2.2.3 Conductors

The conductor for each of the three phases of the 115 kV line will be 1272 kcmil (one thousand circular mils) ACSR (Aluminum Conductor Steel Reinforced) “Bittern” transmission line.

3.0 DESIGNATED ROUTE

The route designated by the Commission in this permit is the route described below and shown on the route maps attached to this permit. The route is generally described as follows:

The Project will connect the Odell Wind Farm Substation, extend approximately four miles to the east adjacent to County Highway 17, turn south and extend south into Jackson County for approximately one mile adjacent to County Road 85, then extend east for approximately three miles adjacent to 240th Street in Martin County, and turn south adjacent to 30th Avenue for approximately 1.5 miles ultimately terminating at the proposed Woad Hill Substation in Section 8 or Section 16 of Cedar Township in Martin County. The proposed Woad Hill Substation will be a new 345/115 kV substation on Northern States Power’s Lakefield Junction-Wilmarth 345 kV transmission line.

The Project will utilize a variable 150 to 600 foot route width. The majority of the Route will be 150 feet wide extending from the road centerline. The route width in Sections 1 and 12 of Kimball Township in Jackson County will be 300 feet, extending 150 feet on both sides of the road centerline in order to provide flexibility to accommodate distances from home. The route width in Sections 6 and 7 of Cedar Township in Martin County will be 600 feet to allow flexibility to work around a known easement title issues.

¹ Drilled pier concrete foundations will be used for steel corner/dead-end structures if guying is not possible.

The identified route widths will provide the Permittee with flexibility for minor adjustments of the specific alignment or right-of-way to accommodate landowner requests and unforeseen conditions. The final alignment (i.e., permanent and maintained rights-of-way) will be located within this designated route unless otherwise authorized below.

3.1 Right-of-Way

The approved right-of-way for the project is up to 130 feet. The transmission easements for the Project include a strip of land that is 80 feet wide parallel and adjacent to the existing road right-of-way, and a strip of land comprising one-half of the existing road right-of-way. The road rights-of-way are generally 66 feet for township roads or 100 feet for county roads. The total easement width is 113 feet along township roads and 130 feet along county roads.

This permit anticipates that the right-of-way will generally conform to the anticipated alignment as noted on the attached route permit maps unless changes are requested by individual landowners and agreed to by Permittee or for unforeseen conditions that are encountered or are otherwise provided for by this permit.

Any right-of-way modifications within the designated route shall be located so as to have comparable overall impacts relative to the factors in Minn. R. 7850.4100, as does the right-of-way identified in this permit, and shall be specifically identified and documented in and approved as part of the plan and profile submitted pursuant to Section 8.1 of this permit.

Where the transmission line route parallels existing highway and other road rights-of-way, the transmission line right-of-way shall occupy and utilize the existing right-of-way to the maximum extent possible, consistent with the criteria in Minn. R. 7850.4100, the other requirements of this permit, and for highways under the jurisdiction of the Minnesota Department of Transportation (Mn/DOT) rules, policies, and procedures for accommodating utilities in trunk highway rights-of-way.

4.0 GENERAL CONDITIONS

The Permittee shall comply with the following conditions during construction of the transmission line and associated facilities over the life of this permit.

4.1 Notification to Landowners

The Permittee shall provide all affected landowners with a copy of this permit and, as a separate information piece, the complaint procedures at the time of the first contact with the landowners after issuance of this permit.

The Permittee shall contact landowners prior to entering the property or conducting maintenance along the route.

The Permittee shall work with landowners to locate the high-voltage transmission line to minimize the loss of agricultural land, forest, and wetlands, and to avoid homes and farmsteads.

4.2 Construction Practices

The Permittee shall follow those specific construction practices and material specifications described in the Odell Wind Farm, LLC Application to the Commission for a route permit for the Odell Wind Farm, dated December 12, 2013, as amended by the June 6, 2014 Request for Route Width Expansion unless this permit establishes a different requirement in which case this permit shall prevail.

4.2.1 Field Representative

At least 14 days prior to commencing construction, the Permittee shall advise the Commission in writing of the person or persons designated to be the field representative for the Permittee with the responsibility to oversee compliance with the conditions of this permit during construction. This person shall be accessible by telephone during normal business hours throughout right-of-way preparation, construction, cleanup, and restoration.

The field representative's address, phone number, emergency phone number, and email shall be provided to the Commission and to affected landowners, residents, public officials and other interested persons. The Permittee may change the field representative at any time upon notice to landowners and the Commission.

4.2.2 Employee Training and Education of Permit Terms and Conditions

The Permittee shall inform all employees, contractors, and other persons involved in the transmission line construction of the terms and conditions of this permit.

4.2.3 Public Services, Public Utilities, and Existing Easements

During construction, the Permittee shall minimize any disruption to public services or public utilities. To the extent disruptions to public services or public utilities occur these would be temporary and the Permittee will restore service promptly. Where any impacts to utilities have the potential to occur the Permittee will work with both landowners and local agencies to determine the most appropriate transmission structure placement.

The Permittee shall work with the landowners, townships, cities, and counties along the route to accommodate concerns regarding tree clearing, distance from existing structures, drain tiles, pole depth and placement in relationship to existing roads and road expansion plans.

The Permittee shall cooperate with county and city road authorities to develop appropriate signage and traffic management during construction.

4.2.4 Temporary Work Space

The Permittee shall limit temporary easements to special construction access needs and additional staging or lay-down areas required outside of the authorized right-of-way. Temporary space shall be selected to limit the removal and impacts to vegetation. Temporary easements outside of the authorized transmission line right-of-way will be obtained from affected landowners through rental agreements and are not provided for in this permit.

Temporary driveways may be constructed between the roadway and the structures to minimize impact using the shortest route possible. Construction mats should also be used to minimize impacts on access paths and construction areas.

4.2.5 Noise

Construction and routine maintenance activities shall be limited to daytime working hours, as defined in Minn. R. 7030.0200, to ensure nighttime noise level standards will not be exceeded.

4.2.6 Aesthetics

The Permittee shall consider input pertaining to visual impacts from landowners or land management agencies prior to final location of structures, rights-of-way, and other areas with the potential for visual disturbance. Care shall be used to preserve the natural landscape, minimize tree removal and prevent any unnecessary destruction of the natural surroundings in the vicinity of the project during construction and maintenance.

Structures shall be placed at a distance, consistent with sound engineering principles and system reliability criteria, from intersecting roads, highway, or trail crossings and could cross roads to minimize or avoid impacts.

4.2.7 Vegetation Removal and Protection

The Permittee shall minimize the number of trees to be removed in selecting the right-of-way specifically preserving to the maximum extent practicable windbreaks, shelterbelts, living snow fences, and vegetation in areas such as trail and stream crossings where vegetative screening may minimize aesthetic impacts, to the extent that such actions do not violate sound engineering principles or system reliability criteria.

Tall growing species located within the transmission line right-of-way that endanger the safe and reliable operation of the transmission facility will be removed by the Permittee.

The Permittee shall leave undisturbed, to the extent possible, existing low growing species in the right-of-way or replant such species in the right-of-way to blend the difference between the right-of-way and adjacent areas, to the extent that the low growing vegetation that will not pose a threat to the transmission facility or impede construction.

4.2.8 Application of Herbicides

The Permittee shall restrict herbicide use to those herbicides and methods of application approved by the Minnesota Department of Agriculture and the U.S. Environmental Protection Agency. Selective foliage or basal application shall be used when practicable. The Permittee shall contact the landowner or his designee to obtain approval for the use of herbicide prior to any application on their property. The landowner may request that there be no application of herbicides on any part of the right-of-way within the landowner's property. All herbicides shall be applied in a safe and cautious manner so as not to damage crops, orchards, tree farms, or gardens.

4.2.9 Noxious Weeds

The Permittee shall take all reasonable precautions against the spread of noxious weeds during all phases of construction. When utilizing seed to establish temporary and permanent vegetative cover on exposed soil, the Permittee shall select site appropriate seed certified to be free of noxious weeds. To the extent possible, the Permittee shall use native seed mixes. The Permittee shall consult with landowners on the selection and use of seed for replanting.

4.2.10 Site Sediment and Erosion Control

The Permittee shall implement those erosion prevention and sediment control practices recommended by the Minnesota Pollution Control Agency (MPCA) Construction Stormwater Program.

The Permittee shall implement reasonable measures to minimize erosion and sedimentation during construction and shall employ perimeter sediment controls, protect exposed soil by promptly planting, seeding, using erosion control blankets and turf reinforcement mats, stabilizing slopes, protecting storm drain inlets, protecting soil stockpiles, and controlling vehicle tracking. Contours shall be graded as required so that all surfaces provide for proper drainage, blend with the natural terrain, and are left in a condition that will facilitate re-vegetation and prevent erosion. All areas disturbed during construction of the facilities shall be returned to pre-construction conditions.

Where larger areas of one acre or more are disturbed or other areas designated by the MPCA, the Permittee shall obtain a National Pollutant Discharge Elimination System (NPDES)/State Disposal System (SDS) Construction Stormwater permit from the MPCA.

4.2.11 Wetlands and Water Resources

Wetland impact avoidance measures that shall be implemented during design and construction of the transmission line will include spacing and placing the power poles at variable distances to span and avoid wetlands, watercourses, and floodplains. Unavoidable wetland impacts as a result of the placement of poles shall be limited to the immediate area around the poles. To minimize impacts, construction in wetland areas shall occur during frozen ground conditions. When construction during winter is not possible, wooden or composite mats shall be used to protect wetland vegetation. Soil excavated from the wetlands and riparian areas shall be contained and not placed back into the wetland or riparian area.

Wetlands and riparian areas shall be accessed using the shortest route possible in order to minimize travel through wetland areas and prevent unnecessary impacts. No staging or stringing set up areas shall be placed within or adjacent to wetlands or water resources, as practicable. Power pole structures shall be assembled on upland areas before they are brought to the site for installation.

Areas disturbed by construction activities shall be restored to pre-construction conditions. Restoration of the wetlands will be performed by Permittee in accordance with the requirements of applicable state and federal permits or laws and landowner agreements.

All requirements of the U.S. Army Corps of Engineers (wetlands under federal jurisdiction), Minnesota Department of Natural Resources (Public Waters/Wetlands), and County (wetlands under the jurisdiction of the Minnesota Wetland Conservation Act) shall be met.

4.2.12 Archaeological and Historic Resources

The Permittee shall make every effort to avoid impacts to identified archaeological and historic resources when installing the high-voltage transmission line on the approved route. The Permittee shall consult with the Minnesota State Historic Preservation Office (SHPO) prior to commencing construction to determine whether an archaeological survey will be necessary for any length of the transmission line route.

In the event that a resource is encountered, the Permittee shall contact and consult with SHPO. The Permittee shall not excavate at such locations until authorization is provided by SHPO. Where feasible, avoidance of the resource is required. Where not feasible, mitigation must include an effort to minimize project impacts on the resource consistent with SHPO and State Archaeologist requirements. If human remains are encountered during construction, the Permittee shall immediately halt construction at that location and promptly notify local law enforcement authorities and the State Archaeologist.

Prior to construction, workers shall be trained about the need to avoid cultural properties, how to identify cultural properties, and procedures to follow if undocumented cultural properties, including gravesites, are found during construction.

4.2.13 Avian Mitigation

The Permittee's standard transmission design shall incorporate adequate spacing of conductors and grounding devices in accordance with Avian Power Line Interaction Committee standards to eliminate the risk of electrocution to raptors with larger wingspans that may simultaneously come in contact with a conductor and grounding devices. The Permittee will consult with the Minnesota Department of Natural Resources regarding type and placement of bird diverters.

4.2.14 Restoration

The Permittee shall restore the right-of-way, temporary work spaces, access roads, abandoned right-of-way, and other public or private lands affected by construction of the transmission line. Restoration within the right-of-way must be compatible with the safe operation, maintenance, and inspection of the transmission line. Within 60 days after completion of all restoration activities, the Permittee shall advise the Commission in writing of the completion of such activities.

4.2.15 Cleanup

All waste and scrap that is the product of construction shall be removed from the right-of-way and all premises on which construction activities were conducted and properly disposed of upon completion of each task. Personal litter, including bottles, cans, and paper from construction activities shall be removed on a daily basis.

4.2.16 Pollution and Hazardous Wastes

All appropriate precautions to protect against pollution of the environment must be taken by the Permittee. The Permittee shall be responsible for compliance with all laws applicable to the generation, storage, transportation, clean up and disposal of all wastes generated during construction and restoration of the right-of-way.

4.2.17 Damages

The Permittee shall fairly compensate landowners for damage to crops, fences, private roads and lanes, landscaping, drain tile, or other damages sustained during construction.

4.3 Electrical Performance Standards

4.3.1 Grounding

The Permittee shall design, construct, and operate the transmission line in a manner so that the maximum induced steady-state short-circuit current shall be limited to five milliamperes root mean square (rms) alternating current between the ground and any non-stationary object within the right-of-way, including but not limited to large motor vehicles and agricultural equipment. All fixed metallic objects on or off the right-of-way, except electric fences that parallel or cross the right-of-way, shall be grounded to the extent necessary to limit the induced short-circuit current between ground and the object so as not to exceed one milliamperes rms under steady state conditions of the transmission line and to comply with the ground fault conditions specified in the NESC. The Permittee shall address and rectify any induced current problems that arise during transmission line operation.

4.3.2 Electric Field

The transmission line shall be designed, constructed, and operated in such a manner that the electric field measured one meter above ground level immediately below the transmission line shall not exceed 8.0 kV/m rms.

4.3.3 Interference with Communication Devices

If interference with radio or television, satellite, wireless internet, GPS-based agriculture navigation systems or other communication devices is caused by the presence or operation of the transmission line, the Permittee shall take whatever action is feasible to restore or provide reception equivalent to reception levels in the immediate area just prior to the construction of the line.

4.4 Other Requirements

4.4.1 Applicable Codes

The Permittee shall comply with applicable NERC planning standards and requirements of the NESC including clearances to ground, clearance to crossing utilities, clearance to buildings, right-of way widths, erecting power poles, and stringing of transmission line conductors.

4.4.2 Other Permits and Regulations

The Permittee shall comply with all applicable state rules and statutes. The Permittee shall obtain all required permits for the project and comply with the conditions of these permits. A list of the permits known to be required is included in the permit application. The Permittee shall submit a copy of such permits to the Commission upon request.

5.0 SPECIAL CONDITIONS

The Permittee shall provide a report to the Commission as part of the plan and profile submission that describes the actions taken and mitigative measures developed regarding the project and the following special conditions. Special conditions shall take precedence over other conditions of this permit should there be a conflict.

5.1 Wildlife-Friendly Erosion Control Materials

The Permittee, in cooperation with the Minnesota Department of Natural Resources, shall use wildlife-friendly erosion control materials in areas known to be inhabited by wildlife species (birds, small mammals, reptiles, and amphibians) susceptible to entanglement in plastic netting.²

² <http://files.dnr.state.mn.us/eco/nongame/wildlife-friendly-erosion-control.pdf>

5.2 Rare and Unique Resources

The Permittee shall follow measures and recommendations for avoiding and minimizing impacts to Blanding's turtle populations as outlined in the Minnesota Department of Natural Resources Environmental Review Fact Sheet Series for the Blanding's Turtle.³ Construction and maintenance personnel will be made aware of rare resources and plant communities during pre-construction meetings to minimize potential disturbance. The Permittee shall avoid impacts to State-listed endangered, threatened, and special concern species in all areas of the project including temporary workspaces associated with the project.

6.0 DELAY IN CONSTRUCTION

If the Permittee has not commenced construction or improvement of the route within four years after the date of issuance of this permit the Permittee shall file a report on the failure to construct and the Commission shall consider suspension of the permit in accordance with Minn. R. 7850.4700.

7.0 COMPLAINT PROCEDURES

Prior to the start of construction, the Permittee shall submit to the Commission the procedures that will be used to receive and respond to complaints. The procedures shall be in accordance with the requirements of Minn. R. 7829.1500 or Minn. R. 7829.1700, and as set forth in the complaint procedures attached to this permit.

Upon request, the Permittee shall assist the Commission with the disposition of unresolved or longstanding complaints. This assistance shall include, but is not limited to, the submittal of complaint correspondence and complaint resolution efforts.

8.0 COMPLIANCE REQUIREMENTS

Failure to timely and properly make compliance filings required by this permit is a failure to comply with the conditions of this permit. Compliance filings must be electronically filed with the Commission.

³ http://files.dnr.state.mn.us/natural_resources/animals/reptiles_amphibians/turtles/blandings_turtle/factsheet.pdf

8.1 Plan and Profile

At least 30 calendar days before right-of-way preparation for construction begins on any segment or portion of the project, the Permittee shall provide the Commission with a plan and profile of the right-of-way and the specifications and drawings for right-of-way preparation, construction, structure specifications and locations, cleanup, and restoration for the transmission line.

The documentation shall include maps depicting the plan and profile including the right-of-way, alignment, and structures in relation to the route and alignment approved per this permit.

The Permittee may not commence construction until the 30 days has expired or until the Commission has advised the Permittee in writing that it has completed its review of the documents and determined that the planned construction is consistent with this permit. If the Permittee intends to make any significant changes in its plan and profile or the specifications and drawings after submission to the Commission, the Permittee shall notify the Commission at least five days before implementing the changes. No changes shall be made that would be in violation of any of the terms of this permit.

8.2 Periodic Status Reports

The Permittee shall report to the Commission on progress regarding finalization of the route, design of structures, and construction of the transmission line. The Permittee need not report more frequently than monthly.

8.3 Completion of Construction

8.3.1 Notification to Commission

At least three days before the line is to be placed into service, the Permittee shall notify the Commission of the date on which the line will be placed into service and the date on which construction was complete.

8.3.2 As-Built Plans and Specifications

Within 60 days after completion of construction, the Permittee shall submit copies of all final as-built plans and specifications developed during the project.

8.3.3 GPS Data

Within 60 days after completion of construction, the Permittee shall submit to the Commission, in the format requested by the Commission, geo-spatial information (e.g., ArcGIS compatible map files, GPS coordinates, associated database of characteristics) for all structures associated with the transmission line and each substation connected.

9.0 PERMIT AMENDMENT

This permit may be amended at any time by the Commission. Any person may request an amendment of the conditions of this permit by submitting a request to the Commission in writing describing the amendment sought and the reasons for the amendment. The Commission will mail notice of receipt of the request to the Permittee. The Commission may amend the conditions after affording the Permittee and interested persons such process as is required.

10.0 TRANSFER OF PERMIT

The Permittee may request at any time that the Commission transfer this permit to another person or entity. The Permittee shall provide the name and description of the person or entity to whom the permit is requested to be transferred, the reasons for the transfer, a description of the facilities affected, and the proposed effective date of the transfer.

The person to whom the permit is to be transferred shall provide the Commission with such information as the Commission shall require to determine whether the new Permittee can comply with the conditions of the permit. The Commission may authorize transfer of the permit after affording the Permittee, the new Permittee, and interested persons such process as is required.

11.0 REVOCATION OR SUSPENSION OF PERMIT

The Commission may initiate action to revoke or suspend this permit at any time. The Commission shall act in accordance with the requirements of Minn. R. 7850.5100, to revoke or suspend the permit.

FIGURE 1.1 Proposed Route Overview

LEGEND

- Odell Wind Farm Substation
- Woad Hill Substation Area
- Proposed Route
- Private Airstrips
- Existing HVTL
- Pipeline - Field Verified
- US Highway
- State Highway
- County Highway
- County Road
- Other Roads
- County Boundary

0.5
Miles

NAD 1983 UTM Zone 15N

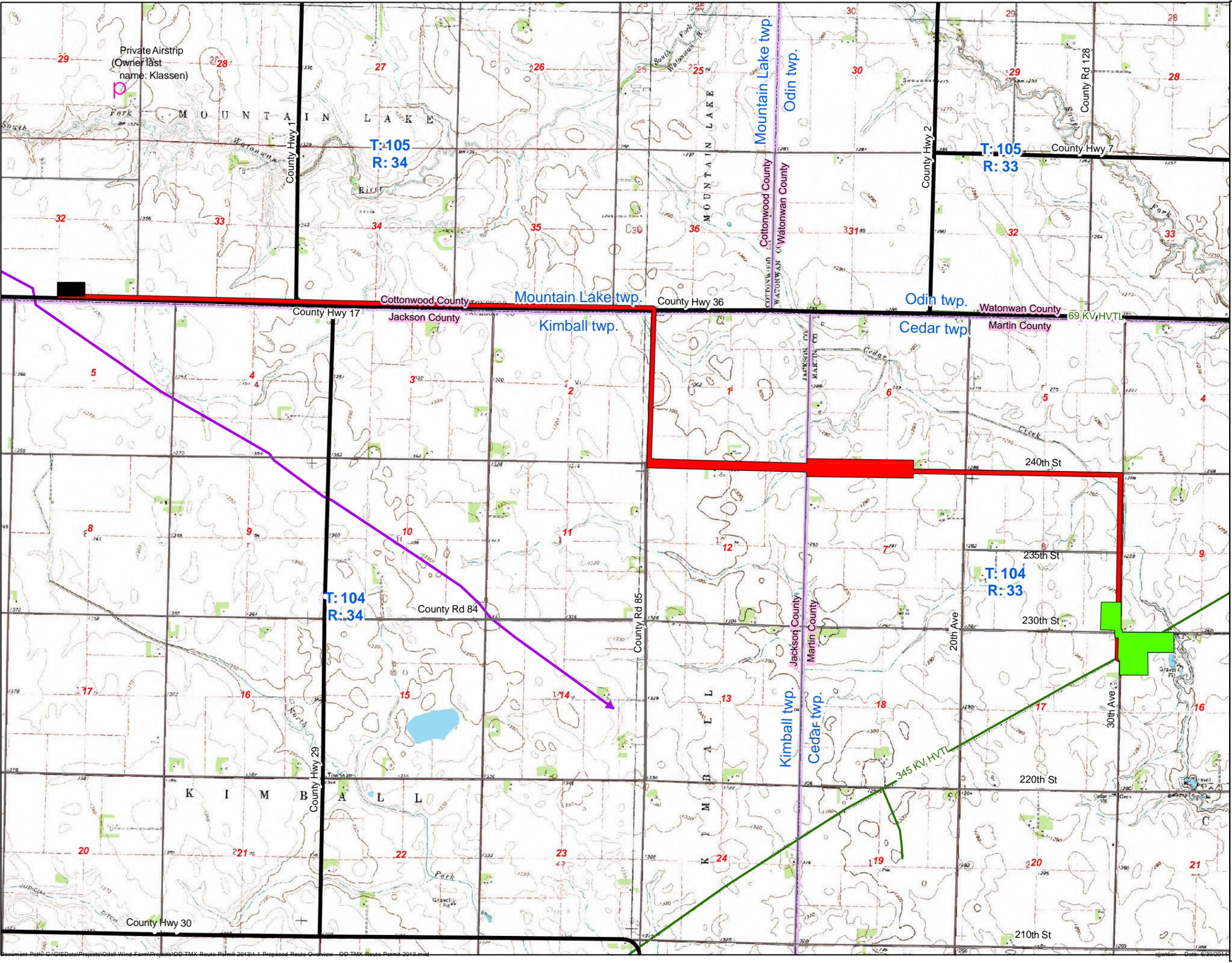
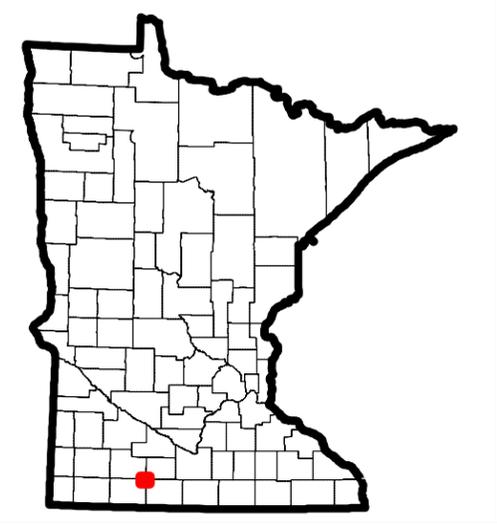


FIGURE 5.2 (a)
Locations of
Residences or
Farmsteads

LEGEND

-  Residence/Farmstead
-  Anticipated Alignment
-  Woad Hill Substation
-  Proposed Route
-  Odell Wind Farm Substation

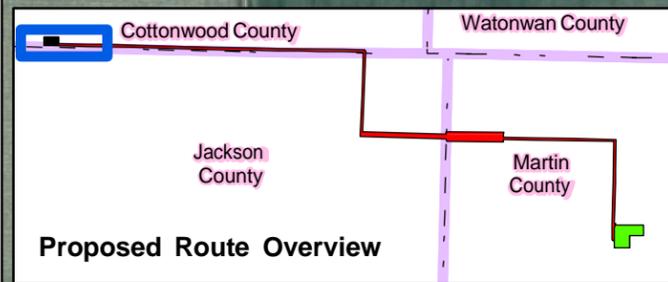
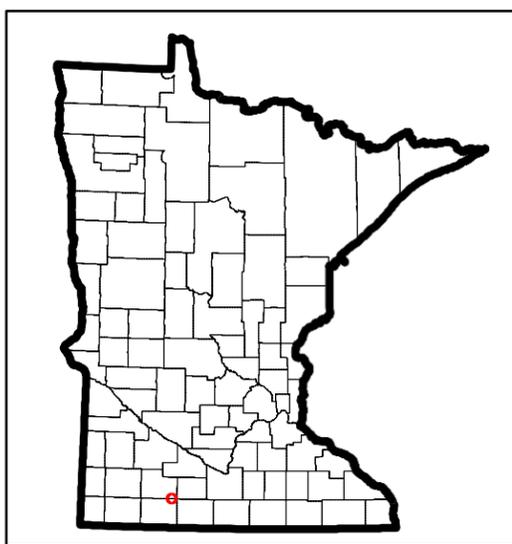
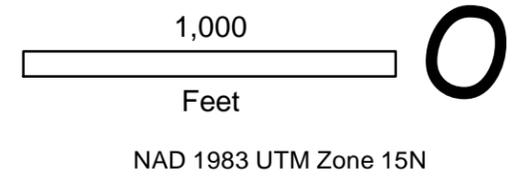
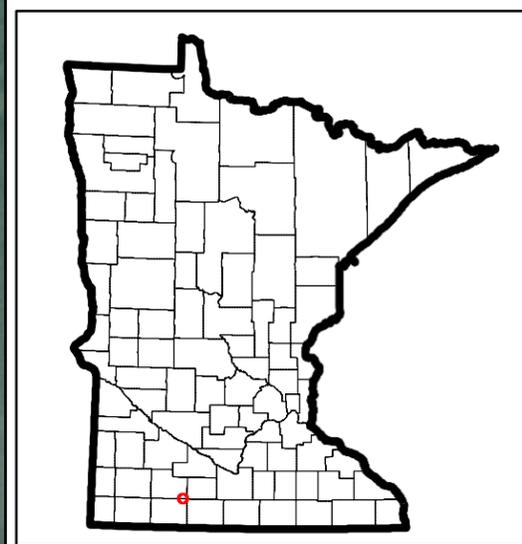
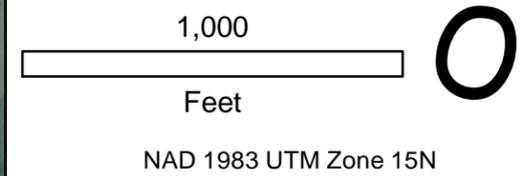


FIGURE 5.2 (b)
Locations of
Residences or
Farmsteads

LEGEND

-  Residence/Farmstead
-  Anticipated Alignment
-  Woad Hill Substation
-  Proposed Route
-  Odell Wind Farm Substation



SOURCES:
Geronimo Energy,
Ventix, NAIP,
WSB, PWI

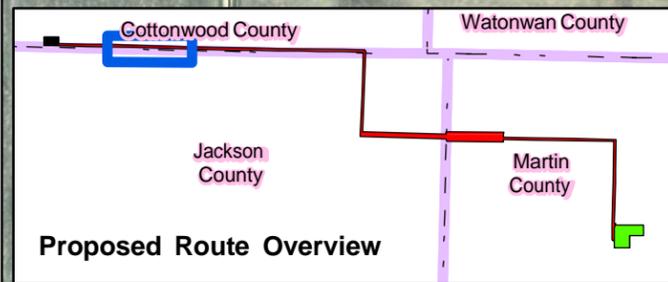


FIGURE 5.2 (c)
Locations of
Residences or
Farmsteads

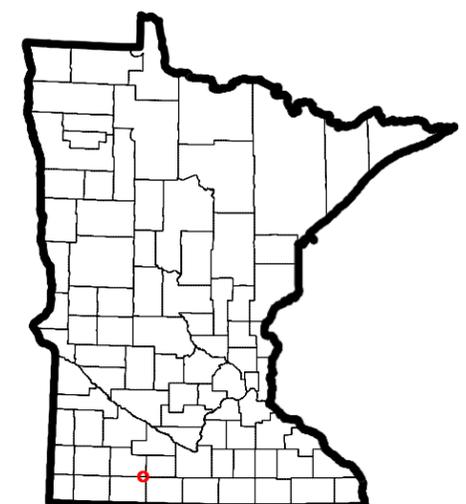
LEGEND

-  Residence/Farmstead
-  Anticipated Alignment
-  Woad Hill Substation
-  Proposed Route
-  Odell Wind Farm Substation

1,000

Feet

NAD 1983 UTM Zone 15N



SOURCES:
Geronimo Energy,
Ventyx, NAIP,
WSB, PWI

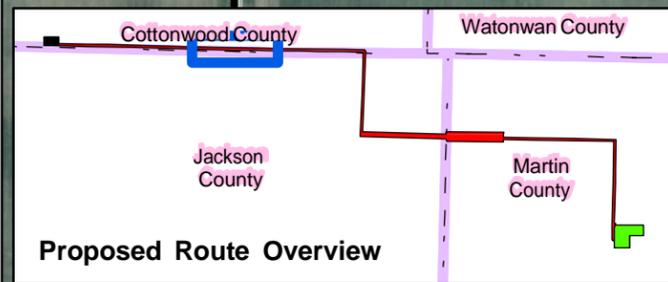


FIGURE 5.2 (d)
Locations of
Residences or
Farmsteads

LEGEND

-  Residence/Farmstead
-  Anticipated Alignment
-  Woad Hill Substation
-  Proposed Route
-  Odell Wind Farm Substation

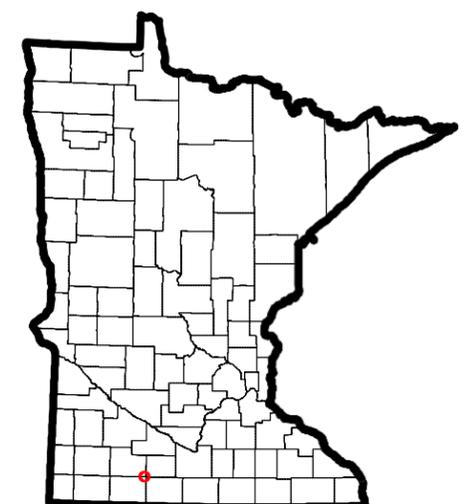
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Feet



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SOURCES:
Geronimo Energy,
Ventyx, NAIP,
WSB, PWI

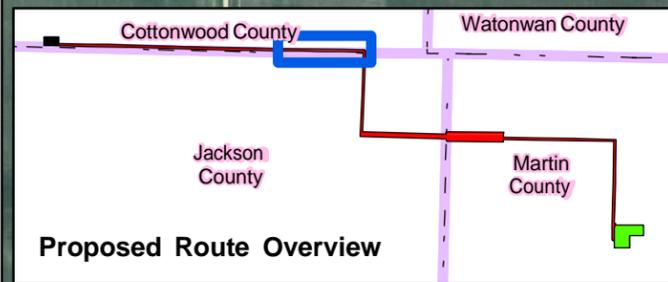


FIGURE 5.2 (e)
Locations of
Residences or
Farmsteads

LEGEND

-  Residence/Farmstead
-  Anticipated Alignment
-  Woad Hill Substation
-  Proposed Route
-  Odell Wind Farm Substation

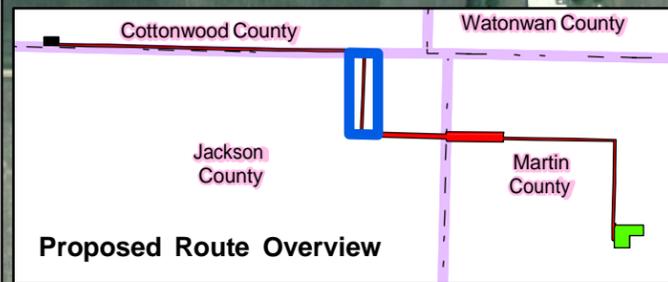
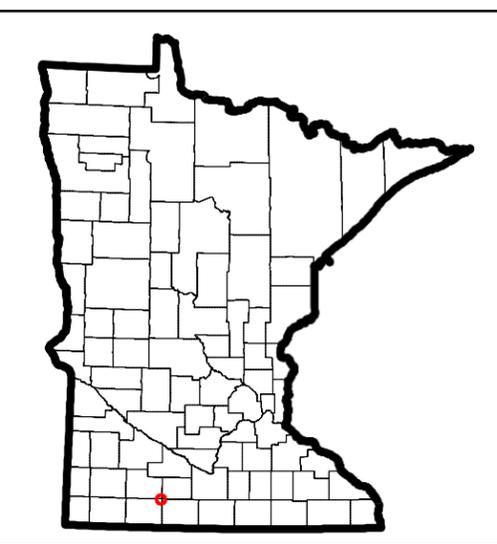
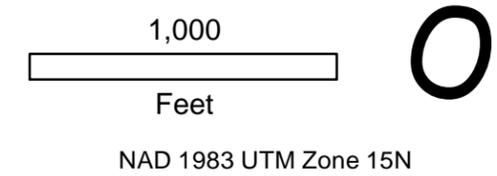


FIGURE 5.2 (f)
Locations of
Residences or
Farmsteads

LEGEND

-  Residence/Farmstead
-  Anticipated Alignment
-  Woad Hill Substation
-  Proposed Route
-  Odell Wind Farm Substation

1,000

Feet

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SOURCES:
Geronimo Energy,
Ventyx, NAIP,
WSB, PWI

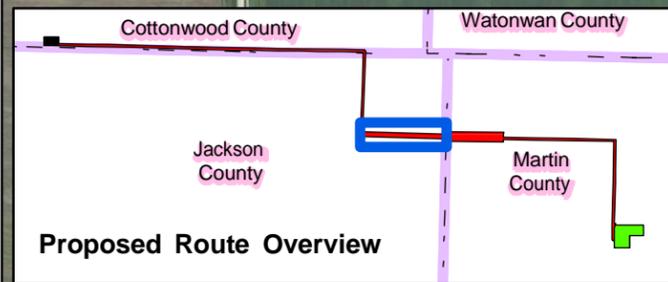


FIGURE 5.2 (g)
Locations of
Residences or
Farmsteads

LEGEND

-  Residence/Farmstead
-  Anticipated Alignment
-  Woad Hill Substation
-  Proposed Route
-  Odell Wind Farm Substation

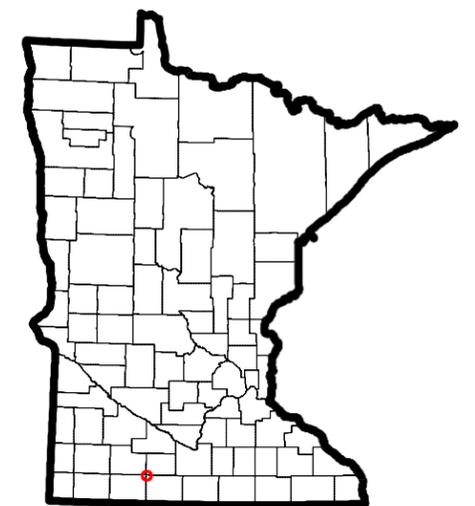
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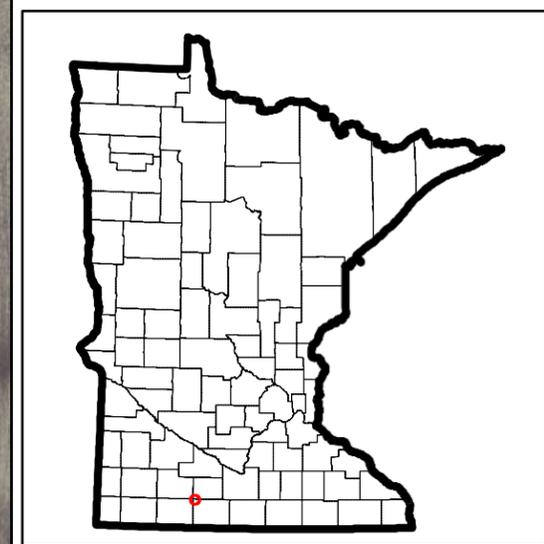
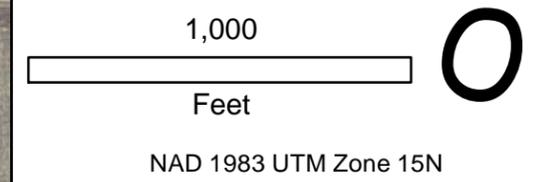
SOURCES:
Geronimo Energy,
Ventyx, NAIP,
WSB, PWI



FIGURE 5.2 (h)
Locations of
Residences or
Farmsteads

LEGEND

-  Residence/Farmstead
-  Anticipated Alignment
-  Woad Hill Substation
-  Proposed Route
-  Odell Wind Farm Substation



SOURCES:
Geronimo Energy,
Ventyx, NAIP,
WSB, PWI




FIGURE 5.2 (i)
Locations of
Residences or
Farmsteads

LEGEND

-  Residence/Farmstead
-  Anticipated Alignment
-  Woad Hill Substation Area
-  Proposed Route
-  Odell Wind Farm Substation

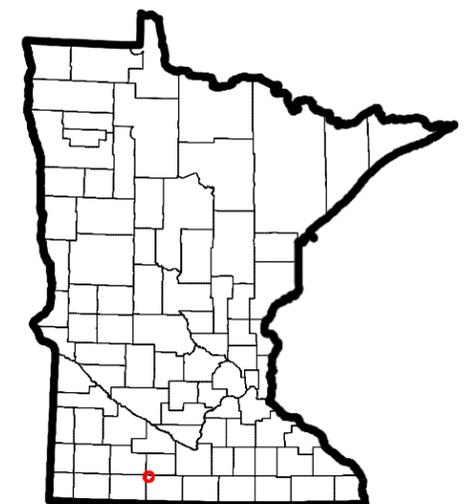
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Feet



NAD 1983 UTM Zone 15N



SOURCES:
Geronimo Energy,
Ventyx, NAIP,
WSB, PWI

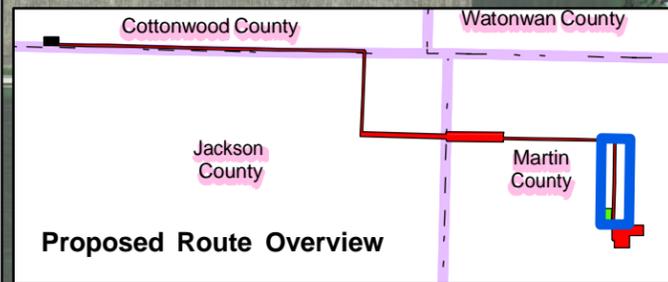
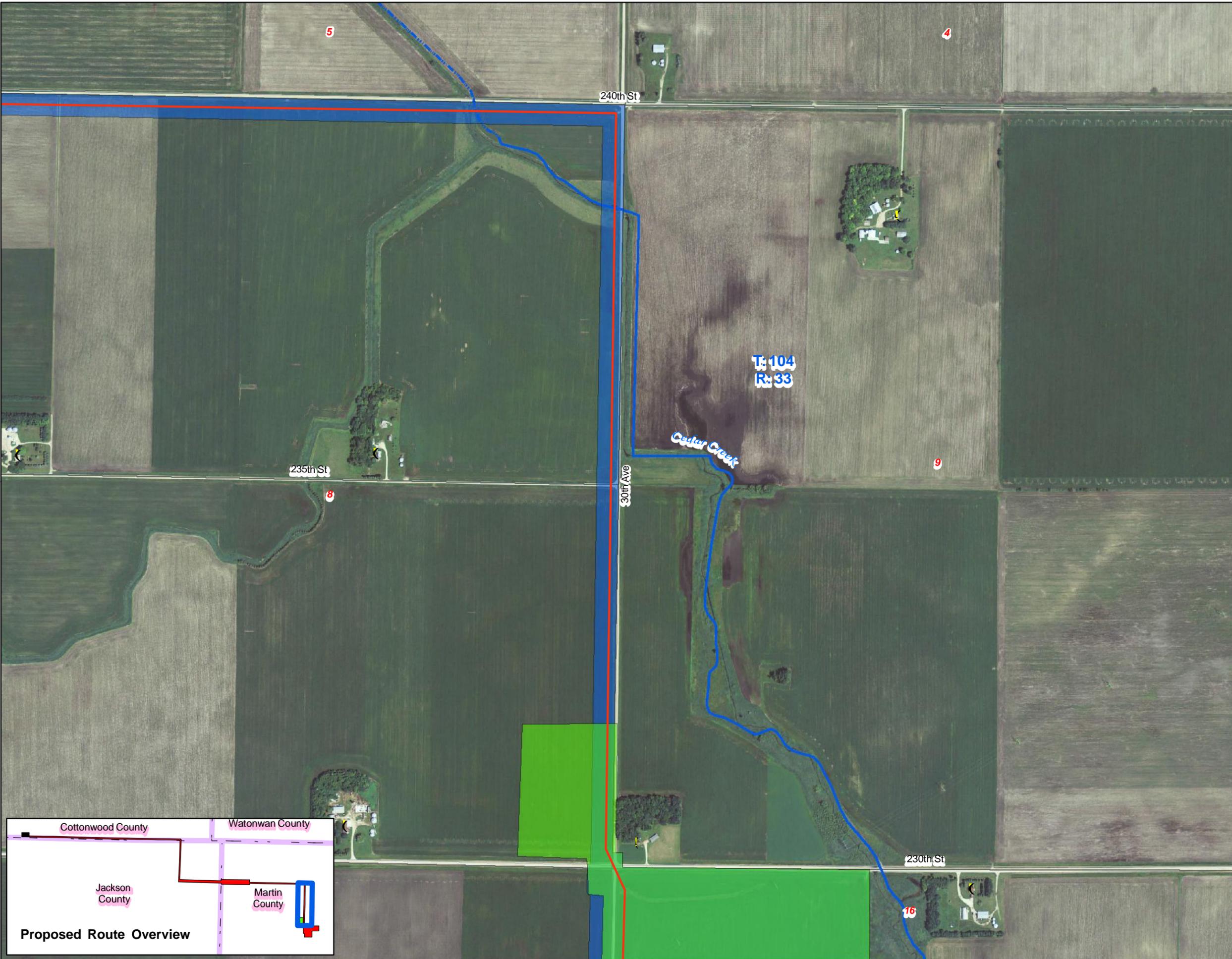
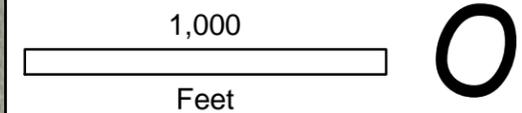


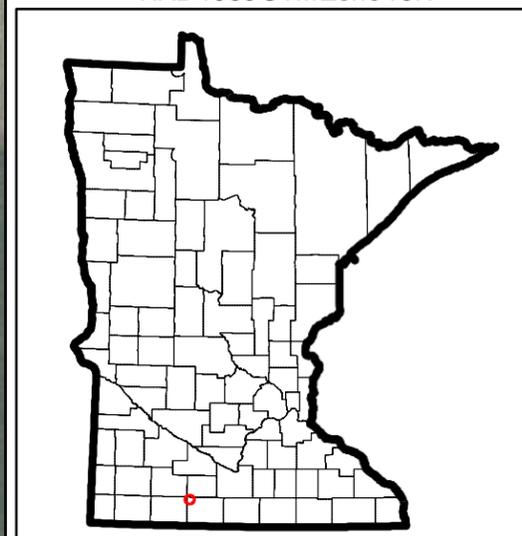
FIGURE 5.2 (j)
Locations of
Residences or
Farmsteads

LEGEND

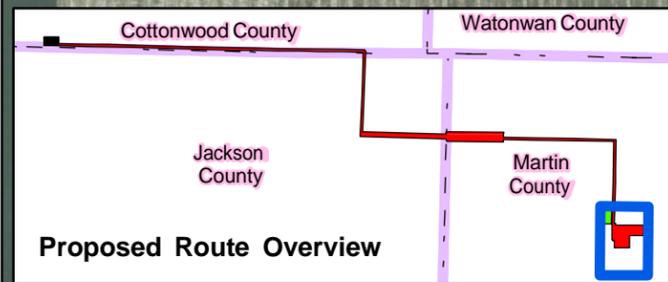
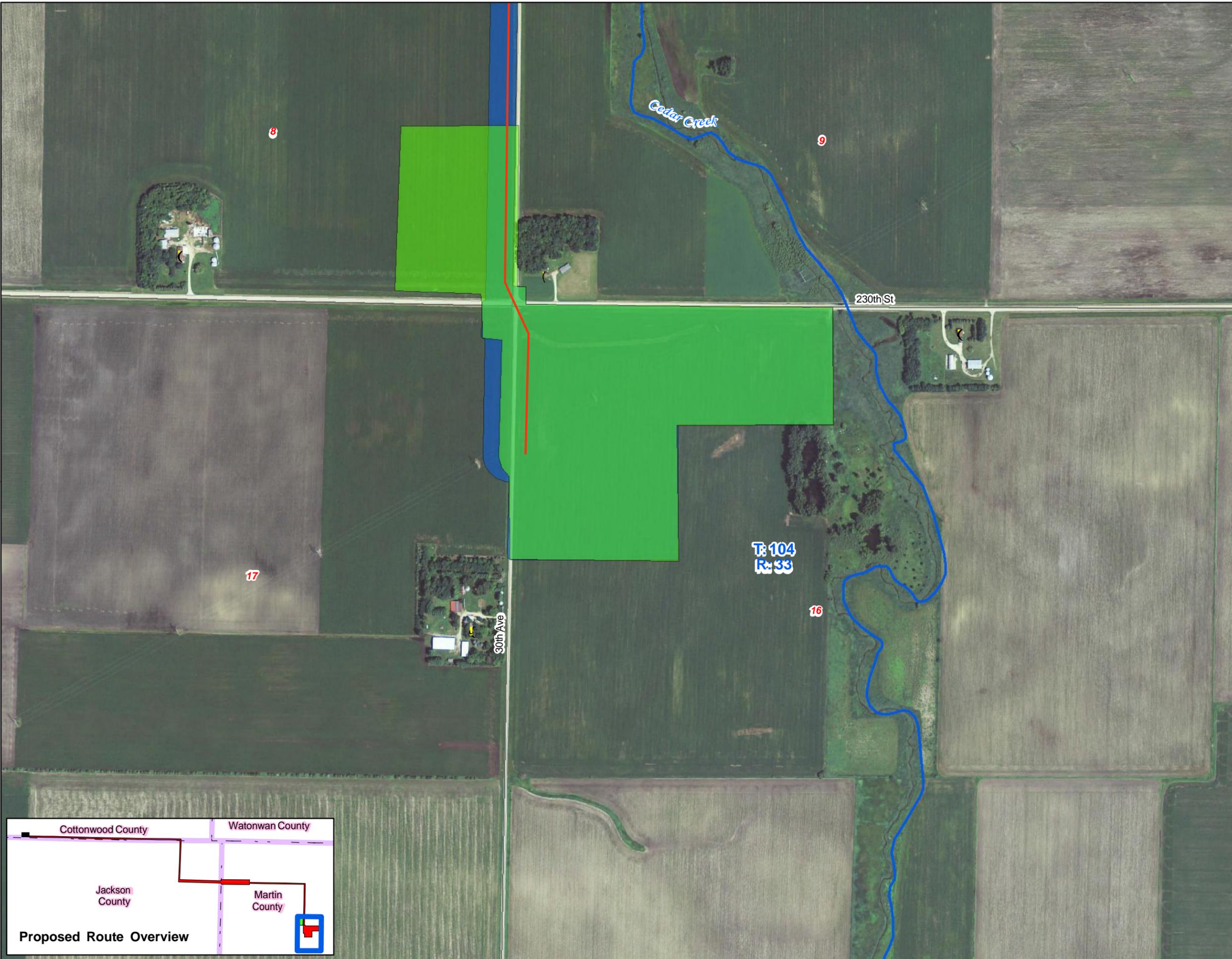
-  Residence/Farmstead
-  Anticipated Alignment
-  Woad Hill Substation Area
-  Proposed Route
-  Odell Wind Farm Substation



NAD 1983 UTM Zone 15N



SOURCES:
Geronimo Energy,
Ventyx, NAIP,
WSB, PWI



**MINNESOTA PUBLIC UTILITIES COMMISSION
COMPLAINT HANDLING PROCEDURES FOR
HIGH-VOLTAGE TRANSMISSION LINES**

A. Purpose

To establish a uniform and timely method of reporting complaints received by the permittee concerning permit conditions for site preparation, construction, cleanup and restoration, operation, and resolution of such complaints.

B. Scope

This document describes complaint reporting procedures and frequency.

C. Applicability

The procedures shall be used for all complaints received by the permittee and all complaints received by the Minnesota Public Utilities Commission (Commission) under Minn. R. 7829.1500 or Minn. R. 7829.1700 relevant to this permit.

D. Definitions

Complaint: A verbal or written statement presented to the permittees by a person expressing dissatisfaction or concern regarding site preparation, cleanup or restoration or other route and associated facilities permit conditions. Complaints do not include requests, inquiries, questions or general comments.

Substantial Complaint: A written complaint alleging a violation of a specific permit condition that, if substantiated, could result in permit modification or suspension pursuant to the applicable regulations.

Unresolved Complaint: A complaint which, despite the good faith efforts of the permittee and a person, remains to both or one of the parties unresolved or unsatisfactorily resolved.

Person: An individual, partnership, joint venture, private or public corporation, association, firm, public service company, cooperative, political subdivision, municipal corporation, government agency, public utility district, or any other entity, public or private, however organized.

E. Complaint Documentation and Processing

1. The permittee shall designate an individual to summarize complaints for the Commission. This person's name, phone number and email address shall accompany all complaint submittals.
2. A person presenting the complaint should to the extent possible, include the following information in their communications:
 - a. name, address, phone number, and email address;
 - b. date of complaint;
 - c. tract or parcel number; and
 - d. whether the complaint relates to a permit matter or a compliance issue.
3. The permittee shall document all complaints by maintaining a record of all applicable information concerning the complaint, including the following:
 - a. docket number and project name;
 - b. name of complainant, address, phone number and email address;
 - c. precise description of property or parcel number;
 - d. name of permittee representative receiving complaint and date of receipt;
 - e. nature of complaint and the applicable permit condition(s);
 - f. activities undertaken to resolve the complaint; and
 - g. final disposition of the complaint.

F. Reporting Requirements

The permittee shall commence complaint reporting at the beginning of project construction and continue through the term of the permit. The permittee shall report all complaints to the Commission according to the following schedule:

Immediate Reports: All substantial complaints shall be reported to the Commission the same day received, or on the following working day for complaints received after working hours. Such reports are to be directed to the Commission's Consumer Affairs Office at 1-800-657-3782 (voice messages are acceptable) or consumer.puc@state.mn.us. For e-mail reporting, the email subject line should read "PUC EFP Complaint" and include the appropriate project docket number.

Monthly Reports: By the 15th of each month, a summary of all complaints, including substantial complaints received or resolved during the preceding month, shall be filed to Dr. Burl W. Haar, Executive Secretary, Public Utilities Commission, using the eDockets system. The eDockets system is located at: <https://www.edockets.state.mn.us/EFiling/home.jsp>

If no complaints were received during the preceding month, the permittee shall file a summary indicating that no complaints were received.

G. Complaints Received by the Commission

Complaints received directly by the Commission from aggrieved persons regarding site preparation, construction, cleanup, restoration, operation and maintenance shall be promptly sent to the permittee.

H. Commission Process for Unresolved Complaints

Commission staff shall perform an initial evaluation of unresolved complaints submitted to the Commission. Complaints raising substantial permit issues shall be processed and resolved by the Commission. Staff shall notify the permittee and appropriate persons if it determines that the complaint is a substantial complaint. With respect to such complaints, each party shall submit a written summary of its position to the Commission no later than ten (10) days after receipt of the staff notification. The complaint will be presented to the Commission for a decision as soon as practicable.

I. Permittee Contacts for Complaints and Complaint Reporting

Complaints may be filed by mail or email to:

Patrick Smith
Odell Wind Farm, LLC
7650 Edinborough Way, Suite 725
Edina, MN 55435
952-988-9000
Patrick@geronimoenergy.com

This information shall be maintained current by informing the Commission of any changes by eFiling, as they become effective.

**MINNESOTA PUBLIC UTILITIES COMMISSION
COMPLIANCE FILING PROCEDURE FOR
PERMITTED ENERGY FACILITIES**

A. Purpose

To establish a uniform and timely method of submitting information required by the Commission energy facility permits.

B. Scope and Applicability

This procedure encompasses all compliance filings required by permit.

C. Definitions

Compliance Filing: A filing of information to the Commission, where the information is required by a Commission site or route permit.

D. Responsibilities

1. The permittee shall eFile all compliance filings with Dr. Burl W. Haar, Executive Secretary, Public Utilities Commission, through the eDockets system. The eDockets system is located at: <https://www.edockets.state.mn.us/EFiling/home.jsp>

General instructions are provided on the eDockets website. Permittees must register on the website to eFile documents.

2. All filings must have a cover sheet that includes:
 - a. Date
 - b. Name of submitter/permittee
 - c. Type of permit (site or route)
 - d. Project location
 - e. Project docket number
 - f. Permit section under which the filing is made
 - g. Short description of the filing

3. Filings that are graphic intensive (e.g., maps, engineered drawings) must, in addition to being eFiled, be submitted as paper copies and on CD. Paper copies and CDs should be sent to: 1) Dr. Burl W. Haar, Executive Secretary, Minnesota Public Utilities Commission, 121 7th Place East, Suite 350, St. Paul, MN 55101-2147, and 2) Department of Commerce, Energy Environmental Review and Analysis, 85 7th Place East, Suite 500, St. Paul, MN 55101-2198.

The Commission may request a paper copy of any eFiled document.

PERMIT COMPLIANCE FILINGS¹

PERMITTEE:

PERMIT TYPE:

PROJECT LOCATION:

PUC DOCKET NUMBER:

Filing Number	Permit Section	Description of Filing	Due Date
	8.1	Plan and profile of right-of-way	30 days before right-of-way preparation for construction
	4.2.1	Contact information for field representative	14 days prior to construction
	4.2.14	Restoration complete	60 days after completion of all restoration activities
	8.2	Periodic status reports	Monthly
	7.0	Complaint procedures	Prior to construction
	Attachment B	Complaint reports	By the 15 th of each month
	4.1	Notification to landowners	First contact with landowners after permit issuance
	8.3.1	Notice of completion and date of placement in service	Three days prior to energizing
	8.3.2	Provide as-built plans and specifications	Within 60 days after completion of construction
	8.3.3	Provide GPS data	Within 60 days after completion of construction
	4.2.12	Notification of previously unrecorded archaeological sites	Upon discovery

¹ This compilation of permit compliance filings is provided for the convenience of the permittee and the Commission. It is not a substitute for the permit; the language of the permit controls.