

PL-9/CN-93-1244 ORDER ACCEPTING APPLICATION AS SUBSTANTIALLY
COMPLETE

BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION

Don Storm	Chair
Tom Burton	Commissioner
Marshall Johnson	Commissioner
Cynthia A. Kitlinski	Commissioner
Dee Knaak	Commissioner

In the Matter of the Application
by Lakehead Pipe Line Company,
Inc. for a Certificate of Need
for a Large Petroleum Pipeline
Facility

ISSUE DATE: January 10, 1994

DOCKET NO. PL-9/CN-93-1244

ORDER ACCEPTING APPLICATION AS
SUBSTANTIALLY COMPLETE

PROCEDURAL HISTORY

On December 10, 1993, Lakehead Pipe Line Company, Inc. (Lakehead or the Company) filed a certificate of need application pursuant to Minn. Stat. §§ 216B.2421, subd. 2(c) and 216B.243. Under the statutes Lakehead's proposed pipeline addition is a large energy facility and as such requires a certificate of need prior to construction.

On December 13, 1993, the Company filed a letter containing confidential shipper information required under Minn. Rules, parts 7853.0510 to 7853.0530.

No party opposed acceptance of the Company's certificate of need application.

The matter came before the Commission on December 22, 1993.

FINDINGS AND CONCLUSIONS

The Commission finds that the Company's application represents a good faith effort to comply with the governing statutes and rules. The application, as supplemented on December 13, 1993, is substantially complete and will provide a sufficient basis for the application process.

The Commission is aware that the Company's application contains some deficiencies. First, the Company did not forecast beyond a 13-year period (ending in 2005) or provide forecasted annual quantities in its forecast data supplied under Minn. Rules, part

7853.0520. Second, the Company did not rigidly adhere to the data requirements for each pipeline alternative under Minn. Rules, part 7853.0540. Third, Lakehead did not provide detailed environmental data on all of the alternatives considered in response to Minn. Rules, parts 7853.0600 to 7853.0640.

The Commission finds that the application deficiencies are relatively minor and do not render the application incomplete. Some of the information, such as that concerning alternative modes of transportation, would be extremely difficult for the Company to obtain. Some of the information, such as forecasted data beyond the 13th year, would not significantly enhance the information already provided. None of the minor deficiencies should impede a full investigation and determination of need.

By separate Notice and Order for Hearing, the Commission will set this matter for hearing to determine whether the certificate of need should be granted.

Finally, the Commission notes that acceptance of this application as substantially complete should not be construed as a reflection on the merits of the application. The need for the facility will be tested on the hearing record.

ORDER

1. The application of Lakehead Pipe Line Company, as supplemented on December 13, 1993, is accepted as substantially complete as of that date.
2. This Order shall become effective immediately.

BY ORDER OF THE COMMISSION

Burl W. Haar
Executive Secretary

(S E A L)