

BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION

LeRoy Koppendraye

Chair

Ken Nickolai

Commissioner

Marshall Johnson

Commissioner

Phyllis Reha

Commissioner

Thomas Pugh

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ET6444,E017,ET9/TR-05-1275

In the Matter of the Application to the Minnesota Public Utilities Commission for a Route Permit for the Big Stone Transmission Project in Western Minnesota

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

- 1. The Commission accepts as complete the application of Otter Tail Power Company, et al., for a route permit under the full permitting process.**
- 2. The Commission authorizes the Department to initiate the procedural actions required by Minnesota Rules, Parts 4400.1035 to 4400.1900 and authorizes the Department to name a public advisor for the project.**
- 3. The Commission will refer the matter to the Office of Administrative Hearings for a contested case proceeding. The Commission will issue a separate NOTICE AND ORDER FOR HEARING effectuating this referral in the near future.**

4. In lieu of establishing an Advisory Task Force, the Commission hereby directs the Department to proactively consult and inform affected local units of governments and enlist their advice on the scope of the Environmental Impact Statement (EIS), including alternative routes to evaluate in the EIS, with the clarification that Minn. Rules, Part 4400.1600, Subpart 2 states:

If the commission decides [as it has done in this Order] not to appoint a citizen advisory task force and a person would like such a task force appointed, the person may request that the Commission create a citizen advisory task force and appoint its members. Upon receipt of such a request, the commission shall place the matter on the agenda for the next regular monthly Commission meeting. [Bracketed words above do not appear in the rule and have been added to clarify the rule's application in the current circumstances.]

The Commission agrees with and adopts the December 20, 2005 recommendation of the Department of Commerce (revised Decision Option 1) which is part of the Department's comments as revised December 20, 2005, which are attached and hereby incorporated in the Order.

BY ORDER OF THE COMMISSION

Burl W. Haar
Executive Secretary

(S E A L)

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