

BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION

LeRoy Koppendrayer
Marshall Johnson
Thomas Pugh
Phyllis A. Reha

Chair
Commissioner
Commissioner
Commissioner

In the Matter of the Application of
Minnesota Pipe Line Company for a Routing
Permit for a Crude Oil Pipeline

ISSUE DATE: June 15, 2007

DOCKET NO. PL5/PPL-05-2003

ORDER DENYING RECONSIDERATION

PROCEDURAL HISTORY

On April 13, 2007, the Commission issued its ORDER GRANTING ROUTE PERMIT for the MinnCan Project, a crude oil pipeline and associated aboveground facilities, to Minnesota Pipeline Company LLC (MPL or the Company).

On April 23, 2007, MPL filed a petition for reconsideration.

On May 3, 2007, several landowners jointly filed a Petition for Rehearing, Amendment, Vacation, Reconsideration or Reargument. On that same date, Mr. Jason Giesen also filed two requests for rehearing and Gardens of Eagan filed a reply to MPL's petition.

On May 14, 2007, the Company filed a Reply to Petitions for Rehearing and Reconsideration.

The Commission met on June 7, 2007 to consider this matter.

FINDINGS AND CONCLUSIONS

The Commission has carefully reviewed the entire record and concludes that the petitions filed by MPL, various landowners, and Jason Giesen seeking reconsideration of the ORDER GRANTING ROUTING PERMIT do not raise new issues requiring development, do not point to new and relevant evidence, do not expose errors or ambiguities in the original Order, and do not otherwise persuade the Commission that it should rethink its original decision.

The Commission concludes that its original decision to grant MPL a Routing Permit for the MinnCan Project is the one most consistent with the facts, the law, and the public interest and will deny the petition for reconsideration.

On its own motion, however, the Commission will clarify two portions of the Order.

First, except for the portion subject to the Gardens of Eagan-MPL Stipulation, the 300 foot route width applies to the entire length of the pipeline.

Second, the Company is to comply with the updated versions of the Upland Erosion Control, Re-vegetation, and Maintenance Plan and the Current Wetland and Water-body Construction Mitigation Procedures rather than the 2005 versions.

ORDER

1. The Commission denies the petitions filed by MPL, Jason Giesen, and the several landowners for reconsideration of the Commission's ORDER GRANTING ROUTING PERMIT issued April 13, 2007 in this matter.
4. This Order shall become effective immediately.

BY ORDER OF THE COMMISSION

Burl W. Haar
Executive Secretary

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