

BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION

Beverly Jones Heydinger
David C. Boyd
J. Dennis O'Brien
Phyllis A. Reha
Betsy Wergin

Chair
Commissioner
Commissioner
Commissioner
Commissioner

In the Matter of the Route Permit Application by
Great River Energy and Xcel Energy for a 345
kV Transmission Line from Brookings County,
South Dakota to Hampton, Minnesota

ISSUE DATE: September 10, 2012

DOCKET NO. ET-2/TL-08-1474

ORDER APPROVING MINOR
ALTERATION TO ROUTE PERMIT

PROCEDURAL HISTORY

On September 14, 2010, the Commission issued its Order Granting a Route Permit for a 345-kV transmission line from Brookings County, South Dakota to Hampton, Minnesota to Great River Energy and Xcel Energy (Permittees) in this Docket. The order addressed all segments of the route save for the segment between the Cedar Mountain Substation near Franklin and the Helena Substation near New Market.

On March 1, 2011, the Commission issued its Order Granting Route Permit for Remanded Segment of Route, authorizing construction of the final segment of the route. The project is in Lincoln, Lyon, Yellow Medicine, Chippewa, Redwood, Brown, Renville, Sibley, Le Sueur, Scott, and Dakota Counties.

On June 18, 2012, Permittees filed an application under Minn. R. 7850.4800 to approve a minor alteration to the route.¹ Petitioners requested Commission approval of the use of a quadruple circuit specialty structure design to be located along existing 69 kV double circuit transmission lines within the approved route width where engineering considerations allow. Petitioners also requested the flexibility to rebuild co-located 69 kV transmission line using 115 kV-capable conductors and insulators on the quadruple circuit structures.

On June 22, 2012, the Commission issued a Notice of Minor Alteration Application and Comment period. The Commission requested that comments be submitted by July 12, 2012.

On July 11, 2012, the Minnesota Department of Commerce, Energy Facility Permitting Staff (EFP) filed comments, recommending that the Commission approve the requested minor alteration.

¹ Minn. R. 7850.4800 governs the procedures to be used in seeking minor alteration authorization from the Commission.

The Commission received comments from some 18 residents near the cities of New Market and Lakeville. The comments all requested that the Commission deny the Minor Alteration request.

On July 20, 2012, the Department filed additional comments, clarifying its understanding of Petitioners' minor alterations request to be for the use of quadruple specialty structures for the project in general, and not a request to modify the alignment of the route along 245th Street East.

On August 23, 2012, the Commission met to consider the matter.

FINDINGS AND CONCLUSIONS

I. Introduction and Background

High-voltage transmission lines and the towers required to support them are disruptive to the natural environment and to residents, landowners, and communities along their routes. For that reason, the Commission must undertake a thorough and careful analysis before arriving at a proposed route. The Commission undertook such an analysis prior to making its original route permit decisions in this matter.

This is the third minor alteration request submitted by Permittees for this route permit.² A minor alteration is a change in a large electric power generating plant or high voltage transmission line that does not result in significant changes in the human or environmental impact of the facility. Minn. R. 7850.4800. Upon receiving a minor alteration application, the Commission must mail notice of receipt of the application to those persons on the general list and to those persons on the project contact list. The Commission is also required to provide at least a 10 day period for interested persons to submit comments on the request.

II. The Minor Alteration Request

In this request, Permittees requested Commission approval of the use of quadruple circuit specialty structures in select areas of the project where existing 69 kV double-circuit transmission lines may be co-located with the new 345 kV line. Permittees also requested the flexibility to use 115 kV capable conductors and insulators in place of the existing 69 kV conductors and insulators for only those spans that would be co-located on quadruple circuit specialty structures.

III. Positions of the Parties

A. EFP

The EFP filed comments regarding the proposed minor alteration on July 11 and 20, 2012. After review, the EFP recommended that the route permit be amended to include the requested minor alterations. EFP noted that while quadruple circuit specialty circuits were not specifically identified in the route permit, the general need for specialty structures was acknowledged in

² The Commission has previously amended the route permit in orders dated February 29 and July 10, 2012, in this docket.

several of the relevant documents in the record.³ EFP also found that the use of quadruple structures in select areas is in line with the factors to be considered by the Commission when determining whether to issue a permit for a high voltage permission line.⁴

In addition, EFP also recommended that the Commission find that upgrading the existing 69 kV line to 115 kV during construction of the new quadruple structures is reasonable and prudent.

In reply comments filed July 20, 2012, EFP noted that public comments received from residents along 245th Street East appear to be based on the belief that the pending minor alteration request is for approval to modify the transmission line route from the initial anticipated alignment to a new alignment along 245th Street East. EFP clarified that it interpreted Permittees' minor alteration request not as a request to modify the alignment of the route, but only for the use of the quadruple specialty structures for the project in general.

B. Public Comments

Some 18 residents and landowners near the cities of New Market and Lakeville in Scott County filed comments regarding the proposed minor alterations. While residents generally recognized the need for the new power line, the comments all requested that the Commission deny the request for the minor alteration, based primarily on the belief that the minor alteration request was to modify the alignment of the route.

IV. Commission Action

The transmission routing rules provide for granting minor alternations for permitted routes due to the need for flexibility. The details that make specific parts of a proposed route less workable than originally understood – or that make a small deviation from the permitted route more appealing – are not always apparent at the time a route permit is under consideration.

Having closely reviewed the proposed minor alteration request, the Commission finds that Permittees have provided adequate grounds to modify the permit as requested. The proposed structural changes will result in an incremental increase in the height of the poles of 10 to 20 feet and a nominal increase in pole width. As recognized by the EFP, the requested changes will have impacts comparable to the impacts associated with other 345 kV structures approved for the project, and therefore should not result in significant change in the human or environmental impact of the approved route.

Further, the Commission concurs with EFP that allowing Permittees to upgrade the existing 69 kV lines to 115 kV capacity during construction of the new quadruple structures (for spans to be co-located on quadruple circuit specialty structures), is reasonable and prudent. As noted by Permittees, if, in the future, conditions require increasing the operating voltage of the 69 kV transmission lines, this step would avoid having to take the 345 kV line out of service.

³ See, e.g., the Brookings County to Hampton 345 kV Transmission Line Project Final Environmental Impact Statement, this Docket, (June 2010), at page 2; and the Administrative Law Judge's Findings of Fact, Conclusions, and Recommendation, this Docket (April 22, 2010).

⁴ See, e.g., Minn. R. 7850.4100 (G) and (H).

The Commission has also carefully reviewed the public comments on the proposed minor alteration. The comments were from residents living along 245th Street East, who appeared to be under the impression that the pending minor alteration request was for approval to modify the transmission line route from the initial anticipated alignment to a new alignment along 245th Street East. As clarified by the EFP, however, this minor alteration request is only for the use of quadruple specialty structures for the project in general, and not a request to modify the alignment along 245th Street East. As the public comments were based on a request that has not yet been made by Permittees, no Commission action is required at this time.⁵

For these reasons, the Commission will approve the requested minor alteration.

ORDER

1. The Commission grants the Permittees' petition to make the minor alteration for the Brookings County-Hampton Transmission Line Project without conditions.
2. This Order shall become effective immediately.

BY ORDER OF THE COMMISSION

Burl W. Haar
Executive Secretary



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⁵ Should Permittees submit such an alignment change as part of the plan and profile review for the route, they must submit a thorough evaluation of the change to ensure that the alignment modification would have comparable overall impacts relative to the factors in Minn. R. 7850.4100, as does the alignment identified in the route permit. Any modifications to the initial anticipated alignment will be evaluated during the plan and profile review and will require approval prior to construction.