

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: October 15, 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 Commission's 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,<sup>1</sup> 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.<sup>2</sup>

On August 23, 2012, Permittees filed an application under Minn. R. 7850.4800 for a minor alteration to the route.<sup>3</sup> To address landowner concerns, Permittees requested Commission approval to modify the approved route with respect to a 1.3 mile segment between proposed structures 243 and 250.

On August 29, 2012, the Commission issued a notice of minor alteration application and comment period. The Commission requested that comments be submitted by September 14, 2012.

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<sup>1</sup> Order Granting Route Permit on Remand, this Docket (March 1, 2011).

<sup>2</sup> The Commission has previously approved minor alterations to the route permit in orders dated February 29, July 10, and September 10, 2012.

<sup>3</sup> Minn. R. 7850.4800 governs the procedures to be used in seeking minor alteration authorization from the Commission.

The Commission received several comments from local landowners in the immediate project area in support of the minor alteration.

On September 14, 2012, the Minnesota Department of Commerce, Energy Facility Permitting Staff (EFP) filed comments, recommending that the Commission approve the requested minor alteration.

On October 4, 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.

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. Minor Alteration Request**

In this request, Permittees requested Commission approval of a minor alteration to a 1.3 mile segment between proposed structures 243 and 250. The proposed alteration addresses landowner concerns first raised during scoping on this project in 2010. The proposed alteration moves the line slightly farther away from several landowner properties and from a drainage ditch.

### **III. Positions of the Parties**

The EFP filed comments regarding the proposed minor alteration. After review, the EFP concluded that the proposed alteration would not result in any significant changes in the human or environmental impacts of the approved route.

EFP determined that for most of the criteria of Minn. R. 7850.4100, the anticipated impacts of the minor alteration would be similar to those in the original route and would not result in any significant changes in the human or environmental impacts of the approved route. The EFP identified three criteria for which the minor alteration would reduce some impacts while nominally increasing others, based on the information submitted by Petitioners.

### *Agriculture*

EFP stated that the minor alteration would decrease the total number of acres of cropland in the right-of-way (from 31.2 to 23.3 acres) because the length of the segment and right-of-way would be similarly decreased. EFP noted, however, that the new segment would cross agricultural fields rather than run along the roads and field lines in the approved route.

### *Natural Environment*

EFP stated that the proposed alteration would increase the acres of wetlands crossed and located within the right-of-way (from 0 to 3.2 acres); EFP further stated that three wetlands would be crossed. The minor alteration would reduce the number of ditch/stream crossings from three to one. Permittees stated that no direct impacts to wetlands are anticipated, as none of the wetlands are forested or greater than 1,000 feet in length, and all three would be spanned.

### *Use of Existing Transportation Right-of-Way*

EFP stated that the minor alteration would result in the transmission line no longer following and using road rights-of way for the 1.3 mile span at issue; instead, the transmission line right-of-way would cross agricultural lands.

The Commission also received comments from several landowners in the project area. All support the minor alteration proposed by Permittees.

## **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 reviewed the proposed minor alteration request, the Commission finds that Permittees have provided adequate grounds to modify the permit as requested, and that the proposed change is reasonable and prudent.

The Commission recognizes that the proposed minor alteration will reduce certain impacts from those of the permitted route -- such as the total number of acres of cropland in the right-of-way and the number of ditch/stream crossings. The proposed alteration, however, will at least nominally increase certain other impacts, such as the number of acres of wetlands crossed. Based on its review of the record, the Commission agrees with the EFP that the anticipated impacts of the proposed minor alteration would be similar to those in the original route permit and would not result in any significant changes in the human or environmental impacts of the approved route.

Further, Permittees have been working with affected landowners in this area for nearly two years to address concerns with the permitted route. As recognized by the EFP, the proposed minor alteration has the support of all landowners whose property it crosses. Accordingly, the Commission will approve the minor alteration request.

**ORDER**

1. The Commission grants the Permittees' petition to make the minor route alteration described herein.
2. This Order shall become effective immediately.

BY ORDER OF THE COMMISSION

Burl W. Haar  
Executive Secretary



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