

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS
FOR THE PUBLIC UTILITIES COMMISSION

In the Matter of the Application of
Northern States Power Company d/b/a
Xcel Energy for Certificates of Need for
Four Large High Voltage Transmission
Line Projects in Southwestern Minnesota

POSTHEARING SCHEDULING ORDER

The evidentiary hearing in this matter adjourned on July 3, 2002. This Order reiterates the oral statements made on the record concerning the posthearing schedule and provides some direction to the parties concerning their written submissions. Appearances on behalf of each party are on file.

IT IS HEREBY ORDERED:

1. Comments to the Environmental Report shall be filed by July 22, 2002. Xcel shall file any response to the Comments by August 12, 2002. The initial Report, the Comments and Response shall constitute the Final Environmental Report. Each party shall submit with its Comments or Response its position on the proper consideration to be given to the Final Environmental Report by the administrative law judge in preparation of her recommendation to the Public Utilities Commission.
2. Initial briefs on the merits of the application for Certificates of Need shall be filed by September 9, 2002. Any response shall be filed by October 9, 2002. No additional briefs shall be filed without the permission of the administrative law judge.

Dated this ___ day of July, 2002.

BEVERLY JONES HEYDINGER
Administrative Law Judge

MEMORANDUM

The Comments to the Environmental Report should focus on the components identified in Minn. R. 4410.7500, subd. 3 B, C and D.

The parties' briefs shall argue which option is supported by the preponderance of the evidence, including the option of denying some or all of the certificates of need. The

material facts in support of the preferred option shall be included, with appropriate cites to the record. Material facts that do not support the preferred option shall also be included. The findings of fact shall be clearly separated from the legal argument. The brief shall explain why the preponderance of the evidence supports that party's preferred option. The brief shall also present legal arguments that effect the outcome, and may be subdivided by topic.

Cites to documentary evidence including prefilled testimony, shall be specific as to the exhibit number and page, with line number(s) where provided in the exhibit. Cites to oral testimony should include the transcript volume, page and line(s). Parties who do not have a copy of the transcript should provide transcript citations wherever possible, and must provide such cites for direct quotations. Other references shall include the name of the witness, date of the testimony, and the party conducting the examination of the witness.

If a party recommends that one or more conditions be placed on the Commission's grant of some or all of the certificates of need, the condition(s) should be clearly stated. The party supporting such a condition must argue why the condition is essential, show how the condition is supported by the evidence in the record, provide examples of similar conditions from prior Commission orders, if any, and explain the Commission's authority for placing such a condition on the certificates of need.

The parties are requested to submit their briefs on a disc in addition to the hard copy.

B.J.H.