

Minnesota Public Utilities Commission
Staff Briefing Papers

Meeting Date: April 30, 2015Agenda Item *2

Company: Great River Energy

Docket No. ET2/TL-08-1474

In the Matter of the Great River Energy Application for a Minor Alteration to the Helena – Chub Lake Substation Segment of the Brookings County – Hampton 345 kV Transmission Line Project in Scott County, Minnesota

Issues: Should the Commission authorize the minor alteration request? If the minor alteration is approved, should any conditions be required?

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Relevant Documents

Application for a Minor Alteration February 20, 2015
Notice of Comment Period on Minor Alteration Application February 24, 2015
Department of Commerce Comments March 16, 2015

The attached materials are work papers of the Commission staff. They are intended for use by the Minnesota Public Utilities Commission and are based upon information already in the record unless noted otherwise.

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Statement of the Issues

Should the Commission authorize the minor alteration request? If the minor alteration is approved, should any conditions be required?

Procedural History

On September 14, 2010, the Commission granted a route permit for the Brookings County – Hampton 345 kV Transmission (Brookings) Line.¹

On February 20, 2015, Great River Energy filed an application requesting approval of a minor alteration to the Helena – Chub Lake Substation Segment of the Brookings Line in Scott County, Minnesota.

On February 24, 2015, a notice of comment period on the minor alteration application was issued by the Commission requesting comments by March 16, 2015.

On March 16, 2015, the Energy Environmental Review and Analysis unit of the Minnesota Department of Commerce filed comments and recommendations on the minor alteration application.

Statutes and Rules

A minor alteration is defined under Minn. R. 7850.4800, subp. 1, as 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.

In accordance with Minn. R. 7850.4800, a permittee requesting a minor alteration must submit an application to the Commission describing the proposed alteration and an explanation why the alteration is minor. Upon receiving a minor alteration application the Commission is required to provide a 10-day period for interested persons to submit comments on the request. After close of the comment period the Commission must decide whether to authorize the minor alteration and impose reasonable conditions as necessary, or determine that the alteration is not minor and require a full permitting decision.

Minor Alteration Request

Great River Energy (GRE) has requested the approval of a minor alteration of the Brookings Line Route Permit for the Cedar Lake Project in order to serve the proposed St. Patrick Pump Station which is part of the Minnesota Pipe Line Reliability Project.² Specifically, GRE is requesting approval for the temporary use of the open positions on a portion of the Brookings project's double circuit structures to carry a new 4.2 mile 115 kV transmission line on a portion of the

¹ *Order Granting Route Permit*, eDockets No. [20109-54429-01](#).

² The petition for a Certificate of Need for the Minnesota Pipe Line Project is currently before the Commission as Docket No. PL-5/CN-14-320.

Helena to Chub Lake Segment to serve the proposed Cedar Lake Substation. The Cedar Lake Substation would in turn serve the proposed St. Patrick Pump Station. Additionally, a tap for the Cedar Lake substation and the Cedar Lake substation would be permitted by Scott County.

The Cedar Lake Project would be located either within the Brookings Line's 1000-foot permitted route, or on property owned by the Minnesota Pipe Line Company (MPL). The portion of the Cedar Lake Project that would be located on MPL property (the proposed Cedar Lake Substation and a tap line less than 1500 feet in length) would require a conditional use permit from Scott County.

If approved, the temporary use of the open circuit position between Structures #044 and #068 of the Brookings transmission line would begin in 2017 and extend until the open position is needed for a new permanent transmission circuit. The terms and conditions of GRE's temporary use of the open second circuit position for the Cedar Lake 115 kV line, including the manner in which the temporary use can be terminated, would be specified in a formal agreement between the other Brookings Project Owners³ and GRE.

Upon receipt of notice from the Brookings Project Owners that the second circuit position to be used by the Cedar Lake 115 kV line is needed, Great River Energy will be required to develop alternative facilities for the 115 kV facilities on this portion of the Brookings Transmission Line in the Helena to Chub Lake Segment, including seeking the required approvals for the facilities.

Based on its evaluation, GRE concluded that the proposed modification did not represent a significant change in the human or natural environment and, therefore should qualify as a minor alteration to the existing facility. GRE stated that the Commission should approve the minor alteration request because the project does not result in significant change(s) in the human or environmental impact of the facility, and would have significantly less human and environmental impacts than a longer new transmission line corridor that would otherwise be needed to serve the pump station.

Minnesota Department of Commerce

On March 16, 2015, Department of Commerce Energy Environmental Review and Analysis (EERA) staff provided comments and recommendations on Great River Energy's application for a minor alteration. EERA staff concluded that the requested modification is minor and would not significantly change the human or environmental impact of the facility.

EERA staff explained that it had reviewed the data provided in the minor alteration application and evaluated whether the modification would result in significant change to the human and environmental impact of the facility relative to the routing factors found in Minn. R. 7850.4100. EERA staff found that the anticipated impacts of the proposed project would be minimal when compared to the routing factors set forth in rule.

³ The Brookings Project Owners include Great River Energy and Northern States Power Company, Central Minnesota Municipal Power Agency, Otter Tail Power Company, and Western Minnesota Municipal Power Agency.

Because GRE's proposed Cedar Lake project is a construction project, EERA staff recommended inclusion of requirements that GRE supply complaint procedures and landowner notices as part of the Commission's approval. Additionally, because the new 115 kV line may impact a wetland and will cross two public waters, EERA staff recommended that GRE confer with the Minnesota Department of Natural Resources (DNR) and implement mitigation measures if so recommended by the DNR.

In summary, EERA staff recommended that the approval incorporate the following conditions:

1. Complaint Procedure. Prior to the start of construction, GRE shall submit to the Commission the procedure that will be used to receive and respond to complaints.
2. Notification to Landowners. Prior to the start of construction, GRE shall provide all affected landowners with a copy of the Commission's order authorizing a minor alteration and a copy of the complaint procedure.
3. Notification to Commission.
 - a. At least 10 days before the Cedar Lake project is to be placed into service, GRE shall notify the Commission of the date on which it will be placed into service and the date on which construction was complete.
 - b. Within 60 days after completion of construction, GRE shall submit copies of all final as-built plans and specifications developed for the Cedar Lake project.
 - c. Within 60 days after completion of construction, GRE shall submit to the Commission geo-spatial information (e.g., ArcGIS compatible map files, GPS coordinates) for all structures associated with the new 115 kV line and the Cedar Lake substation.
4. Department of Natural Resources. GRE shall consult with the DNR concerning mitigation measures for the Cedar Lake project. GRE shall implement those measures recommended by the DNR. GRE shall document this consultation and the recommended mitigation measures and submit this information to the Commission at least 30 days prior to commencing construction of the project.

Staff Discussion

Staff has reviewed the application for a minor alteration and agrees with EERA staff that the requested alteration is minor and does not significantly change the human or environmental impact of the facility. Staff recommends that the Commission approve GRE's minor alteration request including the conditions recommended by EERA staff.

In addition to the conditions recommended by the Department, staff recommends that the order include a requirement for the designation of a field representative.

Commission Decision Alternatives

- A. Authorize the minor alteration request for the Brookings transmission line route permit for the Cedar Lake Project without conditions.
- B. Authorize the minor alteration request of the Brookings transmission line for the Cedar Lake Project with the following conditions:
 1. Complaint Procedures. Prior to the start of construction, Great River Energy shall submit to the Commission the procedure that will be used to receive and respond to complaints. The procedure shall be in accordance with the requirements set forth in the Commission's standard complaint handling procedures.³
 2. Notification to Landowners. Great River Energy shall provide all affected landowners with a copy of the Commission's order authorizing a minor alteration. Great River Energy shall also provide all affected landowners with a copy of the complaint procedure upon contacting landowners to begin construction.
 3. Notification to Commission.
 - a. At least 10 days before the Cedar Lake project is to be placed into service, GRE shall notify the Commission of the date on which it will be placed into service and the date on which construction was complete.
 - b. Within 60 days after completion of construction, GRE shall submit copies of all final as-built plans and specifications developed for the Cedar Lake project.
 - c. Within 60 days after completion of construction, GRE shall submit to the Commission geo-spatial information for all structures associated with the new 115 kV line and the Cedar Lake substation.
 4. Department of Natural Resources. GRE shall consult with the DNR concerning mitigation measures for the Cedar Lake project. GRE shall implement those measures recommended by the DNR. GRE shall document this consultation and the recommended mitigation measures and submit this information to the Commission at least 30 days prior to commencing construction of the project.
 5. Field Representative. At least 14 days prior to commencing construction, GRE shall advise the Commission in writing of the person or persons designated to be the field representative. The field representative's address, phone number, emergency phone number, and email shall be provided to the Commission and shall be made available to affected landowners, residents, public officials and other interested persons.
- C. Determine that the requested alteration is not minor and require a full permitting decision.
- D. Take some other action deemed appropriate.

Staff Recommendation: B1-B5.