

April 8, 2020

Will Seuffert
Executive Secretary
Minnesota Public Utilities Commission
121 7th Place East, Suite 350
St. Paul, MN 55101-2147

RE: Permit Amendment Request – Structures 1 and 132
Huntley to Wilmarth Transmission Line Project
Docket No. E002, ET6675/TL-17-185

Dear Mr. Seuffert,

Attached are the review and comments of Department of Commerce, Energy Environmental Review and Analysis (EERA) staff in the following matter:

In the Matter of the Route Permit Application of Xcel Energy and ITC Midwest LLC for the
Huntley to Wilmarth 345 kV Transmission Line Project in South Central Minnesota

Xcel Energy and ITC Midwest LLC (permittees) have requested a permit amendment for two modifications of the Huntley to Wilmarth transmission line project. The permittees are seeking approval to relocate two sections of the project – a section at Structure 1 near the Wilmarth substation, and a section at Structure 132 in Blue Earth County.

The permit amendment request was filed on March 18, 2020, by:

Tom Hillstrom
Xcel Energy
414 Nicollet Mall
Minneapolis, MN 55401

EERA staff recommends approval of the permit amendment request. EERA staff is available to answer any questions the Commission may have.

Sincerely,



Ray Kirsch
EERA Staff

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BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION**COMMENTS AND RECOMMENDATIONS OF
MINNESOTA DEPARTMENT OF COMMERCE
ENERGY ENVIRONMENTAL REVIEW AND ANALYSIS**

DOCKET No. E002, ET6675/TL-17-185

Date: April 8, 2020**EERA Staff:** Ray Kirsch | 651-539-1841 | raymond.kirsch@state.mn.us

In the Matter of the Route Permit Application of Xcel Energy and ITC Midwest LLC for the Huntley to Wilmarth 345 kV Transmission Line Project in South Central Minnesota

Issues Addressed: These comments and recommendations address Xcel Energy and ITC Midwest LLC's request for a permit amendment for two modifications of the transmission line project.

Additional documents and information can be found on eDockets:

<https://www.edockets.state.mn.us/EFiling/search.jsp> (17-185) and on the Department of Commerce's website: <http://mn.gov/commerce/energyfacilities>.

This document can be made available in alternative formats (i.e., large print or audio) by calling 651-296-0391 (voice).

Introduction

On August 5, 2019, the Commission issued a certificate of need and a route permit to Xcel Energy and ITC Midwest LLC (permittees) for the Huntley to Wilmarth 345 kV transmission line.¹ On March 18, 2020, the permittees requested approval of a permit amendment for two modifications of the project.² The permittees are requesting to relocate two sections of the project – a section at

¹ Commission Order Finding Environmental Impact Statement Adequate, Granting Certificate of Need, Issuing Route Permit, and Requiring Additional Analysis, August 5, 2019, eDockets Numbers [20198-154935-01](#), [20198-154935-03](#) [hereinafter Commission CN and Route Permit Order].

² Route Permit Amendment Request, Xcel Energy and ITC Midwest LLC, March 18, 2020, eDockets Numbers [20203-161349-01](#) [hereinafter Permit Amendment Request].

Structure 1 near the Wilmarth substation, and a section at Structure 132 in Blue Earth County.³ The permittees propose to relocate Structure 1 and the portion of the transmission line between Structures 1 and 2 to better utilize existing transmission line right-of-way (ROW) and to facilitate a westerly exit from the Wilmarth substation. The relocation would be on property owned by Xcel Energy.⁴

The permittees propose to relocate Structure 132 and that portion of the transmission line between Structures 131 and 133 to accommodate Blue Earth County's request regarding pole placement.⁵ The county requested that transmission line poles along County Road 135 be placed so as to avoid potential conflicts with future road construction projects.⁶ The relocation would move the transmission line in a southeasterly direction, away from a curve in County Road 135.⁷ The relocation would be located on property owned by Mr. Trevor Brandts. Mr. Brandts has agreed to an easement for the proposed relocation.⁸

On March 25, 2020, the Commission issued a notice soliciting comments on the permittees' route permit amendment request.⁹

Regulatory Process and Procedures

Section 4.1 of the route permit for the Huntley to Wilmarth transmission line project requires that alignment modifications that would place the transmission line right-of-way outside of the Commission's permitted route be reviewed by the Commission under Minnesota Rule 7850.4900.¹⁰

Minnesota Rule 7850.4900 authorizes the Commission to amend the conditions of a transmission line route permit upon the request of any person.¹¹ The person requesting a permit amendment must submit an application to the Commission describing the amendment and the reasons for the amendment. Though Minnesota Rule 7850.4900 does not provide a standard for approval of permit amendments, an amendment request is similar to a request for a minor alteration, and such alterations can be approved if the Commission finds that they do not result in significant changes in the human or environmental impacts of a project.¹²

EERA Staff Analysis and Comments

Department of Commerce, Energy Environmental Review and Analysis (EERA) staff has reviewed the permittees' request for a permit amendment and the record to date. EERA staff believes that the

³ Id.

⁴ Id.

⁵ Id.

⁶ Id.

⁷ Id.

⁸ Id.

⁹ Notice of Route Permit Amendment Request, March 25, 2020, eDockets Number [20203-161441-01](#), [20203-161441-02](#).

¹⁰ Commission CN and Route Permit Order.

¹¹ Minnesota Rule 7850.4900, <https://www.revisor.mn.gov/rules/7850.4900>.

¹² Minnesota Rule 7850.4800, <https://www.revisor.mn.gov/rules/7850.4800>.

permittees' proposed alignment modifications do not result in significant changes in the human or environmental impacts of the project.

The permittees' proposed relocation of Structure 1 utilizes existing transmission line ROW and facilitates a westerly exit from the Wilmarth substation.¹³ The relocation reduces the length of the line and the need to cross existing transmission lines.¹⁴ With respect to potential human impacts, the relocation does not place the line closer to residences.¹⁵ The relocation would be on property owned by Xcel Energy. With respect to environmental impacts, the relocation reduces impacts to wetlands and trees relative to the permit's anticipated alignment.¹⁶

The permittees' proposed relocation of the transmission line at Structure 132 moves the line in a southeasterly direction, away from a curve in County Road 135.¹⁷ With respect to potential human impacts, the relocation does not place the line closer to residences.¹⁸ The relocation is consistent with the guidance of Blue Earth County regarding setbacks to avoid potential conflicts with future road construction projects.¹⁹ The relocation would be located on property owned by Mr. Trevor Brandts. Mr. Brandts has agreed to an easement for the proposed relocation.²⁰

With respect to environmental impacts, the relocation of the line at Structure 132 reduces agricultural impacts and impacts to forested wetlands relative to the permit's anticipated alignment.²¹ The relocation will increase impacts to trees; however, these impacts will occur in forested uplands rather than in relatively rarer forested wetlands.²²

EERA Staff Recommendation

EERA staff finds that the permittees' proposed alignment modifications do not result in significant changes in the human or environmental impacts of the project. EERA staff recommends that the Commission approve the permittees' permit amendment request.

¹³ Permit Amendment Request.

¹⁴ Id.

¹⁵ Id.

¹⁶ Id.

¹⁷ Id.

¹⁸ Id.

¹⁹ Id.

²⁰ Id.

²¹ Id.

²² Id.