

VI. Decision Alternatives

A. Substantial Completeness of the Application

1. Accept the application as substantially complete as amended on August 29, 2014.
2. Accept the application as substantially complete as of filing date of July 25, 2014.
3. Decline to accept the application as substantially complete at this time, direct the Applicant to submit a supplemental filing addressing the specific issues identified.
4. Take some other action.

B. Procedural Treatment of the Application

1. Refer the matter to the Office of Administrative Hearings for a contested case hearing, and request that the issues identified in the staff review process above be considered by the Administrative Law Judge.
2. Direct the use of the informal process, and request that the Office of Administrative Hearings conduct public hearings and provide the Commission with a Summary of Public Testimony, Findings of Fact and Conclusions and Recommendations.
3. Take some other action.

C. Other Information, Requests and Directives

To ensure the efficient and thorough processing of the application, the Commission could incorporate the following items into the Notice and/or Order for this matter:

1. Include in its Order:
 - the name and telephone number of the Commission employee designated to facilitate citizen participation in the process;
 - a request that the Department of Commerce and Commission staff continue to study the issues and indicate during the hearing process its position on the reasonableness of granting a certificate of need to the Company;
 - a requirement that the applicant facilitates in every reasonable way the continued examination of the issues by the Department of Commerce;
 - direct Commission staff to formally contact relevant state agencies to request their participation in the development of the record and public hearings under Minn. Stat. § 216E.10, subd. 3, and request that state agencies submit comments prior to the last day of the public hearing;
 - a directive that Commission staff work with the Administrative Law Judge in selecting suitable locations for hearings on the application; and
 - a directive that the applicants provide notice of the hearings in newspapers of general circulation at least ten days prior to the start of the hearings, that the applicant consult with Commission staff on the timing, text, and distribution of such ads prior to publication, and e-File confirmation of their publication ; or
2. Make some other decision deemed more appropriate.

D. Environmental Review Process for the Certificate of Need Proceeding

1. Authorize environmental review by EERA staff to be completed prior to commencement of the contested case hearings.
2. Require preparation of an:
 - a. EAW,
 - b. EIS, or
 - c. CEA.
3. Take some other action deemed appropriate.
4. Decline to require additional environmental review.

Staff Recommendations: A.2, B.1 and C.1
Staff does not have a recommendation on **Item D.**