

Minnesota Public Utilities Commission
Staff Briefing Papers

Meeting Date: January 26, 2017 Agenda Item 1*

Company: Great River Energy/Xcel Energy

Docket No. ET-2/TL-12-1245

In the Matter of the Application of Great River Energy for a Route Permit for a 115 kV Transmission Line Project in the Elko New Market and Cleary Lake Areas in Scott and Rice Counties, Minnesota

Issues: Should the Commission authorize the permit transfer from Great River Energy to Xcel Energy?
Should the Commission impose any additional conditions as part of the approval?
Should the Commission take any other action?

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Relevant Documents

Order Issuing Route Permit August 5, 2014
Great River Energy Petition for a Portion of Permit Transfer December 13, 2016
Department of Commerce EERA Response to Petition December 23, 2016

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

This document can be made available in alternative formats (i.e., large print or audio) by calling 651-296-0406 (voice). Persons with hearing or speech disabilities may call us through their preferred Telecommunications Relay Service.

Statement of the Issues

Should the Commission authorize the permit transfer from Great River Energy (GRE) to Xcel Energy (Xcel)?

Should the Commission impose any additional conditions as part of the approval?

Should the Commission take any other action?

Procedural History

On June 20, 2013, GRE filed a certificate of need application and a route permit application under the alternative permitting process for its proposed 115 kV transmission line project in Dkt. Nos. ET2/CN-12-1235 and TL-12-1245, respectively.

On August 5, 2014, the Minnesota Public Utilities Commission (Commission) issued a route permit to GRE in docket ET2/TL-12-1245. GRE proposed to construct approximately 5.4 miles of new double circuit 115 kilovolt (kV) transmission line and to rebuild approximately 11.3 miles of existing 69 kV transmission line to 115 kV specifications in Scott and Rice counties, Minnesota.

On December 13, 2016, GRE and Xcel filed a petition (Petition) requesting the Commission authorize the transfer a portion of the route permit issued on August 5, 2014 from Great River Energy to Xcel effective no later than January 31, 2017.

On December 23, 2016, EERA filed a response to the Petition.

On January 16, 2017, Xcel filed a letter in response to EERA's comments.

Statutes and Rules

Under Minnesota Rule 7850.5000 Subp 2., "The commission shall approve the transfer if the commission determines that the new permittee will comply with the conditions of the permit. The commission, in approving the transfer of a permit, may impose reasonable additional conditions in the permit as part of the approval. The commission may decide to hold a public meeting to provide the public with an opportunity to comment on the request for the transfer prior to making a decision."

In addition, section 10 of Permit specifies the procedures for a permit transfer.

Comments

GRE and Xcel's petition

GRE stated that due to Xcel's substation outage constraints, GRE and Xcel are requesting a permit transfer of a part of project near Xcel's Credit River Substation. Xcel indicated that if the Commission approves the permit transfer it will rebuild this section of the project at a later time.

Xcel agreed to comply with the Permit conditions as followings:

Xcel Energy will comply with the General Conditions outlined in Section 4.0 of the Route Permit.

The Special Conditions outlined in Section 5.0 of the Route Permit are generally not applicable to this portion of the Project.

Xcel Energy will comply with Sections 6.0 and 7.0 of the Route Permit.

Xcel Energy will submit a separate Plan and Profile Compliance Filing for this portion of the Project (Section 8.1) and comply with the other requirements outlined in Section 8.0 of the Route Permit.

EERA Comments

EERA concluded that GRE and Xcel Energy have complied with the requirements for requesting a permit transfer under the rule and permit condition. EERA staff recommended that the Commission approve the transfer of the Route Permit in question from GRE to Xcel Energy, specifically for the designated portion of the route between Structure 34 and the Credit River Substation.

EERA staff also recommended that Xcel Energy be required to adhere to all conditions of the permit, excepting only the Special Conditions in Section 5.

EERA further recommended that Xcel Energy need not file a Plan and Profile on the transferred segment of the project unless there are changes to the structures or to the Plan and Profile already filed by GRE.

Xcel Energy's letter

On January 16, 2017, Xcel filed a letter indicating its agreement with EERA's recommendation.

Public Comments

No public comments have been received.

Commission Decision Alternatives

A. Transmission Line Route Permit Transfer

1. Issue a modified permit identifying a specific route for the portion of the project being transferred from GRE to Xcel.
2. Take some other action deemed appropriate.

Staff Recommendation: A1.

STATE OF MINNESOTA PUBLIC UTILITIES COMMISSION
ROUTE PERMIT FOR CONSTRUCTION OF A HIGH-VOLTAGE TRANSMISSION
LINE AND ASSOCIATED FACILITIES

IN
SCOTT AND RICE COUNTIES

ISSUED TO
GREAT RIVER ENERGY AND XCEL ENERGY

PUC DOCKET NO. ET-002/TL12-1245

In accordance with the requirements of Minnesota Statutes Chapter 216E and Minnesota Rules Chapter 7850 this route permit is hereby issued to:

GREAT RIVER ENERGY AND XCEL ENERGY

Great River Energy and Xcel Energy is authorized by this route permit to construct 5.4 miles of double-circuit 115 kV transmission line and rebuild 11.3 miles of existing 69 kV transmission line to 115 kV standards in the Elko New Market and Cleary Lake Areas in Scott and Rice Counties, Minnesota.

The transmission line and associated facilities shall be built within the route identified in this permit and as portrayed on the official route maps, and in compliance with the conditions specified in this permit.

Approved and adopted this ____ day of [*Month, Year*]

BY ORDER OF THE COMMISSION

Daniel P. Wolf,
Executive Secretary

1.0 ROUTE PERMIT

The Minnesota Public Utilities Commission (Commission) hereby issues this route permit to Great River Energy and Xcel Energy (Permittee) pursuant to Minnesota Statutes Chapter 216E and Minnesota Rules Chapter 7850. This permit authorizes Great River Energy to construct 5.4 miles of double-circuit 115 kV transmission line and rebuild 11.3 miles of existing 69 kV transmission line to 115 kV standards in the Elko New Market and Cleary Lake Areas in Scott and Rice Counties, Minnesota, and as identified in the attached route permit maps, hereby incorporated into this document. This permit authorizes Xcel Energy to construct the route between Structure 34 and the Credit River Substation.

Pursuant to Minn. Stat. § 216E.10, this route permit shall be the sole approval required to be obtained by the Permittee for construction of the transmission facilities and this permit shall supersede and preempt all zoning, building, or land use rules, regulations, or ordinances promulgated by regional, county, local and special purpose government.

2.0 PROJECT DESCRIPTION

The Project includes construct approximately 5.4 miles of new double circuit 115 kilovolt (kV) transmission line and to rebuild approximately 11.3 miles of existing 69 kV transmission line to 115 kV standards.

2.1 Project Location

The proposed project is located in the townships of Cedar Lake, Credit River, New Market, Spring Lake, Webster, and Wheatland and the cities of Elko New Market, Prior Lake, and Savage in Rice and Scott counties.

County	Township Name	Township	Range	Section
Scott	Savage	115N	21W	28, 29, 32, 33
	Credit River TWP	114N	21W	4, 5, 7, 8, 9
	Spring Lake TWP	114N	22W	1, 12
	New Market TWP	113N	21W	15, 16, 17, 19, 21, 22, 30, 31, 32
	Elko New Market	113N	21W	20
	Cedar Lake TWP	113N	22W	13, 14, 22, 23, 24, 26, 27, 34, 35, 36
Rice	Webster TWP	112N	21W	5, 6
	Wheatland TWP	112N	22W	1, 2, 11, 12

**MINNESOTA PUBLIC UTILITIES COMMISSION
COMPLAINT HANDLING PROCEDURES FOR
HIGH-VOLTAGE TRANSMISSION LINES**

A. Purpose

To establish a uniform and timely method of reporting complaints received by the permittee concerning permit conditions for site preparation, construction, cleanup and restoration, operation, and resolution of such complaints.

B. Scope

This document describes complaint reporting procedures and frequency.

C. Applicability

The procedures shall be used for all complaints received by the permittee and all complaints received by the Minnesota Public Utilities Commission (Commission) under Minn. R. 7829.1500 or Minn. R. 7829.1700 relevant to this permit.

D. Definitions

Complaint: A verbal or written statement presented to the permittees by a person expressing dissatisfaction or concern regarding site preparation, cleanup or restoration or other route and associated facilities permit conditions. Complaints do not include requests, inquiries, questions or general comments.

Substantial Complaint: A written complaint alleging a violation of a specific permit condition that, if substantiated, could result in permit modification or suspension pursuant to the applicable regulations.

Unresolved Complaint: A complaint which, despite the good faith efforts of the permittee and a person, remains to both or one of the parties unresolved or unsatisfactorily resolved.

Person: An individual, partnership, joint venture, private or public corporation, association, firm, public service company, cooperative, political subdivision, municipal corporation, government agency, public utility district, or any other entity, public or private, however organized.

E. Complaint Documentation and Processing

1. The permittee shall designate an individual to summarize complaints for the Commission. This person's name, phone number and email address shall accompany all complaint submittals.
2. A person presenting the complaint should to the extent possible, include the following information in their communications:
 - a. name, address, phone number, and email address;
 - b. date of complaint;
 - c. tract or parcel number; and
 - d. whether the complaint relates to a permit matter or a compliance issue.
3. The permittee shall document all complaints by maintaining a record of all applicable information concerning the complaint, including the following:
 - a. docket number and project name;
 - b. name of complainant, address, phone number and email address;
 - c. precise description of property or parcel number;
 - d. name of permittee representative receiving complaint and date of receipt;
 - e. nature of complaint and the applicable permit condition(s);
 - f. activities undertaken to resolve the complaint; and
 - g. final disposition of the complaint.

F. Reporting Requirements

The permittee shall commence complaint reporting at the beginning of project construction and continue through the term of the permit. The permittee shall report all complaints to the Commission according to the following schedule:

Immediate Reports: All substantial complaints shall be reported to the Commission the same day received, or on the following working day for complaints received after working hours. Such reports are to be directed to the Commission's Consumer Affairs Office at 1-800-657-3782 (voice messages are acceptable) or consumer.puc@state.mn.us. For e-mail reporting, the email subject line should read "PUC EFP Complaint" and include the appropriate project docket number.

Monthly Reports: By the 15th of each month, a summary of all complaints, including substantial complaints received or resolved during the preceding month, shall be filed to Daniel P. Wolf, Executive Secretary, Public Utilities Commission, using the eDockets system. The eDockets system is located at: <https://www.edockets.state.mn.us/EFiling/home.jsp>

If no complaints were received during the preceding month, the permittee shall file a summary indicating that no complaints were received.

G. Complaints Received by the Commission

Complaints received directly by the Commission from aggrieved persons regarding site preparation, construction, cleanup, restoration, operation and maintenance shall be promptly sent to the permittee.

H. Commission Process for Unresolved Complaints

Commission staff shall perform an initial evaluation of unresolved complaints submitted to the Commission. Complaints raising substantial permit issues shall be processed and resolved by the Commission. Staff shall notify the permittee and appropriate persons if it determines that the complaint is a substantial complaint. With respect to such complaints, each party shall submit a written summary of its position to the Commission no later than ten (10) days after receipt of the staff notification. The complaint will be presented to the Commission for a decision as soon as practicable.

I. Permittee Contacts for Complaints and Complaint Reporting

Complaints may be filed by mail or email to:

Carole L. Schmidt
Great River Energy
Supervisor, Transmission Permitting and Compliance
12300 Elm Creek Blvd.
Maple Grove, MN 55369
763-445-5214
cschmidt@greenergy.com

Pam Rasmussen
Xcel Energy
Senior Manager, Siting and Land Rights
1414 W. Hamilton Ave.

PO Box 8
Eau Claire, WI 54702-0008
(715) 737-4661
pamela.jo.rasmussen@xcelenergy.com

This information shall be maintained current by informing the Commission of any changes by eFiling, as they become effective.

**MINNESOTA PUBLIC UTILITIES COMMISSION
COMPLIANCE FILING PROCEDURE FOR
PERMITTED ENERGY FACILITIES**

A. Purpose

To establish a uniform and timely method of submitting information required by the Commission energy facility permits.

B. Scope and Applicability

This procedure encompasses all compliance filings required by permit.

C. Definitions

Compliance Filing: A filing of information to the Commission, where the information is required by a Commission site or route permit.

D. Responsibilities

1. The permittee shall eFile all compliance filings with Daniel P. Wolf, Executive Secretary, Public Utilities Commission, through the eDockets system. The eDockets system is located at: <https://www.edockets.state.mn.us/EFiling/home.jsp>

General instructions are provided on the eDockets website. Permittees must register on the website to eFile documents.

2. All filings must have a cover sheet that includes:
 - a. Date
 - b. Name of submitter/permittee
 - c. Type of permit (site or route)
 - d. Project location
 - e. Project docket number
 - f. Permit section under which the filing is made
 - g. Short description of the filing

3. Filings that are graphic intensive (e.g., maps, engineered drawings) must, in addition to being eFiled, be submitted as paper copies and on CD. Paper copies and CDs should be sent to: 1) Daniel P. Wolf, Executive Secretary, Minnesota Public Utilities Commission, 121 7th Place East, Suite 350, St. Paul, MN 55101-2147, and 2) Department of Commerce, Energy Environmental Review and Analysis, 85 7th Place East, Suite 500, St. Paul, MN 55101-2198.

The Commission may request a paper copy of any eFiled document.

PERMIT COMPLIANCE FILINGS¹

PERMITTEE: Great River Energy and Xcel Energy

PERMIT TYPE: HVTL Route Permit

PROJECT LOCATION: Scott and Rice Counties

PUC DOCKET NUMBER: ET002/TL12-1245

Filing Number	Permit Section	Description of Compliance Filing	Due Date
1	8.1	Plan and profile of right-of-way (ROW)	30 days before ROW preparation for construction
2	4.2.1	Contact information for field representative	14 days prior to construction
3	4.2.14	Restoration complete	60 days after completion of all restoration activities
4	8.2	Periodic status reports	Monthly
5	7.0	Complaint procedures	Prior to start of construction
6	Complaint Handling Procedures	Complaint reports	By the 15 th of each month
7	4.1	Notification to landowners	First contact with landowners after permit issuance
8	8.3.1	Notice of completion and date of placement in service	Three days prior to energizing
9	8.3.2	Provide as-built plans and specifications	Within 60 days after completion of construction
10	8.3.3	Provide GPS data	Within 60 days after completion of construction

¹ This compilation of permit compliance filings is provided for the convenience of the permittee and the Commission. It is not a substitute for the permit; the language of the permit controls.

11	4.2.12	Notification of previously unrecorded archaeological sites	Upon discovery
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The Great River Energy Project now terminates at Structure 34. Xcel Energy owns the line from that point into the Xcel Energy Credit River Substation. Due to outage constraints Xcel Energy will rebuild this portion of the line at a later time. Great River Energy will transfer that small portion of the permit to Xcel Energy.

<p>Great River Energy</p> <ul style="list-style-type: none"> — New Transmission Centerline ○ New Structure Locations — Existing 69 kV Transmission Line — Foreign Transmission Line ○ Existing 69 kV Transmission Line ● Existing Distribution Substation 	<p>Permitted Route</p> <ul style="list-style-type: none"> Permitted Route (300' width) Right of Way Area (100' width) - - - Permitted Alignment X X Bird Diverters 		<h2 style="text-align: center;">Credit River to Prior Lake Junction</h2> <h3 style="text-align: center;">Exhibit B Map 1 of 7</h3> <p>GIS Data sources include: MNGEO, MNDNR, MNDOT, and Great River Energy. Aerial Imagery from ESRI web service.</p> <p style="text-align: right;">1:5,000</p> <p>GREAT RIVER ENERGY</p> <p style="text-align: right;">Updated Date: 8/11/2015</p>
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