

The Commission met on **Friday, October 28, 2016**, with Chair Heydinger and Commissioners Lange, Lipschultz, Schuerger, and Tuma present.

The following matters were taken up by the Commission:

ENERGY AGENDA

E-306,104/SA-16-647

In the Matter of the Joint Request of Saint Peter Municipal Utilities and BENCO Electric Cooperative to Modify Electric Service Territory Boundaries

Commissioner Lipschultz moved to approve the requested service territory boundary transfer from BENCO Electric Cooperative to Saint Peter Municipal Utilities.

The motion passed 5–0.

ENERGY FACILITIES PLANNING

PL-6668/CN-13-473

In the Matter of the Application of North Dakota Pipeline Company LLC for a Certificate of Need for the Sandpiper Pipeline Project in Minnesota

PL-6668/PPL-13-474

In the Matter of the Application of North Dakota Pipeline Company LLC for a Pipeline Routing Permit for the Sandpiper Pipeline Project in Minnesota

Commissioner Lange moved to take the following actions:

1. Not consider imposing any conditions on North Dakota Pipeline Company's withdrawal request; and
2. Direct the Executive Secretary to grant North Dakota Pipeline Company LLC's request to withdraw the matters under Minn. R. 7829.0430, subp. 1.

The motion passed 5–0.

ET-6/TL-14-665

In the Matter of the Application of Minnkota Power Cooperative, Inc. for a Route Permit for the Clearbrook-Clearbrook West 115 kV Transmission Line Project in Clearwater County

Commissioner Lange moved that the Commission not consider the request to impose conditions on Minnkota's request to withdraw its route-permit application for the Clearbrook-Clearbrook West 115 kV Transmission Line Project and that the Executive Secretary proceed to grant the withdrawal request pursuant to Minn. R. 7829.0430, subp. 1.

The motion passed 5–0.

ET-6/TL-16-327

In the Matter of the Application of Minnkota Power Cooperative, Inc. for a Route Permit for the MPL-Laporte 115 kV Transmission Line Project in Clearwater and Hubbard Counties

Commissioner Tuma moved to take no action regarding route alternatives to be evaluated in the environmental impact statement and to direct the use of the summary proceeding process to develop the record for the route permit, requesting that the OAH adapt the existing procedural framework set forth in Minn. R. 7850.3800 to incorporate the following and that the assigned administrative law judge

1. Emphasize the statutory time frame for the Commission to make final decisions on applications and strongly encourage the parties to adhere to a schedule that conforms to the statutory time frame.
2. Ask the parties, participants, and the public to address whether the proposed project and any alternatives to the proposed project meet the selection criteria established in Minn. Stat. § 216E.03, subd. 7, and Minn. R. 7850.4100.
3. Prepare a report setting forth findings, conclusions, and recommendations on the merits of the proposed project and alternatives to the proposed project, applying the criteria set forth in statute and rule; and provide comments and recommendations, if any, on the conditions and provisions of the proposed permit.

The motion passed 5–0.

PL-9/CN-14-916

In the Matter of the Application of Enbridge Energy, Limited Partnership for a Certificate of Need for the Line 3 Pipeline Replacement Project in Minnesota from the North Dakota Border to the Wisconsin Border

PL-9/PPL-15-137

In the Matter of the Application of Enbridge Energy, Limited Partnership for a Route Permit for the Line 3 Pipeline Replacement Project in Minnesota from the North Dakota Border to the Wisconsin Border

Commissioner Lipschultz moved to take the following actions:

1. Deny the Motion to Extend or Reopen the Environmental Impact Statement Scoping Period filed by the Minnesota Center for Environmental Advocacy and the Friends of the Headwaters; and
2. Deny the Motion and Amended Motion for Supplemental Scoping Comment Period filed by the Sierra Club.

The motion passed 5–0.

Commissioner Tuma moved to do the following:

1. Approve the Proposed Scoping Decision as the Final Scoping Decision for the Line 3 Pipeline Replacement Project.
2. Approve expanded notice of the Final Scoping Decision as detailed in the Comments and Recommendations of the Minnesota Department of Commerce (the Department).
3. Forward the route alternatives identified by the Department in the Proposed Scoping Decision for consideration at hearing as follows: System Alternative SA-04-L3; Route Alternatives RA-03AM-L3, RA-06-L3, RA-07-L3, and RA-08-L3; and the 23 route segment alternatives.
4. In addition, also forward proposed route segment alternative RSA-CS, designed to connect proposed route alternative RA-07 and route segment alternative RSA-22, for consideration at hearing.

The motion passed 5–0.

There being no further business, the meeting was adjourned.

APPROVED BY THE COMMISSION: December 21, 2016

A handwritten signature in black ink that reads "Daniel P. Wolf". The signature is written in a cursive style with a large, stylized 'D' and 'W'.

Daniel P. Wolf, Executive Secretary