



Energy Environmental Review and Analysis
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October 21, 2014

Dr. Burl W. Haar
Executive Secretary
Minnesota Public Utilities Commission
121 7th Place East, Suite 350
St. Paul, MN 55101-2147

RE: Comments and Recommendations of Department of Commerce
Energy Environmental Review and Analysis
Docket No. ET2, E015/CN-14-853

Dear Dr. Haar,

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

Notice Plan Petition for the Application of Great River Energy and Minnesota Power for a Certificate of Need for the Motley Area 115 kV Transmission Line Project in Morrison, Cass, and Todd Counties, Minnesota

The notice plan petition was filed on October 1, 2014, by:

Donna Stephenson
Great River Energy
12300 Elm Creek Blvd.
Maple Grove, MN 55369

EERA staff recommends approval of the notice plan with modifications. Staff is available to answer any questions the Commission may have.

Sincerely,

A handwritten signature in black ink that reads "Richard Davis". The signature is written in a cursive style with a large, sweeping "R" and "D".

Richard Davis
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 STAFF**

DOCKET No. ET2, E015/CN-14-853

Date: October 21, 2014

EERA Staff: Richard Davis.....651-539-1846

In the Matter of the Notice Plan Petition by Great River Energy and Minnesota Power for a Certificate of Need for the Motley Area 115 kV Transmission Line Project in Morrison, Cass, and Todd Counties, Minnesota

Issues Addressed: These comments and recommendations discuss the notice plan proposed for the project.

Documents Attached: (1) EERA Edits to Notice Content

Additional documents and information can be found on eDockets:
<https://www.edockets.state.mn.us/EFiling/search.jsp> (14-853).

This document can be made available in alternative formats (i.e., large print or audio) by calling 651-539-1530 (voice).

Introduction and Background

On October 1, 2014, Great River Energy (GRE), on behalf of GRE and Minnesota Power (applicants), submitted a notice plan petition for the Motley Area 115 kilovolt (kV) transmission line project for review and approval by the Commission.¹ The petition provides the applicants' proposed notice plan for a 115 kV transmission line, approximately 22.5 miles in length, to be constructed in the Minnesota counties of Hubbard, Wadena, and Becker. The petition includes a draft notice for landowners and residents, a draft notice for governmental entities, and a draft newspaper notice.

¹ Notice Plan Petition for the Application of Great River Energy and Minnesota Power for a Certificate of Need for the Motley Area 115 kV Transmission Line Project in Morrison, Cass, and Todd Counties, Minnesota, October 1, 2014, eDockets Number [201410-103501-01](#) [hereinafter Notice Plan Petition].

Regulatory Process and Procedures

Prior to filing an application for a certificate of need for a high voltage transmission line, an applicant must file a proposed notice plan with the Commission that describes how notice of the project will be provided to “all persons reasonably likely to be affected” by the transmission line project.² The notice plan must provide for direct mail notice to landowners, residents, and governmental entities, and also for newspaper notice.³ The notice plan must contain the information required by Minnesota Rule 7829.2550, Subp. 4, including a description of the project, a map of the project, and information regarding the project mailing list.⁴

EERA Staff Analysis and Comments

EERA staff has reviewed the applicants’ proposed notice plan and finds that, in general, the plan is consistent with the requirements of Minnesota Rule 7829.2550. EERA staff recommends modifications to the notice plan (1) to complete and correct notices that will be distributed via the plan and (2) to expand the distribution of notices to governmental entities.

Content of Notices

The applicants’ notice plan petition includes proposed direct mail notices and a proposed newspaper notice. These are Attachments C, D, G, and I of the notice plan petition. EERA staff recommends editing these attachments to:

- Provide docket numbers,
- Correct EERA staff contact information, and
- Correct project notification information.

These edits are included in Attachment 1 (EERA Edits to Notice Content).⁵

EERA staff also recommends that the maps associated with Attachments C, D, G and I, be modified to include Minnesota Pipeline Company’s Line 4 – the pipeline that is, in part, responsible for project’s need. This pipeline is discussed in the notices but is not indicated on the maps. EERA staff believes that indicating the pipeline on the maps would aid citizens’ understanding of the project.

Distribution of Notices

The applicants’ notice plan petition proposes a notice area width of 1000 feet for the project – 500 feet on either side of the proposed route centerline.⁶ EERA staff believes that this notice area width is acceptable provided that the route width requested in the route permit application for the project is considerably smaller. That is, those persons reasonably likely to be affected by

² Minnesota Rule 7829.2550.

³ *Id.*

⁴ *Id.*

⁵ EERA staff has provided edits only for Attachment C. Edits for Attachments D, G, and I would be similar.

⁶ Notice Plan Petition, Attachments B, C, D, G, and I.

the project must include more persons than those within the requested route width for the project. Persons very near the project, but outside of the route width, would likely be affected by the project (e.g., aesthetic impacts).

For the Elko – New Market – Cleary Area 115 kV transmission line project, GRE proposed a notice area of 1000 feet and requested a route width of 300 feet.⁷ If the applicants here suggest a similar approach, EERA staff believes a notice area width of 1000 feet is acceptable. If the applicants suggest a larger route width for the project, e.g., 500 feet or more, EERA staff believes the notice area width should be similarly enlarged.

The applicants propose notifying nine governmental entities – three counties, one city, and five townships.⁸ Because the project is near the Todd and Morrison county boundary in several locations, and a minor shift of the project area could occur during route alternatives consideration, EERA staff recommends expanding this list to include Villard Township in Todd County.

⁷ Notice Plan for the Application of Great River Energy for a Certificate of Need for its 115 kV Transmission Line Project in the Elko New Market and Cleary Lake Areas in Scott and Rice Counties, Minnesota, November 9, 2012, CN-12-1235, eDockets Number [201211-80525-01](#); and Application for a Certificate of Need and Route Permit by Great River Energy, Elko New Market and Cleary Lake Areas 115 kV Transmission Project, June 20, 2013, CN-12-1235, TL-12-1245, eDockets Numbers [20136-88345-01](#), [20136-88345-02](#), [20136-88345-03](#), [20136-88345-04](#).

⁸ Notice Plan Petition, Attachment E.

Landowner Example Letter – Attachment C

_____, 2014

RE: Notice of Certificate of Need Application for Great River Energy and Minnesota Power's Motley Area 115 kV Transmission Project in Morrison, Cass and Todd Counties, Minnesota
MPUC Docket No.: ~~ET2, E015/CN-853~~

Dear Stakeholder:

You have received this letter because you own or reside at property that may be impacted by an electric transmission line project being proposed by Great River Energy and Minnesota Power. We respectfully seek your input on the planning of this project and your participation in the state of Minnesota's review and permitting process. This letter discusses the project details and the state of Minnesota's approval and permitting process.

Project Description

Great River Energy and Minnesota Power are proposing to construct a new 115 kV transmission line called the Motley Area 115 kV Transmission Project ("Project"). The Project is proposed to be located in Motley Township and Scandia Valley Township in Morrison County; May Township and Becker Township in Cass County; and Fawn Lake Township in Todd County, Minnesota. **Attachment 1** depicts the area under consideration for the location of the Project.

The proposed Project will serve four primary purposes:

- Strengthen the electric transmission system in the Motley area, as the existing 34.5 kV system serving the area is becoming outdated and is reaching its maximum capacity.
- Provide electric service to the proposed new Crow Wing Power (CWP) Fish Trap Lake distribution substation that would provide electric power to a new pipeline pumping station proposed by Minnesota Pipe Line Company (MPL).
- Allow CWP to convert its existing Motley 34.5 kV distribution substation to operate at 115 kV due to the close proximity of the new 115 kV line to the existing substation.
- Prepare the transmission system for a future CWP distribution substation, which CWP anticipates needing in the Shamineau Lake area. This future substation could not be adequately served by the existing 34.5 kV transmission system in this area.

Great River Energy and Minnesota Power will jointly file a combined Certificate of Need and Route Permit application with the Public Utilities Commission ("Commission") and request permission to:

Landowner Example Letter – Attachment C

- Construct approximately 14 miles of north-south single circuit 115 kV overhead transmission line between Minnesota Power’s existing 115 kV “24” transmission line and the new CWP Fish Trap Lake distribution substation. Great River Energy would install a three-way switch structure (to tap the Minnesota Power “24” line) at Cass County Road 35, approximately 1-3/4 miles north of Highway 210. Low voltage distribution and/or 34.5 kV sub-transmission circuits may be constructed on a portion of the new 115 kV structures (underbuilt) depending on the final alignment approved for the Project.
- Construct a breaker station and approximately one-half mile of 115 kV transmission line at Minnesota Power’s Dog Lake Substation.
- Convert the existing Crow Wing Power Motley Substation from 34.5 kV to 115 kV.
- Construct the proposed Crow Wing Power Fish Trap Lake Substation on Minnesota Pipe Line’s pumping station property in the vicinity of US Highway 10 and Holt Road.

Great River Energy and Minnesota Power anticipate that a 100-foot wide right-of-way (“ROW”), 50 feet from each side of the transmission centerline, will be required for the Project. Before beginning construction, Great River Energy will acquire property rights for the ROW, typically through an easement that will be negotiated with the landowner for each parcel.

The proposed structures for the Project will primarily be single pole, wood structures approximately 60 to 90 feet above ground using spans of approximately 250 to 400 feet between poles. Additionally, specialty structures, other than the single pole wood structures discussed above, may be used through areas of environmental sensitivity or where construction conditions require their use.

As one way to identify potential Project stakeholders, Great River Energy and Minnesota Power have established a “Notice Area”. The Notice Area includes all properties within the proposed route (see Attachment 1) for the transmission line, breaker station, switch and substations as well as all properties within 500 feet of either side of the proposed centerline. This notice, or similar notice, is being provided to the following:

- Landowners with property within the Notice Area;
- Residents within the Notice Area;
- Local units of government with jurisdiction in the Notice Area;
- Local and State elected officials who have constituents in the Notice Area; and
- State and local government agencies and offices with jurisdiction in the Notice Area.

Regulatory Process Overview

The Commission must determine whether the Project is needed (Certificate of Need) and where the Project should be located (Route Permit). Before the Project can be constructed, the Commission must first certify that the Project is needed. Certification of the Project is governed

Landowner Example Letter – Attachment C

by Minnesota law, including Minnesota Statutes Section 216B.243, and Minnesota Rules Chapters 7829 and 7849, specifically Rules 7849.0010 to 7849.0400 and 7849.1000 to 7849.2100. In the Certificate of Need proceeding, the Commission will analyze whether Great River Energy and Minnesota Power have proposed the most appropriate size, type, and timing for the Project. The Certificate of Need application, once submitted, can be obtained by visiting the Commission's website at www.mn.gov/puc ~~www.puc.state.mn.us~~ in Docket No. ET2, E015/CN-14-853.

In addition to certifying the Project, the Commission must also grant a Route Permit for the Project. Routing of the Project is governed by Minnesota law, including Minnesota Statutes Chapter 216E and Minnesota Rules Chapter 7850, specifically Rules 7850.28900 to 7850.463900, as they pertain to the alternative permitting process. Information on the Route Permit application, once filed, can be obtained by visiting the Minnesota Department of Commerce Energy Environmental Review and Analysis (“EERA”) website at mn.gov/commerce/energyfacilities/.

EERA staff is responsible for conducting environmental review of the Project. EERA staff is responsible for preparing both an environmental report (“ER”) for the Certificate of Need proceeding and an environmental assessment (“EA”) for the Route Permit proceeding. EERA staff may elect to combine these two documents and issue one EA document, which satisfies the environmental review requirements for the Certificate of Need and Route Permit proceedings.

Great River Energy and Minnesota Power will be submitting an application for a Route Permit and will identify a proposed route and routes that were evaluated but rejected. **Attachment 1** depicts the route Great River Energy and Minnesota Power intend to propose for the Project in their Route Permit Application. Other routes can be proposed during the EA scoping process to be completed by EERA. As part of its analysis, EERA will evaluate the route proposed by Great River Energy and Minnesota Power in its Route Permit application and any other routes proposed during the scoping process that will aid in the Commission's decision on the Route Permit application. The Commission may determine that the route submitted by Great River Energy and Minnesota Power, or a route proposed during the scoping process, or some combination of such routes is the most appropriate route for the Project. Selection of a final route by the Commission will be based on evaluation of the routes, guided by the Factors identified in Minnesota Statutes Section 216E.03, subdivision 7, Minnesota Rule 7850.4100, and stakeholder input received during the regulatory process.

Need for the Project

The Motley Area 115 kV Transmission Project is needed by 2017 to address potential circuit overloads on the existing Dog Lake-Baxter 34.5 kV electric system¹. System overloads can result in power outages to those homes and businesses served by the 34.5 kV electric system.

¹ The existing Motley 34.5 kV Substation receives electric energy through the Baxter Substation's 34.5 kV electric circuit or the Dog Lake Substation's 34.5 kV circuit. The potential overloads on the 34.5 kV sub-transmission system

Landowner Example Letter – Attachment C

Given the continuing risk of system overloads now coupled with the future electric demands of the proposed Minnesota Pipeline Pumping Station, Great River Energy and Minnesota Power are proposing to remove the Motley Substation's load off of the 34.5 kV system and onto the more robust 115 kV system.

Crow Wing Power has also identified the need for a future Shamineau Substation with a likely location westerly of Shamineau Lake. The load in the Shamineau Lake area could not be served by the existing 34.5 system, but it could be served by the proposed 115 kV system. The proposed route will be well suited for this location because it will allow the new substation to interconnect to the new 115 kV transmission line with minimal new 115 kV transmission line.

MPL is proposing to construct six new pumping stations along its newest pipeline (Line 4) to ensure that Minnesota refineries continue to have access to reliable and sufficient crude oil supplies to meet demand for transportation fuels. MPL plans to use available capacity on Line 4 to ensure reliability of its pipeline system, which is the primary crude oil pipeline system supplying Minnesota's two refineries. In addition to the local load-serving need discussed above, the Motley Area 115 kV Project is needed to provide electrical service to Crow Wing Power's proposed new Fish Trap Lake distribution substation, which will serve one of these six proposed pumping stations (the Fish Trap Pumping Station), which will be located at the southern terminus of the Project. MPL submitted a Certificate of Need application for the Minnesota Pipe Line Reliability Project on July 25, 2014 (MPUC Docket No. PL-5/CN-14-320).

Biennial Transmission Planning

Minnesota statutes include a requirement that each electric transmission-owning utility in the state file a biennial transmission planning report with the Commission in the fall of odd years. These reports provide an excellent source of background information on the transmission planning process used by utilities in Minnesota. The 2013 Biennial Transmission Planning Report is available at: www.minnelectrans.com.

How to Stay Informed on the Project

You can receive email notifications when information pertaining to the Certificate of Need or Route permit is filed. Alternately, you can receive information via US Mail service.

To receive email notifications when information related to the Certificate of Need or Route Permit is filed, subscribe to the Project docket(s) as follows:

were first identified in 2008 and included in Great River Energy's Long Range Plan. System overload could occur if there was a contingency on the Baxter 115/34.5 kV transformer. Upon the contingency occurrence, system operators would reconfigure the system by use of switches to use the Dog Lake transformer to pick up the load normally served by Baxter. If this scenario were to happen during peak loading times, the load picked up by Dog Lake would cause an overload on the Dog Lake 115/34.5 kV transformer.

Landowner Example Letter – Attachment C

- 1) Go to PUC web page <http://mn.gov/puc/>
- 2) Under *Get There Faster*, click *Subscribe to a Docket*
- 3) Enter your email address and select *Go*
- 4) Click the *New Subscription* button at the bottom of the table
- 5) For Type of Subscription, select *Docket No.*
- 6) Under Docket No., select *14*
- 7) In the adjacent box to the right, enter **853** for the Certificate of Need or for the Route Permit
- 8) The description, “CON DOCKET TITLE” or “RP DOCKET TITLE” should appear in the new box.
- 9) Click the *Add to List* button below the table.
- 10) Click *Save* at the bottom of the page

To be placed on the paper copy Project Certificate of Need mailing list, reference Docket No. ET2, E015/CN-14-**853** in, mail, fax, or email request to Robin Benson at Minnesota Public Utilities Commission, 121 7th Place E., Suite 350, St. Paul, MN 55101-2147, Fax: 651-297-7073 or robin.benson@state.mn.us.

To be placed on the paper copy Project Route Permit mailing list (Docket No. ET2, E015/TL-14- **853**), ~~contact the Consumer Affairs Office at the Commission, consumer.puc@state.mn.us, 651-296-0406 or 1-800-657-3782. register at mn.gov/commerce/energyfacilities/, by clicking on the “Transmission Lines” tab, selecting the link for the 115 kV Transmission Line Project in the Motley Area from the listed projects, and then clicking the links next to the “Mailing List” heading. Alternately, you may contact Department of Commerce staff at the address below.~~

Minnesota Public Utilities Commission Bret Eknes 121 7 th Place East, Suite 350 St. Paul, Minnesota 55101 651.296.7124 800.657.3782 bret.eknes@state.mn.us	Minnesota Department of Commerce Deborah Pile, State Permit- Richard Davis, Environmental Review Manager 85 7 th Place East, Suite 500 St. Paul, Minnesota 55101 651.297.2375 539.1846 800.657.3794 651.539.1500 deborah.pile@state.mn.us richard.davis@state.mn.us
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The Great River Energy contacts for questions about this Project are:

Mark Strohfus
Environmental Project Lead
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12300 Elm Creek Blvd
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763.445.5210
612.961.9820
MStrohfus@GREnergy.com
m

Rick Heuring
Senior Field Representative
Great River Energy
12300 Elm Creek Blvd
Maple Grove, MN 55369
763.445.5979
612.308.2170
RHeuring@GREnergy.com

Lastly, Great River Energy maintains a project web page containing key milestones and information it has posted to the docket at:

www.greatriverenergy.com/deliveringelectricity/currentprojects/projects_motley.html

Sincerely,

Mark Strohfus
Environmental Project
Lead

Enclosure: Attachment 1 – Project Fact Sheet and Route Map

CERTIFICATE OF SERVICE

I, Sharon Ferguson, hereby certify that I have this day, served copies of the following document on the attached list of persons by electronic filing, certified mail, e-mail, or by depositing a true and correct copy thereof properly enveloped with postage paid in the United States Mail at St. Paul, Minnesota.

**Minnesota Department of Commerce
Comments and Recommendations**

Docket No. ET2, E015/CN-14-853

Dated this 21st day of October 2014

/s/Sharon Ferguson

First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
Julia	Anderson	Julia.Anderson@ag.state.mn.us	Office of the Attorney General-DOC	1800 BRM Tower 445 Minnesota St St. Paul, MN 551012134	Electronic Service	Yes	OFF_SL_14-853_CN-14-853
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Randall	Doneen	randall.doneen@state.mn.us	Department of Natural Resources	500 Lafayette Rd, PO Box 25 Saint Paul, MN 55155	Electronic Service	No	OFF_SL_14-853_CN-14-853
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Burl W.	Haar	burl.haar@state.mn.us	Public Utilities Commission	Suite 350 121 7th Place East St. Paul, MN 551012147	Electronic Service	Yes	OFF_SL_14-853_CN-14-853
Rick	Heuring	RHeuring@GREnergy.com	Great River Energy	12300 Elm Creek Blvd Maple Grove, MN 55369	Electronic Service	No	OFF_SL_14-853_CN-14-853
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Karen	Kromar	karen.kromar@state.mn.us	MN Pollution Control Agency	520 Lafayette Rd Saint Paul, MN 55155	Electronic Service	No	OFF_SL_14-853_CN-14-853
John	Lindell	agorud.ecf@ag.state.mn.us	Office of the Attorney General-RUD	1400 BRM Tower 445 Minnesota St St. Paul, MN 551012130	Electronic Service	Yes	OFF_SL_14-853_CN-14-853

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Bob	Patton	bob.patton@state.mn.us	MN Department of Agriculture	625 Robert St N Saint Paul, MN 55155-2538	Electronic Service	No	OFF_SL_14-853_CN-14-853
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Donna	Stephenson	dstephenson@greenergy.com	Great River Energy	12300 Elm Creek Boulevard Maple Grove, MN 55369	Electronic Service	No	OFF_SL_14-853_CN-14-853
Mark	Strohfus	mstrohfus@greenergy.com	Great River Energy	12300 Elm Creek Boulevard Maple Grove, MN 553694718	Electronic Service	No	OFF_SL_14-853_CN-14-853

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Randall	Doneen	randall.doneen@state.mn.us	Department of Natural Resources	500 Lafayette Rd, PO Box 25 Saint Paul, MN 55155	Electronic Service	No	SPL_SL__CN - CERTIFICATE OF NEEDS
Travis	Germundson	travis.germundson@state.mn.us		Board of Water & Soil Resources 520 Lafayette Rd Saint Paul, MN 55155	Electronic Service	No	SPL_SL__CN - CERTIFICATE OF NEEDS
Ray	Kirsch	Raymond.Kirsch@state.mn.us	Department of Commerce	85 7th Place E Ste 500 St. Paul, MN 55101	Electronic Service	No	SPL_SL__CN - CERTIFICATE OF NEEDS
Karen	Kromar	karen.kromar@state.mn.us	MN Pollution Control Agency	520 Lafayette Rd Saint Paul, MN 55155	Electronic Service	No	SPL_SL__CN - CERTIFICATE OF NEEDS
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Michele	Ross	michele.ross@state.mn.us	Department of Health	625 N Robert St Saint Paul, MN 55101	Electronic Service	No	SPL_SL__CN - CERTIFICATE OF NEEDS