

The Commission met on **Thursday, July 15, 2010**, with Chair Boyd and Commissioners Pugh, O'Brien, Reha, and Wergin present.

**E-002/M-07-675**

**In the Matter of a Request by Northern States Power Company d/b/a Xcel Energy for Approval of the Selection of Projects for the Third Cycle Renewable Development Fund**

Commissioner Wergin moved that the Commission that the Commission approve the Petition.

The motion was adopted, 5-0.

**ET-2/TL-08-1474**

**In the Matter of the Route Permit Application for a 345 kV Transmission Line from Brookings County, South Dakota to Hampton, Minnesota**

Commissioner O'Brien moved that the Commission deny, without prejudice to the merits of either, the motions brought by NoCapX 2020 and United Citizens Action Network.

The motion was adopted, 5-0.

Commission O'Brien moved that the Commission grant a permit for the entire route except for the portion impacted depending on which river crossing is chosen.

Commissioner O'Brien withdrew his motion.

Commissioner Reha moved that the Commission remand this matter to the Administrative Law Judge to consider the United States Fish and Wildlife Service correspondence of June 10, 2010, and request the ALJ to expeditiously schedule a hearing to receive and consider additional testimony and evidence necessary to make supplemental findings and conclusions, if necessary, consistent with the Minnesota Administrative Procedures Act Chapter 14, assuming that if there is additional testimony and evidence with respect to the river crossing the ALJ is also requested to consider and further develop the record of the appropriate crossover route in the event the Commission chooses the Belle Plaine crossing; with the further understanding that, if necessary, the OES can supplement the EIS regarding this area based on the information provided in the United States Fish and Wildlife Service letter's concern with the impacts on eagle nesting and migratory birds.

The motion was adopted, 4-1. Commissioner Boyd voted no.

Commissioner O'Brien moved that the Commission approve the findings of fact and EIS and issue route permits for Sections 1, 2, 3, 5, 6 (including 6P-06) but not approve the findings of fact and EIS and not issue a route permit for Section 4 of the EIS (which is segment CH on the OES's Overview Map, the segment between the Cedar Mountain substation and the Helena substation); with the clarification that the approved findings of fact, EIS, and route permits are modified by

- 1) the OES's errata sheets;
- 2) the OES's proposed changes to permit conditions;
- 3) an amendment to Section 7 on page 1 of the Draft Permit, changing the phrase "will consider input pertaining to visual impacts" to "consult with landowners or land management agencies prior to final location of structures"; and
- 4) adding a further permit condition requiring the Applicants to distribute to relevant landowners information prepared by state agencies regarding landowner rights with respect to right-of-way negotiations concurrent with the Applicants' first contact with those landowners regarding right-of-way acquisition.

The motion was adopted, 4-1. Commissioner Pugh voted no.

There being no further business, the meeting was adjourned.

**APPROVED BY THE COMMISSION: AUGUST 11, 2010**



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**Burl W. Haar, Executive Secretary**