

The Commission met on **Thursday, July 10, 2014**, with Chair Heydinger, and Commissioners Boyd, Lange, Lipschultz, and Wergin present.

The following matters were taken up by the Commission:

ENERGY AGENDA

ET-2/CN-12-1235

In the Matter of the Application of Great River Energy for a Certificate of Need for a 115 kV Transmission-Line Project in the Elko New Market and Cleary Lake Areas in Scott and Rice Counties

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

Commissioner Wergin moved to take the following actions:

1. Approve and adopt the ALJ's Findings of Fact, Conclusions of Law and Recommendation for Great River Energy's (GRE's) proposed 115 kV transmission-line project in the Elko New Market and Cleary Lake areas in Scott and Rice counties with the modifications proposed by the Department.
2. Determine that the environmental assessment and the record created at the public hearing address the issues identified in the environmental-assessment scoping decision.
3. Grant a certificate of need for GRE's proposed 115 kV transmission-line project in the Elko New Market and Cleary Lake areas in Scott and Rice counties.
4. Issue a high-voltage transmission-line route permit in the form attached to Staff's July 2, 2014 briefing papers with the following modifications:
 - a. Strike the last paragraph on page three.
 - b. Add the following sentence to the end of permit condition 5.1.6: "Specifically, the Permittee shall coordinate with the MNDNR regarding Blanding's Turtles prior to construction in wetlands."
 - c. Add condition 5.1.7:

5.1.7 Wildlife-Friendly Erosion Control Materials

The Permittee, in cooperation with the Minnesota Department of Natural Resources, shall use wildlife-friendly erosion control materials in areas known to

be inhabited by wildlife species (birds, small mammals, reptiles, and amphibians) susceptible to entanglement in plastic netting.¹

¹ <http://files.dnr.state.mn.us/eco/nongame/wildlife-friendly-erosion-control.pdf>

d. Add condition 5.1.8:

5.1.8 Rare and Unique Resources

The Permittee shall follow measures and recommendations for avoiding and minimizing impacts to Blanding's turtle populations as outlined in the Minnesota Department of Natural Resources Environmental Review Fact Sheet Series for the Blanding's Turtle.² Construction and maintenance personnel will be made aware of rare resources and plant communities during pre-construction meetings to minimize potential disturbance. The Permittee shall avoid impacts to state-listed endangered, threatened, and special concern species in all areas of the project including temporary workspaces associated with the project.

² http://files.dnr.state.mn.us/natural_resources/animals/reptiles_amphibians/turtles/blandings_turtle/factsheet.pdf

The motion passed 5-0.

U-999/R-13-24

In the Matter of Possible Amendments to Rules Governing Utility Proceeding, Practice, and Procedure, Minnesota Rules Chapter 7829, Excluding Part 7829.2550, which is subject to a Separate Pending Rulemaking

Chair Heydinger moved that the Commission take the following actions:

1. Determine that the amendments in the draft filed on July 9, 2014, and distributed at the Commission meeting on July 10, 2014, are needed and reasonable.
2. Direct staff to prepare and publish a Notice of Intent to Adopt and a Statement of Need and reasonableness based on the draft.
3. Delegate to Commissioner Lipschultz the authority to approve any necessary, non-substantive edits to the draft prior to publication in the State Register.

The motion passed 5 – 0.

E-017/M-14-393

In the Matter of Otter Tail Power Company's Request for a Variance to the Billing Error Rules

Commissioner Boyd moved to approve Otter Tail Power's request for a variance to the Billing Error Rules.

The motion passed, 5-0.

E,G001/AI-12-32

In the Matter of IPL's Petition for Approval of a Common Facilities Capacity Agreement with its Affiliate, Franklin County Wind, LLC

E,G001/AI-12-187

In the Matter of IPL's Petition for Approval of a Land Lease Agreement with its Affiliate, Franklin County Wind, LLC

E,G001/AI-12-192

In the Matter of IPL's Petition for Approval of a Local Balancing Authority Agreement with its Affiliate, Franklin County Wind, LLC

E,G001/AI-12-792

In the Matter of Interstate Power and Light Company's Transfer of Land Easements, Wind Rights, and Rights to Purchase Wind Turbines, to its Affiliate, Franklin County Wind, LLC

E,G001/AI-12-1157

Interstate Power and Light's Petition for Approval of an Affiliated-Interest Agreement with Franklin County Wind, LLC regarding a Services Agreement

E,G001/AI-13-787

Interstate Power and Light's Petition for Approval of an Affiliated-Interest Agreement with Franklin County Wind, LLC regarding its Sale and Transfer of Land Easements, Wind Rights, and Rights to Purchase Wind Turbines to Its Affiliate – Franklin County Wind, LLC

E,G001/PA-13-788

Interstate Power and Light's Petition for Approval of Transfer of Land Easements, Wind Rights, and Rights to Purchase Wind Turbines, to its Affiliate Franklin County Wind, LLC

Chair Heydinger moved that the Commission take the following actions.

A. Adopt the following recommendations of the Department:

1. Approve IPL's proposed affiliated-interest Sale Agreement with Franklin County Wind, LLC, effective June 29, 2011 (Docket Nos. E,G001/AI-13-787 and E,G001/PA-13-788).
 2. Approve IPL's affiliated-interest Common Facilities Capacity Agreement with Franklin County Wind, LLC, effective December 7, 2011 (Docket No. E,G001/AI-12-32).
 3. Approve IPL's proposed Land Lease Agreement conditioned upon IPL's alternative proposal to reduce WWE's rate base by \$324,675. (This equates to a reduction in the Minnesota rate base of \$19,481 to \$39,551.) (Docket No. E,G001/AI-12-187)
 4. Approve IPL's affiliated-interest Local Balancing Authority Agreement with Franklin County Wind, LLC, effective February 7, 2012. (Docket No. E,G001/AI-12-192)
 5. Approve IPL's affiliated-interest Service Agreement with Franklin County Wind, LLC, effective September 24, 2012, (Docket No. E,G001/AI-12-1157) with the following reporting requirements to monitor this agreement in practice:
 - a) The number of times this agreement is used.
 - b) Itemization of the services provided.
 - c) IPL's costs of providing each service.
 - d) The market value, including foundation for the estimated market value of the services.
- B. Accept IPL's compliance filing in Docket E,G-001/AI-12-792 as complying with the Commission's July 24, 2012, Order Requiring Filings in Docket Nos. E,G001/AI-12-32, 12-187, and 12-192.
- C. Grant IPL's request to be exempt from Minnesota Rule 7825.1400; subpart J requiring that the petition include a balance sheet dated no earlier than six months prior to the date of the petition together with an income statement and statement of changes in financial position covering the 12 months then ended.

The motion passed 5-0.

PL-6580, G-002/M-14-386

In the Matter of Greater Minnesota Transmission, LLC's Petition for Approval of a Firm Gas Transportation Agreement with Northern States Power Company d/b/a Xcel Energy

Commissioner Wergin moved to approve the agreement between GMT and Xcel.

The motion passed, 5-0.

TELECOMMUNICATIONS AGENDA

Docket No. P-421/AM-14-255

In the Matter of the Petition of CenturyLink, Inc. for a Variance to Minnesota Rules, part 7810.5800

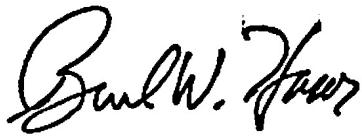
Commissioner Wergin moved that the Commission:

1. Deny CenturyLink's request for a variance to Minn. R. 7810.5800, and
2. Deny CenturyLink's petition to modify the associated terms of CenturyLink's AFOR, eliminating entirely or reducing the service outage metric.

The motion passed 5-0.

There being no further business, the meeting was adjourned.

APPROVED BY THE COMMISSION: August 20, 2014



Burl W. Haar, Executive Secretary