

The Commission met on **Thursday, March 31, 2011**, with Chair Anderson and Commissioners Boyd, O'Brien, Reha, and Wergin present.

The following matters were taken up by the Commission:

## **ENERGY AGENDA**

### **ET-2,E-015/CN-10-973**

#### **In the Matter of the Application of Great River Energy and Minnesota Power for a Certificate of Need for a 115-kV High Voltage Transmission Line in St. Louis and Carlton Counties**

Commissioner Reha moved to accept the application as complete as filed on February 10, 2011 and direct the use of the informal review process of comment and reply.

The motion passed 5-0.

### **ET-2,E-015/TL-10-1307**

#### **In the Matter of the Application for an HVTL Route Permit for the Savanna 115 kV Transmission Line Upgrade**

Commissioner Boyd moved to take the following actions:

1. Accept the HVTL route permit application as complete and authorize OES EFP staff to process the application under the alternative review process pursuant to Minnesota Rules 7850.2800 to 7850.3900; and
2. Authorize the OES EFP staff to name a public advisor in this case; and
3. Determine that based on the available information an advisory task force is not necessary at this time.

The motion passed 5-0.

### **IP-6855/CN-11-112**

#### **In the Matter of the Application of Ellerth Wind LLC for a Certificate of Need for a 98.9 MW Wind Project in Marshall County**

Commissioner Wergin moved to take the following actions:

1. Grant Ellerth's exemption requests, with the clarification that the exemption to the requirement to address impacts on future development (Minn. Rules 7849.0240, subp. 2) was granted only because the proposed project is significantly distant from any population center; and
2. Grant the requested variance to Minn. Rules, part 7849,0200, subp. 6.

The motion passed 5-0.

**IP-6830/CN-09-1110**

**IP-6830/WS-10-49**

**In the Matter of the Applications of Paynesville Wind, LLC for a Certificate of Need and Site Permit for the 95-MW Paynesville Wind Project in Stearns County**

Commissioner Reha moved to deny the petitions for reconsideration.

The motion passed 5-0.

**E-120, 252/SA-11-59**

**In the Matter of an Electric Service Territory Agreement Between the City of Hutchinson and McLeod Cooperative Power Association**

Commissioner Boyd moved to approve the agreement.

The motion passed 5-0.

**G-002/S-10-281**

**In the Matter of Greater Minnesota Gas, Inc.'s Capital Structure Petition and Compliance with Financial Integrity Order**

Commissioner Wergin moved to take the following actions:

1. Approve the capital structures, narrative, and explanation as filed and corrected; and
2. Recognizing the requirement in Paragraph 7 of the November 4, 2010 Order and the Company's request for forbearance, direct the Company to make its next capital structure filing within 60 days of the date this Order is issued; and
3. Direct the Company, in future capital structure filings, to distinguish between Preferred Stock and Common Equity, and to describe the terms of the Preferred Stock; and
4. Continue to require GMG to provide the following information within 20 days after each nonrecurring issuance of securities (by either company):

- a) The type of security issued.
  - b) The total amount issued.
  - c) The purpose of the issuance.
  - d) The issuance cost associated with the security issuance.
  - e) The total cost of the security issuance, including details such as interest rate or cost per share of common equity issued; and
5. Approve issuance of additional equity by GMG until the Company's next capital structure filing is approved.

The motion passed 5-0.

### **TELECOMMUNICATIONS AGENDA**

#### **P-407/AR-08-588**

#### **In the Matter of the Extension of the Alternative Form of Regulation Plan of Citizens Telecommunications Company of Minnesota, Inc.**

Commissioner Boyd moved to take the following actions, noting that the Company reserves the right to address these matters in other dockets:

1. Find that the extension of Citizens' current AFOR for an additional one-year period requires Commission approval, and approve the extension of Citizens' current AFOR until October 31, 2012; and
2. With respect to any rate increases proposed pursuant to Section IV.B.1(a) of Citizens' current AFOR Plan, order that if Citizens seeks to change any rates pursuant to Section IV.B.1(a) of its current AFOR Plan, Citizens must submit a proposed notice for Commission review.

The motion passed 5-0.

#### **P-5925/RV-10-814**

#### **In the Matter of the Proposed Revocation of Uni-Tel Communication Group, Inc.'s Certificate of Authority**

Commissioner Reha moved to revoke the company's certificate of authority.

The motion passed 5-0.

**P-6182, 6152, 5695/M-10-862**

**In the Matter of the Joint Petition of Cellco Partnership and its Affiliates (Verizon Wireless or Verizon) to Amend and Consolidate Eligible Telecommunications Carrier (ETC) Designations**

Commissioner O'Brien moved to do the following:

1. Deny, as recommended by the Minnesota Department of Commerce, the petition filed by Cellco Partnership d/b/a Verizon Wireless (Verizon) to consolidate the Eligible Telecommunications Carriers (ETCs) designations held by its affiliates to reflect Verizon and its affiliated legal entities in Minnesota as the designated entity.
2. Take no action now on the requested amendments to the requirements imposed on RCC Minnesota, Inc., to report periodically on its basic unbundled universal service offering's unfulfilled requests and implementation of E911 and toll limitation.

The motion passed 5-0.

**P-421/C-07-370**

**In the Matter of Qwest Corporation's Conversion of UNEs to Non-UNEs**

**P-421/C-07-371**

**In the Matter of Qwest Corporation's Arrangements for Commingled Elements**

Commissioner Boyd moved to refer both interconnection agreement amendment proposals and Integra Telecom's motion to compel discovery to the Office of Administrative Hearings (OAH) and request the OAH to make recommendations that meet the policy guidelines and specific determinations contained in the Commission's Order Resolving Interconnection Issues and Requiring Compliance Filing (May 24, 2010).

The motion passed 5-0.

There being no further business, the meeting was adjourned.

**APPROVED BY THE COMMISSION: April 27, 2011**



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**Burl W. Haar, Executive Secretary**