

The Commission met on **Thursday, January 27, 2011**, with Commissioners O'Brien, Pugh, Reha and Wergin present.

The following matters were taken up by the Commission:

## **ENERGY AGENDA**

### **IP-6844/CN-10-429**

#### **In the Matter of the Application of Prairie Wind Energy, LLC for a Certificate of Need for an Up to 100 MW Wind Project and Associated Facilities Located in Otter Tail County**

Commissioner Pugh moved that the Commission:

1. Accept the application as substantially complete as filed on December 30, 2010.
2. Direct the use of the informal review process.
3. Delegate scheduling authority to the Executive Secretary.
4. Adopt the following procedural items:
  - Authorize the Executive secretary to specify the name, telephone number and e-mail address of the Commission employee designated to facilitate citizen participation in the process;
  - Request that the Office of Energy Security continue to study issues and indicate during the hearing process its position on the reasonableness of granting a certificate to the Applicants;
  - Require that the Applicants facilitate the continued examination of the issues raised by the OES;
  - Request that the Applicants place a CD or hard copy of the Application for review in a Government Center and/or Public Library in the vicinity of the project;
  - Direct Commission staff to work with the Administrative Law Judge and the staff of the OES in selecting suitable time(s), and location(s) for a public hearing on the application; and
  - Direct the Applicants to work with staff of the agencies to arrange for publication of the notice of hearings in newspapers of general circulation at least ten (1) days prior to the hearings, that such notice be in the form of visible display ads, and proofs of publication of such ads be obtained from the newspapers selected.

The motion passed, 4 – 0.

**E-002/CN-10-694**

**IN the Matter of the Application by Northern States Power Company for a Certificate of Need for Two 115 kV High Voltage Transmission Lines in the Midtown Area of South Minneapolis, Hennepin County**

Commissioner Wergin moved that the Commission:

1. Find the application to be substantially complete as of the supplemental filing (January 6, 2011).
2. Direct the use of the informal review process.
3. Delegate administrative authority to the Executive Secretary.
4. Adopt the following procedural items:
  - Authorize the Executive secretary to specify the name, telephone number and e-mail address of the Commission employee designated to facilitate citizen participation in the process;
  - Request that the Office of Energy Security continue to study issues and indicate during the hearing process its position on the reasonableness of granting a certificate to the Applicants;
  - Require that the Applicants facilitate the continued examination of the issues raised by the OES;
  - Request that the Applicants place a CD or hard copy of the Application for review in a Government Center and/or Public Library in the vicinity of the project;
  - Direct Commission staff to work with the Administrative Law Judge and the staff of the OES in selecting suitable time(s), and location(s) for a public hearing on the application; and
  - Direct the Applicants to work with staff of the agencies to arrange for publication of the notice of hearings in newspapers of general circulation at least ten (1) days prior to the hearings, that such notice be in the form of visible display ads, and proofs of publication of such ads be obtained from the newspapers selected.

The motion passed, 4 – 0.

**E-002/CN-09-1390**

**In the Matter of the Application of Northern States Power Company d/b/a Xcel Energy and the City of Glencoe for a Certificate of Need for 115 kV Transmission Line Upgrades to the Glencoe-Waconia 69 kV System**

Commissioner Pugh moved that the Commission:

1. Accept the application as substantially complete as supplemented on January 1, 2011.
2. Direct the use of the informal review process to develop the record.
3. Delegate scheduling authority to the Executive Secretary.
4. Approve the following procedural items:
  - Authorize the Executive secretary to specify the name, telephone number and e-mail address of the Commission employee designated to facilitate citizen participation in the process;
  - Request that the Office of Energy Security continue to study issues and indicate during the hearing process its position on the reasonableness of granting a certificate to the Applicants;
  - Require that the Applicants facilitate the continued examination of the issues raised by the OES;
  - Request that the Applicants place a CD or hard copy of the Application for review in a Government Center and/or Public Library in the vicinity of the project;
  - Direct Commission staff to work with the Administrative Law Judge and the staff of the OES in selecting suitable time(s), and location(s) for a public hearing on the application; and
  - Direct the Applicants to work with staff of the agencies to arrange for publication of the notice of hearings in newspapers of general circulation at least ten (1) days prior to the hearings, that such notice be in the form of visible display ads, and proofs of publication of such ads be obtained from the newspapers selected.
5. Affirm that, pursuant to Minn. Rule 7849.1900, OES may combine the environmental review for the certificate of need and route permit dockets.

The motion passed, 4 – 0.

**IP-6846/WS-10-798**

**In the Matter of the Application of Lake Country Wind Energy, LLC for a 41 MW Large Wind Energy Conversion System in Kandiyohi and Meeker Counties**

Commissioner O'Brien moved that the Commission:

1. Adopt the proposed Findings of Fact, Conclusions of Law, and Order prepared for the 41 MW Lake Country Wind Farm in Kandiyohi and Meeker Counties.
2. Issue the proposed LWECS Site Permit for the 41 MW Lake Country wind Farm to Lake County Wind Energy, LLC.

The motion passed, 4 – 0.

**E-015/M-10-1214**

**In the Matter of a Petition for Approval of a Franchise Fee Rider for Retail Electric Customers in the City of Nashwauk**

Commissioner Wergin moved that the Commission approve Minnesota Power's petition.

The motion passed, 4 – 0.

**E-017/M-10-1041**

**In the matter of Otter Tail Power Company's Annual Petition for Updating the Composite Rate and Extension of Accounting Variance**

Commissioner Pugh moved that the Commission:

1. Approve Otter Tail Power's composite rate effective January 1, 2011.
2. Grant Otter Tail Power's request for a variance from Minnesota Rules to exclude the WAPA power allocation from the cost of energy.

The motion passed, 4 – 0.

**E-111/M-10-1218**

**In the Matter of Dakota Electric Association's Request for a Variance to Minnesota Rules Governing Billing Errors**

Commissioner Wergin moved that the Commission approve DEA's request for a variance to Minnesota Rules, part 7820.3800 and that the Commission approve a one-time variance to DEA's tariff.

The motion passed, 4 – 0.

**G-002/GR-09-1153**

**In the Matter of the Application of Northern States Power Company for Authority to Increase Rates for Gas Service in Minnesota**

Commissioner Wergin moved that the Commission deny the petition for reconsideration.

The motion passed, 4 – 0.

**E-126/CG-10-1195**

**In the Matter of a Dispute Under MN Rules Part 7835.4500 Between Nobles Cooperative Electric and Several of its Members**

Commissioner Pugh moved that the Commission prohibit the imposition of a check writing charge and direct the Cooperative to refund any such fees already collected.

The motion passed, 4 – 0.

**E-999/CI-09-1449**

**In the Matter of an Investigation of Whether the Commission Should Take Action on Demand Response Bid Directly in to the MISO Markets by Aggregators of Retail Customers under FERC Orders 719 and 719-A**

Commissioner Reha moved that the Commission:

1. Direct utilities to file comments on the ability to expand demand response options through contracts with third-parties in order to achieve demand response potential by September 1, 2011.
2. Order Interstate Power and Light to make an additional filing by September 1, 2011, on demand response potential in its service territory in Minnesota and specific efforts it will take to improve its demand response.

The motion passed, 4 – 0.

There being no further business, the meeting was adjourned.

**APPROVED BY THE COMMISSION: FEBRUARY 16, 2011**



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**Burl W. Haar, Executive Secretary**