

**STATE OF MINNESOTA
BEFORE THE
MINNESOTA PUBLIC UTILITIES COMMISSION**

**David C. Boyd
J. Dennis O'Brien
Thomas Pugh
Phyllis A. Reha
Betsy Wergin**

**Chair
Commissioner
Commissioner
Commissioner
Commissioner**

**In the Matter of Application for a Route Permit
for the CapX 2020 Hampton-Rochester-LaCrosse
High Voltage Transmission Project**

MPUC: E002/TL-09-1448

**NOCAPX 2020 AND UNITED CITIZEN ACTION NETWORK
MOTION FOR CITIZEN ADVISORY TASK FORCES
AND JOINT ENVIRONMENTAL REVIEW**

NO CAPX 2020 and United Citizens Action Network (U-CAN) have filed a Petition to Intervene in the above-entitled docket and there have been no objections to our Intervention. NoCapX 2020 and United Citizens Action Network are intervenors in the CapX 2020 Certificate of Need docket and are appealing that Order, and are also joint intervenors in the CapX 2020 Brookings routing docket.

NoCapX 2020 and U-CAN renew our request that the Commission establish Citizen Advisory Task Forces, under the authority of Minn. Stat. §216E.08 and Minn. R. 7850.2400 (MOES cites to 7849.5270, which is Certificate of Need, this is a routing docket):

Minn. R. 7850.2400, Subpart 1. Authority.

The commission has the authority to appoint a citizen advisory task force. The commission shall determine whether to appoint such a task force as early in the process as possible. The commission shall establish the size of the task force and appoint its members in accordance with Minnesota Statutes, section [216E.08](#). The commission shall advise of the appointment of the task force at the next monthly commission meeting.

NoCapX 2020 and U-CAN request that the Commission establish at least three Citizen Advisory Task Forces, which is, at minimum, one located at each proposed terminus and one located at least one point in between on the identified Preferred and Alternate routes.

Specifically, we request Citizen Advisory Task Forces be formed at least in the following areas, based on the distinct interests and conditions in those areas:

- Hampton-Cannon Falls area
- Pine Island-Rochester area
- River Crossing(s) area

Further, we ask that the Commission order that the Dept. of Commerce MOES work with the Rural Utilities Service and incorporate the Rural Utilities Service environmental review of the CapX 2020 Hampton-Alma (LaCrosse) transmission line into its environmental review. Rural Utilities Service initiated environmental review over six months ago, with scoping meetings held in July, 2009.

Combining environmental review and working together is efficient, thorough and avoids duplication, and goes a long way to ensure completeness and adequacy. Why wouldn't this be a joint effort?

Toward that end, No CapX 2020 and U-CAN request that the Commission:

1. Order appointment of a Citizen Advisory Task Force for Hampton-Cannon Falls, Pine Island-Rochester, and River Crossing(s)..
2. Order specifically that CATF may continue as "work/focus group" at group discretion.
3. Order that CATF charge include that CATF members shall be assisted by staff and technical assistance shall be provided as needed;
 - a. Application route shall be reviewed as proposed;
 - b. Alternatives proposed to and by group shall be reviewed for feasibility and constructability before recommending for scoping;
 - c. Meetings shall be led by a member of the CATF;
 - d. CATF shall prepare a report after each meeting for entry into contested case routing record to facilitate iterative review;
 - e. CATF final report and all appendices shall be entered into the contested case record of the CapX routing docket to give public access.
4. Order that CATF meetings shall have a time set aside for public comments.
5. Order that Dept. of Commerce MOES proceed with Rural Utilities Service to work on environmental review for the CapX 2020 Hampton-Alma(LaCrosse) transmission project.



March 9, 2010

Carol A. Overland #254617
 Attorney for NO CAPX 2020 & U-CAN
 OVERLAND LAW OFFICE
 P.O. Box 176
 Red Wing, MN 55066
 (612) 227-8638 overland@redwing.net
www.legalelectric.org
www.nocapx2020.com