

# BRIGGS

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May 24, 2010

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**VIA ELECTRONIC FILING**

Dr. Burl W. Haar  
Executive Secretary  
Minnesota Public Utilities Commission  
350 Metro Square Building  
121 Seventh Place East  
St. Paul, MN 55101

**Re: *In the Matter of the Route Permit Application by Great River Energy and Xcel Energy for a 345 kV Transmission Line from Brookings County, South Dakota to Hampton, Minnesota***  
**MPUC Docket No. ET-2/TL-08-1474**  
**OAH Docket No. 7-2500-20283-2**

***In the Matter of Application for the CapX2020 Hampton-Rochester-La Crosse High Voltage Transmission Lines***  
**MPUC Docket No. ET-2/TL-09-1448**

Dear Dr. Haar:

Enclosed for filing please find the Response of Great River Energy, a Minnesota cooperative corporation, and Northern States Power Company, a Minnesota corporation, to NoCapX2020 and United Citizens Action Network's Motion to Suspend Routing Docket Proceedings for the Brookings County – Hampton 345 kV Project, the Hampton-Rochester-La Crosse 345 kV Project and to Robert and Patricia Johnson's May 19, 2010 letter suggesting that the Brookings Project route permit proceedings be delayed.

Sincerely,

*/s/ Valerie T. Herring*

Valerie T. Herring

VTH/ts

Enclosure

cc: Service Lists

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

IN THE MATTER OF THE ROUTE  
PERMIT APPLICATION BY GREAT RIVER  
ENERGY AND XCEL ENERGY FOR A  
345 kV TRANSMISSION LINE FROM  
BROOKINGS COUNTY, SOUTH DAKOTA  
TO HAMPTON, MINNESOTA

PUC DOCKET NO. ET-2/TL-08-1474  
OAH DOCKET NO. 7-2500-20283-2

IN THE MATTER OF APPLICATION FOR  
THE CAPX2020 HAMPTON-  
ROCHESTER-LA CROSSE HIGH  
VOLTAGE TRANSMISSION LINES

PUC DOCKET NO. ET-2/TL-09-1448

**INTRODUCTION**

Great River Energy, a Minnesota cooperative corporation (“Great River Energy”), and Northern States Power Company, a Minnesota corporation (“Xcel Energy”) (collectively, “Applicants”), respectfully submit this response to NoCapX2020 and United Citizens Action Network’s (collectively “NoCapX/UCAN”) Motion to Suspend Routing Docket Proceedings for the Brookings County – Hampton 345 kV Project (“Brookings Project”) and the Hampton – Rochester – La Crosse 345 kV (“La Crosse Project”) and to Robert and Patricia Johnson’s May 19, 2010 letter suggesting that the Brookings Project route permit proceedings be delayed (collectively, “Intervenors” and “Motions”). Applicants respectfully request that the Minnesota Public Utilities Commission (“Commission”) deny both Motions.

Neither the change in the in-service date for the Brookings Project nor uncertainties with cost recovery for the Brookings Project change the need for the project. They do not in any way provide a basis for stalling consideration of the Brookings Project route permit application that is pending Commission decision. Further, the change in the in-service date for the Brookings Project has no impact on

the appropriate and continued review of the route permit application of the La Crosse Project.

### **DISCUSSION**

The Brooking Project route permit proceeding commenced in December 2008. Weeks of public and evidentiary hearings have concluded, the Final Environmental Impacts Statement has been issued, the hearing record has closed, an ALJ recommendation has been made, and a Commission hearing is expected this summer. These procedural and contested case milestones have all focused on assessment and review of the final route which the Brookings Project will follow. The Applicants' Notice of Change in Timing of the Brookings Project and Development Plan in no way affects the determination of the appropriate route.

Intervenors' assertion that uncertainty about Midwest Independent Transmission System Operator, Inc. ("MISO") cost allocation methodologies somehow warrants delay of the Brookings Project routing proceeding is unfounded. MISO's cost allocation issues relate to how the Brookings Project will be funded and have nothing to do with route determination. There is no question that the project should be built, as determined and ordered in the CapX2020 345 kV Certificate Need order.<sup>1</sup>

NoCapX/UCAN's contention that the La Crosse Project should be put on hold is unfounded as well. There are no cost allocation or cost recovery issues regarding the La Crosse Project. Simply because the two projects interconnect at the Hampton Substation does not mean that a change in timing in one project affects review of the appropriate route for the other. As fully considered in the Certificate of

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<sup>1</sup> *In the Matter for the Application of Northern States Power Company and Great River Energy for Certificates of Need for Three 345 kV Transmission Line Projects and Associated System Connections*, MPUC Docket No. ET2/CN-06-1115, Order Granting Certificates of Need With Conditions (May 22, 2009).

Need proceeding, the two projects serve distinct needs in distinct geographic areas and neither is dependent on construction of the other to meet these needs.

**CONCLUSION**

Applicants request the Motions be denied. There is no basis for postponing the route permit proceedings for the Brookings Project or the La Crosse Project.

Dated: May 24, 2010

**Respectfully submitted:**

**BRIGGS AND MORGAN, P.A.**

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**In the Matter of the Route Permit  
Application by Great River Energy  
and Xcel Energy for a 345 kV  
Transmission Line from Brookings  
County, South Dakota to Hampton, MN**

**CERTIFICATE OF SERVICE  
MPUC Docket No. ET2/TL-08-1474  
OAH Docket No. 7-2500-20283-2**

Theresa Senart certifies that on the 24th day of May 2010, she filed a true and correct copy of the **Response of Great River Energy, a Minnesota cooperative corporation, and Northern States Power Company, a Minnesota corporation, to NoCapX2020 and United Citizens Action Network's Motion to Suspend Routing Docket Proceedings for the Brookings County – Hampton 345 kV Project and to Robert and Patricia Johnson's May 19, 2010 letter suggesting that the Brookings Project route permit proceedings be delayed** by posting said Response on [www.edockets.state.mn.us](http://www.edockets.state.mn.us). Said documents were also served via U.S. Mail and e-mail as designated on the Official Service List on file with the Minnesota Public Utilities Commission in the above-referenced docket.

*/s/ Theresa Senart*  
Theresa Senart

## Service List Member Information

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