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August 16, 2010

Carol A. Overland  
Attorney at Law  
NoCapX 2020 and United Citizens Action Network  
P.O. Box 176  
Red Wing, MN 55066

Dear Ms. Overland:

The Minnesota Office of Energy Security received your letter, dated August 9, 2010, appealing the August 6, 2010, Environmental Impact Statement (EIS) Scoping Decision in the Matter of the Application of a Route Permit for the CapX Hampton-Rochester-La Crosse High Voltage Transmission Lines (PUC Docket E002/TL-09-1448).

While I do not agree with your characterization of the EIS process to date, my response focuses on the legal standards for changing the Scope Decision rather than the specific statement in your letter.

Minnesota Rules Chapter 7850.2500 subp. 2, identifies the circumstances required to change a Scoping Decision. The rule part states the scope shall not be changed unless "... substantial changes have been made in the project or substantial new information has arisen..." In this matter, no changes have been made to the project and no new information has arisen. Therefore, the August 6, 2010, Scoping Decision will not be amended.

Thank you for your letter, and your interest in the Environmental Impact Statement preparation process.

Sincerely,

William L. Glahn  
Director, Office of Energy Security  
Deputy Commissioner, Department of Commerce