

STATE OF MINNESOTA  
OFFICE OF ADMINISTRATIVE HEARINGS  
FOR THE PUBLIC UTILITIES COMMISSION

In the Matter of the Application 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.

**SECOND PREHEARING ORDER  
ON REMAND**

On August 18, 2010, Richard C. Luis, Administrative Law Judge (“ALJ”), issued the First Prehearing Order on Remand in this proceeding. In that Order, the ALJ imposed a deadline of October 18, 2010 for receipt of Public Comment. In subsequent proceedings, the ALJ set November 1, 2010 as the deadline for the filing of Initial Briefs.

On October 18, 2010, the Applicants requested that the public comment period be extended to November 1, 2010. The Applicants indicated that the period needed to be extended to allow United States Fish and Wildlife Service (“USFWS”) sufficient time to complete its comment. The Applicants did not request that any other deadline be extended.

A response to the Applicants’ request was received from NoCapX 2020 (NoCapX) and United Citizens Action Network (U-CAN). These parties noted that the USFWS issues being reviewed were “fundamental and likely determinative” and therefore did not object to the requested change in the schedule. NoCapX and UCAN did request that “parties have at least 24, and preferably 48 hours to address any issues raised in a USFWS Comment” in their initial briefs.

Robert and Paula Johnson (the Johnsons) indicated that they had no objections to the extension of time and that they supported the opportunity to reply to the USFWS comment in Initial Briefs.

The Energy Facilities Permitting Unit of the Office of Energy Security (EFP-OES) of the Minnesota Department of Commerce (Department), indicated that it had no object to extending the comment period as requested, but urged that the other deadlines be retained. EFP-OES objected to the Johnsons’ suggestion that the reply period be available for members of the public to comment on the USFWS comment.

Based on the parties' submissions, the Administrative Law Judge makes the following:

**ORDER**

The public comment period in this proceeding is extended to November 1, 2010. All public comments must be received by 4:30 p.m. on November 1, 2010. Initial Briefs of the parties must be filed no later than November 8, 2010. Reply Briefs of the parties must be filed no later than November 18, 2010.

Dated this 18<sup>th</sup> day of October, 2010.

Kathleen D. Sheehy for  
\_\_\_\_\_  
RICHARD C. LUIS  
Administrative Law Judge



## MINNESOTA OFFICE OF ADMINISTRATIVE HEARINGS

600 North Robert Street  
Saint Paul, Minnesota 55101

**Mailing Address:**  
P.O. Box 64620  
St. Paul, Minnesota 55164-0620

Voice: (651) 361-7900  
TTY: (651) 361-7878  
Fax: (651) 361-7936

October 18, 2010

To the Parties on the Service List

**BY eFILING, EMAIL, AND  
U.S. MAIL**

RE: ITMO 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 No. ET-2/TL-08-1474; OAH Docket No. 7-2500-20283-2

Attached and served on the parties to this proceeding is the Second Prehearing Order on Remand of the Administrative Law Judge.

Sincerely,

/s/ Michael W. Lewis

MICHAEL W. LEWIS  
Staff Attorney

Telephone: 651-361-7840

STATE OF MINNESOTA  
OFFICE OF ADMINISTRATIVE HEARINGS  
ADMINISTRATIVE LAW SECTION  
600 NORTH ROBERT STREET  
ST. PAUL, MN 55101

**I. CERTIFICATE OF SERVICE**

Case Title: ITMO 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	OAH Docket No. 7-2500-20283-2 MPUC No. ET-2/TL-08-1474
--	---

Michael Lewis certifies that on the 18<sup>th</sup> day of October, 2010, he served a true and correct copy of the attached Second Prehearing Order on Remand, by serving as indicated on the attached E-docket Service List, in the manner indicated (U.S. Mail served on October 19, 2010).

Assigned Service List Members - Windows Internet Explorer

https://www.edockets.state.mn.us/EFiling/filing/filing.do?method=viewPrintUniqueServiceListMembers

File Edit View Favorites Tools Help

### Electronic Service Member(s)

Last Name	First Name	Email	Company Name	Delivery Method	View Trade Secret
Agrimonti	Lisa	lagrimonti@briggs.com	Briggs And Morgan, P.A.	Electronic Service	No
Bauer	Robert	BauerR@seversonsheldon.com	Severson, Sheldon, Dougherty & Molenda, P.A.	Electronic Service	No
Cupit	Bob	bob.cupit@state.mn.us	Public Utilities Commission	Electronic Service	Yes
Ek	Scott	scott.ek@state.mn.us	Department of Commerce	Electronic Service	No
Ferguson	Sharon	sharon.ferguson@state.mn.us	Department of Commerce	Electronic Service	Yes
Haar	Burl W.	burl.haar@state.mn.us	Public Utilities Commission	Electronic Service	Yes
Klemm	Michael	KlemmM@seversonsheldon.com	Severson, Sheldon, Dougherty & Molenda, P.A.	Electronic Service	No
Krikava	Michael	mkrikava@briggs.com	Briggs And Morgan, P.A.	Electronic Service	No
Martin	Russell	bens@integra.net	N/A	Electronic Service	No
Overland	Carol	overland@legalelectric.org	Legalelectric, Inc.	Electronic Service	No
Pile	Deborah	Deborah.Pile@state.mn.us	Department of Commerce	Electronic Service	No
Ross McCalib	Laureen	lrossmccalib@grenergy.com	CapX2020/Great River Energy	Electronic Service	No
Shaddix Elling	Janet	jshaddix@janetshaddix.com	Shaddix And Associates	Electronic Service	Yes

### Paper Service Member(s)

Last Name	First Name	Company Name	Address	Delivery Method	View Trade Secret
Anderson	Julia	Office of the Attorney General-DOC	1400 BRM Tower, 445 Minnesota St, St. Paul, MN-551012131	Paper Service	Yes
Hammel	Karen Finstad	Office of the Attorney General-DOC	1400 BRM Tower, 445 Minnesota Street, St. Paul, MN-551012131	Paper Service	Yes
Herring	Valerie	Briggs and Morgan, P.A.	2200 IDS Center, 80 S. Eighth Street, Minneapolis, MN-55402	Paper Service	No
Kaluzniak	Michael	Public Utilities Commission	Suite 350, 121 Seventh Place East, St. Paul, MN-55101	Paper Service	No
Krass	Phillip R.	Malkerson Gunn Martin LLP	Suite 1900, 220 South Sixth Street, Minneapolis, MN-55402	Paper Service	No
Larson	Brent	N/A	25755 Xerxes Avenue, Elko-New Market, MN-55020	Paper Service	No
Lindell	John	Office of the Attorney General-RUD	900 BRM Tower, 445 Minnesota St, St. Paul, MN-551012130	Paper Service	Yes
Luis	Richard C.	Office of Administrative Hearings	PO Box 64620, St. Paul, MN-551640620	Paper Service	Yes
Maccabee	Paula	Just Change Law Offices	1961 Selby Avenue, St. Paul, MN-55104	Paper Service	No
Osborn	Joyce H.	N/A	PO Box 1165, Burnsville, MN-55337	Paper Service	No
Patel	Priti R.	Xcel Energy	414 Nicollet Mall, MP 800, Minneapolis, MN-55401	Paper Service	No
Poorker	Craig	Great River Energy	12300 Elm Creek Boulevard, Maple Grove, MN-55369	Paper Service	No
Rasmussen	Pamela J.	Xcel Energy	PO Box 8, 1414 West Hamilton Avenue, Eau Claire, WI-54701	Paper Service	No
Schmidt	Carole	Great River Energy	12300 Elm Creek Boulevard, Maple Grove, MN-553694718	Paper Service	No
Stephenson	Donna	Great River Energy	12300 Elm Creek Boulevard, Maple Grove, MN-55369	Paper Service	No

Done Internet 125%