



STATE OF MINNESOTA

OFFICE OF THE ATTORNEY GENERAL

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May 13, 2011

The Honorable Kathleen Sheehy
Administrative Law Judge
Office of Administrative Hearings
PO Box 64620
St. Paul, MN 55164-0620

**RE: In the Matter of the Application for a Route Permit for the CapX 2020 Hampton-Rochester-LaCrosse High Voltage Transmission Lines
OAH Docket No. 3-2500-21181-2
PUC Docket No. ET-2/TL-09-1448**

Dear Judge Sheehy:

The Minnesota Department of Commerce, Energy Facilities Permitting unit (EFP) has published a Draft Environmental Impact Statement (DEIS) on the proposed CapX Hampton-Rochester-La Crosse 345 kilovolt (kV) and 161 kV transmission lines project, and is presently accepting public comments on the document.

During the public comment period, a landowner contacted EFP staff, noting that a route segment included in the scoping decision did not appear in the Draft EIS. EFP staff confirmed that *two* route segments (2P-001 and 2P-002) were inadvertently included among the 62 other route segments in the scoping decision. EFP had not intended for route segment alternatives 2P-001 and 2P-002 to be evaluated in the DEIS. However, because the scoping decision cannot be changed at this time, these route segments must be evaluated in the Final EIS.

In addition to evaluating the additional route segments in the Final EIS, EFP has sent revised maps, data tables, and DEIS Section 8.2 to 243 additional landowners whose property is within route segments 2P-001 and 2P-002, and has posted this information on the EFP website and eDockets. These landowners had previously received the EIS scoping decision in August 2010 and the Notice of DEIS Publication and Public Meetings in March 2011. The topic was also addressed at the recent public meetings on the Draft EIS that were held by EFP. EFP has enclosed with this letter the information packet sent to the landowners, and will submit an updated DEIS to you in advance of the public hearings.

The Honorable Kathleen Sheehy

May 13, 2011

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Please contact me if you have questions or if you would like further information.

Sincerely,

A handwritten signature in blue ink, appearing to read "Karen Finstad Hammel".

KAREN FINSTAD HAMMEL

Assistant Attorney General

(651) 757-1248 (Voice)

(651) 297-1138 (Fax)

Encl: Landowner Letter
Information on Route Segment Alternatives

AG: #2823092-v1

AFFIDAVIT OF SERVICE

STATE OF MINNESOTA)
) ss.
COUNTY OF RAMSEY)

I state that at the City of St. Paul, County of Ramsey, State of Minnesota, on the 13th day of May 2011, I served: Letter to Judge Sheehy upon all parties by depositing in the United States Mail, at said city, a true and correct copy thereof, properly enveloped, with prepaid first class postage, addressed to:

All persons on attached paper service list

/s/ Pat Silberbauer

Subscribed and sworn to before me
this 13th day of May 2011.

 /s/ Deborah A. Bastyr
Notary Public

My Commission Expires January 31, 2015

Service List Member Information

Electronic Service Member(s)

Last Name	First Name	Email	Company Name	Delivery	View TS
Anderson	Julia	Julia.Anderson@state.mn.us	Office of the Attorney General-DOC	Electronic	Yes
DeBleekere	Patricia	tricia.debleeckere@state.mn.us	Public Utilities Commission	Electronic	Yes
Ferguson	Sharon	sharon.ferguson@state.mn.us	Department of Commerce	Electronic	Yes
Haar	Burl W.	burl.haar@state.mn.us	Public Utilities Commission	Electronic	Yes
Hammel	Karen Finstad	Karen.Hammel@state.mn.us	Office of the Attorney General-DOC	Electronic	Yes
Langan	Matthew	matthew.langan@state.mn.us	Office of Energy Security	Electronic	Yes
Lindell	John	agorud.ecf@state.mn.us	Office of the Attorney General-RUD	Electronic	Yes
Schlatter	Laura	Laura.Schlatter@state.mn.us	Office of Administrative Hearings	Electronic	Yes
Seykora	David	dave.seykora@state.mn.us	MN Department of Transportation	Electronic	Yes
Shaddix Elling	Janet	jshaddix@janetshaddix.com	Shaddix And Associates	Electronic	Yes

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Hillstrom	Tom	Xcel Energy	7th Floor, 414 Nicollet Mall, Minneapolis, MN-554011993	Paper	No
Maccabee	Paula	Just Change Law Offices	1961 Selby Avenue, St. Paul, MN-55104	Pape	No
Overland	Carol	Legalelectric, Inc.	P.O. Box 176, Red Wing, MN-55066	Paper	No
Sheehy	Kathleen D.	Office of Administrative Hearings	PO Box 64620, St. Paul, MN-551640620	Paper	Yes



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April 19, 2011

Dear Landowner,

The Minnesota Department of Commerce, Energy Facilities Permitting Unit (EFP), has published a Draft Environmental Impact Statement (DEIS) on the proposed CapX Hampton-Rochester-La Crosse 345 kilovolt (kV) and 161 kV transmission lines project, and is accepting public comments on the document. The DEIS is based on the scoping decision issued in August 2010, which includes issues and route segment alternatives raised during an open public scoping comment period. Sixty-two route segment alternatives were included in the scoping decision, based on public input. Seven route alternatives that were suggested by the public were not included in the scoping decision, and are therefore not included in the DEIS.

During the public comment period, EFP staff identified two 161 kV route segment alternatives that were inadvertently included in the scoping decision for the EIS. These routes are labeled as 2P-001 and 2P-002 in the scoping decision, and are shown and described in the enclosed packet. Because EFP did not intend for these route alternatives to be included in the scope, they were not evaluated in the Draft EIS. However, because the scoping decision cannot be changed at this time, these route alternatives will need to be evaluated in the Final EIS.

In advance of Final EIS publication and the June 2011 Public Hearings, EFP staff is providing you with the enclosed information on route segment alternatives 2P-001 and 2P-002. You may send comments on these route segment alternatives and the DEIS to the State Permit Manager through April 29, 2011. Comments will be accepted via email, fax, or written format. The DEIS, including the information in the enclosed packet, is available on the EFP website at: <http://energyfacilities.puc.state.mn.us/Docket.html?Id=25731>

If you have questions or if you would like further information, please contact:

Matt Langan, state permit manager

Ray Kirsch, public advisor

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Other contact information: Toll-Free Tel: 1-800-657-3794, Fax: 651-297-7891 or TTY: Minnesota Relay Service, 800-627-3529, ask for DOC.

cc: Affected local government units