

Sept 14, 2011

To: State of Minnesota Public Utilities Commission

From: Lynn Richert and Terra O'Neil

Re: In the Matter of the HVTL Route Permit for the Fargo to St. Cloud 345 kV
Transmission Line Project

Pursuant to Minnesota Administrative Rule 7850.4900, we are requesting an amendment to a condition in the route permit. Specifically, we are requesting that the PUC amend the route between the Quarry substation and a point just west of the Sauk River using a route along County Road 138. See attached map. This route was labeled AS-5 in paragraph 371 of the Findings of Fact, Conclusions, and Recommendations. Note that this route was described, in paragraph 371, as “offering an alternative method for the last portion of Routes B, C, D, E, G, or H to connect to the Quarry substation”, contrary to the applicant’s testimony at the PUC’s June 10th public meeting.

Reasons for the Amendment

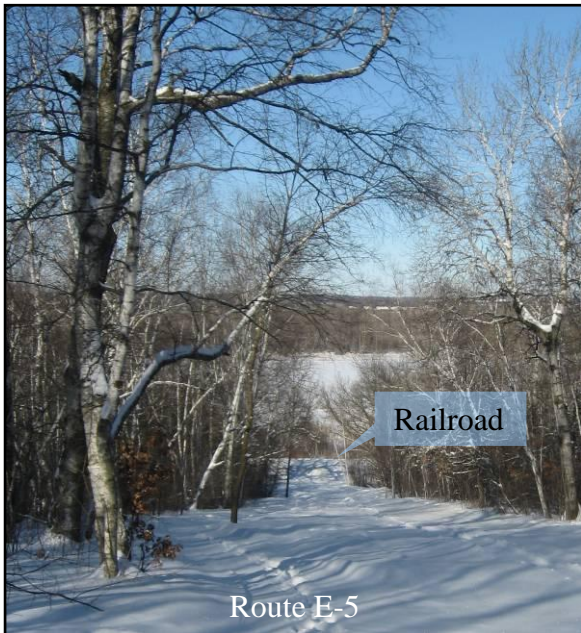
1. PUC questions and comments from June 10th public meeting indicated support and willingness to consider a route amendment, suggested by the applicant, as a viable alternative to route E-5, and that portion of route E east of the Sauk River.
 - a. Commissioner O'Brien asked if a route amendment would be a satisfactory solution.
 - b. Commissioner Anderson said we had some good arguments.
2. Overwhelming support from residents and some commercial land owners in the Option 12 (Routes E/E-5 and AS-5) area.
3. Better application of Minnesota Rule 7850.4100, paragraph A criteria, which states “the commission shall consider the following: A. effects on human settlement, including, but not limited to, displacement, noise, aesthetics, cultural values, recreation, and public services;

Owner Occupied Residences	Route E/E-5	Route AS-5 + Connector
Displaced	1	0
Recreation Areas*	1	0
Within 1000 feet**	20	3
Average Distance	646 feet	733

*See photo in paragraph 4.

**The FFCR only looked at residences within 500 feet, an arbitrary distance determined by the applicant, in an effort to minimize residences affected by their transmission line. Towers up to 170 feet high have a visual impact far exceeding 500 feet in this area.

4. Better application of Minnesota Rule 7850.4100, paragraph H criteria, which states “use or paralleling of existing rights-of-way, survey lines, natural division lines, and agricultural field boundaries.” Both routes make use of an existing right-of-way; route E-5, a railroad, and route AS-5, county road 138. The latter, however, has numerous, closely spaced power poles along a busy road in an agricultural area. The railroad along route E-5 is located between a reclaimed gravel pit (now a beautiful lake) and a heavily forested residential area. See photos below.



Route AS-5 (County Road 138)

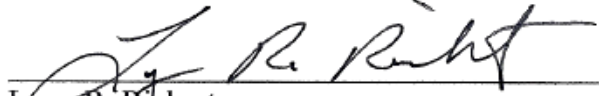
5. Better application of Minnesota Rule 7850.4100, paragraph F criteria, which states “effects on rare and unique natural resources.” A 150+ year old cottonwood tree, 17 feet in circumference, must be removed for route E-5. It cannot be avoided with pole placement. The stand of old cottonwood trees is home to red-tail hawks and constant visits from bald eagles. See below. There are no trees this large along Route AS-5.



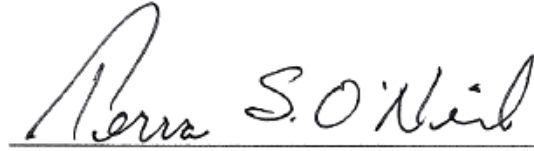
6. Eight private landowners, owning five parcels, are prepared and likely willing to proceed to condemnation, causing potential delays, and highlighting the inappropriate route selection.

Thank you for your consideration.

Sincerely,



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Terra S. O'Neil

