

# MALKERSON GUNN MARTIN LLP

1900 U.S. BANK PLAZA SOUTH TOWER  
220 SOUTH SIXTH STREET  
MINNEAPOLIS, MINNESOTA 55402  
TELEPHONE 612-344-1111  
FACSIMILE 612-344-1414

Rachel R. Myers, Esq.  
(612) 455-6622  
rachel.myers@mgmlp.com



September 7, 2012

## VIA CERTIFIED MAIL

Lisa M. Agrimonti  
Valerie T. Herring  
Briggs and Morgan, P.A.  
2200 IDS Center  
80 South Eighth Street  
Minneapolis, MN 55402

Gary Cunningham  
Assistant Attorney General  
Office of the Attorney General  
445 Minnesota Street, Suite 1100  
St. Paul, MN 55101

Carol A. Overland  
Overland Law Office  
P.O. Box 176  
Red Wing, MN 55066

Brian Meloy  
Leonard Street Dienard  
150 South Fifth Street, Suite 2300  
Minneapolis, MN 55402

Minnesota Public Utilities Commission  
c/o Burl W. Haar, Executive Secretary  
121 - 7<sup>th</sup> Place East, Suite 350  
St. Paul, MN 55101-2147

RE: In the Matter of Xcel Energy's Application for a Route Permit for the CapX 2020  
Hampton-Rochester-La Crosse High Voltage Transmission Line  
Our File No. 2369.001

Dear Sir or Madam:

Enclosed and served upon you in regards to the above-referenced matter are copies of the following documents which were filed with the Minnesota Court of Appeals today:

1. Petitioner's Petition for Writ of Certiorari with an attached certified copy of the Minnesota Public Utilities Commission's Order Denying Reconsideration issued August 14, 2012;
2. Writ of Certiorari;
3. Petitioner's Statement of the Case; and
4. Minnesota Public Utilities Commission's Waiver of Cost Bond.

September 7, 2012  
Page 2

If you have any questions, please do not hesitate to contact me.

Very truly yours,

A handwritten signature in black ink that reads "Rachel R. Myers". The signature is written in a cursive, flowing style.

Rachel R. Myers

RK/tld/Enclosure

cc: Client  
Kay Hunt, Esq.

**STATE OF MINNESOTA  
IN COURT OF APPEALS**

---

In the Matter of Xcel Energy's Application  
for a Route Permit for the CapX2020  
Hampton-Rochester-La Crosse High  
Voltage Transmission Line

**PETITION FOR WRIT OF  
CERTIORARI**

COURT OF APPEALS NO.: \_\_\_\_\_

Oronoco Township,

MINNESOTA PUBLIC UTILITIES  
COMMISSION DOCKET NO.:

Petitioner,

E-002/TL-09-1448

vs.

DATE OF DECISION: August 14, 2012  
Order Denying Petition for Rehearing of  
Orders Issued May 30, 2012

Minnesota Public Utilities Commission,

Respondent.

DATE AND DESCRIPTION OF EVENT  
TRIGGERING APPEAL TIME:

August 14, 2012 Order  
Denying Petitioner Rehearing

---

**TO: The Court of Appeals of the State of Minnesota**  
c/o Clerk of the Appellate Court  
305 Minnesota Judicial Center  
25 Rev. Dr. Martin Luther King, Jr. Blvd.  
St. Paul, MN 55155

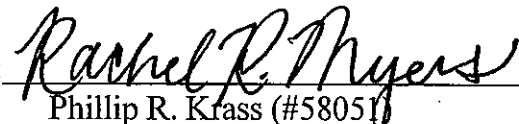
The above-named Petitioner, Oronoco Township ("Petitioner"), hereby petitions the Court of Appeals for a Writ of Certiorari to review the Minnesota Public Utilities Commission's ("Commission") Order Issuing Route Permit As Amended and Findings of Fact, Conclusions of Law, and Order Issuing an HVTL Route Permit to Xcel Energy for a 345 kV Transmission Line, and a 161 kV Transmission Line from Hampton, Minnesota to the Mississippi River Crossing, Near Kellogg, Minnesota, issued on May 30, 2012, and which decisions became final by Order issued on August 14, 2012 denying

Petitioner's timely filed application for reconsideration/rehearing, which reconsideration/rehearing was sought on the grounds that the Commission's grant of the Route Permit for Segment 3 of the Hampton-Rochester-La Crosse 345-kV Transmission Line Project ("Project") is based upon non-record testimony and evidence that was submitted after the February 28, 2012 deadline for filing exceptions to Administrative Law Judge Kathleen D. Sheehy's Findings of Fact, Conclusions of Law and Recommendation, and after the record had closed pursuant to Minn. Stat. § 14.61, subd. 2. The Commission's Order is unsupported by substantial evidence in view of the entire record as submitted, made upon unlawful procedure and in excess of its statutory authority, and the Commission has deprived Petitioner of the due process of law to which it is entitled in the route selection process.

**MALKERSON GUNN MARTIN LLP**

Dated: September 7, 2012

By:



Phillip R. Krass (#58051)

Rachel R. Myers (#0386915)

220 South Sixth Street, Suite 1900

Minneapolis, MN 55402

Telephone: (612) 344-1111

*Attorneys for Petitioner Oronoco Township*

BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION

Beverly Jones Heydinger  
David C. Boyd  
J. Dennis O'Brien  
Phyllis A. Reha  
Betsy Wergin

Chair  
Commissioner  
Commissioner  
Commissioner  
Commissioner

In the Matter of Xcel Energy's Application for a  
Route Permit for the CapX 2020  
Hampton-Rochester-La Crosse High Voltage  
Transmission Line

ISSUE DATE: August 14, 2012

DOCKET NO. E-002/TL-09-1448

ORDER DENYING RECONSIDERATION

On May 30, 2012, the Commission issued its *Order Issuing Route Permit as Amended* in this case.

On June 19, 2012, Oronoco Township filed a petition for reconsideration. On the same day, Cannon Falls Landowners and St. Paul's Lutheran Church and School filed a joint petition for reconsideration.

On June 29, 2012, Laymen for Christ, Inc. and Woodland Camp filed comments opposing reconsideration. On the same day, Northern States Power Company, doing business as Xcel Energy, filed comments opposing reconsideration.

On August 9, 2012, the petitions came before the Commission under Minn. R. 7829.3000. The Chair inquired whether any Commissioner wished to move to reconsider the May 30 order. No Commissioner moved to reconsider, and the petitions are therefore denied.

The Commission will so order.

AUG 27 2012

ORDER

1. The petitions for reconsideration are denied.
2. This Order shall become effective immediately.

BY ORDER OF THE COMMISSION



Burl W. Haar  
Executive Secretary



This document can be made available in alternative formats (i.e., large print or audio) by calling 651.296.0406 (voice). Persons with hearing or speech disabilities may call us through Minnesota Relay at 1.800.627.3529 or by dialing 711.



STATE OF MINNESOTA PUBLIC UTILITIES COMMISSION

CERTIFICATION

I, the undersigned, as Executive Secretary of the Minnesota Public Utilities Commission and custodian of the records thereof, do hereby certify that the attached copy of the Commission order *In the Matter of Xcel Energy's Application for a Route Permit for the CapX 2020 Hampton-Rochester-La Crosse High Voltage Transmission Line (PUC docket number E-002/TL-09-1448)* dated *August 14, 2010* is a certified copy of the original order, and that IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Minnesota Public Utilities Commission in the city of Saint Paul, Minnesota this *23rd day of August, 2012*.

*Burt W. Haar*

EXECUTIVE SECRETARY

MINNESOTA PUBLIC UTILITIES COMMISSION

(SEAL)

State of MINNESOTA

County of RAMSEY



On this 23 day of AUGUST, 2012 before me personally appeared BURT W. HAAR, to me known to be the person described in and who executed the foregoing instrument and acknowledged that he/she executed the same as his/her free act and deed, for the purposes therein set forth.

Veronica J. Slager  
(Notary Public)

My Commission Expires: 1/31/2015

www.puc.state.mn.us

STATE OF MINNESOTA  
IN COURT OF APPEALS

---

In the Matter of Xcel Energy's Application  
for a Route Permit for the CapX2020  
Hampton-Rochester-La Crosse High  
Voltage Transmission Line

Oronoco Township,

Petitioner,

vs.

Minnesota Public Utilities Commission,

Respondent.

**WRIT OF CERTIORARI**

COURT OF APPEALS NO.: \_\_\_\_\_

MINNESOTA PUBLIC UTILITIES  
COMMISSION DOCKET NO.:

E-002/TL-09-1448

DATE OF DECISION: August 14, 2012  
Order Denying Petition for Rehearing of  
Orders Issued May 30, 2012

DATE AND DESCRIPTION OF EVENT  
TRIGGERING APPEAL TIME:

August 14, 2012 Order  
Denying Petitioner Rehearing

---

**TO: Minnesota Public Utilities Commission**  
c/o Burl W. Haar, Executive Secretary  
121 7<sup>th</sup> Place East, Suite 350  
St. Paul, MN 55101-2147

You are hereby ordered to return to the Court of Appeals and serve on all parties in accordance with Rule 115.04, subdivision 3, within 30 days after service of the petition or 14 days after delivery of a transcript, whichever is later, an itemized statement of the record, exhibits and proceedings in the above-entitled matter so that this court may review the decision of the Minnesota Public Utilities Commission issued on the date noted above.

You are further directed to retain the actual record, exhibits, and transcript of proceedings (if any) until requested by the clerk of the appellate courts to deliver them in



accordance with Rule 115.04, subdivision 5.

Copies of this writ and accompanying petition shall be served forthwith either personally or by certified mail upon Respondent Minnesota Public Utilities Commission, and the following parties as certified by the Minnesota Public Utilities Commission: Northern States Power Company, American Transmission Company, LLC, NoCapX 2020, U-Can, and North Route Group. Copies of the writ and accompanying petition shall also be served on the Office of the Minnesota Attorney General pursuant to Minn. Stat. § 14.64.

Proof of service of the writ and of the itemized list shall be filed with the clerk of the appellate courts.

**CLERK OF APPELLATE COURTS**

Dated: September 7, 2012

By: 

Assistant Clerk

**STATE OF MINNESOTA  
IN COURT OF APPEALS**

---

In the Matter of Xcel Energy's Application  
for a Route Permit for the CapX2020  
Hampton-Rochester-La Crosse High  
Voltage Transmission Line

**PETITIONER ORONOCO  
TOWNSHIP'S STATEMENT OF  
THE CASE**

COURT OF APPEALS NO.: \_\_\_\_\_

Oronoco Township,

Petitioner,

MINNESOTA PUBLIC UTILITIES  
COMMISSION DOCKET NO.:  
E-002/TL-09-1448

vs.

Minnesota Public Utilities Commission,

Respondent.

DATE OF DECISION: August 14, 2012  
Order Denying Petition for Rehearing of  
Orders Issued May 30, 2012

---

Petitioner Oronoco Township ("Oronoco" or "Petitioner") respectfully submits  
this Statement of the Case of Appellant as follows:

**1. Court or agency of case origination and name of presiding judge.**

Minnesota Public Utilities Commission ("Commission"); Phyllis Rea, Acting  
Chair.

**2. Jurisdictional statement.**

**A. Appeal from District Court.**

**Statute, rule or other authority authorizing appeal:**

Not applicable.

**Date of entry of judgment or date of service of notice of filing of order  
from which appeal is taken:**

Not applicable.

**Authority fixing time limit for filing notice of appeal (specify applicable rule or statute):**

Not applicable.

**Date of filing any motion that tolls appeal time:**

Not applicable.

**Date of filing of order deciding tolling motion and date of service of notice of filing:**

Not applicable.

**B. Certiorari appeal.**

**Statute, rule or other authority authorizing certiorari appeal:**

This is a Petition for Writ of Certiorari from the decision of the Minnesota Public Utilities Commission which became final by Order issued August 14, 2012, when the Commission denied Petitioner's Minn. Stat. § 216B.27 application for rehearing. This appeal is authorized by Minn. R. Civ. App. P. 115, Minn. Stat. § 216B.52 and Minn. Stat. § 14.63 – i.e., 30 days after final decision.

**Authorizing fixing time limit for obtaining certiorari review:**

Minn. Stat. § 216B.27, subd. 2 (denial of petition for rehearing is a condition precedent to judicial review and renders the Commission's decision final); In re Complaint Against N. States Power Co., 447 N.W.2d 614, 615 (Minn. Ct. App. 1989), *rev. denied*. The final decision was issued on August 14, 2012, which Petitioner has appealed in accord with Minn. Stat. § 14.63 within 30 days. Minn. Stat. § 216B.25.

**C. Other appellate proceedings.**

**Statute, rule or other authority authorizing certiorari appeal:**

Not applicable.

**D. Finality of order or judgment.**

Does the judgment or order to be reviewed dispose of all claims by and against all parties, including attorney fees? Yes  No

The Order issued on August 14, 2012 is the final decision and order of the agency pursuant to Minn. Stat. §§ 216B.27 and 14.63.

If no, did the District Court order entry of a final partial judgment for immediate appeal pursuant to Minn. R. Civ. App. P. 104.01?

Not applicable.

Did the district court order entry of a final partial judgment for immediate appeal pursuant to Minn. R. Civ. P. 104.01? Yes  No

Not applicable.

If yes, provide date of order:

Not applicable.

If no, is the order or judgment appealed from reviewable under any exception to the finality rule?

Not applicable.

If yes, cite rule, statute, or other authority authorizing appeal:

Not applicable.

**3. State type of litigation and designate any statutes at issue.**

This was a contested case proceeding before Administrative Law Judge Kathleen D. Sheehy ("ALJ") and the Public Utilities Commission for the determination of whether Applicant Xcel Energy ("Xcel") satisfied the criteria set forth in Minn. Stat. § 216E.031 and Minnesota Rules Chapter 7850 for a route permit for the HamptonRochester-La Crosse 345-kV Transmission Line Project ("Project"), and which routes and substations under consideration best comply with applicable statutes and rules.

Statutes at issue: Minnesota Statutes Chapter 14, specifically, Minn. Stat. §§ 14.60-61; Minnesota Statutes Chapter 216E; Minnesota Rules Chapter 7829; Minnesota Rules Chapter 7850.

**4. Brief description of claims, defenses, issues litigated and result below.**

On January 19, 2010, Xcel submitted its application for a high-voltage transmission line route permit for the project. On March 9, 2010, the Commission referred the matter to the Office of Administrative Hearings for contested-case proceedings to be presided over by the ALJ. The formal parties that intervened in the contested-case proceedings were the Minnesota Department of Commerce, Energy Facility Permitting Staff (“Department”), NoCapX 2020, United Citizens Action Network, the North Route Group, American Transmission Company LLC, ATC Management Inc., and Oronoco.

Throughout the contested-case proceedings, Oronoco specifically argued against placement of the final route for the Project in Segment 3 on the White Bridge Road crossing of the Zumbro River on Route 3P, since such placement would have the greatest negative impact on human settlement and development.

The parties extensively contributed to the administrative record and provided written and oral testimony and exhibits during three days of public hearings in Plainview, Pine Island, and Cannon Falls on June 14-16, 2011, and evidentiary hearings in St. Paul on June 20-22 and June 24, 2011. The parties also submitted hundreds of pages of arguments and proposed findings for the ALJ’s review and consideration.

After considering the extensive record, on February 8, 2012, the ALJ issued her thoroughly-considered findings of fact, conclusions of law and recommendation (“recommendation”). The ALJ agreed with Oronoco and decided not to place the final route for the Project in Segment 3 near White Bridge Road on Route 3P. Instead, the ALJ recommended that the Commission select the Zumbro River crossing at the Power Dam on Route 3P-Zumbro-S, since this route “satisf[ie]d nonproliferation requirements but balance[d] competing land uses and minimize[d] human and environmental impacts.” (Recommendation, ¶ 490.) After receiving the ALJ’s Recommendation, three formal parties, Xcel, the North Route Group, and the Department, filed various exceptions by the February 28, 2012 deadline for filing exceptions under Minn. R. 7829.2700, subp. 1. However, none of those exceptions challenged the ALJ’s Recommendation of Route 3P-Zumbro-S in Segment 3.

At the April 12, 2012 Commission meeting, the Commission received non-record testimony and evidence from people opposed to the ALJ's recommendation of Route 3P-Zumbro-S in Segment 3 ("Power Dam Group"). The Power Dam Group had not intervened in the contested-case proceeding, had no presence at the evidentiary hearings before the ALJ, and had not filed any exceptions to the ALJ's Recommendation. However, at the last possible moment in the contested-case proceeding, the Power Dam Group argued that the Commission should reject the ALJ's Recommendation of Route 3P-Zumbro-S because of the alleged impacts the Project would have on trees and camps east of the Power Dam, recreation on the Power Dam, and biodiversity and natural resources at the Power Dam crossing itself.

On May 30, 2012, the Commission issued its Order Issuing Route Permit as Amended and Findings of Fact, Conclusions of Law, and Order issuing an HVTL Route Permit to Xcel Energy for a 345 kV Transmission Line and a 161 kV Transmission Line from Hampton, Minnesota to the Mississippi River Crossing Near Kellogg, Minnesota (collectively "Order"), in reliance on the non-record testimony and evidence received from the Power Dam Group, and cited three reasons for its rejection of the ALJ's Recommendation and selection of the Route 3P over Route 3P-Zumbro-S: (1) Route 3P-Zumbro-S will require more deforestation and clearing than Route 3P, which will significantly impact natural resources and biodiversity on Route 3P-Zumbro-S; (2) "non-commercial" recreational resources, including a campground and two summer camps, will be impacted on Route 3P-Zumbro-S; and (3) Route 3P more closely adheres to the statutory objective of using existing highway right-of-way, since there is no existing high-voltage transmission line route or parallel existing highway right-of-way on Route 3P-Zumbro-S.

Since the Power Dam Group did not file exceptions to the ALJ's Recommendation, the residents of Oronoco could not have anticipated either the Power Dam Group's presence at the April 12, 2012 Commission meeting or its late evidence, which turned out to be false and misleading. Hundreds of residents of Oronoco who participated throughout this lengthy process were left without the ability to respond, rebut, or correct the false statements made by the Power Dam Group on April 12, 2012.

Oronoco, in accord with Minn. Stat. § 216B.27, subd. 2, made timely application to the Commission for rehearing. Rehearing was denied by Order issued August 14, 2012, which renders the Commission's decision final within the meaning of Minn. Stat. Chapter 14. The issues to be raised on appeal were specifically raised in Oronoco's application for rehearing.

**5. List specific issues proposed to be raised on appeal.**

Oronoco anticipates raising the following issues on appeal:

1. Whether the Commission violated Minnesota law by basing its order upon non-record testimony and evidence that was submitted after the February 28, 2012 deadline for filing exceptions to the ALJ's Findings of Fact, Conclusions of Law and Recommendation, and after the record had closed pursuant to Minn. Stat. § 14.61, subd. 2.
2. Whether the Commission's reliance on non-record testimony and evidence, after the record had closed, deprived Petitioner of due process of law.
3. Whether the Commission's Order of Route 3P as the final route for the Project in Segment 3 is unsupported by the substantial evidence in view of the record as a whole.

**6. Related appeals.**

**List all prior or pending appeals arising from the same action as this appeal. If none, so state.**

Petitioner filed an appeal after the Commission issued its May 30, 2012 Orders while its timely Minn. Stat. § 216B.27, subd. 2 application for rehearing before the Commission was pending – Appeal No. A12-1138. Petitioner and the Commission subsequently agreed that the Petition for Certiorari was premature pursuant to Minn. Stat. § 216B.27 and the appeal was dismissed without prejudice by stipulation that Petitioner may file a timely appeal after the Commission acted on its Petition for Reconsideration.

**List any known pending appeals in separate actions raising similar issues to this appeal. If none are known, so state.**

None known.

**7. Contents of record.**

**Is a transcript necessary to review the issues on appeal?** Yes  No

**If yes, full  or partial  transcript?** Not applicable

**Has the transcript already been delivered to the parties and filed with the trial court administrator?** Yes  No  Not applicable

If not, has it been ordered from the court reporter? Yes  No   
Not applicable

If a transcript is unavailable, is a statement of the proceedings under Rule 110.03 necessary? Yes  No  Not applicable

In lieu of the record as defined in Rule 110.01, have the parties agreed to prepare a statement of the record pursuant to Rule 110.04? Yes  No   
Not applicable

8. Is oral argument requested? Yes  No

If so, is argument requested at a location other than that provided in Rule 134.09, subd. 2? Yes  No

9. Identify the type of brief to be filed.

Formal brief under Rule 128.02.

10. Names, addresses, zip codes, and telephone numbers of attorneys for Petitioner and Respondent.

**COUNSEL FOR PETITIONER:**

Phillip R. Krass (#58051)  
Rachel R. Myers (#0386915)  
MALKERSON GUNN MARTIN, LLP  
220 South Sixth Street, Suite 1900  
Minneapolis, MN 55402  
Telephone: (612) 344-1111

**RESPONDENT:**

Minnesota Public Utilities Commission  
c/o Burl W. Haar, Executive Secretary  
121 7<sup>th</sup> Place East, Suite 350  
St. Paul, MN 55101-2147



Pursuant to Minn. Stat. § 14.64, the following Respondents are parties certified by the Commission as disclosed by its records. Those parties and their addresses so certified by the Commission are:

**NORTHERN STATES POWER COMPANY**

Represented by: Briggs and Morgan, P.A.  
Lisa M. Agrimonti and Valerie T. Herring  
2200 IDS Center  
80 South Eighth Street  
Minneapolis, MN 55402

**AMERICAN TRANSMISSION COMPANY, LLC**

Represented by: Leonard Street Dienard  
Brian Meloy  
150 South Fifth Street, Suite 2300  
Minneapolis, MN 55402

**NOCAPX 2020 and U-CAN**

Represented by: Overland Law Office  
Carol A. Overland  
P.O. Box 176  
Red Wing, MN 55066

**NORTH ROUTE GROUP**

Represented by: Overland Law Office  
Carol A. Overland  
P.O. Box 176  
Red Wing, MN 55066

A true and correct copy of the Commission's Certification is attached hereto.

Also served is Minnesota's Attorney General in accord with Minn. Stat. § 14.64:

Lori Swanson, Attorney General  
Office of the Minnesota Attorney General  
1400 Bremer Tower  
445 Minnesota Street  
St. Paul, MN 55101-2128

**MALKERSON GUNN MARTIN LLP**

Dated: September 7, 2012

By: *Rachel R. Myers*  
Phillip R. Krass (#58051)  
Rachel R. Myers (#0386915)  
220 South Sixth Street, Suite 1900  
Minneapolis, MN 55402  
Telephone: (612) 344-1111

*Attorneys for Petitioner Oronoco Township*

150694



STATE OF MINNESOTA PUBLIC UTILITIES COMMISSION

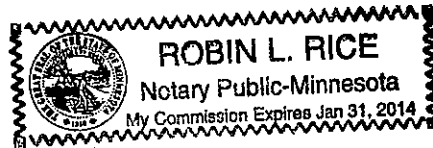
CERTIFICATION

I, the undersigned, as Executive Secretary of the Minnesota Public Utilities Commission and custodian of the records thereof, do hereby certify that the attached copy is the names and addresses of all parties in the Matter of Xcel' Energy's Application for a Route Permit for the CapX 2020 Hampton-Rochester-La Crosse High Voltage Transmission Line Docket No. E-002/TL-09-1448. The list is a certified copy of the Parties, and that IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Minnesota Public Utilities Commission in the city of Saint Paul, Minnesota this 5<sup>th</sup> day of September, 2012.

*Burl W. Haar*

EXECUTIVE SECRETARY  
MINNESOTA PUBLIC UTILITIES COMMISSION

(SEAL)



State of Minnesota

County of Ramsey

On this 5<sup>th</sup> day of September, 2012 before me personally appeared Burl Haar, to me known to be the person described in and who executed the foregoing instrument and acknowledged that he/she executed the same as his/her free act and deed, for the purposes therein set forth.

Robin L. Rice  
(Notary Public)

My Commission Expires: Jan. 31, 2014

List of Parties to Docket E-002/TL-09-1448

In the Matter of Xcel' Energy's Application for a Route Permit for the CapX 2020  
Hampton-Rochester-La Crosse High Voltage Transmission Line

NORTHERN STATES POWER COMPANY

Represented by: BRIGGS and MORGAN, P.A.  
Lisa M. Agrimonti and Valerie T. Herring  
2200 IDS Center  
80 South Eighth Street  
Minneapolis, MN 55402

ORONOCO TOWNSHIP

Represented by: MALKERSON GUNN MARTIN, L.L.P.  
Phillip R. Krass, Rachel R. Myers and Timothy J. Keane  
1900 U.S. Bank Plaza South Tower  
220 South Sixth Street  
Minneapolis, MN 55402

AMERICAN TRANSMISSION COMPANY, LLC

Represented by: LEONARD STREET DIENARD  
Brian Meloy  
150 South Fifth Street, Suite 2300  
Minneapolis, MN 55402

NOCAPX 2020 and U-CAN

Represented by: OVERLAND LAW OFFICE  
Carol A. Overland  
P.O. Box 176  
Red Wing, MN 55066

NORTH ROUTE GROUP

Represented by: OVERLAND LAW OFFICE  
Carol A. Overland  
P.O. Box 176  
Red Wing, MN 55066

STATE OF MINNESOTA  
COURT OF APPEALS

*In the Matter of Xcel Energy's Application  
for a Route Permit for the CapX2020  
Hampton-Rochester-La Crosse High  
Voltage Transmission Line*

Oronoco Township,

Relator,

vs.

Minnesota Public Utilities Commission.

Respondent.

**TO: CLERK OF APPELLATE COURTS**

The Minnesota Public Utilities Commission ("Commission") hereby waives for Oronoco Township ("Relator") the cost bond required by Rule 107 of the Rules of Civil Appellate Procedure, or any analogous cost bond requirement of the Commission, with respect to the Relator's Petition for Writ of Certiorari in the above-entitled matter.

Dated: August 29, 2012

OFFICE OF THE ATTORNEY GENERAL  
State of Minnesota



JEANNE M. COCHRAN  
Assistant Attorney General  
Atty. Reg. No. 0246116

445 Minnesota Street, Suite 1100  
St. Paul, Minnesota 55101-2128  
(651) 757-1217 (Voice)  
(651) 296-1410 (TTY)

ATTORNEY FOR MINNESOTA PUBLIC  
UTILITIES COMMISSION

WAIVER OF COST BOND

COURT OF APPEALS NO.: A12-\_\_\_\_\_

MINNESOTA PUBLIC UTILITIES  
COMMISSION DOCKET NO.:  
E-002/TL-09-1448