

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

In the Matter of the Application of Great River Energy, Northern States Power Company (d/b/a Xcel Energy) and others for Certificates of Need for the Cap X 345–kV Transmission Projects.

**ORDER GRANTING INTERVENTION TO  
CITIZENS ENERGY TASK FORCE and  
MIDWEST ISO, STAYING DEADLINE TO  
FILE DIRECT TESTIMONY AND  
SCHEDULING PREHEARING  
CONFERENCE**

On March 31, 2008, a Petition to Intervene was filed with the Administrative Law Judge by the Citizens Energy Task Force seeking full party status in this proceeding. However, there was no evidence that the matter had been served on the parties to the proceeding. On April 10, 2008, the Administrative Law Judge contacted Beverly Topp, the Citizens Energy Task Force representative, to notify her that she must give notice of her request to the other parties. On the same day, the Citizens Energy Task Force refiled its Petition to Intervene. On April 18, 2008, Paula Goodman Maccabee filed a Notice of Appearance on behalf of the Citizens Energy Task Force. On April 11, 2008, the Midwest Independent System Operator (Midwest ISO) filed a Petition to Intervene seeking full party status in this proceeding.

As set forth in the Prehearing Order issued on January 3, 2008, and Minn. R. 1400.6200, subd. 2, any party objecting to the intervention must file its objection within seven days of receipt of the petition. No party filed an objection to either petition to intervene.

The proposed intervenors have demonstrated that they have a basis for intervention in this proceeding and that the outcome will directly affect their interests.

On April 16, 2008, the North American Water Office (NAWO) and the Institute for Local Self-Reliance (ILSR) filed a Petition For An Extension of Time to Prepare Direct Testimony. On April 18, 2008, NO CAP X and Wind on the Wires, Izaak Walton League of America – Midwest Office, Fresh Energy and the Minnesota Center for Environmental Advocacy filed memoranda in support of NAWO and ILSR's Petition. On April 21, 2008, the Applicants filed a memorandum in opposition to the Petition.

The Application in this matter was deemed complete by the Public Utilities Commission on November 27, 2007. A Prehearing Conference was held on

December 19, 2007, and the preliminary schedule was set. This proceeding involves three separate, large transmission projects and it was anticipated that the schedule could change as the matter progressed. A discovery process was set, and parties were directed to respond to Information Requests within fifteen business days of receipt or to notify the requesting party if the response could not be provided within that timeframe. Since the Prehearing Conference, additional parties have petitioned to intervene in the proceeding and some Information Responses have not been provided within fifteen days. There is no date upon which the discovery schedule closes. Discovery may continue after the testimony is filed, up to the completion of the evidentiary hearing.

According to the schedule in the Prehearing Conference, the Direct Testimony was to be filed within four months from the date of the Prehearing Order. In light of the scope of the proposed project, this was an aggressive schedule.

The Environmental Report was issued by the Department of Commerce, Office of Energy Security on March 31, 2008. Since it was issued, the Public Utilities Commission has been asked to consider the scope of the Environmental Report and is accepting comments on that request.

Based on the record herein,

IT IS HEREBY ORDERED:

1. The Petition to Intervene of Citizens Energy Task Force is **GRANTED**. The Service List shall be modified to add the following representative:

Paula Goodman Maccabee  
Just Change Consulting  
1961 Selby Avenue  
Saint Paul, MN 55104  
Tele: 651-646-8890 (office) 651-775-7128 (cell)  
Email: pmaccabee@visi.com

2. The Petition to Intervene of Midwest ISO is **GRANTED**. The Service List shall be modified to add the following representatives:

Christopher K. Sandberg  
Lockridge Grindal Nauen  
Suite 2200  
100 Washington Avenue South  
Minneapolis, MN 55401  
Tele: 612-339-6900  
Fax: 612-339-0981  
Email: cksandberg@locklaw.com

Keith L. Beall  
Senior Attorney – State Regulatory  
Midwest ISO Legal Dep't.  
P.O. Box 4202  
Carmel, IN 46082  
Tele: 317-249-5400  
kbeall@midwestiso.org

3. The intervenors shall be subject to the Prehearing Order issued on January 3, 2008.

4. The deadline set in the Prehearing Order issued on January 3, 2008, for filing Direct Testimony is **STAYED**.

5. A prehearing conference will be held on **May 2, 2008, at 9:30 a.m.**, in the Large Hearing Room at the Public Utilities Commission to set a new date for filing Direct Testimony and to review the balance of the proposed schedule.

6. The Service List shall be modified to correct the mailing address for the Office of Administrative Hearings.

Dated this 22nd day of April, 2008.

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BEVERLY JONES HEYDINGER  
Administrative Law Judge