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12-1337

December 10, 2014

Dear Public Utilities Commission and Staff,

MINNESOTA PUBLIC
UTILITIES COMMISSION

We the people living in sections 35, 26, 25, 24 and 13 of Fox Lake Township and sections 30, 19, and 18 of Fraser Township of Martin County, Minnesota want to file a "Motion for Reconsideration" of the Public Utilities Commission Order for the ITC Midwest Minnesota/ Iowa 345 kV Transmission line project, Docket number ET-6675/ TL-12-1337.

We have read the Administrative Law Judge's (ALJ) report and reason's for choosing modified route A. This route affecting the aforementioned sections in Fox Lake and Fraser Townships would be nearly one mile longer, has five - 90 degree powerline corners instead of two, crosses five driveways where children stand waiting for the school bus, and goes close to four other homes along county road 27. It is very close to two horse pastures with beautiful horses, is seventy-five feet away from a neighbors hog operation (a production problem), and would cost much more than our suggested route.

Compare that with our suggested route of going 4.5 miles further along I-90. Only three miles of this route would be triple-circuit instead of the thirteen miles stated in the ALJ report. Also the negative impacts on people especially children and their health and safety, livestock wellness and proximity to houses would be avoided by traveling 4.5 miles further along I-90, then heading north to hook up with the current 161 kV line. This would be consistent with Minn. R. 7850.4100.

Of further note are the many miles of dual transmission lines that will be present when the current 161 kV line is put on the poles with the 345 kV line along modified route A. No mention was made of this being a problem in the report. In the ALJ's statement regarding the proposed I90 route there is concern about many lines being taken out of service due to a single event. This is mentioned on page eight under procedural history. Our proposed route would be much less vulnerable to such an event.

The second reason the ALJ used to validate their choice was the overwhelming public support for Modified Route A. This is partially true. The 345 kV line should go on the north side of the I-90/ Hwy 4 interchange instead of going on the south side next to the elementary and high school also over a housing complex and right next to a church. Why would ITC and their route employee's even suggest that original route? The remainder of Modified Route A and Route A had no one testifying in favor of them. These routes had 9 to 12 residents and their families testifying against them at the ALJ hearings. Please check the hearing's transcript for this.

Please consider another reason for our suggested route. The I-90 corridor is a dead zone for migrating ducks, geese, pelicans, etc. Currently on our farms we are blessed with the beauty of these migrating birds landing in our fields. The 345kV line would negatively impact their circling for landing in our fields for food and rest. Also since this summer, two bald eagles are nesting in this area.

It is our hope and prayer that you folks will reconsider Modified Route A after going north of Sherburn and follow I-90. The negative health impacts are real; please protect the families that will be negatively affected by this 345kV transmission line.

Thank you for your consideration. Please feel free to call 507-236-7234 with questions and clarifications. Or maybe you could come to see what's happening.

Sincerely,

Sarah Jagodzinske Rohman

BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION

Beverly Jones Heydinger
David C. Boyd
Nancy Lange
Dan Lipschultz
Betsy Wergin

Chair
Commissioner
Commissioner
Commissioner
Commissioner

In the Matter of the Application of ITC Midwest
LLC for a Route Permit for the Minnesota –Iowa
345 kV Transmission Line Project in Jackson,
Martin, and Faribault Counties

ISSUE DATE: November 25, 2014

DOCKET NO. ET-6675/TL-12-1337

ORDER ISSUING ROUTE PERMIT

PROCEDURAL HISTORY

I. The Route Permit Application

On March 28, 2013, ITC Midwest LLC (ITC Midwest or the Applicant) filed an application for a route permit for the Minnesota - Iowa 345 kV Transmission Line Project in Jackson, Martin, and Faribault Counties. The Applicant filed its application under the full permitting process set forth in Minn. Stat. § 216E.03 and Minn. R. 7850.1700 – 2700 and 7850.4000 – 4400. On March 22, 2013, the Applicant filed its application for a certificate of need for the project.¹

On June 27, 2013, the Commission issued an Order Finding Application Complete, Authorizing Advisory Task Force, and Requesting Draft Route Alternatives. On the same date, the Commission also issued a Notice and Order for Hearing on both the certificate of need and route permit proceedings and referred the matters to the Office of Administrative Hearings for joint proceedings.

On May 13 and 14, 2014, Administrative Law Judge (ALJ) James LaFave held public hearings in the cities of Fairmont, Jackson, and Blue Earth on the joint proceedings. The ALJ accepted written comments into the record until May 30, 2014.

On September 8, 2014, the ALJ filed his Findings of Fact Conclusions of Law, and Recommendations (ALJ's Report), recommending that the Commission issue a certificate of need and route permit.²

On September 23, 2014, the EERA and the Department of Natural Resources filed exceptions to the ALJ Report specifically related to the route permit proceedings.

¹ Docket No. ET-6675/CN-12-1053.

² Given the joint proceeding of the certificate of need and route permit applications, the ALJ Report combined the findings, conclusions, and recommendations of the certificate of need and route permit.

Second, the EERA had submitted these same proposed changes to the ALJ for his consideration in the agency's Reply Comments, submitted prior to his Report being issued.¹³ The ALJ therefore had the opportunity to review and consider these changes, and determined not to incorporate them in his Report.

Finally, the Commission finds that the ALJ Report adequately discusses the reasons he recommended Modified Route A as the more appropriate route for the Project, rather than the other options considered in the route proceeding. In addition to the findings and conclusions contained in the Report, the ALJ specifically addressed the merits of Modified Route A versus the EERA's recommendation in a Memorandum included at the end of the Report.

The EERA requested that the Administrative Law Judge recommend that the Commission issue a Route Permit for Route Alternative 190-2 between the Lakefield Junction and Huntley substations and Modified Route A, incorporating Route Variations HI-2 and HI-5 between the Huntley Substation and the Iowa border. ITC Midwest requested the Administrative Law Judge recommend the Commission select Modified Route A. The EERA conceded in its comments that a comparison of Modified Route A and Alternative Route 190-2 against the factors in Minn. R. 7850.4100 "is a very close call."

After a careful review of the record, there are two reasons why this Administrative Law Judge concludes that Modified Route A is the preferable choice.

- ✕ First is reliability. Modified Route A would require four (4) miles of triple-circuit structures, co-locating with an existing 69kV transmission line owned by ITC Midwest, south of Fox Lake. It would also require approximately 2.2 miles of triple-circuit structures co-locating with an existing 69kV transmission line owned by Great River Energy, south of Lake Charlotte. Alternative Route 190-2 would require approximately 13 miles of triple-circuit capable structures, co-locating with an existing ITC Midwest 69kV transmission line with the Project between the Fox Lake Substation and State Highway 15. The 69 kV transmission line connects the Fox Substation to the City of Fairmont.
- ✕ A triple circuit design presents a couple of challenges. One is maintenance. A triple-circuit design requires outages of multiple circuits to allow work on one line. The other is a triple-circuit design which creates a risk that all three lines could be taken out of service due to a single event.
- ✕ Alternative Route 190-2 would require over twice the length of triple circuit design as would Modified Route A. This additional length presents more opportunities for the disruption of power either when lines are in need of repair or when they are knocked out by weather. Modified Route A is therefore the more reliable choice.

¹³ EERA Reply Comments, this docket (August 8, 2014).

- X The second reason for selecting Modified Route A is the overwhelming public support. Of all the comments received, whether in writing or at the public hearings, the near unanimous choice was Modified Route A.

For the reasons set forth above, the Administrative Law Judge respectfully recommends the Commission select Modified Route A.¹⁴

The Commission finds the ALJ's reasoning in support of Modified Route A versus the EERA's recommendation to be persuasive, and his findings and conclusion in the record thorough and supportive of his recommendation. Accordingly, the Commission will not accept the EERA's recommendations to supplement the ALJ Report with the additional facts proposed.

VII. Removal of the Existing 161 kV Transmission Lines from Fox Lake and Lake Charlotte

The Lakefield to Border 161 kV transmission line currently crosses Fox Lake and Lake Charlotte. The Applicant did not propose removing the existing 161 kV transmission line crossings from the two lakes as part of this Project, explaining that the crossings were rebuilt within the last five years at a cost of some \$7 million to meet Minnesota Department of Natural Resources license clearance requirements. The Applicant proposed to construct Modified Route A on structures capable of carrying the 161 kV circuit in the future, when age of the transmission line or conditions so warrant.

The ALJ agreed with the Applicant that removal of the existing 161 kV transmission line from Fox Lake and Lake Charlotte at this time is not necessary as part of this Project.¹⁵

In its exceptions, the EERA continued to recommend the removal and re-routing of the existing transmission line crossings from Fox Lake and Lake Charlotte. The EERA argued that the analysis contained in the Final EIS found that one transmission line right-of-way at Fox Lake and Lake Charlotte, rather than two rights-of-way, best avoids and minimizes potential negative impacts from the Project. The EERA explained that removal of the 161 kV transmission line crossings would help to minimize the aesthetic, agricultural, and avian impacts from the Project. The EERA recommended removal of the existing 161 kV line from the two lakes and instead double-circuiting the line with the 345 kV line.

In its exceptions, the Department of Natural Resources (DNR) concurred with the EERA and recommended that the existing 161 kV lines spanning the two lakes be removed as part of the Project.

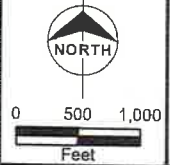
The Commission has carefully considered the arguments of the parties regarding the removal of the 161 kV transmission line crossings from Fox Lake and Lake Charlotte. The Commission understands that removing the two lines might reduce certain aesthetic, environmental, and avian impacts to the two lake areas. However, such benefits have not been clearly defined, analyzed, or quantified in the record. Because the relative merits of removing the 161 kV lines from crossing the lake areas versus leaving them in place has not been adequately addressed in this proceeding, the Commission will not take the action requested by the parties.

¹⁴ ALJ Report, Memorandum, page 122 (footnotes omitted).

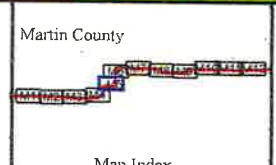
¹⁵ ALJ Report, Conclusion of Law 23.



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Proposed Substation/Expansion	Modified Route A	Existing 69 kV Lines	Civil Township	City
Existing Substation Area	Project ROW	Existing 161 kV Lines	Township Sections	WMA
Substation to be Removed	Associated Facilities	Existing 345 kV Lines	County Boundary	WPA
Modified Route A-Alignment		Line to be Removed	State Boundary	WRP

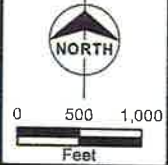
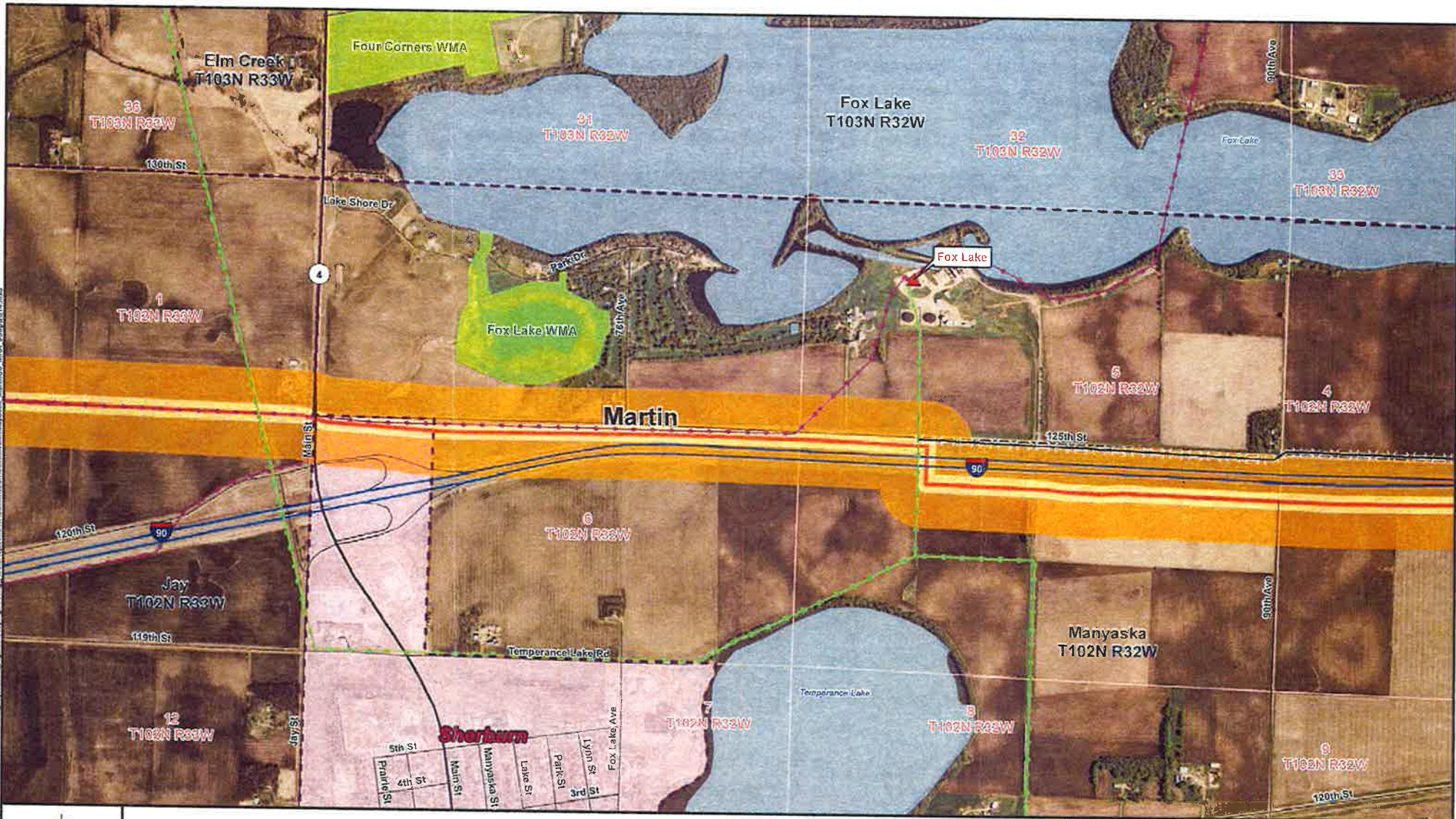


ITC Midwest
Minnesota to Iowa
345 kV Transmission Project

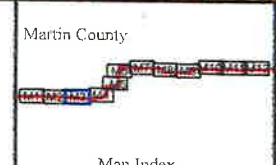
Modified Route A
Martin County
Sheet 5 of 12

Source: MN Geo 2011 Aerials; Minnesota DNR; Minnesota Geo GIS; Minnesota DOT; ITC; Burns & McDonnell.

September 19, 2014



	Proposed Substation/Expansion		Modified Route A		Existing 69 kV Lines		Civil Township		City
	Existing Substation Area		Project ROW		Existing 161 kV Lines		Township Sections		WMA
	Substation to be Removed		Associated Facilities		Existing 345 kV Lines		County Boundary		WPA
	Modified Route A- Alignment				Line to be Removed		State Boundary		WRP

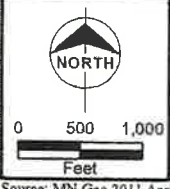
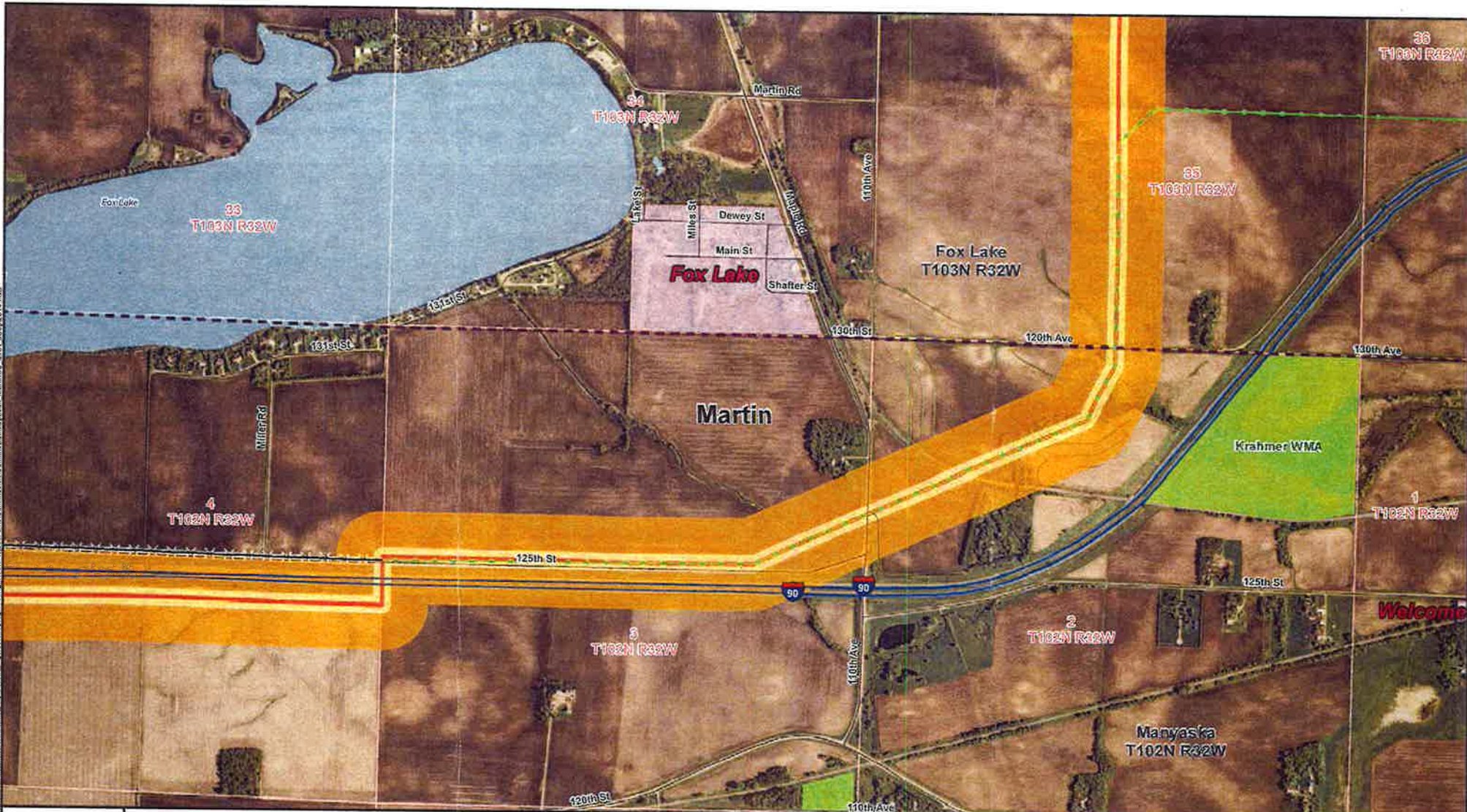


ITC Midwest
Minnesota to Iowa
345 kV Transmission Project

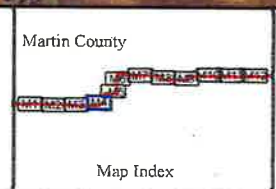
Modified Route A
Martin County
Sheet 3 of 12

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Source: MN Geo 2011 Aerials; Minnesota DNR; Minnesota Geo GIS; Minnesota DOT; ITC; Burns & McDonnell.



Proposed Substation/Expansion	Modified Route A	Existing 69 kV Lines	Civil Township	City
Existing Substation Area	Project ROW	Existing 161 kV Lines	Township Sections	WMA
Substation to be Removed	Associated Facilities	Existing 345 kV Lines	County Boundary	WPA
Modified Route A- Alignment		Line to be Removed	State Boundary	WRP



ITC Midwest
Minnesota to Iowa
345 kV Transmission Project

Modified Route A
Martin County
Sheet 4 of 12

Source: MN Geo 2011 Aerials; Minnesota DNR; Minnesota Geo GIS; Minnesota DOT; ITC; Burns & McDonnell.



* The most economical route is to follow I-90 all the way to Blue Earth.
 This route is also less intrusive.



* The next less intrusive route is explained in the letter, it goes north to the 161 KV line 3 miles east of the Welcome / I-90 Interchange.

