

### **1.1 JOINT PROCEEDING REQUEST**

The Applicant submits with this application detailed information in compliance with the Power Plant Siting Act, Applicable Rules, and Pipeline Rules, and requests issuance of LEPPG Site Permit for Mesaba One and Mesaba Two, a HVTL Route Permit and a Pipeline Route Permit (the latter being applicable only to the West Range Site). The PPSA Permit Application and the Pipeline Routing Permit Application are hereafter collectively referred to as the “Joint Application” or the “Application,” and the Company requests that the Application be processed in a joint proceeding in accordance with Minn. R. 4400.0675. The Company also submits with this Joint Application the filing fees prescribed in the Applicable Rules and in Minn. R. ch. 4415.

For the preferred LEPPG Site (the West Range Site), the Applicant is requesting a partial exemption for the pipeline routing permit in accordance with Minn. Stat. § 116I.015, subd. 2, as implemented through Minn. R. 4415.0035 to 4415.0040.

### **1.2 ENVIRONMENTAL SUPPLEMENT**

Environmental information to support this Joint Application is submitted in the form of an Environmental Supplement (“ES”). The ES prepared in conjunction with the Joint Application contains more extensive detail regarding the proposed technology, its associated infrastructure, and the environmental impacts associated with Mesaba One and Mesaba Two. The Application incorporates the ES by reference and summarizes the information necessary to evaluate the proposed LEPPG Sites and associated HVTL/Pipeline routes and their potential human and environmental impacts, and compares these impacts with other reasonable alternatives. In addition, detailed information and assumptions regarding air emission control requirements, emissions, and modeling results are contained in the separate application for a Part 70/New Source Review Construction Authorization Permit submitted to the Minnesota Pollution Control Agency (“MPCA”) and attached to the Application as Appendix 5. Detailed descriptions of wastewater treatment, discharge volumes, and potential impacts on receiving waterbodies are contained in the separate application for a National Pollutant Discharge Elimination System (“NPDES”) permit submitted to the MPCA and attached to the Application as Appendix 6. These and other detailed permit application documents are available from the applicable regulatory agencies upon request and will be made available on the Excelsior Energy Inc. web site: [www.excelsiorenergy.com](http://www.excelsiorenergy.com).

### **1.3 TERMINOLOGY**

Consistent with the terms used in the ES, in this Application the terms “Project” or “Mesaba One” will be used synonymously with the phrases “Phase I IGCC Power Station” and “Phase I Development.” The term “Mesaba Two” will be used synonymously with the phrases “Phase II IGCC Power Station” and “Phase II Development.” The combined Phase I and Phase II Developments will be used synonymously with the term “Mesaba One and Mesaba Two” and the phrase “Phase I and II IGCC Power Station.” The phrase “IGCC Power Station” or “Station” will be used where the context with respect to Mesaba One, Mesaba Two, or both is obvious or where the context regarding the site being discussed is obvious. The term “IGCC Power Station Footprint” or “Station Footprint” means the fenced area within which the IGCC Power Station is located. “Buffer Land” means the land area contiguous with or adjacent to the IGCC Power

Station Footprint, extending to the boundary of the property controlled by the Applicant and upon which limited Station-related activity occurs. The term "Associated Facilities" means the buildings, equipment, and other physical structures that are necessary to operate of the Station and includes, without limitation, the equipment identified in Sections 3.1.5, 3.1.6, and 3.1.7; fuel tanks; roads; water supply and wastewater discharge pipelines, pumps, pump houses, metering equipment, valves, and force mains; water intake structures (floating or permanent); wastewater discharge structures; flood control systems; and security systems. "Water Resources" means potable water supplies and source/receiving waterbodies required to support construction and operation of the IGCC Power Station. Finally, the term "Site" means the land area which includes the IGCC Power Station Footprint, Buffer Land, any other land needed or acquired for the Associated Facilities, and the "Additional Land" (land needed to interconnect Mesaba One and Mesaba Two with existing transportation [railroad and highway] infrastructure and to provide for use of Water Resources and other essential utilities).

## 1.4 STATEMENT OF OWNERSHIP

### 1.4.1 LEPGP, HVTL and Natural Gas Pipeline

Excelsior is an energy development company with offices located at 11100 Wayzata Boulevard, Suite 305, Minnetonka, Minnesota 55305. Excelsior's contact with respect to all elements of the Application is as follows:

Mr. Robert S. Evans II  
Vice President, Environmental Affairs  
Telephone : (952) 847-2355  
Facsimile : (952) 847-2373  
Mobile Phone: (612) 859-1383  
Email Address: [BobEvans@excelsiorenergy.com](mailto:BobEvans@excelsiorenergy.com)

Excelsior has created two wholly-owned project companies, MEP-I LLC and MEP-II LLC that will construct, own, and operate Mesaba One and Mesaba Two, respectively. It is currently contemplated that MEP-I LLC and MEP-II LLC will also co-own and operate the HVTLs and the natural gas pipeline that are the subject of this Application, although the latter may be constructed and owned by a municipal entity. For purposes of the Joint Application, MEP-I LLC and MEP-II LLC will be co-applicants and co-permittees for the Site Permit, HVTL Route Permit, and Natural Gas Pipeline Route Permit associated with Mesaba One and Mesaba Two. The address of MEP-I LLC and MEP-II LLC is: c/o Excelsior Energy Inc., 11100 Wayzata Boulevard, Suite 305, Minnetonka, Minnesota 55305, attn: Mr. Robert S. Evans II.

In fulfillment of Minn. R. 4415.0115, subp. 4.C., the signatures and titles of persons authorized to sign the application appear below. Excelsior has provided in the preceding paragraph a statement of ownership of the natural gas pipeline pursuant to Minn. R. 4415.0115, subp. 3.