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ADMINISTRATIVE
HEARINGS

STATE OF MINNESOTA PUBLIC UTILITIES COMMISSION

August 31, 2007

Judge Eric L. Lipman
Administrative Law Judge
Office of Administrative Hearings
100 Washington Square, Suite 1700
100 Washington Avenue South
Minneapolis, Minnesota 55401

Re: In the Matter of the Complaint of MNCoalGasPlant.com OAH Docket No.
8-2500-19160-2

Dear Judge Lipman:

This letter is in response to your August 23, 2007 letter requesting the following documents:

- a) Any documents relating to the Petition by Excelsior Energy (OAH Docket No. 12-2500-17260-2) that was received by the Commission after July 26, 2007;
- b) Any electronic mail message directed to one or more of the Commission Members, relating to the Petition by Excelsior Energy (OAH Docket No. 12-2500-17260-2) that was received by the Commission after July 26, 2007; and
- c) Correspondence from a member of the Minnesota Legislature that relates to the Petition by Excelsior Energy (OAH Docket No. 12-2500-17260-2).

Documents received by the Commission relating to the Excelsior petition received after July 26, 2007.

Documents formally filed in the Excelsior docket (E-6472/M-05-1993) after July 26, 2007 are accessible via the Commission eDockets function on its web page (www.puc.state.mn.us). A listing of those documents is enclosed.

The following enclosures are copies of e-mails I forwarded to others or involve exchanges of e-mails among various persons, including myself and other members of the Commission staff. In each case, the correspondence relates to an aspect of the Excelsior proceeding (substantive and non-substantive) raised by a person not a member of the Commission or Commission Staff.

www.puc.state.mn.us

- a) E-mail, dated July 27, 2007 at 3:09 PM, from Burl Haar to Janet Gonzalez, Susan MacKenzie, Marc Fournier, and Deborah Motz. This e-mail is forwarding an e-mail received by Burl Haar on the same day at 3:05 PM from Peter McDermott. Attached to Mr. McDermott's e-mail was the Resolution from the Itasca Economic Development Corporation in Support of the Mesaba Energy Project. A copy of that resolution is also enclosed.
- b) E-mail, dated July 27, 2007 at 11:20 AM, from Burl Haar responding to an e-mail received by Burl Haar the same day at 11:08 AM from Andy Pomroy.
- c) E-mail, dated July 27, 2007 at 5:06 PM, from Burl Haar to Janet Gonzalez, Susan MacKenzie, Marc Fournier, and Deborah Motz. This e-mail is forwarding an e-mail received by Burl Haar on the same day at 3:54 PM from Michael Troumbly.
- d) E-mail, dated July 30, 2007 at 1:11 PM, from Burl Haar to Catherine Hennessey. This e-mail is responding to a series of e-mails involving Ms. Hennessey, Janet Gonzalez, and Carol Overland.
- e) E-mail, dated July 30, 2007 at 4:37 PM, from Burl Haar to Marya White, Janet Gonzalez and Bob Cupit. This e-mail is responding to a series of e-mails involving Ms. White and Commission staff member, Will Werner.
- f) E-mail, dated August 1, 2007 at 1:38 PM, from Burl Haar to Marya White and Charlotte Neigh; copy to Janet Gonzalez. This e-mail is responding to a series of e-mails involving Ms. White and Charlotte Neigh.
- g) E-mail, dated August 1, 2007 at 3:07 PM, from Burl Haar to Marya White, Janet Shaddix, Janet Gonzalez and Karen Santori; copy to Will Werner and Catherine Hennessey. This e-mail is responding to a series of e-mails involving Ms. White and Ms. Shaddix. The initial e-mail was from Ms. White, dated July 30, 2007, at 1:51 PM.
- h) E-mail, dated August 3, 2007 at 2:15 PM, from Burl Haar to Melissa Cox. This e-mail is responding to a August 3, 2007 e-mail from Ms. Cox.
- i) E-mail, dated August 13, 2007 at 11:33 AM, from Burl Haar to Mark Glaess. This e-mail is responding to an August 3, 2007 (9:58 AM) e-mail from Mr. Glaess.
- j) E-mail, dated August 24, 2007 at 2:24 PM, from Burl Haar to Than Tibbetts. This e-mail is responding to an e-mail received from Than Tibbetts on August 22, 2007 at 2:48 PM.

- k) E-mail, dated August 24, 3007 at 3:58 PM, from Burl Haar to Janet Gonzalez. This e-mail is responding to an exchange of e-mails involving your Honor and Ms. Gonzalez.

Electronic mail relating to the Excelsior Petition directed to Commission Members received after July 26, 2007.

The following enclosures are copies of e-mails I forwarded to the Commissioners on the premise that they are public comments.

- a) E-mail, dated July 31, 2007 at 9:01 AM, from Burl Haar to Commissioners mail, Janet Gonzalez, Susan MacKenzie, Marc Fourier and Deborah Motz. This e-mail is forwarding an e-mail received by Burl Haar on the same day at 7:16 AM from Dan Kingsley.
- b) E-mail, dated July 31, 2007 at 9:47AM, from Burl Haar to Commissioners mail, Janet Gonzalez, Susan MacKenzie, Marc Fourier and Deborah Motz. This e-mail is forwarding an e-mail received by Burl Haar on the same day at 9:44 AM from Michael Andrews.

The Commission is in the process of conducting an electronic search of each commissioner's electronic mail box to determine if there was any additional e-mail correspondence relating to the Excelsior docket directed to Commission Members. I expect this search to be completed in a matter of a few days. I will forward our findings as soon as the search is complete.

Correspondence from a member of the Minnesota Legislature related to the Excelsior Petition.

Enclosed is a letter from State Representative Michael Beard, received by the Commission on July 30, 2007.

Please let us know if there is any further information or documentation you believe the Commission can provide to assist you in this matter. Feel free to contact me (651.201.2222; burl.haar@state.mn.us) or Janet Gonzalez (651.201.2231; janet.gonzalez@state.mn.us).

Respectfully,



Burl W. Haar
Executive Secretary

Cc: Janet Gonzalez, Manager, Energy Rates.

eFiling - File electronically with the Public Utilities Commission and the Department of Commerce.Search documents
Request Registration
LoginSearch Help
General Instructions
Links**Search Results - Search Returned 422 Results**Click the link in the class column to view the document. Click the column heading to sort the results by that column.
Click the column heading to sort the reverse direction.

New Search

Class	Docket #	Docket Type	Author	Document Type	Received Date	Size
Public	05-1993	M	PUC	ORDER - RESOLVING PROCEDURAL ISSUES, DISAPPROVING POWER PURCHASE AGREEMENT...	08/30/2007	0
Public	05-1993	M	EXCELSIOR ENERGY	EXHIBITS - ADDENDUM TO MASTER EXHIBIT LIST	08/29/2007	0
Public	05-1993	M	EXCELSIOR ENERGY	EXHIBITS - EXCEPTIONS HEARINGS EXHIBITS SUBMITTED BY EXCELSIOR ENERGY	08/29/2007	0
Public	05-1993	M	EXCELSIOR ENERGY	OTHER - FILING LETTER AND AFFIDAVIT OF SERVICE	08/29/2007	0
Public	05-1993	M	COURT REPORTER	TRANSCRIPTS - PUC-DELIBERATIONS-7/31/07	08/07/2007	0
Public	05-1993	M	PUC	OTHER - LETTER TO ALJ (WITH ATTACHMENTS)	08/07/2007	0
Public	05-1993	M	PUC	OTHER - LETTER TO ALJ (LETTER ONLY - TO SERVICE LIST)	08/07/2007	0
Public	05-1993	M	COURT REPORTER	TRANSCRIPTS - PUC- DELIBERATIONS 8/2/07	08/07/2007	0
Public	05-1993	M	EXCELSIOR ENERGY INC.	OTHER - ANSWER TO MCGP'S COMPLAINT	08/06/2007	0
Public	05-1993	M	MCGP	OTHER - REQUEST THAT COMMISSIONER REHA RECUSE HERSELF	08/02/2007	0
Public	05-1993	M	PUC	BRIEFING PAPERS - PHASE 1	08/02/2007	0
Public	05-1993	M	PUC	BRIEFING PAPERS - APPENDIX 1	08/02/2007	0
Public	05-1993	M	PUC	BRIEFING PAPERS - PART 2 - DECISION OPTIONS	08/02/2007	0
Public	05-1993	M	MCGP	OTHER - COMPLAINT - EXCELSIOR EX PARTE CONTACT	07/30/2007	0
Public	05-1993	M	MCGP	OTHER - MOTION TO STRIKE COMMERCE "COMMENT"	07/30/2007	0
Public	05-1993	M	MINNESOTA POWER	OTHER - RESPONSE TO DOC'S LETTER OF 7/27/07	07/30/2007	0
Public	05-1993	M	MN HOUSE OF REPRESENTATIVES	COMMENTS	07/30/2007	0
Public	05-1993	M	DOC	COMMENTS - SUPPORTING EXCELSIOR	07/27/2007	0
Public	05-1993	M	PUC	NOTICE - COMMISSION MEETING	07/20/2007	0
Public	05-1993	M	XCEL ENERGY	OTHER - UPDATE OF ACTIVITY	07/20/2007	0
Public	05-1993	M	XCEL ENERGY	OTHER - CORRECTED CERTIFICATE OF SERVICE	07/17/2007	0
Public	05-1993	M	EXCELSIOR ENERGY	REPLY BRIEF	07/17/2007	0
Public	05-1993	M	DOC	REPLY BRIEF - PHASE 2	07/16/2007	0
Public	05-1993	M	XCEL ENERGY	REPLY BRIEF - PHASE 2	07/16/2007	0
Public	05-1993	M	TWINWEST CHAMBER OF COMMERCE	COMMENTS	07/02/2007	0
Public	05-1993	M	COURT REPORTER	TRANSCRIPTS - 5/15/07 - PREHEARING - ST PAUL	06/27/2007	0
Public	05-1993	M	OAH	OTHER - LETTER	06/26/2007	0
Public	05-1993	M	PUC	NOTICE - NOTICE OF ORAL ARGUMENT AND DELIBERATIONS	06/25/2007	0
Public	05-1993	M	EXCELSIOR ENERGY	BRIEF - PHASE 2 - OFFER OF PROOF, INITIAL BRIEF & PROPOSED FINDINGS	06/25/2007	0
Public	05-1993	M	DOC	BRIEF - INITIAL - PHASE 2	06/22/2007	0
Public	05-1993	M	MCGP	BRIEF - MCGP INITIAL BRIEF PHASE 2	06/22/2007	0
Public	05-1993	M	XCEL ENERGY	BRIEF - PHASE 2 INITIAL BRIEF	06/22/2007	0
Public	05-1993	M	MINNESOTA POWER	BRIEF - PHASE 2 INITIAL	06/22/2007	0
Public	05-1993	M	EXCELSIOR ENERGY INC	OTHER - PHASE 2 MASTER EXHIBIT LIST	06/06/2007	0
Public	05-1993	M	EXCELSIOR ENERGY INC	OTHER - REPLY TO MCGP'S MOTION TO STRIKE	05/25/2007	0
Public	05-1993	M	EXCELSIOR ENERGY INC	OTHER - REPLY TO MCGP MOTION TO STRIKE	05/25/2007	0
Public	05-1993	M	OAG	REQUEST TO UPDATE SERVICE LIST - REQUEST TO CHANGE NAME AND CONFORM SERVICE LIST	05/24/2007	0
Public	05-1993	M	EXCELSIOR ENERGY	OTHER - REPLY TO EXCEPTIONS	05/16/2007	0
Public	05-1993	M	EXCELSIOR ENERGY	OTHER - REPLY TO EXCEPTIONS PART 2	05/16/2007	0
				OTHER - REPLIES TO EXCEPTIONS OF ALJ'S		

From: Burl
Sent: Friday, July 27, 2007 3:09 PM
To: Janet Gonzalez; Susan MacKenzie; Marc Fournier; Deborah Motz
Subject: FW: Excelsior Energy Docket No. E-6472/M-05-1993-Phase I
FYI

From: Peter McDermott [mailto:pmcdermott@itascadv.org]
Sent: Friday, July 27, 2007 3:05 PM
To: Burl
Subject: Excelsior Energy Docket No. E-6472/M-05-1993-Phase I

Mr. Burl Haar
Executive Secretary
Minnesota Public Utilities Commission
121 7th Place E., Suite 350
Saint Paul, MN 55101-2147

Dear Mr. Haar,

This letter of support for the Mesaba Energy Project supplements my testimony provided December 20, 2006 in Taconite.

In reviewing the Minnesota Public Utilities Commission (PUC) Staff Briefing Papers regarding Excelsior Energy in the above referenced case I would like to make the following additional comments specifically in regards to this project being in the public interest:

1. **Economic Development Benefits to the State** – While I understand that the PUC needs to address the total impact on the State of Minnesota's economy, the Commissioners need to recognize the significant disparity between different geographic areas within the state. This project's significant and positive economic impact on Itasca County would significantly help a county which currently has one of the highest poverty rates in the state. Reducing economic disparity should be given consideration.
2. **Demand for Electricity** – Currently there are a number of very large capital projects proposed for the Iron Range and locating a clean technology power plant north of Taconite would go a long way toward locally providing the energy needs of these projects versus importing electricity from North Dakota or Canada. This will have the additional benefit of reducing the demand for transmission lines. Further, it is my opinion based on 18 years in the capital intensive paper industry, the Mesaba Energy project would increase the likelihood of these projects coming to fruition.

Attached for your reference is a copy of Resolution passed by the board of Itasca Economic Development Corporation in Support of the Mesaba Energy Project on October 3, 2006.

Please pass my comments to the Commissioners for their consideration.

Thank you,

Peter McDermott
President
Itasca Economic Development Corporation
12 Third Street
Grand Rapids, Minnesota 55744
218-326-9411 (o)
218-256-4653 (c)
peterm@itascadv.org

**Resolution from Itasca Economic Development Corporation
in Support of the Mesaba Energy Project**

Excelsior Energy, an independent energy development company, proposes to build, own, and operate an integrated gasification combined cycle (IGCC) power-generation facility in Itasca County referred to as the Mesaba Energy Project.

Whereas, the mission of Itasca Economic Development Corporation is helping create quality jobs and has the goals of reducing unemployment and increasing average annual wage in the Itasca Area, and

Whereas, Itasca County local residents earn approximately 25% lower wages than in the state of Minnesota versus in 1980 when Itasca County's average wage was higher than the state's, and

Whereas, Itasca County has one of the highest poverty rates in the state, and

Whereas, the Mesaba Energy Project will create over 1000 full time, direct construction jobs during its 42-month construction phase, and

Whereas, the Mesaba Energy Project will employ over 100 full-time people and indirectly create another 140 permanent jobs in Itasca County from on-going operations, and

Whereas, currently all industries in Itasca County generate approximately \$ 1 billion in valued added annually and the Mesaba Energy Project is projected to generate more than \$240 million in value added activity for the typical year of operations, and

Whereas, the Mesaba Energy Project will add to the local tax base, and

Whereas, energy is a basic necessity of life and economic development is dependent upon ample supplies of clean and reasonably priced energy to support industry and jobs, and

Whereas, the Mesaba Energy Project will be located on a site zoned for industrial development in the Itasca County Comprehensive Land Use Plan, and

Whereas, the Mesaba Energy Project will deploy the newest state-of-the-art IGCC technology in its production of energy proving that energy can be produced from coal, America's most abundant energy resource.

Therefore be it resolved, Itasca Economic Development Corporation supports the Mesaba Energy Project locating an integrated gasification combined-cycle power generation facility at the Itasca County site location north of Taconite, known as the West Range site, provided all required environmental regulations are passed.

e-mail APomroy BHAar July2707

From: Burl
Sent: Friday, July 27, 2007 11:20 AM
To: 'Andy Pomroy'
Subject: RE: puc hearing - mesaba

Andy,

The Commission will not be deliberating and/or voting on Tuesday. Deliberations and voting are scheduled for Thursday. Tuesday is reserved for oral argument and questions for parties (and, perhaps, staff). I expect activities on Tuesday will go into the afternoon; i.e., there is no set end time, but I would be surprised if it goes beyond 4:00 PM. Even though Thursday is designated for deliberations, commissioners may have further questions for parties out the outset. However, once the Commission goes into deliberations, comments from parties are not allowed unless the Chair permits it to seek clarification, etc. Also, the Commission is not necessarily bound to vote on the matter on Thursday. If there are issues that the Commission believes needs further exploration or if commissioners feel they need more time, they can take more time. Continuing a decision in this manner is not the rule, but it has happened in a few instances.

I hope this helps. I'll look forward to seeing you on Tuesday.

Burl

-----Original Message-----

From: Andy Pomroy [mailto:Andy.Pomroy@house.mn]
Sent: Friday, July 27, 2007 11:08 AM
To: Burl
Subject: puc hearing - mesaba

Burl, Having never attended a PUC meeting, I'm wondering if you can give me a heads up on what to expect at the Mesaba hearing on Tuesday. Will the PUC be making a decision on Tuesday? Is it just taking oral arguments and asking questions? Also, is there a set time it ends at for my schedule planning?

Thanks,

Andy Pomroy
Committee Administrator
Energy Finance & Policy Division
570 State Office Building
651-296-4180
andy.pomroy@house.mn

e-mail Troumbly July2707 (2)

From: Burl
Sent: Friday, July 27, 2007 5:06 PM
To: Janet Gonzalez; Susan Mackenzie; Marc Fournier; Deborah Motz
Subject: FW: The Mesaba Energy Project PPA Docket No. 05-1993

-----Original Message-----

From: City of Taconite [mailto:taconite@uslink.net]
Sent: Friday, July 27, 2007 3:54 PM
To: Burl
Subject: The Mesaba Energy Project PPA Docket No. 05-1993

Dear Mr. Haar

As the Mesaba Energy Project's Power Purchase Agreement with Excel comes before the Public Utilities Commission the City of Taconite states its support of the agreement. Being that the preferred sight is located within Taconite's municipal boundaries, Taconite feels it is well suited to help keep Excelsior's product cost low. Being we are a small city our total levy is \$115K. The local property tax imposed on Excelsior would be minimal.

The Taconite City Council gives its full support to the project and looks forward to being stewards of Excelsior and its customers.

Sincerely,

Michael Troumbly
Clerk/City of Taconite

From: Burl
Sent: Monday, July 30, 2007 1:11 PM
To: 'Catherine Hennessey'
Subject: RE: PUC eDocket for Mesaba down, still
 Catherine,

Thanks for the note. You can ignore my voice message. Your e-note gives me what I need.

Burl

From: Catherine Hennessey [mailto:Catherine.Hennessey@state.mn.us]
Sent: Monday, July 30, 2007 1:03 PM
To: Janet Gonzalez
Cc: Susan Mackenzie; Marya White; Edward Garvey; Marc Fournier; Bob Cupit; Burl; Will Werner; Jim Darling; Karen Santori; Network Team; Dennis Munkwitz
Subject: RE: PUC eDocket for Mesaba down, still

Janet,

The "vendors who are supposed to be supporting this application" are the Department of Commerce and the Office of Enterprise Technology, and we are doing our best to resolve the immediate problem and prevent similar events in the future. As indicated in the summary written last Friday, there are many opportunities to improve our ability to identify changes in variables that might have created this problem. We spent an hour with OET on a conference call this morning. Everyone who participated in that call has tasks to perform that are aimed at both resolution and prevention, such that the application support model itself is improved.

It is particularly distressing that the most visible symptom of the search functionality issue is related to this particular docket. Of course, there are other ways of finding the documents (e.g., searching by date range for docket 05-1993), but this is confusing for those who are accustomed to the easy search functionality of the eDockets/eFiling application. I'm very sorry for the burden placed on all 05-1993 stakeholders, both internal and external.

We will provide an update as soon as possible.

Catherine

From: Janet Gonzalez [mailto:Janet.Gonzalez@state.mn.us]
Sent: Monday, July 30, 2007 7:52 AM
To: Burl; Catherine.Hennessey@state.mn.us; Will Werner
Cc: Susan Mackenzie; Marc Fournier; Bob Cupit
Subject: FW: PUC eDocket for Mesaba down, still

Catherine, Will, and Burl:

This situation with e-dockets not returning recent search results for a number of cases is very serious, and has continued an unacceptable length of time. I realize it is not the fault of anyone to whom I am addressing this e-mail, but it calls into question the priorities of the vendors who are supposed to be supporting this application. As Catherine wrote in her e-mail last week about this situation: "For obvious reasons, the implications are serious and inaccurate search results are very damaging to the credibility of the application. Please advise ASAP."

While it is appropriate to ignore the tone and the implication of purposefulness in the e-mail from Ms. Overland below, it non-the-less points out an issue that is likely of concern to other parties and users also. The Commission is having oral argument and deliberations this week on the Excelsior/Mesaba PPA docket, E-6472/M-05-1993, which is one of the dockets that is not turning up any recent results: fewer than ½ of the documents in the case are showing up. This could be a real burden for the smaller parties and interested persons, who did not get hard copies.

This is one of the most controversial cases the Commission has had to deal with in a number of years. It hurts the

Commission's credibility to have lack the access the public has come to expect.

Sincerely,

Janet F. González, Energy Unit Manager
Minnesota Public Utilities Commission
651-201-2231 (phone)
651-297-7073 (fax)
janet.gonzalez@state.mn.us

From: Carol A. Overland [mailto:overland@redwing.net]
Sent: Monday, July 30, 2007 7:18 AM
To: Janet Gonzalez; Bob Cupit
Subject: PUC eDocket for Mesaba down, still

Janet & Bob:

I'm losing my patience about this Excelsior docket being "down." It's just too convenient that interested parties cannot access the record on the eve of the arguments and deliberations. As you've frequently quoted me, Bob, "Give me a break!"

xoxoxoxoxox,

Carol

--

Carol A. Overland
Attorney at Law
OVERLAND LAW OFFICE
P.O. Box 176
Red Wing, MN 55066

(612) 227-8638

overland@redwing.net
www.legalelectric.org

e-mail wWerner MWhite BHaar July3007f

From: Burl
Sent: Monday, July 30, 2007 4:37 PM
To: 'Marya White'; Janet Gonzalez; Bob Cupit
Subject: RE: Emailing: Docket_05-1993_DocumentList.pdf

Marya,

Please go ahead and forward the pdf to the Mesaba mailing list if you are poised to do so. Thank you.

Burl

-----Original Message-----

From: Marya White [mailto:Marya.White@state.mn.us]
Sent: Monday, July 30, 2007 4:23 PM
To: Burl; Janet Gonzalez; Bob Cupit
Subject: FW: Emailing: Docket_05-1993_DocumentList.pdf

Oops, will's "PUC" address is internal for you so it bounced for me. Do you see an issue with me giving will's pdf to the Mesaba mailing list?
If not, I can forward it--or you can, I don't care. Just let me know, ok? Thanks.
--M

-----Original Message-----

From: Marya White
Sent: Monday, July 30, 2007 4:20 PM
To: 'will Werner'; PUC; Catherine Hennessey; Jim.Darling@state.mn.us;
Karen.Santori@state.mn.us; Marya.White@state.mn.us
Cc: Edward.Garvey@state.mn.us; Burl
Subject: RE: Emailing: Docket_05-1993_DocumentList.pdf

Thanks very very much, will, for going through the extra work to put this together. Unless anyone sees an issue, I will go ahead and send it to the docket email list. Ok? --Marya

-----Original Message-----

From: will Werner [mailto:will.Werner@state.mn.us]
Sent: Monday, July 30, 2007 3:51 PM
To: PUC; Catherine Hennessey; Jim.Darling@state.mn.us; Karen.Santori@state.mn.us;
Marya.White@state.mn.us
Cc: Edward.Garvey@state.mn.us; Burl
Subject: Emailing: Docket_05-1993_DocumentList.pdf
Importance: High

<<Docket_05-1993_DocumentList.pdf>> I have compiled this PDF that contains the 439 document entries for Docket 05-1993, as of all entries that are currently contained within the EFILE system, as of today
7/30/07 @ 15:00 CDT.

The item attached PDF contains these columns:

Name Docke... Author Document Type Received Additional Info Dated Entered On Class
URL_Public Document

THE URL_Public Document is a working link that will allow quick efilng access to the referenced document for that particular line, when accessed with Adobe Reader version 6 or later.

I can recommend that this be used as a quick search and quick index, and as the Trade Secret items ARE listed but NOT viewable from the web, that the PDF can be forwarded to other parties outside of our agencies with no impact to security.

We can ALSO post this PDF to our website(s) and update it on determined basis (noon and 3pm?) if anyone feels that will be of benefit during this problematic period.

e-mail wwerner Mwhite BHaar July3007f

Please send any useful feedback, AND if this needs to be done for any other HOT items while the eDockets search is under repair.

Regards,

~Will Werner
IT Manager
MN Public Utilities Commission
121 7th Place E.
Suite 350
Saint Paul, MN 55101
651.201.2205
will.werner@state.mn.us

e-mails Mwhite CNeigh Bhaar July30-Aug107

From: Burl
Sent: Wednesday, August 01, 2007 1:38 PM
To: 'Marya White'; Charlotte Neigh
Cc: Janet Gonzalez
Subject: RE: edockets update

Staff briefing papers for this case can be accessed by going to www.puc.state.mn.us; click on "Calendar" and scroll to August 14 and/or August 16; click on "Agenda mtg - . . .". That will bring you to the agenda for those meetings. At the bottom of the agenda, you will see "Briefing Papers/Appendix 1" in bold font. That is your link to staff briefing papers.

The Commission tomorrow will post on its web site a brief announcement concerning any actions taken by the Commission in this case. The announcement can be found by clicking on "News" (along the bottom margin of the Home page) and scrolling down to "Electricity News/General Information".

-----Original Message-----

From: Marya White [mailto:Marya.White@state.mn.us]
Sent: Wednesday, August 01, 2007 12:54 PM
To: Charlotte Neigh; Marya White
Cc: Janet Gonzalez; Burl
Subject: RE: edockets update

Hi Charlotte,

I'm glad that you are set up with the 05-1993 list now.

As to your other two questions, I will have to defer to either Burl or Janet to answer those as that this specific to the PUC.

Take care. --Marya

-----Original Message-----

From: Charlotte Neigh [mailto:neighcan@northlc.com]
Sent: Wednesday, August 01, 2007 12:34 PM
To: Marya White
Cc: Janet Gonzalez; Burl.Haar@state.mn.us
Subject: Re: edockets update

Thanks, Marya. I found it.

I'm wondering why it does not contain any of the staff briefing documents.

Also, I still need an answer to my question about when and how I can learn the results of tomorrow's meeting of the PUC.

Charlotte

On Aug 1, 2007, at 11:58 AM, Marya White wrote:

> Hi Charlotte---The button for 05-1993 is right on the PUC's homepage
> of
> their website right under the edockets button. I just checked and it
> is there and opening.
>
> As for the third set of briefing papers, I asked Janet G yesterday and
> she said that there wasn't a third set. However, if Janet and her
> Staff now have a third set available I don't yet know about it so will
> have to defer to Janet to tell both of us.
>
> Take care. --Marya
>

e-mails MWhite CNeigh Bhaar July30-Aug107

> -----Original Message-----

> From: Charlotte Neigh [mailto:neighcan@northlc.com]

> Sent: Wednesday, August 01, 2007 11:49 AM

> To: Marya White

> Cc: Janet Gonzalez; Burl.Haar@state.mn.us

> Subject: Re: edockets update

>

> Marya:

>

> I still can't find the e-documents on file 05-1993.

>

> What is the website to which you are referring?

>

> On what page do I find the "button"?

>

> Although I found the staff Briefing and Appendix I by clicking on the
> calendar (as suggested by Janet Gonzalez last week), I have not yet
> found the third staff briefing document which I understood was to be
> available this past Monday.

>

> When I tried to access it through the pdf you sent as a temporary
> solution, the links did not work.

>

> Can someone tell me when and how I can follow up on the Commission's
> decision or whatever results from tomorrow's deliberations?

>

> Thanks for your assistance.

>

> Charlotte Neigh, Co-Chair

> Citizens Against the Mesaba Project (CAMP)

>

>

> On Jul 31, 2007, at 6:56 PM, Marya White wrote:

>

>> Hello Your Honor and All---I have been informed that the IT people
> have

>> installed a separate 05-1993 "button" on the PUC website located
>> directly under the edockets "button" that contains the updated
>> document

>> list (thank you, PUC.) I am also informed that the new link will be
>> updated twice daily as needed and will stay up until edockets is
>> permanently fixed.

>> As for edockets being permanently fixed, I have received no
>> information other than the IT people are still working (with their
>> outside vendor) on the issue. Sorry and thanks once again for your
>> patience.

>> See you Thursday. --Marya

>>

>> -----Original Message-----

>> From: Marya White

>> Sent: Monday, July 30, 2007 1:51 PM

>> To: 'Carol A. Overland'; Marya White

>> Cc: Sharon Ferguson; ahenkel@mutilityinvestors.org;

>> bdohrwardt@briggs.com; daafedt@winthrop.com; mrolfes@otpc.com;

>> nicok@excelsiorenergy.com; rdthomasinc@earthlink.net;

>> rhs@schulteassociates.com; rsl@mcmlaw.com; sclemmer@ucsusa.org;

>> apm@mcmlaw.com; brian.meloy@leonard.com; Bruce.Johnson@state.mn.us;

>> byron.starns@leonard.com; caoverland@yahoo.com;

>> christophergreenman@excelsiorenergy.com;

>> christopher.b.clark@xcelenergy.com; dmoeller@allete.com;

>> dsasseville@lindquist.com; bgoodpaster@mncenter.org;

>> eswanson@winthrop.com; Janet.Gonzalez@state.mn.us;

>> jshaddix@janetshaddix.com; jennifer.sanner@xcelenergy.com;

e-mails Mwhite CNeigh Bhaar July30-Aug107

>> jerome.larsen@hpc-llc.com; jdrawz@fredlaw.com;
>> Julia.Anderson@state.mn.us; Kathleen.Winters@state.mn.us;
>> kreuther@mncenter.org; Maria.Lindstrom@state.mn.us;
>> mkrikava@briggs.com; msmith@fredlaw.com; pete.grills@grillslegal.com;
>> rsavelkoul@felhaber.com; scott.harris@leonard.com;
>> Steve.Mihalchick@state.mn.us; squam@fredlaw.com;
>> Susan.Mackenzie@state.mn.us; teresa.j.kowles@xcelenergy.com; Thomas
>> Osteraas; tguerrero@lindquist.com; Valerie.Means@state.mn.us;
>> bblazar@mnchamber.com; wflynn@lindquist.com; Eilon.Amit@state.mn.us;
>> Edward.Garvey@state.mn.us; Kate.Oconnell@state.mn.us; Linda Chavez;
>> Mike Bull; Charlotte Neigh
>> Subject: edockets

>>
>> Hello again Your Honor and All---I wanted to update you on a couple
of
>> things that I have learned so far--

>>
>> First, all of the computer people with any involvement in edockets
are
>> diligently working on this issue as I write. At this minute, that's
>> about all I can tell you until they pin-point the issue and figure
out

>
>> a
>> strategy to fix it. So I ask for your continued patience in this
>> matter.

>>
>> Also, I went to edockets through the Commission's website (as I
expect
>> you do) and tried out some search options. I found that if I
inserted

>> the "05 1993" docket number, specified that this is a "miscellaneous
>> ("M") docket and then started requesting dockets by document type
>> (order, testimony, comments, etc.) that the entire list of documents
>> showed up for the type specified. I'm also told that it works with
>> date ranges (up to the 30-day max.) So if you are looking for
>> specific information and recalled that it was in someone's testimony
>> (for
>> example) then you can designate that and you should get the full
>> record.

>> This is not idea, I understand, but it is something in the interim.
>> Thank you. --Marya

>>
>
>

e-mails Mwhite JShaddix BHAar July30 Aug107

From: Burl
Sent: Wednesday, August 01, 2007 3:07 PM
To: 'Marya White'; jshaddix@janetshaddix.com; Janet Gonzalez; Karen Santori
Cc: Will Werner; 'Catherine Hennessey'
Subject: RE: edockets update

Janet and all,

The inclusion of transcripts was an oversight by me in the rush to try assure parties' access to late filed documents. It is not a change in policy.

Will has removed the links to transcripts and we've added language to the cover sheet directing requests for transcripts to your business.

Burl

-----Original Message-----

From: Marya White [mailto:Marya.White@state.mn.us]
Sent: Wednesday, August 01, 2007 11:31 AM
To: jshaddix@janetshaddix.com; Burl; Janet Gonzalez; Karen Santori
Subject: RE: edockets update

Hi Janet! I hope you are doing well.

No, showing transcripts is not permanent, to my knowledge. I think what happened is that the PUC IT person jury-rigged this from the internal "filenet" software and just blocked the trade secret documents and didn't think about the transcripts because, bless his heart, he was trying to get this up as soon as humanly possible.

However, I really have no real role in this archiving function so will ask Karen Santori or Burl or Janet G, the people I assume would know better than me, to chime in and correct me, please, if I am wrong.

Thanks for letting us know about this. Take care. --Marya

-----Original Message-----

From: Janet Shaddix Elling [mailto:jshaddix@janetshaddix.com]
Sent: Tuesday, July 31, 2007 7:28 PM
To: 'Marya White'
Subject: RE: edockets update

Marya,

I was surprised to find that in the new link on the PUC site you can go to the court reporter's transcripts and they will open up in this "temporary" eDocket through the PUC. I hope this will not establish a precedent.

You

would think the transcripts would be treated the same way as the trade secret documents. Just concerned, but nothing you need to deal with until after the deliberations are concluded on Thursday, I know you have too much to do between now and then and I realize this is just a "fix" for the problems. Don't even call me until after Thursday!!!

Thank You,

Janet Shaddix Elling
Registered Professional Reporter

Shaddix & Associates
9100 West Bloomington Freeway
Suite 122
Bloomington, MN 55431

952-888-7687

This e-mail and any files transmitted with it are confidential and are intended solely for the use of the individual or entity to whom they are addressed. If you are not the intended recipient or the individual responsible for delivering the e-mail to the intended recipient, please be advised that you have received this e-mail in error and that any use, dissemination, forwarding, printing, or copying of this e-mail is strictly prohibited.

-----Original Message-----

From: Marya White [mailto:Marya.White@state.mn.us]
Sent: Tuesday, July 31, 2007 6:56 PM
To: Marya White; Carol A. Overland; Sharon Ferguson; ahenkel@mutilityinvestors.org; bdohrwardt@briggs.com; daafedt@winthrop.com; mrolfes@otpc.com; nicok@excelsiorenenergy.com; rdthomasinc@earthlink.net; rhs@schulteassociates.com; rsl@mcmlaw.com; sclemmer@ucsusa.org; apm@mcmlaw.com; brian.meloy@leonard.com; Bruce.Johnson@state.mn.us; byron.starns@leonard.com; caoverland@yahoo.com; christophergreenman@excelsiorenenergy.com; christopher.b.clark@xcelenergy.com; dmoeller@allete.com; dsasseville@lindquist.com; bgoodpaster@mncenter.org; eswanson@winthrop.com; Janet.Gonzalez@state.mn.us; jshaddix@janetshaddix.com; jennifer.sanner@xcelenergy.com; jerome.larsen@hpc-llc.com; jdrawz@fredlaw.com; Julia.Anderson@state.mn.us; Kathleen.Winters@state.mn.us; kreuther@mncenter.org; Maria.Lindstrom@state.mn.us; mkrikava@briggs.com; msmith@fredlaw.com; pete.grills@grillslegal.com; rsavelkoul@felhaber.com; scott.harris@leonard.com; Steve.Mihalchick@state.mn.us; squam@fredlaw.com; Susan.Mackenzie@state.mn.us; teresa.j.kowles@xcelenergy.com; Thomas.Osteraas; tguerrero@lindquist.com; Valerie.Means@state.mn.us; bblazar@mchamber.com; wflynn@lindquist.com; Eilon.Amit@state.mn.us; Edward.Garvey@state.mn.us; Kate.Oconnell@state.mn.us; Linda Chavez; Mike Bull; Charlotte Neigh
Cc: Burl; Janet.Gonzalez@state.mn.us
Subject: edockets update

Hello Your Honor and All---I have been informed that the IT people have installed a separate 05-1993 "button" on the PUC website located directly under the edockets "button" that contains the updated document list (thank you, PUC.) I am also informed that the new link will be updated twice daily as needed and will stay up until edockets is permanently fixed.

As for edockets being permanently fixed, I have received no information other than the IT people are still working (with their outside vendor) on the issue. Sorry and thanks once again for your patience.

See you Thursday. --Marya

-----Original Message-----

From: Marya White
Sent: Monday, July 30, 2007 1:51 PM
To: 'Carol A. Overland'; Marya White
Cc: Sharon Ferguson; ahenkel@mutilityinvestors.org; bdohrwardt@briggs.com; daafedt@winthrop.com; mrolfes@otpc.com; nicok@excelsiorenenergy.com; rdthomasinc@earthlink.net; rhs@schulteassociates.com; rsl@mcmlaw.com; sclemmer@ucsusa.org; apm@mcmlaw.com; brian.meloy@leonard.com; Bruce.Johnson@state.mn.us; byron.starns@leonard.com; caoverland@yahoo.com; christophergreenman@excelsiorenenergy.com; christopher.b.clark@xcelenergy.com; dmoeller@allete.com; dsasseville@lindquist.com; bgoodpaster@mncenter.org; eswanson@winthrop.com; Janet.Gonzalez@state.mn.us; jshaddix@janetshaddix.com; jennifer.sanner@xcelenergy.com; jerome.larsen@hpc-llc.com; jdrawz@fredlaw.com; Julia.Anderson@state.mn.us; Kathleen.Winters@state.mn.us; kreuther@mncenter.org; Maria.Lindstrom@state.mn.us; mkrikava@briggs.com; msmith@fredlaw.com; pete.grills@grillslegal.com; rsavelkoul@felhaber.com; scott.harris@leonard.com; Steve.Mihalchick@state.mn.us; squam@fredlaw.com; Susan.Mackenzie@state.mn.us; teresa.j.kowles@xcelenergy.com; Thomas.Osteraas; tguerrero@lindquist.com; Valerie.Means@state.mn.us;

e-mails MWhite JShaddix BHaar July30 Aug107
bblazar@mnchamber.com; wflynn@lindquist.com; Eilon.Amit@state.mn.us;
Edward.Garvey@state.mn.us; Kate.Oconnell@state.mn.us; Linda Chavez; Mike Bull;
Charlotte Neigh
Subject: edockets

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First, all of the computer people with any involvement in edockets are diligently working on this issue as I write. At this minute, that's about all I can tell you until they pin-point the issue and figure out a strategy to fix it. So I ask for your continued patience in this matter.

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("M") docket and then started requesting dockets by document type (order, testimony, comments, etc.) that the entire list of documents showed up for the type specified. I'm also told that it works with date ranges (up to the 30-day max.) So if you are looking for specific information and recalled that it was in someone's testimony (for example) then you can designate that and you should get the full record. This is not idea, I understand, but it is something in the interim.
Thank you. --Marya

No virus found in this incoming message.

Checked by AVG Free Edition.

Version: 7.5.476 / Virus Database: 269.11.0/929 - Release Date:
7/31/2007
5:26 PM

No virus found in this outgoing message.

Checked by AVG Free Edition.

Version: 7.5.476 / Virus Database: 269.11.0/929 - Release Date:
7/31/2007
5:26 PM

e-mail MCox BHaar Aug0307

From: Burl
Sent: Friday, August 03, 2007 2:15 PM
To: 'melissa.cox@mx3.com'
Subject: RE: PUC release

Melissa,

I think you've got it. I have just one comment. Instead of saying "after two days of testimony both sides", I'd suggest, "after two days of oral argument involving all parties." Otherwise, your content looks good to me.

Thank you.

Burl Haar
651.201.2222

-----Original Message-----

From: melissa.cox@mx3.com [mailto:melissa.cox@mx3.com]
Sent: Friday, August 03, 2007 2:05 PM
To: Burl
Subject: Re: PUC release

Hi Burl,

Thank you for the information. I was hoping to verify the following information to make sure that I understood it correctly or if there was anything I missed?

Thank you,

Melissa Cox
Hibbing Daily Tribune
218-262-1014

- The power purchase agreement (PPA) between Excelsior Energy and Xcel for the proposed integrated gasification combined cycle (IGCC) coal-fired power plant to be built near Taconite was found to be "not in the public interest as currently drafted" by the Minnesota Public Utilities Commission (PUC). But, the Commission requested that Excelsior, Xcel and the department continue to negotiate toward a final PPA, while addressing deficiencies that were indentified by the Commission in the proposed PPA. It was also requested that how the output of this type of facility could be used by all the state's utilities and its customers be explored. The Commission acted on the Excelsior Energy's petition for approval of the PPA with Xcel at its meeting Aug. 2 after two days of testimony both sides. The administrative law judges overseeing the case for the proposed 600-megawatt power plant ruled in April that the Commission should not approve the PPA with Xcel. If approved, the PPA would've guaranteed a buyer for the proposed plant's electricity.

Burl Haar, executive secretay for the Minnesota PUC, pointed out that the Commission's formal order will be issued in a few weeks. It was also determined by the Commission that the proposed project qualified as an Innovative Energy Project under specific criteria spelled out in state statute, which Haar noted basically qualified the company to enter into this agreement with Xcel.

Haar said that the Commission is interested in the IGCC technology and feels it is something the state needs to be looking at, but was concerned that Xcel was the only company that would've had to pay for it.

The deficiencies indentified by the Commission in the proposed PPA include "the

e-mail MCox BHaar Aug0307

absence of a fixed price at a reasonable level, the need for adequate ratepayer protections from operation risks of the proposed technology, the need for adequate ratepayer protections from financial risk of the proposed technology and the need for further development of plans to capture and sequester carbon," as outlined on the Minnesota PUC Web site.

From: Burl
Sent: Monday, August 13, 2007 11:33 AM
To: 'Mark Glaess'
Subject: RE: Excelsior project
Mark

Thanks for your note and offer. I'm sorry for the delay in responding to your initial note.

Your description of the flash gasification system sounds like very interesting technology. I'm sure the commissioners would like to learn more about it at some point. However, the Excelsior docket is still active and will need to be resolved before the Commission can embark on an inquiry into new and somewhat different gasification technology, especially if it is held out as a replacement for the technology proposed by Excelsior.

I hope is well with you.

Burl

From: Mark Glaess [mailto:mglaess@mrea.org]
Sent: Friday, August 03, 2007 9:58 AM
To: Burl
Cc: Bob Walker
Subject: Excelsior project

Hi Burl

The Star-Tribune reported on the difficulties Excelsior experienced before the PUC. Earlier Bixby Energy discussed w/ the principal (Michelleti and Jorgenson) the option of scaling the plant considerably along w/ the wholesale rates by using a flash gasification system which converts the coal into both a syn-gas w/ a BTU content equally or higher than natural gas AND w/ a complete carbon capture which converts half the coal into an activated carbon. Michelliti, et al, were interested in the concept, but wed undoubtedly to their original plant. They may be persuaded differently know particularly since Bixby Energy would stand the cost of the units and sell the syn gas at coal prices. We have discussed this technology w/ Michael Noble at Fresh Energy and he is very pleased about the environmental attributes of the unit. With that brief background, would there be an opportunity to brief you and/or members of the Commission? Thank you for your kind consideration.

Mark Glaess, Manager
Minnesota Rural Electric Association
11640 73rd Avenue N
Maple Grove, MN 55369
mglaess@mrea.org
office: 763.424.7233
mobile: 763.913.9683
fax: 763.424.5820
www.mrea.org

e-mail TTibbetts BHaar Aug 2407

From: Burl
Sent: Friday, August 24, 2007 2:24 PM
To: 'Than Tibbetts'
Subject: RE: Mesaba PPA PUC case

Than,

I'm sorry I did not respond sooner. I was attending a business meeting out-of-state when you sent your note.

Have you checked the brief information piece on the Commission's web page (www.puc.state.mn.us) under Electricity News? It provides a synopsis of the decision.

Burl Haar
651.201.2222

-----Original Message-----

From: Than Tibbetts [mailto:than.tibbetts@mx3.com]
Sent: Wednesday, August 22, 2007 2:48 PM
To: Burl
Subject: Mesaba PPA PUC case

Hi Burl,
Since our small-town newspaper budget doesn't allow us to make it to St. Paul, I'm wondering if it's possible to talk with one of the commissioners about the Excelsior Energy PPA case. I know the official order isn't out yet, but perhaps if one of them would be willing to help me recap that decision.
Is this a possibility?

Thanks,
Than

+++++
Than Tibbetts
Staff Writer
Grand Rapids Herald-Review
o: (218) 326-6623 x302
c: (651) 295-0308
e: than.tibbetts@mx3.com

From: Burl
Sent: Friday, August 24, 2007 3:58 PM
To: Janet Gonzalez
Subject: RE: In Re: MCGP's Complaint, OAH Docket No. 8-2500-19160-2
Let me know when you want to discuss this.

From: Janet Gonzalez
Sent: Thursday, August 23, 2007 5:00 PM
To: Burl
Subject: FW: In Re: MCGP's Complaint, OAH Docket No. 8-2500-19160-2

Burl:

We will need to respond to this. Can we talk about it?

JG

From: Eric Lipman [mailto:Eric.Lipman@state.mn.us]
Sent: Thursday, August 23, 2007 4:55 PM
To: Janet Gonzalez
Subject: In Re: MCGP's Complaint, OAH Docket No. 8-2500-19160-2

Dear Ms. González:

Thank you for your kind E-mail of yesterday.

Following a set of colloquies with the parties in this matter, I have developed a set of document requests which are detailed in the attached letter.

Your help (as well as Mr. Werner's assistance) is gratefully appreciated

Very truly yours,

Eric L. Lipman
Administrative Law Judge
Office of Administrative Hearings
100 Washington Square - Suite 1700
Minneapolis, MN 55401-2318

Telephone: (612) 341-7601
Facsimile: (612) 349-2665

From: Janet Gonzalez [mailto:Janet.Gonzalez@state.mn.us]
Sent: Wednesday, August 22, 2007 11:43 AM
To: Eric.Lipman@state.mn.us
Cc: Janet Gonzalez; Burl; Alison Archer - AG Office; Kari Zipko - AG; Susan Mackenzie
Subject: Ex parte complaint-partial response to your question in 05-1993, Excelsior/Mesaba

Judge Lipman:

Re: MPUC Docket No. E-6472/M-05-1993, OAH Docket No. 12-2500-17260-2, Ex Parte Complaint

In our telephone conversation earlier today, you asked if the Commissioners actually received any e-mails directed to them in response to the 7/26/2007 e-mail from Leanne Stanley, Public Affairs representative of Excelsior Energy. As I discussed with you on the phone, it is not particularly uncommon for the Public Utilities Commission to get e-mails and letters right before oral argument and/or deliberations on a major case. Letters and e-mails may be addressed to the Commission in general, the Executive Secretary, our Consumer Affairs Office, or individual Commissioners. To the extent the Commission received e-mails, it may not be clear whether they were in direct response to Ms. Stanley's e-mail.

You indicated that you are only interested in e-mails addressed to, and potentially received by, individual Commissioners, not e-mails received by Commission staff. I have looked in the general public comment file kept by our office, as well as my e-mail records. I can find no e-mails that were sent directly to Commissioners. I remembered Executive Secretary Burl Haar had forwarded to me several e-mails on the Excelsior/Mesaba project that came in late July and early August 2007. Upon review of those, all were addressed to Dr. Haar, not to Commissioners. That does not necessarily mean individual commissioners did not receive any e-mails, just that if so, I am not personally aware of them.

There is one hard copy letter from State Representative Michael Beard addressed to Chairman LeRoy Koppendreyer, which does not appear to be dated, but was stamped in on July 30, 2007. This was entered into the record of the case, but does not seem to have been scanned into the e-dockets system as of yet. I believe the parties had access to copies of the letter at the July 31 and/or August 2 Commission meetings. The letter may or may not have been written at the request of Excelsior, but is supportive of the project. (He was one of the authors of the 2003 legislation.)

As I mentioned to you, our IT person is on vacation this week, so I am not sure what our system capabilities are of searching Commissioner's electronic files. You stated that you would likely get back in touch after the telephonic conference that you are holding today with Excelsior and minncoalgasplant.com to see whether you need further action or information from us. We will, of course, fully cooperative to attempt to provide any additional information you may need.

Sincerely,

Janet F. González, Energy Unit Manager
Minnesota Public Utilities Commission
651-201-2231 (phone)
651-297-7073 (fax)
janet.gonzalez@state.mn.us

e-mail Kingsley July3107

From: Burl
Sent: Tuesday, July 31, 2007 9:01 AM
To: Commisssioners mail; Janet Gonzalez; Susan MacKenzie; Marc Fournier; Deborah Motz
Subject: FW: excelsior energy

FYI

-----Original Message-----

From: Dan Kingsley [mailto:dklocal49@hotmail.com]
Sent: Tuesday, July 31, 2007 7:16 AM
To: Burl
Subject: excelsior energy

To the Public Utilities Commision,

I am writing in support of the Mesabi Energy Coal Gasification Plant proposed for Taconite, MN. I live just a few miles south of the proposed site, hunt and fish in the area and travel the area every single day. This plant would be a huge economic boom for an area that has almost no industry now and ever since the area ore mine closed. I don't believe that jobs should out weigh enviromental hazards. In trying to keep a neutral perspective of the issues I believe this plant to have the cleanest technology available today and much cleaner than any existing coal fired power plant including the Clay Boswell plant in near by Cohasset that is currently under going a multi-million dollar renovation to get closer to what this plant is proposing! For the residents of Itasca County and near by St. Louis County the economics of this project are tromendous. The jobs created from the construction of the Mesabi project and sustained through the operation of the plant not to mention the added economics to our schools and private businesses will open a whole new era for the western iron range. In closing please consider all aspects of this project and issue a ruling in favor of the sale of the power produced by Mesabi Energy.

Thank You
Dan Kingsley

<http://liveearth.msn.com>

From: Burl

Sent: Tuesday, July 31, 2007 9:47 AM

To: Commissioners mail; Janet Gonzalez; Susan MacKenzie; Marc Fournier; Deborah Motz

Subject: FW: Excelsior Energy Docket No. E-6472/M-05-1993-Phase I

From: Mike Andrews [mailto:mandrews@itascadv.org]

Sent: Tuesday, July 31, 2007 9:44 AM

To: Burl

Subject: Excelsior Energy Docket No. E-6472/M-05-1993-Phase I

Mr. Burl Haar
Executive Secretary
Minnesota Public Utilities Commission
121 7th Place E., Suite 350
Saint Paul, MN 55101-2147

Dear Mr. Haar,

This email is in support for the Mesaba Energy Project. I grew up within a mile and a half of the proposed site. Both sides of my family worked in the iron mines located less than half a mile from the site. They are all gone now, but they would have wholeheartedly supported this project.

They worked hard in the mines to earn a living while enjoying this vacationland we call home. They supported the United States through both military service and with iron for making steel. The Mesaba Project is an opportunity for this area to lead the U.S. in energy independence through clean coal technology... the best in the world!

If all the existing coal fired plants in the world were converted to the technology of the Mesaba Project we would have a much healthier planet. My wife and I currently live in Blackberry Minnesota which is about ten miles downwind from the proposed plant. We have a major gas line within a half mile from our home; and a MN Power transmission line cutting diagonally across our property within 100 feet from our house. Yet we have a bounty of wildlife including bald eagles, deer, ducks, heron, fox, etc. that are seen on a daily basis.

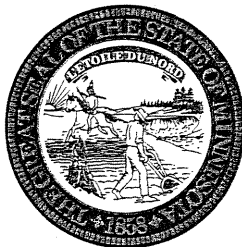
We enjoy the great outdoors and don't want to see it destroyed. We live with industry. We live with utilities. We live with people. We live with nature. We see the Mesaba Project as positive for the area and for our planet.

Sincerely,

Michael D. Andrews

Michael Beard
State Representative

District 35A
Scott County



Minnesota House of Representatives

COMMITTEES: VICE-CHAIR, REGULATED INDUSTRIES; CHAIR, HOUSE SUBCOMMITTEE ON AVIATION;
GOVERNMENTAL OPERATIONS AND VETERANS AFFAIRS; WAYS AND MEANS

Chairman LeRoy Koppendraye
Minnesota Public Utilities Commission
121 7th Place E., Suite 350
Saint Paul, MN 55101-2147



Dear Chairman Koppendraye,

Xcel Energy's motion last week to suspend its resource acquisition dockets while it studies how to implement the renewable and conservations measures is of great concern to me.

A large number of legislators who, in the end, voted in favor of the renewable energy standard (RES) and conservation goals had, and continue to have, grave concerns about the potential for disruption to our state's energy supply. Our concerns range from the impact on the grid of massive wind installation and the volume of natural gas that will be consumed to back up the wind, the cost to consumers and, most importantly, ensuring adequate supply during the transition period from when the RES and conservation measures were adopted to when they are fully understood and implemented. During the legislative session, Xcel reassured legislators that the standard could be implemented in a manner that would not cause rate increases to consumers, and without disruption to supply. It is surprising that Xcel is now disclosing to the Commission that it does not know how to implement the RES and conservation measures, and, based upon this troubling admission, is urging the Commission to stop adding resources while they take a year or more to formulate plans to do so and gain the Commission's approval in a new integrated resource plan.

Xcel has not had a full resource expansion plan approved by the Commission in more than five years. Meanwhile, load has continued to grow at significant rates. Most of the demand side management efforts to date have been directed at peak shaving, which gives consumers the biggest bang for their buck but does nothing to address base load demand growth. During this same five year period, Xcel has decommissioned 700MW of coal base load as part of the MERP conversions, and lost a 500MW base load resource with Manitoba Hydro when it renewed the contract at 375MW for only ½ the load hours of the former contract.

This shrinking base load capacity, and concerns that the State will face a supply crisis if Xcel is allowed to implement a natural gas-intensive resource plan, prompted the



Legislature to enact the 2003 legislation to expedite the development of the Mesaba Energy Project. That measure, which I sponsored as the chief author in the House, exempts the project from the requirements of certificate of need and entitles the project to negotiate a power contract with Xcel Energy, subject to the Commission confirming that the project is in the public interest and among the resources that are likely to be least cost.

On the cost front, I hope the Commission takes into account the fact that other utilities around the country, including most recently Tampa Electric, have proposed IGCC plants and filed evidence that IGCC is least cost. The moratorium on new coal plants to serve Minnesota (from which the Legislature exempted the Mesaba project), along with Xcel's public statements that it won't support new plants that don't have a means to capture carbon dioxide, should simplify and streamline the debate about whether coal gasification, as embodied in the Mesaba Project, is a viable, cost effective and reliable option to serve Minnesota consumers for years to come.

Given Xcel's track record to date, I am concerned that it now intends to develop a plan that ignores the 2003 legislation and fails to take care of consumers' base load needs, all in the name of the RES but with the result of frustrating legislative intent to move forward with IGCC in Minnesota.. Any such plan – or delay to accommodate its development - would violate the exemption from certificate of need provided by the legislature for IGCC, and continue Xcel's record of ignoring Minnesota law and the strong direction to implement the Mesaba project.

The RES did not repeal the 2003 legislation. To the contrary, the RES contains very explicit direction to the Commission to ensure that it is implemented in a manner that does not cause rate or supply certainty concerns for consumers. Those clear "off ramp" provisions were essential to gaining the support of a very large group of legislators, and reflect our confidence in the Commission's oversight and active role in protecting ratepayers. Adequate base load generation provides the necessary foundation upon which to implement the RES, and the 2003 legislation provides the necessary authority for the Commission to ensure that adequate base load resources are developed in a timely way.

It is important for the Commission to remember that Xcel, in its statements and efforts at the capitol to shape the renewable standard, relied on the wind integration study. The wind integration study assumes and reflects the addition of more than 3,440 MW of coal base load resources during the study period. More than 1,900 MW of these additions are shown to be on the Iron Range, connecting at Blackberry and Forbes substations. The inclusion of base load additions provided essential comfort to the Legislature that this basic need would be addressed as a foundation for the program.

The RES was billed as a measure that would further energy independence. Adequate base load resources are essential to ensure that the RES is not implemented in a manner that makes us more dependent on imports of liquefied natural gas, which would be entirely at odds with one of the core goals of the program.

Minnesota's goal of leading the nation with forward-looking energy and environmental initiatives will only succeed if the measures are implemented in a manner that keeps the lights on, preserves a business environment that attracts industry and does not impose hardships on consumers

Thank-you for your consideration.

A handwritten signature in cursive script that reads "Rep Mike Beard". The signature is written in dark ink and is positioned above the printed name.

Representative Mike Beard