

Minnesota Public Utilities Commission

REQUEST FOR COMMENTS

Possible Amendments to Rules Governing Certificates of Need and Site and Route Permits for Large Electric Power Plants and High-Voltage Transmission Lines, *Minnesota Rules*, Chapters 7849 and 7850; and to Rules Governing Notice Plan Requirements for High-Voltage Transmission Lines, *Minnesota Rules*, part 7829.2550; Revisor's ID Number R-04151; PUC Docket No. E,ET,IP-999/R-12-1246

Subject of Rules. The Minnesota Public Utilities Commission requests comments on possible amendments to two rule chapters governing large electric power plants and high-voltage transmission lines: Chapter 7849 and Chapter 7850. The Commission also intends to move the notice plan requirements for high-voltage transmission lines contained in Minn. R., part 7829.2550 into Chapter 7849. The Commission is considering rule amendments to streamline and enhance the effectiveness and efficiency of both processes. The Commission aims to align the procedures of both rule chapters to the extent feasible, to clarify the structural framework of the processes, to resolve inherent timing conflicts, to maximize citizen participation, and to incorporate new statutory criteria required for demonstrating that a project is needed.

Persons Affected. The rule amendments would likely affect anyone who is a party to or participant in a certificate of need proceeding or a siting or routing proceeding, as well as landowners, tribal governments, local units of government, counties, and others affected by a proposed project.

Statutory Authority. Minn. Stat. § 216A.05, subd.1 gives the Commission general rulemaking authority. Minn. Stat. § 216B.243, subd. 1, authorizes the Commission to adopt rules governing the certificate of need process. And Minn. Stat. § 216E.16 authorizes the Commission to adopt rules governing the siting and routing process.

Public Comment. Interested persons or groups may submit comments or information on these possible rules in writing until 4:30 p.m. on Thursday, January 24, 2013. The Commission will not publish a notice of intent to adopt the rules until more than 60 days have elapsed from the date of this request for comments. Please refer to PUC Docket No. E,ET,IP-999/R-12-1246 in your comments. You may also electronically file your comments using the Commission's electronic filing system located at: <https://www.edockets.state.mn.us/EFiling>.

Advisory Committee. The Commission plans to appoint an advisory committee under Minn. Stat. §14.101 to comment on the possible rules. Persons interested in serving on the advisory committee should include a request to do so in their comments.

Rules Drafts. The Commission has not yet drafted the possible rule amendments.

Agency Contact Person. Written comments, questions, and requests for more information on these possible rules should be directed to: Kate Kahlert, Staff Attorney, Public Utilities Commission, 121 Seventh Place East, Suite 350, Saint Paul, Minnesota 55101-2147;

telephone: 651-201-2239, FAX: 651-297-7073; and *email* kate.kahlert@state.mn.us. TTY users may call the Commission at 1-800-627-3529.

Alternative Format. Upon request, this information can be made available in an alternative format, such as large print, braille, or audio. To make such a request, please contact the agency contact person at the address or telephone number listed above.

NOTE: Comments received in response to this notice will not necessarily be included in the formal rulemaking record submitted to the Administrative Law Judge if and when a proceeding to adopt rules is started. The agency is required to submit to the judge only those written comments received in response to the rules after they are proposed. If you submit comments during the development of the rules and you want to ensure that the Administrative Law Judge reviews the comments, you should resubmit the comments after the rules are formally proposed.