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March 4, 2013

Honorable Eric L. Lipman
Administrative Law Judge
State of Minnesota, Office of Administrative Hearings
PO Box 64620
St. Paul, MN 55164-0620

Re: In the Matter of the Application for a Certificate of Need for the Hollydale 115 kV
Transmission Line Project in the Cities of Plymouth and Medina
MPUC Docket No. E002, ET2/CN-12-113, OAH Docket No.: 8-2500-23147-2

Dear Judge Lipman:

The Western Plymouth Neighborhood Alliance (“Alliance”) opposes the request by Northern States Power Company, doing business as Xcel Energy, and Great River Energy (“Applicants”) for a continuance of the Certificate of Need proceeding for the Hollydale 115 kV Transmission Project.

Minnesota Rule 1400.7500 provides that continuances require a showing of good cause. It is debatable whether the introduction of a bill at the Legislature, without more, constitutes good cause. Many bills are introduced and are not enacted into law.

More troubling, the referenced legislation, even if it were to be enacted, calls for suspension of the routing proceeding until the question of need is determined, not a delay in the Certificate of Need proceeding so that Applicants can proceed with routing without addressing need. The proposed continuance would subvert rather than respect the legislative process.

Circumventing a proposed bill and the Public Utilities Commission Order referring this Certificate of Need for a contested case hearing does not constitute good cause. Further, Minnesota Rule 1400.7500 states, “ ‘Good cause’ shall not include: intentional delay.” Delaying the Certificate of Need as Applicants intend would undermine public confidence in this process as well as inconvenience citizens most directly affected by the proposed high voltage line.

The Alliance respectfully requests that the Applicants’ request for a continuance be denied.

Sincerely yours,

Paula Goodman Maccabee