

**BEFORE THE OFFICE OF ADMINISTRATIVE HEARINGS
FOR THE
MINNESOTA PUBLIC UTILITIES COMMISSION**

**In Re Application for a Certificate of Need
For the Hollydale 115 kV Transmission Line
Project in the Cities of Plymouth and Medina**

**PUC Docket E002/CN-12-113
OAH Docket: 8-2500-23147-2**

**In Re Application for a Route Permit for the
Hollydale 115 kV Transmission Line in the Cities
of Plymouth and Medina, Minnesota**

**PUC Docket E/002/TL-11-152
OAH Docket: 8-2500-22806-2**

**BARRY FAMILY COMMENT ON PETITION TO WITHDRAW
APPLICATIONS FOR CERTIFICATE OF NEED AND ROUTE PERMIT**

These Comments are submitted on behalf of the Barry Family in response to the Applicants' Petition to Withdraw Pending Certificate of Need and Route Permit Applications, dockets above-captioned, for the Hollydale transmission project, a 115 kV transmission line through Plymouth and Medina:



Route Application, Figure 2, p. 4.

Applicants admit that “we now appreciate that our preferred route is very problematic,” and “there may be better alternatives to meet that need.” Applicant Petition, p. 1.

We have concluded that our original preferred route is not widely supported, meaning additional analysis and outreach is needed before we can present a more acceptable route alternative.

Id., p. 2-3. Applicants will be looking for “broader acceptance of a solution,” after which they intend to come back to the Commission with a new application. Id., p. 2, 3. They note that the disapproving stakeholders “have already invested significant time and effort in the hearings, meetings, and filings that have already taken place in these dockets,” and “the length of time these dockets have been pending and the numerous options that have been explored.”

Applicants also claim they’re requesting withdrawal in order to address service issues:

In closing, both Xcel Energy and Great River Energy understand their obligation to provide safe and adequate service and will develop a plan to address the load-serving deficiencies in the Medina and Plymouth areas.

Id., p. 3. Stakeholders have compared the project, above, with locations of service deficiencies:

Figure 5.3: Greater Study Area 2006 N-1 13.8 kV Substation Transformer Risks – Single Contingency

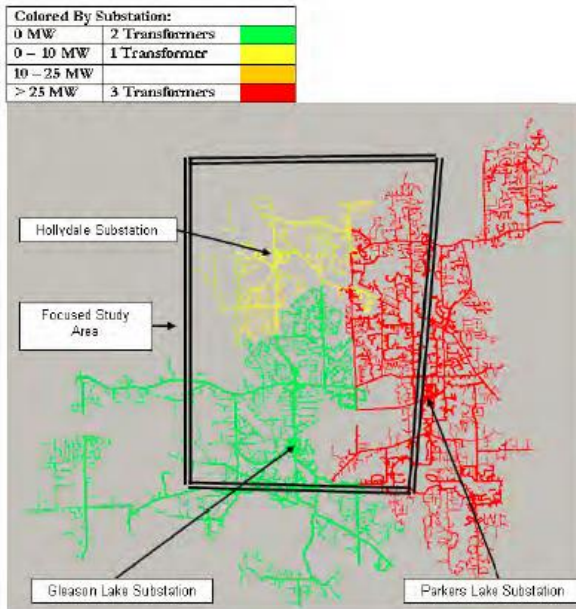
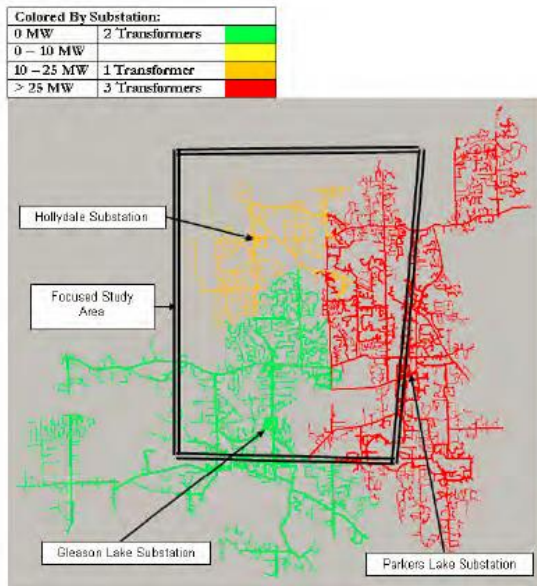


Figure 5.4: Greater Study Area 2020 N-1 Substation Transformer Risks – Single Contingency



Figures 5.3 and 5.4, CoN Application, App. B.1.

Applicants have noted the substance and volume of objections to this project:

We appreciate the thoughtful and thorough participation and evaluation of alternatives by the Department of Commerce, other parties, landowners, and stakeholders in both the

Certificate of Need and Route Permit proceedings which began in mid-2011. Our initial filing included a preferred route for the new 115 kV line along an existing 69 kV transmission line corridor. In the years following that filing, we received comments from landowners and other interested stakeholders indicating their opposition to this route. Most recently, in November 2013, nearly 300 landowners and stakeholders attended public hearings to express their concerns about the project and our preferred alternative.

Applicant Withdrawal Petition, p. 2.

A primary reason that Applicants' preferred route is not acceptable to landowners and residents is the "bait and switch" nature of their 115 kV proposal. The 69 kV line that exists in that corridor through neighborhoods and next to their homes is rarely used, and only used in emergencies. This is not currently an active transmission line. Since the 69 kV line was built, the community has changed. What Applicants have proposed in these applications is something of an entirely different character than what residents and landowners had when they moved in and what they now live with. What further exacerbates opposition to this project is that it is claimed to be needed to address distribution deficiencies along the 494 and Hwy. 55 commercial and industrial corridors, yet the route proposed is through an entirely different area. Medina, and the Barry Family home, are not in the "Study Area" maps, above. Applicants also propose use of infrastructure of a different character, transmission for a distribution need. The route proposed is through a residential area not in need of electricity, it is an area not affected by distribution deficiencies, and transmission would not relieve distribution issues in the area.

Use of the 69 kV route as a corridor for a 115 kV line through Plymouth and Medina is not acceptable to residents and stakeholders. Applicants admit their preferred route is problematic and there may be better alternatives. Residents, landowners, local businesses, local governments, and other stakeholders have invested significant effort, time, and money to challenge this transmission project, and have been successful in raising their concerns.

Applicants admit that they are seeking withdrawal of the Applicants to help them in their search of a “better solution.” A “better solution” does not include recycling this soundly rejected project. A “better solution” does not include a second round of applications for an unacceptable 115 kV transmission line on a 69kV transmission corridor containing a transmission line now only used in emergencies. Now is the time to prohibit Applicants from coming back with the same proposal and to require that a “better alternative” be proposed. Residents and landowners already heavily invested and should not have to go through the same tortured process again.

Applicants have requested certification of their Petition for Withdrawal to the Commission. The Barry Family requests that the Certification to the Commission recommend that Withdrawal be granted, with prejudice. We specifically request that the Commission Order include prohibition of another proposal to use the 69 kV corridor through Plymouth and Medina as a corridor for transmission expansion and/or uprate, and that Applicants be prohibited from changing the character of the existing 69 V line via increased use or reconductoring for increased capacity. In the alternative, the Barry Family requests that Applicant’s Petition for Withdrawal be granted, upon condition that the existing 69 kV transmission line be removed and that easements be returned to the fee owners.

Respectfully submitted:

December 16, 2013



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