



**Mara N. Koeller**  
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December 23, 2013

**VIA ELECTRONIC FILING AND U.S. MAIL**

Hon. 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 Route Permit Application for the Hollydale 115 kV Transmission Line Project in the Cities of Plymouth and Medina, Hennepin County, Minnesota*  
PUC Docket No. E002/TL-11-152  
OAH Docket No. 8-2500-22806-2

*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:

Per your request, enclosed please find Northern States Power Company, doing business as Xcel Energy, and Great River Energy's Proposed Order Granting Petition to Certify Request for Withdrawal filed today in the above-referenced dockets through [www.edockets.state.mn.us](http://www.edockets.state.mn.us). A copy of this filing is also being served via e-mail or mail upon the persons on the Official Service Lists. Thank you.

Sincerely,

A handwritten signature in black ink that reads 'Mara Koeller'.

Mara N. Koeller

cc: Service Lists

OAH 8-2500-23147-2  
MPUC E-002 / CN-12-113

OAH 8-2500-22806-2  
MPUC E-002 / TL-11-152

STATE OF MINNESOTA  
OFFICE OF ADMINISTRATIVE HEARINGS  
FOR THE PUBLIC UTILITIES COMMISSION

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

**ORDER GRANTING MOTION  
TO CERTIFY REQUEST FOR  
WITHDRAWAL**

and

In the Matter of the Route Permit Application for  
the Hollydale 115 kV Transmission Line Project  
in the Cities of Plymouth and Medina, Hennepin County

On December 10, 2013, Northern States Power Company, doing business as Xcel Energy, on behalf of itself and its co-applicant Great River Energy, a cooperative corporation (collectively, Applicants), filed a motion to withdraw the pending Certificate of Need and Route Permit applications for the Hollydale Project in the above-reference dockets. Applicants requested that their motion be certified to the Minnesota Public Utilities Commission (Commission) for a final decision pursuant to Minn. R. 1400.7600. Two parties to the proceeding, Western Plymouth Neighborhood Alliance (WPNA) and the Barry Family, requested that the Commission's withdrawal order impose certain conditions on the Applicants.

A teleconference with the parties was held on December 17, 2013 on these matters. During the conference, the following parties noted their appearance:

Valerie T. Herring and Lisa M. Agrimonti, Briggs & Morgan, P.A., Mara N. Koeller, Xcel Energy, and Marsha Parlow and Carole Schmidt, Great River Energy, appeared on behalf of the Applicants. Paula Maccabee, Just Change Law Offices, and Kate McBride appeared on behalf of WPNA. Carol A. Overland, Legalectric - Overland Law Office, appeared on behalf of the Barry Family. Julia Anderson, Santo Cruz, and Kate O'Connell, appeared on behalf of the Minnesota Department of Commerce – Division of Energy Resources (DER). Michael Kaluzniak, Scott Ek, and Hwikwon Ham, appeared on behalf of the Minnesota Public Utilities Commission.

In their motion, Applicants state that they seek to withdraw their applications to allow them to work collaboratively with residents and other stakeholders on an infrastructure solution and route that will meet the electrical needs of the area while also minimizing impacts to the

community. In response, WPNA and the Barry Family requested that approval of Applicants' withdrawal request be conditioned on precluding Applicants from, in the future, proposing a new 115 kV line from the Medina, Hollydale, and a new substation near I-494 or rebuilding or upgrading the existing 69 kV line in Plymouth and Medina that located in this same vicinity. As there is no statutory, rule, or prior Commission decision support for the imposition of conditions on a withdrawal of a Certificate of Need or Route Permit application, the Administrative Law Judge believes there is no legal authority for such an action and recommends that the Commission refrain from imposing the requested conditions.

Moreover, as Applicants' withdrawal request will result in termination of the two proceedings, it is appropriate to certify this motion to the Commission for a final decision. Minn. R. 1400.7600(B).

Having taken this matter under advisement, and based upon the submissions of the parties and the hearing record,

**IT IS HEREBY ORDERED THAT:**

Applicants' motion for certification to the Commission of their request for withdrawal of their applications for a Certificate of Need and a Route Permit is **GRANTED**.

Dated: December \_\_\_\_, 2013

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ERIC L. LIPMAN  
Administrative Law Judge

IN THE MATTER OF THE ROUTE PERMIT  
APPLICATION FOR THE HOLLYDALE 115 kV  
TRANSMISSION LINE PROJECT IN THE CITIES OF  
PLYMOUTH AND MEDINA, HENNEPIN COUNTY,  
MINNESOTA

PUC DOCKET No. E002/TL-11-152  
OAH DOCKET No. 8-2500-22806-2

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

PUC DOCKET No. E002, ET2/CN-12-113  
OAH DOCKET No.: 8-2500-23147-2

Theresa A. Senart hereby certifies that on the 23rd day of December, 2013, she filed a true and correct copy of Northern States Power Company and Great River Energy's **Proposed Order Granting Petition to Certify Request for Withdrawal** by posting the same on [www.edockets.state.mn.us](http://www.edockets.state.mn.us) in the above-referenced dockets. Said Proposed Order Granting Petition to Certify Request for Withdrawal is also served via U.S. Mail or e-mail as designated on the attached Official Service Lists on file with the Minnesota Public Utilities Commission in the above-referenced dockets.

*s/Theresa A. Senart*  
Theresa Senart

First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
Lisa	Agrimonti	lagrimonti@briggs.com	Briggs And Morgan, P.A.	2200 IDS Center 80 South 8th Street  Minneapolis, MN 55402	Electronic Service	No	OFF_SL_11-152_Official CC Service List
Julia	Anderson	Julia.Anderson@ag.state.mn.us	Office of the Attorney General-DOC	1800 BRM Tower 445 Minnesota St St. Paul, MN 551012134	Electronic Service	Yes	OFF_SL_11-152_Official CC Service List
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Sharon	Ferguson	sharon.ferguson@state.mn.us	Department of Commerce	85 7th Place E Ste 500  Saint Paul, MN 551012198	Electronic Service	No	OFF_SL_11-152_Official CC Service List
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John	Lindell	agorud.ecf@ag.state.mn.us	Office of the Attorney General-RUD	1400 BRM Tower 445 Minnesota St St. Paul, MN 551012130	Electronic Service	Yes	OFF_SL_11-152_Official CC Service List

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Paula	Maccabee	Pmaccabee@justchangela w.com	Just Change Law Offices	1961 Selby Avenue  St. Paul, MN 55104	Electronic Service	No	OFF_SL_11-152_Official CC Service List
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