

# **Rulemaking on Certificates of Need (Chapter 7849) and Site and Route Permits (Chapter 7850) for Large Electric Generating Plants and Large High Voltage Transmission Lines**

**Docket No. E,ET,IP-999/R- 12-1246**

## **Synopsis of January 22, 2013 Advisory Committee Meeting**

### **Members Present:**

Jerry Von Korff (Rinke-Noonan)  
Suzanne Steinhauer for Deborah Pile (Department of Commerce, Energy Environmental Review and Analysis);  
Joe Sullivan of Wind on the Wires for Christy Brusven (Minnesota Wind Coalition);  
Lisa Agrimonti (Xcel Energy and ITC Midwest LLC);  
Carole Schmidt (Great River Energy and Minnesota Power);  
David Grover (ITC Midwest);  
Tim Rogers (Xcel Energy);  
Susan Medhaug (Department of Commerce Energy Regulation and Planning);  
Al Koeckeritz (Otter Tail Power Company);  
Beth Cottrell (Otter Tail Power Company);  
Carol A. Overland (NoCapX 2020 and U-CAN); and  
Paula Maccabee (Just Change Law Office).

The following is a discussion of changes to the January 8 drafts of Chapter 7849 and Chapter 7850 based on advisory committee comment and discussion.

### **Chapter 7849**

#### **1. 7849.0270, subp. 3, item A**

There was a suggestion to remove from subpart 3, item A, the word “distribution” in front of “substation level data.” The draft has been updated to include this change.

#### **2. Other draft changes**

There were other changes recommended for this part, including clarifying the data required in subpart 2, item H; requiring a narrative summary of key findings and assumptions; and clarifying that a reasonable forecast period is 10 future years.

There was also a suggestion to update the draft to include changes that were previously suggested to parts .0110 and .0120 (Alternatives Consideration and Certificate of Need Requirements).

We are continuing to discuss these issues internally and will address them as soon as possible and will keep everyone in the loop on draft changes.

## **Chapter 7850**

### **1. 7850.1760 – Notice**

There was a suggestion to require notices to inform people that they could be in the final route selected. Three rule parts, .1760, .2100, and .2300, subp. 2., require notice, and it would be helpful to clarify which of these should include the suggested change.

### **2. 7850.1900 – Application Contents**

There was a suggestion to require in the application information on public participation in Commission proceedings. This would ensure that the application placed in public libraries includes that information. Subparts 1 (M) and 2 (P) have therefore been added to the draft and include the following language:

the commission's mailing address, telephone number, and website, and a brief explanation of how to get on the mailing list for the commission's proceeding.

### **3. 7850.2100, subp. 1 (B). Project Notice.**

There was a suggestion to require that notice be sent not just to landowners but also to residents at the address (addressees). There was some concern about who would be included in the term "addressee" and whether it would require notice to tenants of buildings and whether county tax assessment rolls, which applicants use to give notice, contain that information.

### **4. 7850.2100 – Project Notice**

There was a suggestion to require that lists of persons be maintained unless an individual chooses to opt-out of receiving notices. The reference to removal of names is found in subpart 1 (A), and we will add this topic to our discussion of lists.

### **5. 7850.2400 – Citizen Advisory Task Force.**

There was support for requiring earlier appointment of task forces, and we will develop this issue as we continue discussion of process steps. There was also a suggestion to clarify that task forces will take a broad look at scoping and alternatives. This, too, will be part of further discussion.

**6. 7850.2500, subp. 4 and 7850.3700, subp. 4.**

There was a suggestion to require a notice supplement as quickly as possible after the scoping decision is made. These two draft rules require that notice of the scoping decision be given within 5 days of the decision. We will, however, further discuss notice requirements and whether further changes would be helpful.

**7. Email Addresses**

There was a suggestion to add a requirement that the public advisor maintain lists of email addresses of those who contact the Commission and become involved in proceedings. The administrative staff maintains these lists, and anyone can request to be added to the existing lists. Further discussion of this is welcome.

**8. Other Changes**

There was very helpful discussion on the process steps of Chapter 7850, including the development of alternatives. There was support for continuing to include the development of alternatives in the scoping process, and we will further discuss this step, along with other process steps before making other changes to the draft.