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January 29, 2014

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

Dr. Burl W. Haar  
Executive Secretary  
Minnesota Public Utilities Commission  
350 Metro Square Building, Suite 350  
St. Paul, MN 55101

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 Dr. Haar:

Enclosed please find Northern States Power Company, doing business as Xcel Energy, and Great River Energy's Comments on Withdrawal of the Certificate of Need and Route Permit Applications for Hollydale Project 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

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STATE OF MINNESOTA  
BEFORE THE  
MINNESOTA PUBLIC UTILITIES COMMISSION

Beverly Jones Heydinger	Chair
David Boyd	Commissioner
Nancy Lange	Commissioner
J. Dennis O'Brien	Commissioner
Betsy Wergin	Commissioner

IN THE MATTER OF THE APPLICATION  
OF NORTHERN STATES POWER  
COMPANY, A MINNESOTA  
CORPORATION, AND GREAT RIVER  
ENERGY, A NOT-FOR-PROFIT  
COOPERATIVE, FOR A ROUTE PERMIT  
FOR THE HOLLYDALE 115 kV  
TRANSMISSION LINE PROJECT IN THE  
CITIES OF PLYMOUTH AND MEDINA,  
HENNEPIN COUNTY, MINNESOTA

MPUC Docket No. E002/TL-11-152  
MPUC Docket No. E002,ET2/CN-12-113  
OAH Docket No. 8-2500-23147-2

**APPLICANTS' COMMENTS ON  
WITHDRAWAL OF CERTIFICATE OF NEED  
AND ROUTE PERMIT APPLICATIONS FOR  
HOLLYDALE PROJECT**

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

**INTRODUCTION**

Northern States Power Company, doing business as Xcel Energy, on behalf of itself and its co-applicant Great River Energy, a cooperative corporation, (collectively the Applicants), respectfully submit these limited comments on their petition to withdraw their pending Certificate of Need and Route Permit applications for the Hollydale Project filed on December 10, 2013 in the above-referenced dockets.

**DISCUSSION**

In the years since our initial filing for Commission approval for the Hollydale Project, it has been apparent that the residents of Plymouth and Medina, as well as other key stakeholders, have expressed serious concerns about the potential impacts of this Project. To allow sufficient time to collaborate with stakeholders and develop the best solution to meet the electrical needs of these communities, while at the same time

minimizing impacts to residents, we have asked to withdraw our pending applications for the Hollydale Project. We understand that it may take some time to collaborate with stakeholders on developing a new solution and Applicants are committed to providing safe and adequate service to Plymouth and Medina during this interim period.

To allow the opportunity for all possible electrical solutions to be vetted in any future proceeding, we do not believe it is appropriate to place conditions on this withdrawal. Thus, we support the Administrative Law Judge's (ALJ) recommendation against imposing any such conditions. The ALJ's January 7th Order found that "[b]ecause there is no limitation in Minnesota statute or rule on the right to withdraw an application before the evidentiary hearing, the Joint Applicants are entitled to withdraw their applications as a matter of right."<sup>1</sup> We further note that while the Commission's authority to impose conditions on its grant of certificates of need and route permits is clearly afforded by Minnesota rule, there is no such similar authority on withdrawal requests.<sup>2</sup>

Xcel Energy and Great River Energy support the ALJ's suggestion to have the OAH prepare a summary of the comments and testimony developed during the public hearing process in these proceedings. We appreciate that an extensive record has been developed in the two years that the Certificate of Need and Route Permit proceedings have been pending. We believe that preservation of this record is important given the time and effort that have been put forth by stakeholders to develop this record.

## CONCLUSION

Xcel Energy and Great River Energy respectfully request that the Commission grant their request to withdraw their applications for a Certificate of Need and Route Permit for the Hollydale Project without conditions and request that the OAH prepare a summary of public hearing record.

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<sup>1</sup> ORDER GRANTING MOTION FOR CERTIFICATION at 5 citing *Thomas Hodgson & Sons, Inc. v. F.E.R.C.*, 49 F.3d 822, 824 and n. 4 (1<sup>st</sup> Cir. 1995).

<sup>2</sup> See Minn. R. 7849.0400 and 7850.4600.

Dated: January 29, 2014

Northern States Power Company

Respectfully submitted by:

*/s/ Mara Koeller*

MARA KOELLER

ASSOCIATE ATTORNEY

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 29th day of January, 2014, she filed a true and correct copy of Northern States Power Company and Great River Energy's **Comments on Withdrawal of Certificate of Need and Route Permit Applications for Hollydale Project** by posting the same on [www.edockets.state.mn.us](http://www.edockets.state.mn.us) in the above-referenced dockets. Said Comments on 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

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