

## NOTICE OF COMMENT PERIOD

*Issued: March 23, 2017*

**In the Matter of Possible Amendments to Rules Governing Certificates of Need and Site and Route Permits for Large Electric Power Plants and High-Voltage Transmission Lines, Minnesota Rules, Chapters 7849 and 7850; and to Rules Governing Notice Plan Requirements for High-Voltage Transmission Lines, Minnesota Rules, Part 7829.2550**

**PUC Docket Number/s:** E,ET,IP-999/R-12-1246

**Comment Period:** Initial comment period closes May 8, 2017 at 4:30pm

Reply comment period closes May 31, 2017 at 4:30pm

*Comments must be received by 4:30pm on the close date*

*Comments received after comment period closes may not be considered*

### **Topic/s Open for Comment:**

- Any issue arising from the February 2017 rule drafts of Chapters 7849 and 7850 as filed in the Commission's electronic filing system in this docket.
- Any recommended change to the drafts, along with the rule part affected and the reason for the change.
- The economic effects of the drafts, including identifying any other federal or state regulations that may have a cumulative effect.
- The effect of existing law on the draft rule changes.
- Whether pre-application meetings under part 7850.1620 should be required only for route permit applications or also for site permit applications.
- Any issue arising from changing the definition of "associated facilities" in both rule chapters to include "natural gas pipelines directly associated with a large electric generating facility that is necessary to interconnect the plant to the transmission line."
- Any issue arising from the new language in part 7850.1640, subpart 1 (P), (Q), and (R) concerning local zoning and use of eminent domain and in part 7850.1640, subpart 2 (Q) and (R) concerning use of eminent domain.
- Any issue arising from the new language in parts 7849.0208 and 7850.1710 on application completeness to require that incomplete applications be considered at "the earliest possible Commission agenda meeting for further review by the Commission, *considering the applicant's availability and request for additional time.*"

- Any issue arising from the new language in parts 7849.0250 and .0260 requiring an applicant to consider “energy storage” as an alternative to the proposed facility.
- Any issue arising from the new language in part 7850.1500, subp. 1 (C) (4) to exempt from the permit requirements modification of a solar-powered plant “that is exempt from a certificate of need under Minn. Stat. § 216B.243, subd. 8(7), as long as the plant is not expanded beyond the developed portion of the plant site.”
- Any issue arising from the new language in part 7850.4400 (B) authorizing use of prime farmland for solar-powered plants only if the Commission approves a farm mitigation plan developed in consultation with the Department of Agriculture and if there is no local zoning ordinance prohibiting the construction of solar-powered plants on prime farmland.
- Any issue arising from the new language in part 7850.4925 giving authority to a local unit of government to file a complaint about alleged permit violations on behalf of its constituents.

**Project Background:** The Commission initiated this rulemaking proceeding to align the procedures of both rule chapters to the extent feasible, to clarify the structural framework of the processes, to resolve inherent timing conflicts, to maximize public participation, and to incorporate new statutory criteria. On March 9, 2017, the Commission met to consider next steps in the rulemaking process and decided to request comments on the drafts before proceeding with formal rulemaking steps.

**Filing Requirements:** Utilities, telecommunications carriers, official parties, and state agencies are **required** to file documents using the Commission’s electronic filing system (eFiling). All parties, participants and interested persons are encouraged to use eFiling: [mn.gov/puc](http://mn.gov/puc), select *eFiling*, and follow the prompts.

**Full Case Record:** See all documents filed in this docket via the Commission’s website - [mn.gov/puc](http://mn.gov/puc), select *Search eDockets*, enter the year (*12*) and the docket number (*1246*), select *Search*.

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**Questions about this docket or Commission process and procedure?** Contact Commission staff, Kate Kahlert, at [kate.kahlert@state.mn.us](mailto:kate.kahlert@state.mn.us) or 651-201-2239.

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