

CapX2020

Delivering electricity you can rely on

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November 1, 2011

Mr. Daniel Gust
Clerk/Treasurer
Durbin Township
4175 161st Avenue SE
Mapleton, ND 58059

Re: CapX2020 Alexandria to Bison 345 kV Transmission Line
CUP and Variance Application

Dear Mr. Gust,

Due to the growth of renewable energy development in North Dakota, primarily wind generation, and the need to transport the electrical energy to market, CapX2020 has proposed the construction of a 345 kV transmission line from a proposed Bison Substation in Durbin Township to Alexandria, Minnesota (see map). In order to meet the zoning requirements of Durbin Township, Xcel Energy on behalf of CapX2020 hereby makes application for:

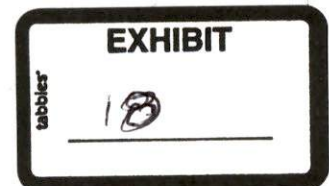
- Conditional Use Permit for the transmission line. Road right of way setback variances required for the transmission line structures as depicted on the enclosed information.

In addition to local governmental permits, a permit from the North Dakota Public Service Commission will be required to construct this project.

There doesn't appear to be any ordinances' in effect currently in Durbin Township dealing with transmission lines.

The establishment, maintenance or operation of the transmission line will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare of the citizens of Durbin Township. The uses, values, and enjoyment of other property in the neighborhood for purposes already permitted shall be in no foreseeable manner substantially impaired or diminished by the establishment, maintenance or operation of the transmission line. Landowners of property where the line will be located will be compensated for any loss in value to their property by the easement compensation payment.

The establishment of the conditional use for the transmission line will not impede the normal and orderly development and improvement of the surrounding property for uses permitted. The line is routed more than 500 feet from residences per state requirements and is located generally along existing roads and quarter lines allowing for the expansion of Durbin Township and continuation of the present crop land activities until ready for development.



Cap X 2020 will provide for adequate utilities, access roads (temporary or existing), drainage and other necessary site improvements for the construction and maintenance of the transmission line. Adequate measures have been or will be taken to provide ingress and egress so designed to minimize traffic impact on the area. Ingress and egress to the transmission line will be off of existing roadways where proposed line crosses or at selected points where the line parallels existing roadways. Permits will be acquired from the road authorities to secure these driveways which can be removed after construction is complete. Once construction vehicles have accessed the right of way, construction work will be performed within the right of way. The transmission line will conform to all applicable regulations of Durbin Township.

By this application for a CUP for the line and a variance from the setback for the transmission line where it parallels existing roadways, CapX2020 is submitting the project for review by Durbin Township to ensure that it complies with all applicable regulations that do not conflict with CapX2020's public utility rights and obligation to construct the transmission line.

In addition to the CUP permit requested above, there are several structure (pole) locations that are proposed to be on property lines or in close proximity to the road right of way. This variance request is made on behalf of the landowners that farm the adjacent land as to meet the setbacks would impose a hardship on the tillage of their fields. As shown on the enclosed alignment maps, CapX2020 would propose that the centerline of the proposed transmission line would be located 8 feet off of the road right of way where the line parallels existing or statutory Township roads. It is not clear that these roads will ever be widened and if widened, would require a 100-hundred foot setback. If this is the case, then the hardship of placing these structures 100 feet into the cultivated field is the basis for the setback variance request.

Please review the enclosed submission, contact Stefan "Oly" Olafson, CapX2020 Right-of-Way Specialist, at 701-208-8855 if you need anything else to process the CUP and variance request. CapX2020 submits these applications in compliance with Durbin Township statutory zoning authority which allows for review of these facilities so they meet applicable zoning requirements. However by this application, CapX2020 does not waive or subordinate its utility rights and obligations to develop and construct the proposed transmission line and substation.

Sincerely,



David G. Callahan
Supervisor,
Siting & Land Rights
612/330-5951

cc: Jerry Lein, North Dakota Public Service Commission

DURBIN TOWNSHIP ZONING COMMISSION

PETITION FOR CONDITIONAL USE PERMIT

The undersigned, owner(s) of, (agent) for the property described below, do hereby petition to receive a conditional use permit for the CapX2020 Transmission Line

Legal description of property and number of acres Sections: 01, 02, 11, 14, 23, 26 and 35, Township: 138, and Range: 51

Describe briefly the purpose for this use: construction of transmission line.

Describe or list the uses within 1/2 mile of this site (attach a drawing from the latest plat book): See Attached

Describe the layout of the land, access point and the utilities on or near the site: See Attached

I further state that if this request is granted, I will abide by all conditions set forth by the Zoning Commission. Site plan and documents and other information required are attached.

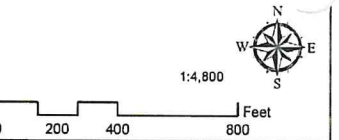
Existing zoning _____ Existing use of property _____
Greg P. Chamberlain M. Chamberlain 11/11/11
Director, Transmission Portfolio Delivery Xcel Energy Signature of Applicant Date

Action of Zoning Commission _____
Approval Denial
Date _____
Chairperson of Zoning Commission

Action of Board of Supervisors _____
Approval Denial
Date _____
Chairperson of Zoning Commission

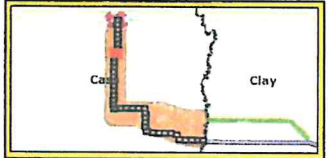


- Legend**
- Preliminary Pole Location
 - ~ Preliminary Alignment
 - ~ Preliminary Right-of-Way
 - ⬡ Municipal Boundary
 - ⬡ Township Boundary
 - ⬡ Section Line
 - ⬡ Parcel Boundary
 - ⬡ Existing Substation
- Existing Transmission Line (kV)**
- ~ 345
 - ~ 250
 - ~ 230
 - ~ 115
 - ~ 69



**Fargo to St. Cloud
345 kV Transmission
Line Project
ND Parcel Map**

DATE: 09/20/11	DRAWN BY: MLTEICHERT
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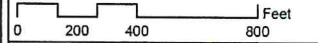


Legend

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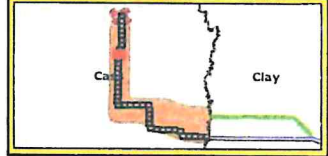
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**Fargo to St. Cloud
 345 kV Transmission
 Line Project
 ND Parcel Map**

DATE: 09/20/11 DRAWN BY: MLTEICHERT

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 CapX_ND_Parcel_Map.mxd



Legend

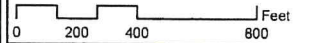
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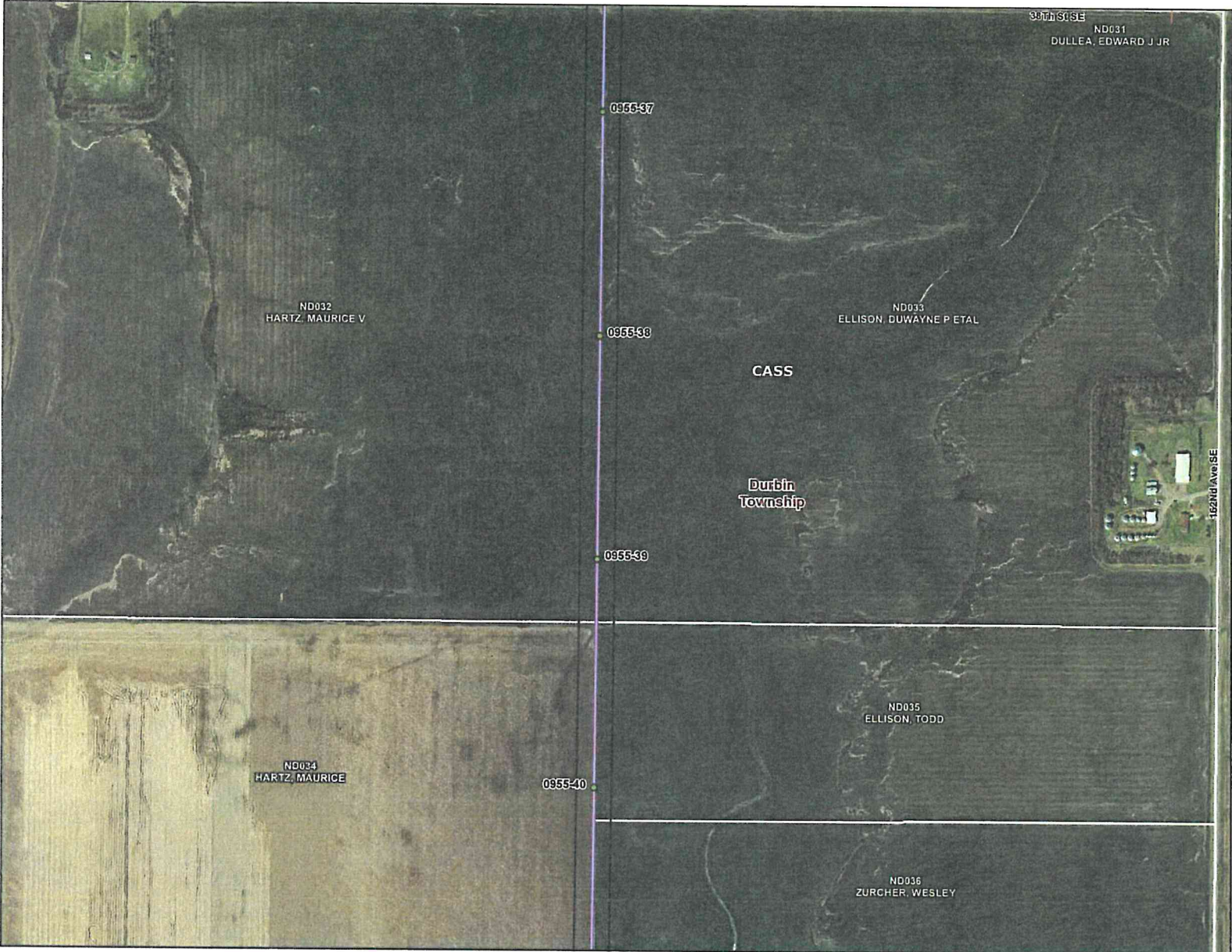
1:4,800



**Fargo to St. Cloud
345 kV Transmission
Line Project
ND Parcel Map**

DATE: 09/20/11 DRAWN BY: MLTEICHERT

X:\cap12\2015 CapX Monitor\to Fargo\GIS\Fargo\ND\2011\02\ND_Parcel\CapX_F_ND_Parcel_Map.mxd



95th St SE
 ND031
 DULLEA, EDWARD J JR

ND032
 HARTZ, MAURICE V

ND033
 ELLISON, DUWAYNE P ETAL

CASS

Durbin
 Township

162nd Ave SE

0955-37

0955-38

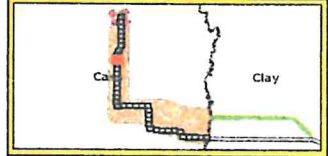
0955-39

0955-40

ND035
 ELLISON, TODD

ND034
 HARTZ, MAURICE

ND036
 ZURCHER, WESLEY



Legend

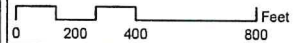
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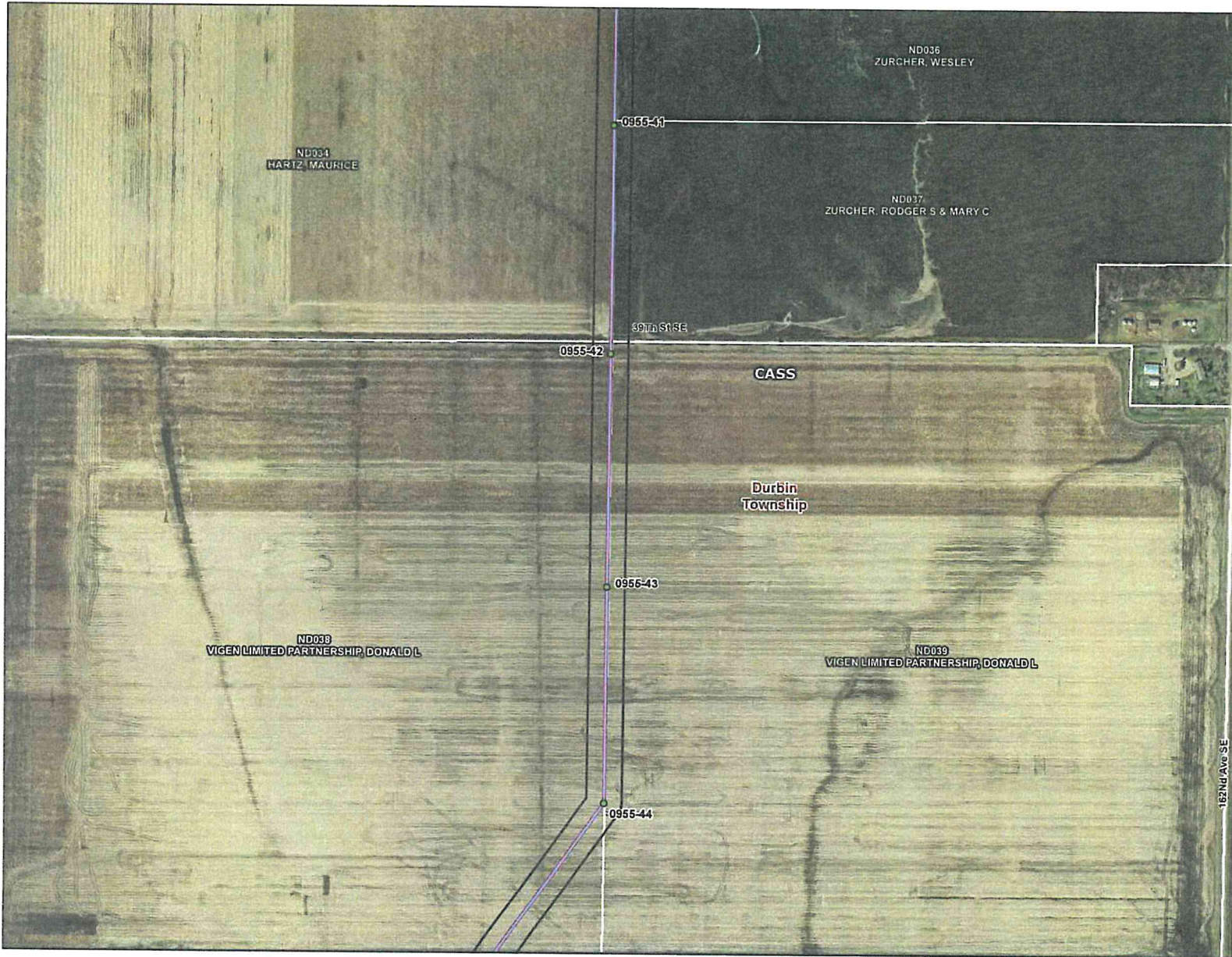
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**Fargo to St. Cloud
 345 kV Transmission
 Line Project
 ND Parcel Map**

DATE: 09/20/11 DRAWN BY: MLTEICHERT

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Legend

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**Fargo to St. Cloud
345 kV Transmission
Line Project
ND Parcel Map**

DATE: 09/20/11	DRAWN BY: MLTEICHERT
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11	



Legend

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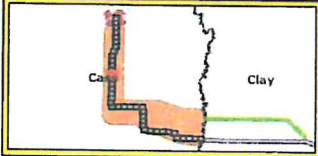
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1:4,800

**Fargo to St. Cloud
345 kV Transmission
Line Project
ND Parcel Map**

DATE: 09/20/11	DRAWN BY: MLTEICHERT
Xref# 122295 CapX Monitor to Fargo GIS\Fargo\Map\2011\12140_Parcel1 CapX_FO_Parcel_Map.rxd	
12	



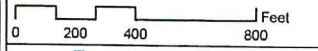
Legend

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1:4,800



**Fargo to St. Cloud
345 kV Transmission
Line Project
ND Parcel Map**

DATE: 09/20/11 DRAWN BY: MLTEICHERT

Kce10122205 CapX Modified to Fargo
015 FargoMND201103ND_Parcel1
-CapX_ND_Parcel_Map.mxd



Legend

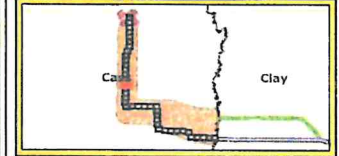
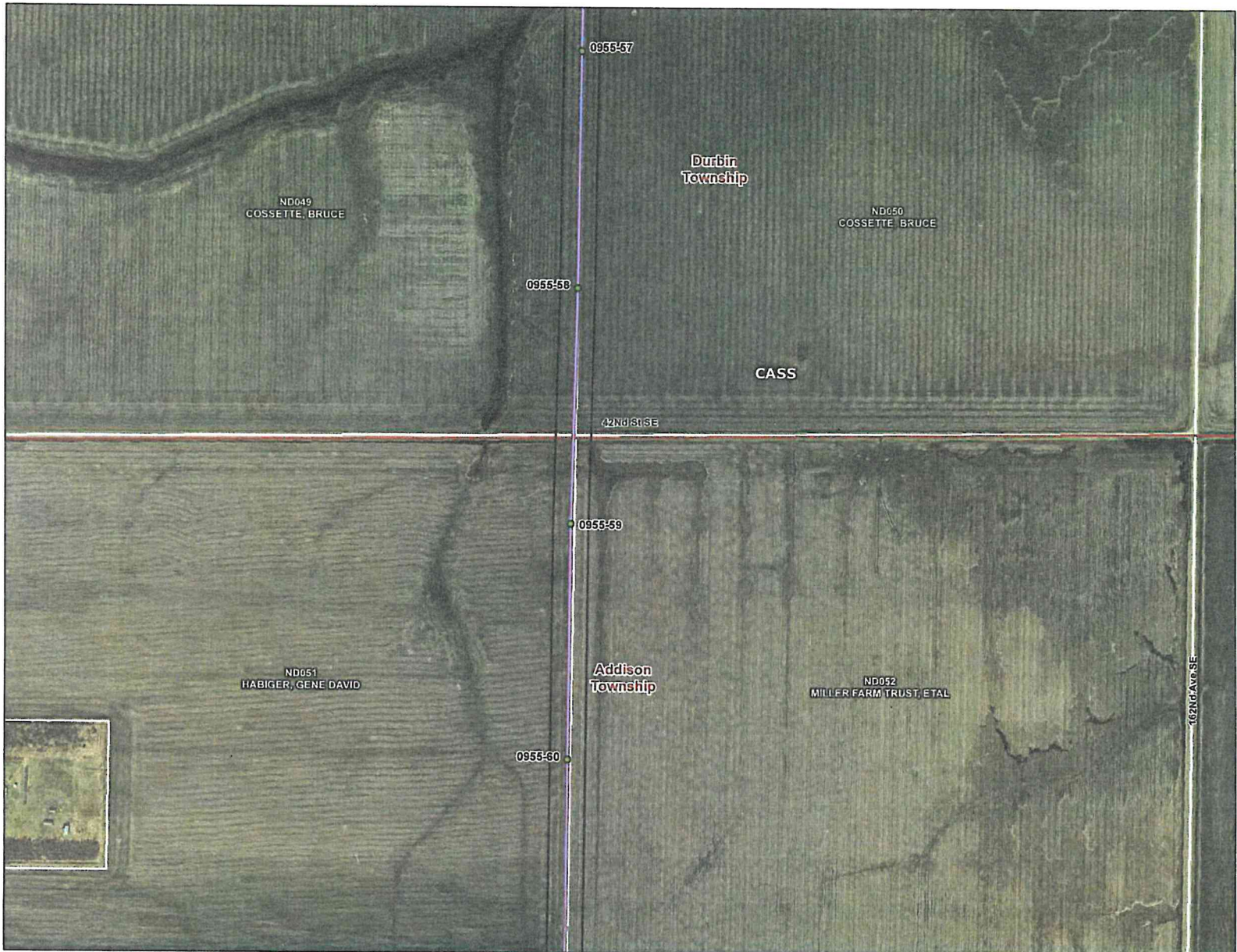
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**Fargo to St. Cloud
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ND Parcel Map**

DATE: 09/20/11	DRAWN BY: MLTEICHERT
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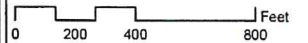
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**Fargo to St. Cloud
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ND Parcel Map**

DATE: 09/20/11 DRAWN BY: MLTEICHERT

Xcel#0122295 CapX Mainnode to Fargo
GIS\Fargo\ND\201102\ND_Parcels\
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