



Darrin F. Lahr
Supervisor, Siting and Land Rights

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RECEIVED

April 18, 2012

APR 18 2012

PUBLIC SERVICE COMMISSION

Darrell Nitschke
Executive Secretary
North Dakota Public Service Commission
Department 408
600 East Boulevard Avenue
Bismarck, ND 58505-0480

**Re: Northern States Power Company Fargo-Monticello MN
345 kV Cap-X Transmission Line Siting Application
Case No. PU-07-759**

Dear Mr. Nitschke:

Northern States Power Company, a Minnesota corporation ("Xcel Energy") hereby submits to the North Dakota Public Service Commission ("Commission") three additional local permits it received after the January 30, 2012 hearing in this matter. from (1) Warren Township, (2) Pleasant Township; and (3) the City of Horace (minutes from the City's March 5, 2012 meeting).

Xcel Energy will continue working to obtain all necessary additional local permits and will update the Commission at the appropriate time. Please feel free to contact me if you have any questions or concerns.

Sincerely,

Darrin F. Lahr

Supervisor, Siting and Land Rights,
Xcel Energy Services Inc., as agent for
Northern States Power Company,
a Minnesota corporation

cc: Jerry Lein
Mitch Armstrong
Erik Johnson

4602264v2

**Warren Township
Permit for Conditional Use**

Date Approved: February 7, 2012 Permit # 1-2012

Term of Permit: Life of Power Line Fee: \$100.00

Issued to CAPX2020 – Xcel Energy

Address: 414 Nicollet Mall Attn: Dave Callahan

Minneapolis, MN 55401

For: To construct 345KV Transmission Line

Legal Description Sections: 19, 20, 21, 22, 27 & 34

Township: 138 Range: 50

Applicant is required to meet the conditions described below:

As per attached

Warren Township
9605 81st Street South
Horace, ND 58047

2/7/2012
Date

Wallace Fuchs
Clerk

Randall Hoyle
Chairman of Supervisors

**WARREN TOWNSHIP
CASS COUNTY, ND**

Re: Conditions added to Conditional Use permit for Fargo-Monticello, MN
345 KV CAP-X Transmission Line

Approved by Warren Township on February 7, 2012

1. During wet conditions, that NORTHERN STATES POWER COMPANY removes mud and other debris daily from all roadways caused as a result of the activities of NORTHERN STATES POWER COMPANY in constructing the Fargo Project.
2. That during construction, NORTHERN STATES POWER COMPANY blades, adds gravel, levels and controls dust on roadways as needed per Warren Township's specifications, provided that such blading, addition of gravel, and dust control is necessary due to the activities of NORTHERN STATES POWER COMPANY in constructing the Fargo Project.
3. That NORTHERN STATES POWER COMPANY submits a \$500,000 performance bond to Warren Township to assure roads, drainage and bridges are returned to pre-construction condition upon completion of the construction of the Fargo Project.
4. That NORTHERN STATES POWER COMPANY restricts speed limit to 45 mph within Warren Township for all vehicles used by NORTHERN STATES POWER COMPANY during construction of the Fargo Project.
5. That NORTHERN STATES POWER COMPANY returns temporary approaches to existing grades after completion of the Fargo Project.
6. That NORTHERN STATES POWER COMPANY will designate a person to be the point of contact for WARREN TOWNSHIP and provide the phone number and email address of that person to WARREN TOWNSHIP prior to construction of the Fargo Project.
7. That NORTHERN STATES POWER COMPANY agrees to be principally liable to Warren Township for all claims by WARREN TOWNSHIP as against NORTHERN STATES POWER COMPANY due to acts or omissions on contractors/subcontractors engaged by NORTHERN STATES POWER COMPANY to perform work on the Fargo Project; provided, however, that such obligation to be principally liable shall not interfere with any contractual right of such contractor/subcontractor to conduct the defense of any such claim by WARREN TOWNSHIP as against NORTHERN STATES POWER COMPANY.

8. That during construction, reconstruction or maintenance of the Fargo Project, that **NORTHERN STATES POWER COMPANY** implements a strategy to mitigate and eliminate negative impacts on drainage patterns, caused as a result of the **NORTHERN STATES POWER COMPANY** construction activities for the Fargo project, including mandatory culverts in all temporary approaches.
9. That should **NORTHERN STATES POWER COMPANY** disrupt the drainage patterns currently in existence due to its construction activities for the Fargo Project, that **NORTHERN STATES POWER COMPANY** shall restore the drainage back to its original conditional, within a reasonable timeframe under the circumstances.
10. That prior to commencing construction activities for the Fargo Project, **NORTHERN STATES POWER COMPANY** shall survey the elevation of the roads at its expense.
11. That after construction of the Fargo Project is completed and the roads are returned to their pre-existing condition **NORTHERN STATES POWER COMPANY** will survey the roads impacted by its construction activities, at its expense, to determine whether the roads elevation remains at its pre-construction level.
12. These terms and conditions shall be applicable to **NORTHERN STATES POWER COMPANY** and its successors and assigns to any Route Permit for the Fargo Project issued by the North Dakota Public Service Commission.

Warren Township expects the above requests to be an exhaustive list of conditions that will be included in the Conditional Use Permit issued by Warren Township to Northern States Power Company for the construction, operation, maintenance and removal of the Fargo Project (although additional issues may be considered in the ordinary course in the permitting process).

**SUPERVISOR Steve Brakke INTRODUCED THE FOLLOWING
RESOLUTION AND MOVED ITS ADOPTION:**

**RESOLUTION FOR CONDITIONAL USE PERMIT
FOR
CAPX 2020 TRANSMISSION LINE**

Whereas, the Pleasant Township Zoning Commission has reviewed the letter of intent, application, and route for a proposed high voltage (345kV) electrical transmission through Pleasant Township beginning at the quarter-quarter line in the NW1/4 of Section 7 and east to the mid-point of north-south quarter line of the north 1/2 of Section 8, then south approximately 1/4 mile then at a 45 degree angle southeast across the SW1/4 of the NW1/4 of Section 8, then along the quarter line eastward to the mid-point of the north-south quarter line of Section 9, then south 1/4 mile to the mid-point of the quarter-quarter line of Section 16, then east along the quarter-quarter line of the NE1/4 of Section 16, the NW1/4 and NE1/4 of Sections 13,14, and 15 of Township 137 North Range 49 West and Section 18 Township 137 North Range 48 West and as described on the attached map,

Therefore, Be it Resolved, that the Pleasant Township Board of Supervisors, pursuant to the Pleasant Township Zoning Regulation, hereby adopts the conditional use permit for the above described route through Pleasant Township for a high voltage (345kV) transmission line which will consist of approximately between thirty-seven and forty steel structures depending on final design with no buildings being erected. All construction will be confined to the private easements obtained for the route and access to the final route will be by private easement or public right of way which shall be reclaimed as per reclamation plan submitted to the North Dakota Public Service Commission to the same condition and elevation prior to construction and contingent upon final approval of the project by the North Dakota Public Service Commission.

APPROVED: *Steve Brakke*
Steve Brakke
Supervisor Chairman

ATTEST: *MaryJane Nipstad*
MaryJane Nipstad
Pleasant Township Clerk

DATE: 3/20/12

The motion for the adoption of the foregoing resolution was duly seconded by Supervisor *Odegaard*. On roll call vote, the following members voted aye:

Brakke, Odegaard, Riewer
The following voted nay: _____

The following members were absent and not voting: _____

The majority having voted aye, the motion carried and the resolution was duly adopted.

The regular monthly meeting of the Horace City Council was held on March 5, 2012, at 7:00PM at City Hall.

Council members present: Terry Heiden, Robert Hoffman, Sharon Hochhalter and Craig Hakanson.

Mayor Shane Walock presided.

The agenda was approved by first motion from Sharon and second from Craig.

Last month's minutes approved by first motion from Bob and second from Sharon. All were in favor.

Jolene Fletcher presented the monthly law enforcement report.

✓ A public hearing was held at 7:15PM to consider a request for a conditional use permit by Cap X 2020. The purpose is for construction of a new transmission line for Xcel Energy. The property is located at the N ½ of the NW ¼ of section 8, Township 137W, Range 29W in an eighty acre parcel.

Darrin Lahr, representing Xcel Energy, reported that all permits are in place with other Townships and that 79% of targeted land owners are in agreement. Construction would begin in the winter of 2012 with a completion date scheduled for sometime in 2015. Mr. Lahr indicated that a \$1000 fee would be paid to the City upon issuance of permit. Terry made first motion and second by Craig to grant the conditional use permit. All were in favor. It should be noted that no individual or group was present to protest the hearing.

Another public hearing was held at 7:45PM to consider a zoning change of property located at Arrowwood Subdivision. The requested lots are 13-26 of Block Two and 7,8,9,10,11,12 of Block Three, consisting of approx. 20 acres. No individual or group was present to protest the request. Craig made first motion and second from Terry to grant the request. All were in favor with the exception of Hoffman who did not vote.

The street paving project at Country Acres has been put on hold and will not be considered for discussion at future meetings.

The Scott Adelman culvert issue was tabled until the April meeting.

The Moen property issue was tabled until the April meeting.

Terry made first motion and second by Sharon to grant an Off-Premise liquor license to the Sheyenne Bar for the annual Lions Stag to be held on March 16, 2012. All were in favor.

Discussion was held concerning the \$75.00 monthly service fee currently being charged against the General Fund checking account by Alerus Bank. The Auditor will bring further information at the April meeting.

Bob made first motion and second by Terry to approve bills presented by the Auditor.

Auditor Kemmer will contact Ryan Hegel concerning his submission of a bill for snow removal.

After no further business, the meeting was adjourned at 8:35PM.


Mayor Shane Wallock


Vance Kemmer, Auditor