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RECEIVED

June 11, 2008

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PUBLIC SERVICE COMMISSION

Iona A. Jeffcoat-Sacco
Executive Secretary
North Dakota Public Service Commission
600 E. Boulevard; Dept. 408
Bismarck, ND 58505-0480

*Re: Submission of Minutes – Preconstruction Conference; and Notice of Intent to Begin Construction
Case Number PU-08-48*

Dear Ms. Jeffcoat-Sacco:

With this letter, Minnkota Power Cooperative, Inc. submits Minutes – Preconstruction Conference;; and Notice of Intent to Begin Construction, Case Number PU-08-48.

Pursuant to § 49-22-08 of the North Dakota Century Code, the Energy Conversion and Transmission Facility Siting Act, and rules promulgated thereunder, enclosed for filing please find:

Original and ten (10) copies of Minutes – Preconstruction Conference; and Notice of Intent to Begin Construction.

Should you have any questions with respect to this filing, please contact me.

Very truly yours,

PEARCE & DURICK

By

Jerome C. Kettleison
Phone: (701) 333-0104

JCK/ef
Enclosures

MINUTES – PRECONSTRUCTION CONFERENCE

A Preconstruction Conference in Docket No. PU-08-48 was held on June 6, 2008 at the office of the Public Service Commission at the State Capitol, Bismarck, ND, at 10:40 a.m. PSC staff member, Jerry Lein, was present on behalf of the Commission. Al Tschepen, Vice-President of Planning & Systems Operations, was present on behalf of Minnkota Power Cooperative, Inc., as were Josie Olson, PE, Transmission Engineering Supervisor; Gerad Paul, Staff Attorney; and Paul Mahlen, Land Management. Present by telephone was Minnkota's Construction Supervisor, Todd Langston of Otter Tail Power Co. and Al Koeckeritz.

The Order in Case No. PU-08-48, to include Exh C1 Tree and Shrub Mitigation Specification attached to these minutes, was read in its entirety.

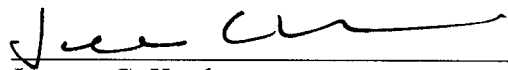
A Notice of Supplemental Hearing, scheduled for July 8, 2008 at the PSC Hearing Room at the State Capitol, Bismarck, North Dakota on a reroute in the area of Section 2, Rush River Township, was discussed. A condition attached to the Conditional Use Permit issued by Reed Township was also discussed. The Commission superseded a condition, which would have required double circuiting of the 230 kV line across Reed Township, Cass County, ND.

Commission staff member Lein pointed out that in Section 15 of the Order the width of clear cuts through windbreaks, shelterbelts and all other wooded areas shall be limited to 125 feet rather than 50 feet as set out in the Exh. C1. Minnkota indicated the sampling plan required in Exh. C1 Tree and Shrub Mitigation Specification has not yet been submitted. Minnkota agreed to submit the sampling plan before start of construction in any area which would affect trees, tall shrubs and/or low shrubs. It agreed to comply with the terms and conditions thereof. Minnkota agreed to provide the report requested in Section 15 of the Tree and Shrub Mitigation Plan.

As to paragraph 12, the Staff and Minnkota discussed making requests of landowners as to tree and shrub species for replacement purposes. Minnkota will keep the PSC informed of such requests, if any.

Minutes of Preconstruction Conference prepared by Jerome C. Kettleison

Dated: 6-6-08




Jerome C. Kettleison

NOTICE OF INTENT TO BEGIN CONSTRUCTION

At a Preconstruction Conference held on June 6, 2008 at the office of the Public Service Commission at the State Capitol, Bismarck, ND, at 10:40 a.m., Al Tschepen, Vice-President of Planning & Systems Operations, Minnkota Power Cooperative, Inc. notified the Public Service Commission that Minnkota intends to start construction on the Pillsbury-Fargo 230 kV Transmission Line as permitted in PSC Docket PU 08-48 on June 7, 2008 in an area where ground conditions permit. Wet weather has impacted portions of the route. Minnkota, through its Construction Supervisor, Todd Langston, who was present by teleconference, indicated Minnkota will provide weekly construction updates as requested.

Notice of Intent to Begin Construction prepared by Jerome C. Kettleison

Dated: 6-6-08



Jerome C. Kettleison

Order

The Commission orders:

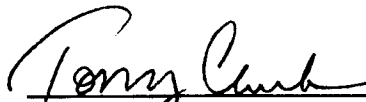
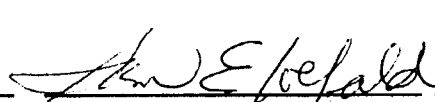

1. Minnkota's application for a waiver of procedures and time schedules is granted.
2. Certificate of Compatibility for a Transmission Facility Corridor No. 105 is issued to Minnkota, designating a corridor for its proposed transmission facility as described in Minnkota's amended application.
3. Route Permit for Construction of a Transmission Facility No. 115 is issued to Minnkota granting authority to construct the proposed transmission line and Pillsbury substation, except that no route is designated within the area of the alternate reroute proposed in the northeastern portion of Rush River Township.
4. Reed Township's condition to its Conditional Use Permit requiring double circuiting across all of section 7 is superseded.
5. Minnkota shall conduct a preconstruction conference prior to commencement of any construction, which must include a Minnkota representative, its construction supervisor, and a representative of Commission staff to ensure that Minnkota fully understands the conditions set forth in this Order.
6. Minnkota shall comply with the rules and regulations of all other agencies having jurisdiction over any phase of the proposed transmission facility. Prior to commencing construction of any phase of the proposed project, Minnkota shall obtain all other necessary approvals and permits for construction of such phase and provide copies to the Commission prior to the construction of each such phase.
7. Minnkota shall inform the Commission of its intent to start construction on the transmission facility prior to the commencement of construction, and, once construction has started, Minnkota shall keep the Commission updated of construction activities on a weekly basis.
8. Minnkota shall construct and operate the transmission facility in the manner described in its Application and at the hearing, and in accordance with all applicable safety requirements.
9. Minnkota shall promptly report to the Commission the presence in the permit area of any critical habitat of threatened or endangered species, or of bald or golden eagles that Minnkota becomes aware of and that were not previously reported to the Commission.

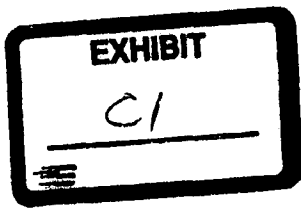
10. If any cultural resource, paleontological, archeological, historical, or grave site is discovered during construction, earth disturbing activities in the immediate vicinity of the discovery must be halted. The resource must be marked, preserved and protected from further disturbances until a professional examination can be made and consultation with the State Historical Preservation Office. A report of such examination must be filed with the Commission, and clearance to proceed must be given by the Commission.
11. All pre-existing roads and lanes used during construction must be restored to a condition that will accommodate their previous use and areas used as temporary roads during construction must be restored to their original condition.
12. Construction must be suspended when weather conditions are such that construction activities will cause irreparable damage, unless adequate protection measures approved by the Commission are taken.
13. Reclamation along the right-of-way shall be continuous and coordinated with construction.
14. Reclamation, fertilization and reseeding is to be done by Minnkota according to the Natural Resource Conservation Service or USFWS recommendations for CRP, native prairie and other non-cropped lands unless otherwise specified by the landowner and approved by the Commission.
15. Minnkota shall comply with the Commission's Tree and Shrub Mitigation Specifications attached to this Order except that the width of clear cuts through windbreaks, shelterbelts and all other wooded areas shall be limited to 125 feet rather than 50 feet.
16. Minnkota's obligation for reclamation and maintenance of the right-of-way shall continue throughout the life of the Transmission facilities.
17. Minnkota shall work with landowners and residents to mitigate any increase in television and residential radio interference that results from the path of the transmission line.
18. Minnkota shall repair or replace all fences and gates removed or damaged during all phases construction and operation of the proposed transmission facilities.
19. Minnkota shall obtain approval from the Commission or from Commission staff prior to any changes in structure locations.
20. Minnkota shall provide the Commission with a copy of the facility alignment plan and profile drawings showing the facility as built (hardcopy and electronic versions), and an

electronic version of the as-built facility that can be imported into ESRI GIS mapping software, within 3 months of the completion of the construction.

21. The authorizations granted by the corridor certificate and route permit are subject to modification by order of the Commission if deemed necessary to further protect the public or the environment.

PUBLIC SERVICE COMMISSION

		
Tony Clark Commissioner	Susan E. Wefald President	Kevin Cramer Commissioner




Case No. PU-08-48

Tree and Shrub Mitigation Specifications

Inventory

1. Trees and shrubs anticipated to be cleared, including those that are considered invasive species or noxious weeds (e.g., *Caragana arborescens*, *Elaeagnus angustifolia*, *Rhamnus cathartica*, *Tamarix chinensis*, *T. parviflora*, *T. ramosissima*, *Ulmus pumila*), shall be inventoried before cutting. The inventory shall record the location, number, and species of trees and shrubs.
2. In windbreaks, shelterbelts and other planted areas, trees or shrubs anticipated to be cleared, regardless of size, shall be inventoried for replacement.
3. In native growth areas, trees anticipated to be cleared that are 1 inch diameter at breast height ("dbh") or greater shall be inventoried for replacement.
4. In native growth areas, shrubs anticipated to be cleared in the permanent right-of-way shall be inventoried for replacement.
5. In native growth areas outside the permanent right-of-way, shrubs shall be cut flush with the surface of the ground, taking care to leave the naturally occurring seed bank and root stock intact. If soil disturbance is necessary, the native topsoil shall be preserved and replaced after construction. Shrubs shall be allowed to regenerate naturally where native topsoil is preserved and replaced. Where native topsoil is not preserved and replaced, shrubs anticipated to be cleared shall be inventoried for replacement.
6. In native growth areas, trees and shrubs may be inventoried by actual count or by sampling method that will properly represent the woody




vegetation population. A sampling plan developed by the company, filed with the North Dakota Public Service Commission (NDPSC) and approved prior to the start of construction shall define the sampling method to be used for trees, for tall shrubs and for low shrubs. The data from the sample plots shall be extrapolated to the total acreage of the wooded area to be cleared to determine the species and quantity of trees and shrubs to be replaced.

Clearing for Construction

7. Trees and shrubs shall be selectively cleared, leaving mature trees and shrubs intact where practical.
8. The width of clear cuts through windbreaks, shelterbelts and all other wooded areas shall be limited to 50 feet or less unless otherwise approved by the NDPSC.
9. If the area of trees or shrubs actually cleared differs from the area inventoried, the difference in number of trees and shrubs to be replaced shall be noted on the inventory.

Replacement

10. Prior to tree/shrub replacement, documentation identifying the number and variety of trees removed as well as the mitigation plan for the proposed number, variety, type, location and date of replacement plantings shall be filed with the NSPSC for approval.
11. Tree replacement shall be on a 2 to 1 basis with 2-year-old saplings. Shrub replacement shall be on a 2 to 1 basis with stem cuttings.
12. Trees and shrubs shall be replaced by the same species or similar species suitable for North Dakota growing conditions as recommended by the North Dakota Forest Service.

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13. Landowners shall be given the option of having replacement trees/shrubs planted off the right-of-way on the landowner's property or waiving that requirement in writing and allowing those replacement trees/shrubs to be planted at alternative locations.
 14. At the conclusion of the project, documentation identifying the actual number, variety, type, location and date of the replacement plantings shall be filed with the NDPSC.
 15. Tree/shrub replacements shall be inspected once a year for three years, on about the anniversary of the plantings, and, on or shortly before October 1 of each year, a report shall be submitted to the NDPSC documenting the condition of replacement planting and any woodlands work completed. If after three years from the anniversary of the plantings the survival rate is less than 75%, the NDPSC may order additional planting(s).

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF NORTH DAKOTA

APPLICATION TO THE NORTH DAKOTA)
PUBLIC SERVICE COMMISSION FOR A)
WAIVER OF PROCEDURES AND TIMELINES,)
AND CONSOLIDATED CERTIFICATE OF)
CORRIDOR COMPATABILITY AND ROUTE)
PERMIT, PILLSBURY-FARGO GENERATION)
OUTLET PROJECT)

Docket No. PU-08-48

AFFIDAVIT OF SERVICE

STATE OF NORTH DAKOTA)
) ss.
COUNTY OF BURLEIGH)

Tahnee Purdue, being first duly sworn on oath, does depose and say: That she is over the age of eighteen years, and not a party to the above-entitled matter;

That on the 11th day of June, 2008, this affiant served a true and correct copy of the following document in the above-captioned action:

1. Minutes – Preconstruction Conference;
Notice of Intent to Begin Construction

That copies of the above document were enclosed and secured in an envelope and addressed as follows:

Public Service Commission
State Capitol Building
600 E. Boulevard Avenue; Dept. 408
Bismarck, ND 58505-0480

Hand-Delivered – Original and 10 Copies

To the best of affiant's knowledge, information and belief, such address as given above was the actual post office address of the party intended to be so served.

That the above documents were duly served in accordance with the provisions of the North Dakota Rules of Civil Procedure.

Tahnee Purdue
Tahnee Purdue

Subscribed and sworn to before me this 11h day of June, 2008.

Annette Kirschenheiter
Notary Public

