



# Public Service Commission

## State of North Dakota

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28 November 2011

Carole Schmidt  
Supervisor, Transmission Permitting and Compliance  
Great River Energy  
12300 Elm Creek Blvd  
Maple Grove, MN 55369-4718

Re: Great River Energy's request for Jurisdictional Determinations,  
PSC Case No. PU-11-640

Dear Ms. Schmidt:

Thank you for your 27 September 2011 letter requesting jurisdictional determinations for the rebuild of an existing 230 kV transmission line between the Minnkota Power Cooperative Prairie Substation near Grand Forks, North Dakota and the Great River Energy Ramsey Substation near Devils Lake, North Dakota. The Commission discussed your request at the administrative portion of its regular meeting on 23 November 2011 and asked me to respond.

From the information you provided in your letter, the Commission has concluded that no siting application is required for construction activities within 350 feet on either side of the centerline of the transmission facility, so long as no exclusion or avoidance areas are affected. Even though no siting application is required for such activities, under this exception to the Energy Conversion and Transmission Facility Siting Act, Great River Energy must certify to the Commission in writing that no exclusion or avoidance areas will be affected and that Great River Energy "will comply with all applicable siting laws and rules and commission orders previously issued for any part of the facility" (N.D.C.C. § 49-22-03(3)(a)(3)). Further, if any avoidance areas will be affected by the transmission line relocation under this exception, Great river Energy must follow North Dakota Century Code § 49-22-03(3)(b)(2) and make the determinations and filings required by law.

If any of the construction activities will exceed 350 feet on either side of the centerline of the transmission facility, a siting application will be required. Consistent with past practices, a siting application will be required for only the portion or portions of the line to be rebuilt that are outside 350 feet of the centerline, not for the whole transmission line.

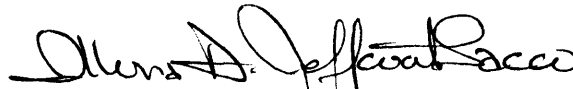
As you may know, there is a statutory exception that excludes lines that are less than one mile long from the definition of transmission line subject to siting jurisdiction. Since the transmission line in question is many miles long extending from the Stanton Station to Grand

Carole Schmidt  
28 November 2011  
Page 2

Forks, we do not believe this exception is available to exclude from siting jurisdiction the portions Great River Energy intends to rebuild that are outside 350 feet of the centerline.

If you have any questions please don't hesitate to contact me.

Best regards,

A handwritten signature in black ink, appearing to read "Illona A. Jeffcoat-Sacco". The signature is written in a cursive style with a large initial "I" and a prominent "S" at the end.

Illona A. Jeffcoat-Sacco  
General Counsel