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25 September 2012

Mr. Darrell Nitschke, Executive Director  
North Dakota Public Service Commission  
600 East Boulevard, Dept. 408  
Bismarck, ND 58505-0480

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PUBLIC SERVICE COMMISSION

RE: Amendment to Great River Energy Application of August 31, 2012 for Transmission Facility  
Corridor Compatibility and Route Permit  
Prairie Substation to Ramsey Substation 230 KV "GD" Transmission Line  
Case Number PU-12-398

Dear Mr. Nitschke:

On August 31, 2012, Great River Energy submitted a Transmission Facility Corridor Compatibility and Route Permit Application for approximately four miles of two relocated segments of the 230 kV "GD" Transmission Line. The relocation of the segments is to mitigate clearance discrepancies created from increased water elevations in the area.

It has been brought to my attention that the Application did not include a request for Waiver of Procedures and Time Schedules. In this Amendment to the Application, Great River Energy hereby requests waiver of certain provisions as outlined below.

**Provisions Requested to be Waived**

Great River Energy, pursuant to NDCC Section 49-22-07.2, respectfully requests the following:

1. That the PSC hold a single consolidated hearing on this waiver request and the Consolidated Application for a Certificate of Corridor Compatibility and Route Permit, rather than separate hearings as may be required by NDCC Sections 49-22-08 & -08.1, 49-22-13, and North Dakota Administrative Code (NDAC) Section 69-06-01-02. Great River Energy also requests that the PSC shorten the 3-month period specified in NDCC Section 49-22-08(5) and the 6-month period specified in NDCC Section 49-22-08.1(5).
2. That the PSC waive the requirements of NDCC Section 49-22-08 and NDCC Section 49-22-08.1 insofar as these sections may require the separate filing of applications for a Corridor Certificate and a Route Permit, and insofar as they require the publication of notices of filing applications.
3. That the PSC waive requirements for Mylar maps and stereo-pair aerial photographs as set forth in the PSC's Application Guidelines for a Corridor Certificate and a Route Permit. Geographic Information System (GIS) maps were provided in the Application.

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**Amendment to Application - Request for Waiver of  
Procedures and Time Schedules**

The PSC's Application Guidelines for Waiver of Procedures and Time Schedules require a facility description, need for, cost of, and justification for the request for waiver, together with evidence that the Project will produce minimal adverse effects. As demonstrated in the Application, and as summarized below, Great River Energy's Waiver Request and the issuance of a Corridor Certificate and Route Permit is justified, as the proposed facility is of such design, location, and purpose.

### **Justification for Waiver**

Waivers of timelines and procedures are needed to prevent potentially significant delays in this Project. As set forth in Section 1.3 of the Application, Great River Energy anticipates beginning construction in December 2012 and also needs to have the transmission line reroutes completed and energized by April 5, 2013 (end of the scheduled outage). Section 49-22-07.2 of the Act provides that the PSC may waive procedures and time schedules upon a finding that "the proposed facility is of such length, design, location, or purpose that it will produce minimal adverse effects." Based upon the thorough investigation and analysis set forth in the Application, waivers are appropriate because the proposed facility will produce minimal adverse effects.

In determining whether the proposed facility will result in adverse impacts on the environment, Great River Energy evaluated the transmission line using the criteria set forth in the Act, the Rules, and the PSC's Guidelines for Energy Conversion and Transmission Facility Siting (Guidelines). Great River Energy evaluated the impacts of the transmission line reroutes considering the siting criteria laid out in NDAC 69-06-08 (Section 3.0 of the Application) and the factors to be considered in NDCC Section 49-22-09 (Section 7.0 of the Application). Impacts associated with the transmission line reroutes are described in Section 5.0 of the Application. Based upon this evaluation and the factors set forth in the Energy Conversion and Transmission Facility Siting Act and PSC Guidelines, it is clear that the proposed facility will produce minimal adverse effects.

State and federal agencies were consulted to provide input on potential impacts of the proposed Corridor and Route and, in general, concluded that the proposed facility would produce minimal adverse effects. Their responses are summarized in Table 7-1 of the Application and the response letters are provided in Appendix D of the Application.

Great River Energy's proposal takes into consideration all state and federal agency concerns and thereby further mitigates any adverse effects associated with the proposed facilities. The designated state agencies and officers listed in NDAC 69-06-01-05 were notified about the proposed Project in July 2012 (Appendix C of the Application). Great River Energy will continue to work with the agencies to address any concerns.

Great River Energy submits that it has taken all feasible and prudent actions to minimize and mitigate to the greatest extent possible all known or potential adverse impacts. As a result, the proposed facilities will produce minimal adverse effects. Accordingly, Great River Energy respectfully requests that the PSC grant the requested waivers and render an expeditious decision.

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Thank you for considering this Amendment to our Application of August 31, 2012, and I apologize that this request was not included in the Application. If you have any questions, I can be reached at 763-445-5214, or by email at [cschmidt@greenergy.com](mailto:cschmidt@greenergy.com).

Respectfully submitted,

GREAT RIVER ENERGY



Carole L. Schmidt  
Supervisor, Transmission Permitting and Compliance

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