



September 6, 2017

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

**RE: Montana-Dakota Utilities Co. / Otter Tail Power Company 345KV Transmission Line
- Dickey County Siting Application
Case No. PU-13-840**

**Amended Application for a Second Amended Certificate of Corridor Compatibility
and Supporting Documents for the Order and Supplemental Order**

Dear Mr. Nitschke:

Otter Tail Power Company and Montana-Dakota Utilities Co. hereby submit an amended application for a second amended Certificate of Corridor Compatibility No. 154 (dated July 10, 2014 and December 16, 2015) and that it is considered as a supplement to the June 6, 2017 application for a second amended Route Permit No. 166.

1. Amended Application for a Second Amended Certificate of Corridor Compatibility
2. A map suitable for newspaper publication of the route and corridor application amendment
3. Affidavit of Al Koeckeritz
4. Affidavit of Brian Hunker

A CD containing a copy of this letter and the above reference documents in PDF format is enclosed.

An electronic copy of this filing is also being sent to you at dnitschk@nd.gov and to the North Dakota Public Service Commission at ndpsc@nd.gov.

Darrel Nitschke
September 6, 2017
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If you have any questions regarding this filing, please contact me at 218-739-8607 or pbeithon@otpc.com.

Sincerely,

/s/ PETE BEITHON

Pete Beithon
Manager, Regulatory Recovery
Otter Tail Power Company

jch

Enclosures

By electronic filing and U.S. mail

cc: Dickey County Auditor's Office
c/o Bev Kuska
209 North 2nd Street
Ellendale, ND 58436

**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF NORTH DAKOTA**

MONTANA-DAKOTA UTILITIES CO. /)	Case No. PU-13-840
OTTER TAIL POWER COMPANY 345 kV)	
TRANSMISSION LINE – DICKEY COUNTY)	
SITING APPLICATION)	AMENDED APPLICATION FOR A SECOND AMENDED CERTIFICATE OF CORRIDOR COMPATIBILITY

I. INTRODUCTION

Since the June 6, 2017 application for a second Route Permit amendment on the North Dakota portion of their Big Stone South to Ellendale 345-kV Transmission Line Project (Project), Otter Tail Power Company and Montana-Dakota Utilities Co. (jointly, the Applicants) had a discussion with North Dakota Public Service Commission (Commission) Staff who recommended a corridor modification. The Applicants propose a corridor modification from Structures 29 to 32 to account for the route shift at Structures 30 and 31 for engineering and safety purposes contained in the June 6, 2017 Application for a Second Amended Route Permit. The Applicants submit this application for a second amended Certificate of Corridor Compatibility as a supplement to the June 6, 2017 application for a second amended Route Permit.

In addition to their request for an amended Certificate of Corridor Compatibility for the Project, the Applicants request the following procedures and timelines be adopted by the Commission for consideration of this application. In accordance with Sections 49-22-08 and 49-22-08.1 of the North Dakota Century Code which allows the Commission to prescribe form and information contained within an application for amendment of a Certificate of Corridor Compatibility and Route Permit, the Applicants requests that the Commission adopt the following requirement:

1. The Commission accepts this amended Certificate of Corridor Compatibility as a supplement to the June 6th amended Route Permit, in order that they be considered as a consolidated application.

2. The Commission issues a notice of opportunity for hearing on the application and publishes it in the official newspaper of Dickey County, North Dakota, the county in which the proposed corridor and route modification is located.

II. REQUESTED MODIFICATIONS AND COMPLIANCE WITH SITING CRITERIA

The Applicants' proposed corridor modification is discussed in more detail in Section A below. Information regarding the Commission's siting criteria, as applied to the proposed modification, is provided in Section B below.

A. Proposed Corridor Modification

1. Corridor Modification from Structure 29 – 32

Since the June 6th amended Route Permit application, it was determined the conductor between the modified Structures 30 and 31 locations would go outside of the designated corridor. The Applicants request an increase in corridor width from 150-foot-wide to 500-foot-wide between Structures 29 and 32. This modification would create an overall corridor width of 500-foot-wide (175-foot-wide on either side of the designated corridor) for about 3,440 feet in length.

To accommodate this shift, the Applicants ask that the Commission approve this corridor modification and June 6th route modification depicted in Figure 1 on the map book page 4 of 6 and on the detailed map in Figure 2 (Attachment A).

No new landowners are involved with this corridor modification. The landowner whose land that the corridor modification occurs on was consulted about the corridor modification and has given approval. The landowner has executed an easement with the Applicants for the Project.

B. Compliance with Siting Criteria

The proposed corridor and route modification complies with the Commission's siting criteria set forth in Section 69-06-08-02 of the North Dakota Administrative Code. Information regarding the exclusion areas and avoidance areas present within the proposed corridor and route modification, as well as information regarding the selection criteria and policy criteria as they relate to the proposed modifications, is provided below.

1. Exclusion Areas

Per Section 69-06-08-02-1 of the North Dakota Administrative Code, "...the following geographical areas must be excluded in the consideration of a route for a transmission facility. A buffer zone of reasonable width to protect the integrity of the area must be included. Natural screening may be considered in determining the width of the buffer zone." As shown in Table 2, no exclusion areas are located within the proposed corridor and route modification (Attachment A).

Table 2: Exclusion Areas – Corridor and Route Modification

Geographic Area	Present within Modification	Proposed Buffer
Designated or registered national: parks; memorial parks; historic sites and landmarks; natural landmarks; monuments; and wilderness areas	Not present within corridor or route modification.	No impacts are anticipated and no buffer is proposed
Designated or registered state: parks; historic sites; monuments; historical markers; archaeological sites; and nature preserves	Not present within corridor or route modification.	No impacts are anticipated and no buffer is proposed
County parks and recreational areas; municipal parks; and parks owned or administered by other governmental subdivisions	Not present within corridor or route modification.	No impacts are anticipated and no buffer is proposed
Areas critical to the life stages of threatened or endangered animal or plant species	Not present within corridor or route modification.	No impacts are anticipated and no buffer is proposed
Areas where animal or plant species that are unique or rare to this state would be irreversibly damaged	Not present within corridor or route modification.	No impacts are anticipated and no buffer is proposed
Areas within 1,200 feet of the geographic center of an intercontinental ballistic missile (ICBM) launch or launch control facility	Not present within corridor or route modification.	No impacts are anticipated and no buffer is proposed
Areas within 30 feet on either side of a direct line between ballistic missile (ICBM) launch or launch control facilities to avoid microwave interference	Not present within corridor or route modification.	No impacts are anticipated and no buffer is proposed

2. Avoidance Areas

Per Section 69-06-08-02-2 of the North Dakota Administrative Code, "...the following geographical areas may not be considered in the routing of a transmission facility unless the applicant shows that under the circumstances there is no reasonable alternative. In determining whether an avoidance area should be designated for a facility, the Commission may consider, among other things, the proposed management of adverse impacts; the orderly siting of facilities; system reliability and integrity; the efficient use of resources; and alternative routes. Economic considerations alone will not justify approval of these areas. A buffer zone of a reasonable width

to protect the integrity of the area shall be included unless a distance is specified in the criteria. Natural screening may be considered in determining the width of the buffer zone.” As set forth in Table 3, with the exception of rural water pipelines, which may be present but are not anticipated to be impacted, no avoidance areas are located within the proposed corridor and route modification (Attachment A).

Table 3: Avoidance Areas – Corridor and Route Modification

Avoidance Area	Present within Modification	Proposed Buffer
Designated or registered national historic districts; wildlife areas; wild, scenic, or recreational rivers; wildlife refuges; and grasslands	Not present within corridor or route modification.	No impacts are anticipated and no buffer is proposed
Designated or registered state wild, scenic, or recreational rivers; game refuges; game management areas; management areas; forests; forest management lands; and grasslands	Not present within corridor or route modification.	No impacts are anticipated and no buffer is proposed
Historical resources which are not specifically designated as exclusion or avoidance areas	Not present within corridor or route modification.	No impacts are anticipated and no buffer is proposed
Areas that are geologically unstable	Not present within corridor or route modification.	No impacts are anticipated and no buffer is proposed
Within 500 feet of a residence, school, or place of business	Not present within corridor or route modification.	No impacts are anticipated and no buffer is proposed
Reservoirs and municipal water supplies	Not present within corridor or route modification.	No impacts are anticipated and no buffer is proposed
Water sources for organized rural water districts	Not present within corridor or route modification.	No impacts are anticipated and no buffer is proposed
Irrigated land	Not present within corridor or route modification.	No impacts are anticipated and no buffer is proposed
Areas of recreational significance which are not designated as exclusion areas	Not present within corridor or route modification.	No impacts are anticipated and no buffer is proposed

3. Selection Criteria

Per Section 69-06-08-02-3 of the North Dakota Administrative Code, “...a corridor or route shall be designated only when it is demonstrated to the Commission by the applicant that any significant adverse effects resulting from the location, construction, and maintenance of the facility, as they relate to the following, will be at an acceptable minimum, or that those effects will be managed and maintained at an acceptable minimum.” Table 4 addresses the selection criteria as they relate to the proposed corridor and route modification.

Table 4: Selection Criteria – Corridor and Route Modification

Selection Criteria	Potential Adverse Effects
The impact upon agriculture:	
Agricultural production	No additional permanent impacts will occur as a result of the structure shifts. Temporary construction impacts such as soil compaction and crop damage will likely occur; approximately one acre per structure. The Applicants will work with the landowner to minimize impacts to agricultural production. .
Family farms and ranches	Land area used for the 345-kV transmission line route and structures will have a minimal adverse effect on family farms. No family farms will be displaced due to construction of the Project.
Land which the owner can demonstrate has soil, topography, drainage, and an available water supply that cause the land to be economically suitable for irrigation	No irrigated lands are present within the modification. If a landowner expresses concerns related to economically suitable irrigation on their land, the Applicants will work with them to avoid or minimize impacts.
Surface drainage patterns and ground water flow patterns	No impacts are anticipated to rivers, streams, or drainageways; no effects on groundwater flow patterns are anticipated. The structure locations will not affect surface drainage patterns. To minimize impacts during construction, the Applicants will follow applicable regulations under the North Dakota Pollutant Discharge Elimination System (NDPDES) General Permit for Stormwater Discharges Associated with Construction Activity. NPDES permit coverage was obtained on March 29, 2017.
The impact upon:	
Sound-sensitive land uses	Nearby homes may experience short-term effects during construction such as elevated noise levels and increased vehicle traffic. Noise impacts are nominal. There are no sound-sensitive receptors within 500 feet of the modified route.
Visual effect on the adjacent area	Visual impacts will be most evident to landowners and residents near the North Dakota Facility and drivers traveling along adjacent roadways. The Applicants propose to mostly use single-pole steel structures commonly used by transmission line facilities across the state. Structures will also avoid sensitive areas to the extent practicable.
Extractive and storage resources	No extractive and storage resources are located in the modification. No impacts anticipated.
Wetlands, woodlands, and wooded areas	There are no additional impacts to wetlands or trees from the proposed modification.
Radio and television reception and other communication or electronic control facilities	No communication resources are located in the modification. No impacts anticipated.
Human health and safety	No impacts on human health and safety are anticipated from the operation of the North Dakota Facility.

Selection Criteria	Potential Adverse Effects
Animal health and safety	No impacts to livestock are anticipated. Impacts to wildlife populations are expected to be minimal. Potential avian collisions may occur, but are anticipated to be relatively small. The Applicants developed a Line Marking Plan to minimize potential avian collisions per APLIC guidelines which was reviewed and submitted to the U.S. Fish and Wildlife Service.
Plant life	The Project area is primarily agricultural in nature. Permanent impacts to plant life will occur at structure locations and areas of tree clearing. Areas of temporary construction impacts will be restored. Impacts to individual trees would be replaced per the Commission's specifications.

4. Policy Criteria

Per Section 69-06-08-02-4 of the North Dakota Administrative Code, "...the Commission may give preference to an applicant that will maximize benefits that result from the adoption of the following policies and practices, and in a proper case may require the adoption of such policies and practices." Table 5 addresses the policy criteria as they relate to the proposed corridor and route modification.

Table 5: Policy Criteria – Corridor and Route Modification

Policy Criteria	Suitable Policy or Practice of Applicant
Location and design	The Applicants have attempted to locate and design the route to minimize environmental impacts and utilize existing corridors where practical.
Training and utilization of available labor in this state for the general and specialized skills required	The Applicants will use local labor and resources during construction to the extent practicable based on available qualified personnel.
Economies of construction and operation	The Applicants will utilize local contractors to the extent practicable based on available qualified personnel.
Use of citizen coordinating committees	The Applicants have and will continue to work with landowners on development of the Project.
A commitment of a portion of the transmitted product for use in this state	Energy transmitted by the Project will be used in the Applicants' service territory, which includes North Dakota.
Labor relations	No labor relations will be affected.
Coordination of facilities	Existing facilities were considered in the location of the Project.
Monitoring of impacts	The Applicants and the construction contractor will employ Best Management Practices (BMPs) during construction to minimize environmental impacts and will maintain commitments made in this Application and applicable permit conditions, including the Commission's Order and Amended Order approving the North Dakota Facility. The Applicants will monitor the success of tree and shrub replacement, if needed.

Policy Criteria	Suitable Policy or Practice of Applicant
Utilization of existing and proposed rights-of-way and corridors	One of the primary goals in locating the corridor and route was to maximize use of existing transmission and roadway corridors and rights-of-way. The proposed route is consistent with this policy and is the best location when considering the factors identified by the Commission, landowners, the policies of the Applicants, and Project design.
Other existing or proposed transmission facilities	The corridor and route parallels existing transmission and roadway corridors to the extent practical.

The Applicants’ environmental policies are consistent with the Commission’s policy criteria outlined above. *See also* Section 3.4 of the Applicants’ Certificate of Corridor Compatibility and Route Permit application.

III. WAIVER REQUEST

Consistent with the Commission’s Energy and Transmission Facility Guidelines, the Applicants’ June 6th application for an amended Route Permit provided the waiver request information (Project Description, Need for Facility, and Cost) and the Applicants are requesting the waiver in support of its Certificate of Corridor Compatibility amendment.

Granting the abbreviated procedures and time schedules is appropriate because the Commission has already issued a Certificate of Corridor Compatibility for the Project; thus, it has been determined that the Project will produce minimal adverse effects. In addition, granting the requested corridor modification will ensure compliance with safety best practices.

Furthermore, the documentation of environmental and cultural resource studies and analyses conducted for the proposed modification demonstrates that there will be minimal adverse effects due to the modification, and that the proposed modification complies with the exclusion and avoidance area criteria set forth in Section 69-06-08-02 of the North Dakota Administrative Code. As such, the requested modification also complies with the requirements of Section 69-06-05-02-2 of the North Dakota Administrative Code. Please reference the June 6th amended Route Permit application for the updated survey status list of permits and/or approvals.

Accordingly, the Applicants respectfully request that the Commission adopt the requested procedures and time schedules, approve the requested corridor modification, and issue an order granting an amended Certificate of Corridor Compatibility for the Project.

Dated this 6th day of September, 2017.

OTTER TAIL POWER COMPANY

By /S/ PETE BEITHON
Pete Beithon
Manager, Regulatory Recovery
215 S. Cascade Street
P.O. Box 496
Fergus Falls, MN 56538-0496
(218) 739-8607

Attachment A: Figures

Figure 1: Project Map Book of the North Dakota Facility

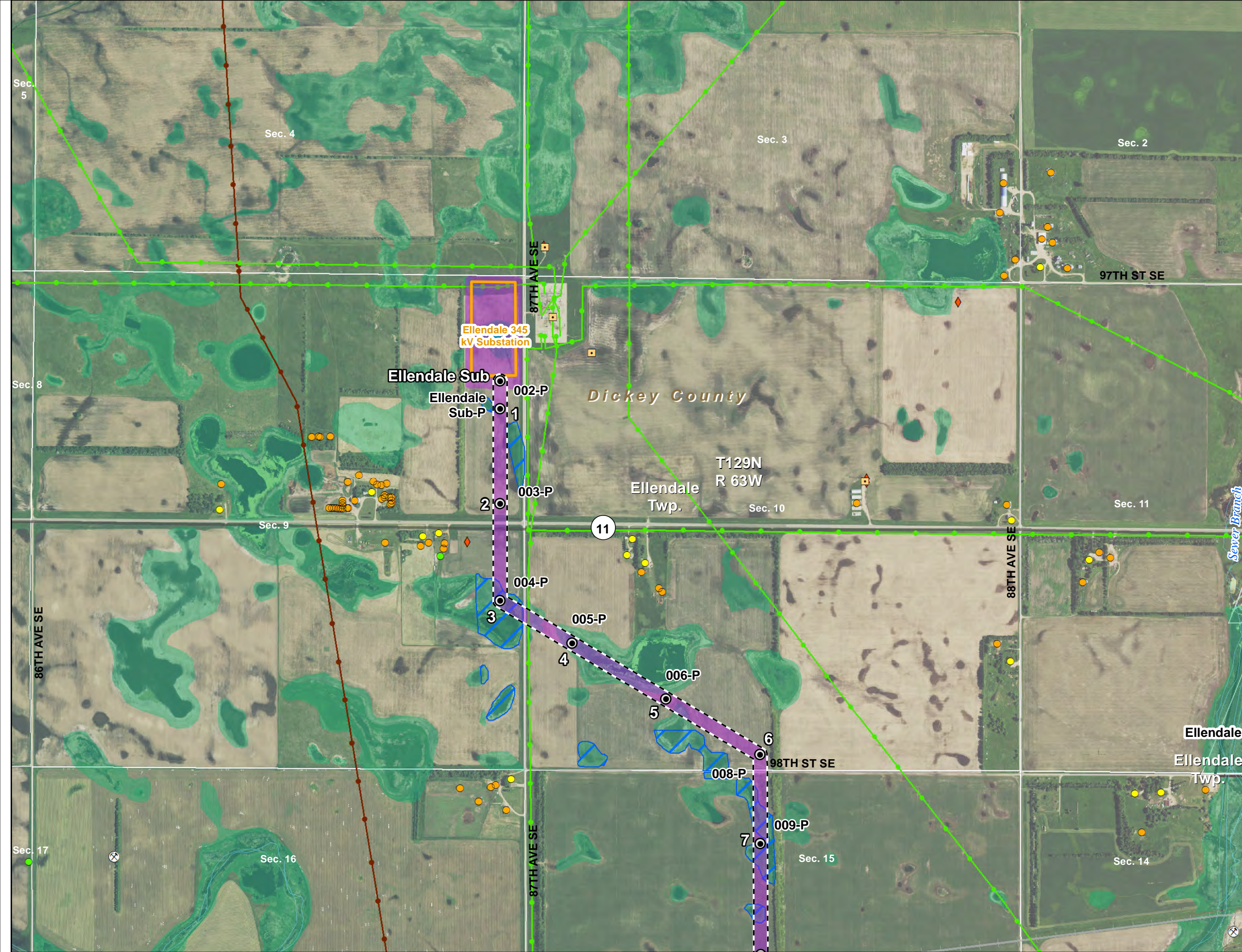
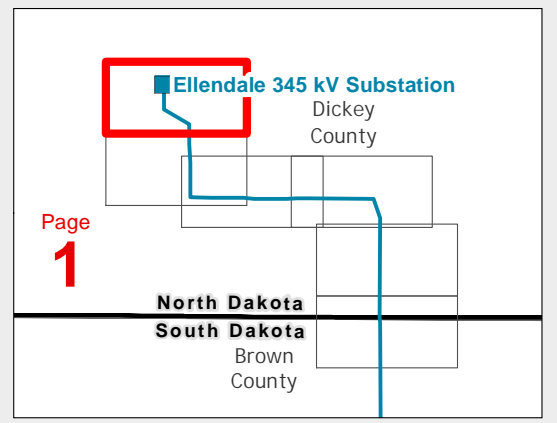
Figure 2: Proposed Route Modification

Figure 1
Big Stone South to Ellendale
345 kV Transmission Line Project
North Dakota
Page 1 of 6

- | | |
|---------------------------------------|----------------------------|
| North Dakota Corridor | Railroad |
| Facility Structures as of 8/28/2015 | Abandoned Railroad |
| Facility Structures as of 2/3/2017 | Electric Transmission Line |
| Facility Corridor from 8/28/2015 | Oil or Gas Pipeline |
| Facility ROW as of 2/3/2017 | Planned Center Pivot |
| Ellendale 345kV Substation Boundary | Sections |
| River/Stream | Township |
| Field Reviewed Wetland / Other Waters | City Boundary |
| Desktop Delineated Wetlands | |
| Dwelling - Occupied | |
| Dwelling - Unknown/Vacant | |
| Ag/Other Structure | |
| Gravel Pit/Mining | |
| Utility | |
| Communication Tower | |



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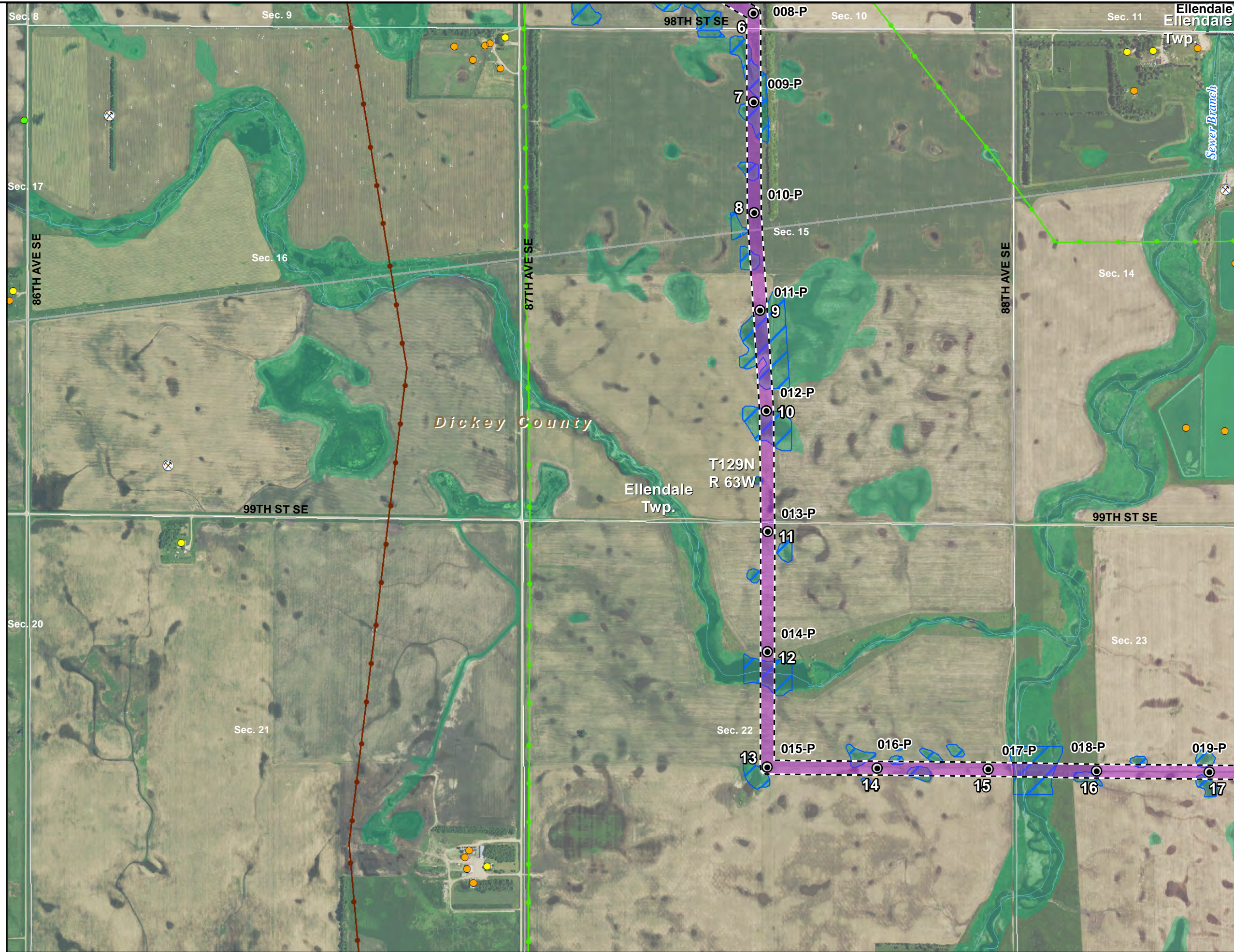


Figure 1
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| River/Stream | Sections |
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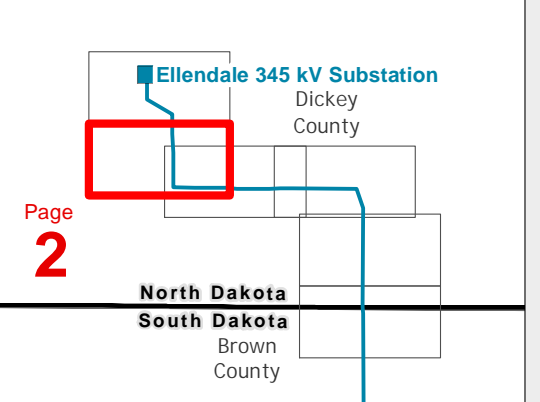
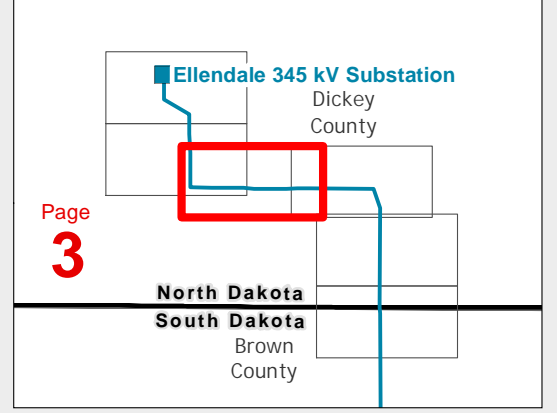
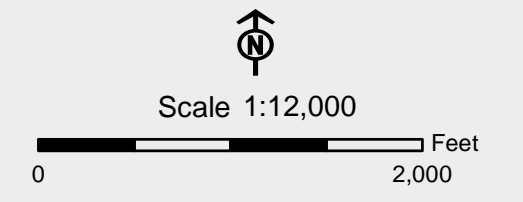
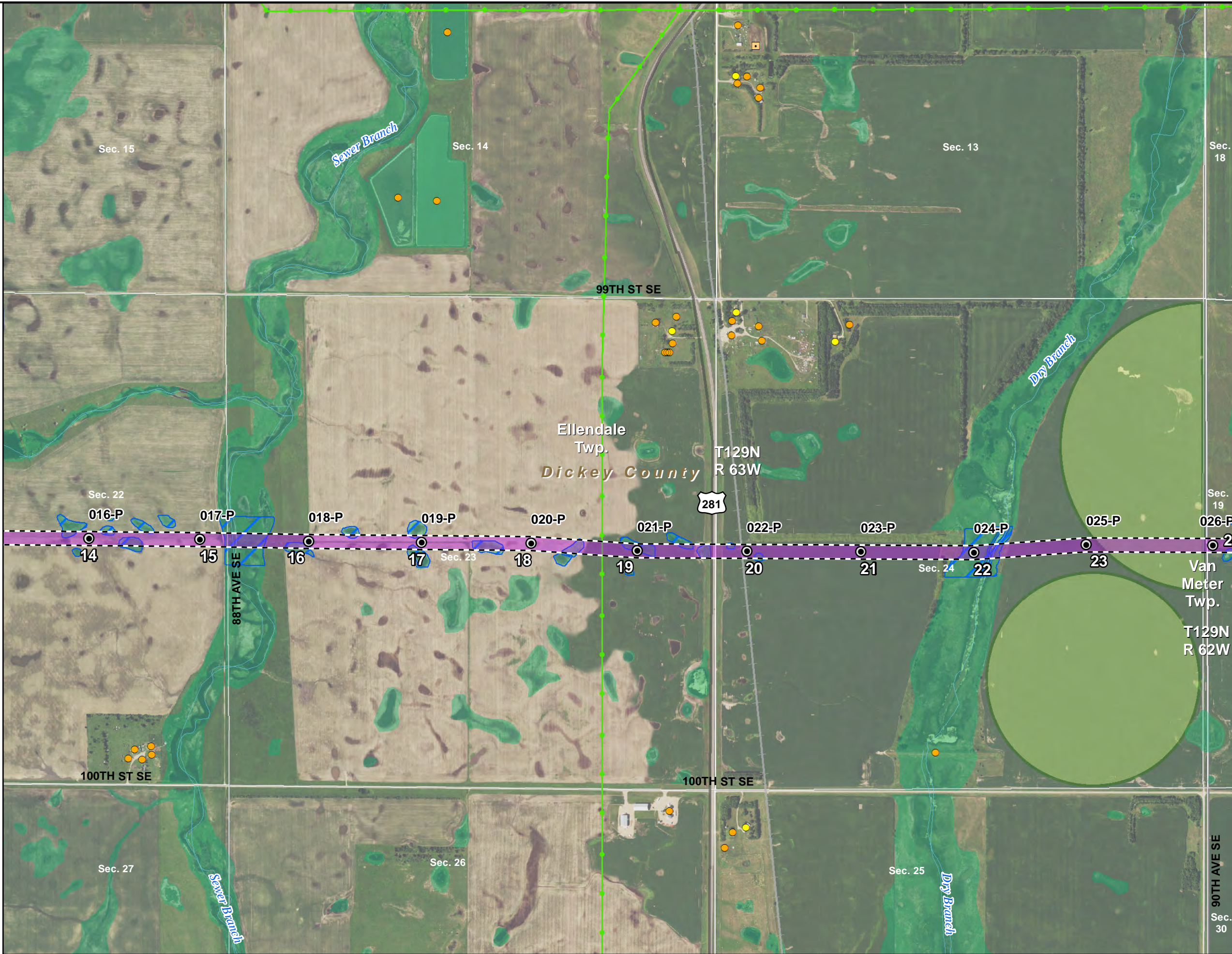


Figure 1
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North Dakota
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| Ag/Other Structure | |
| Communication Tower | |

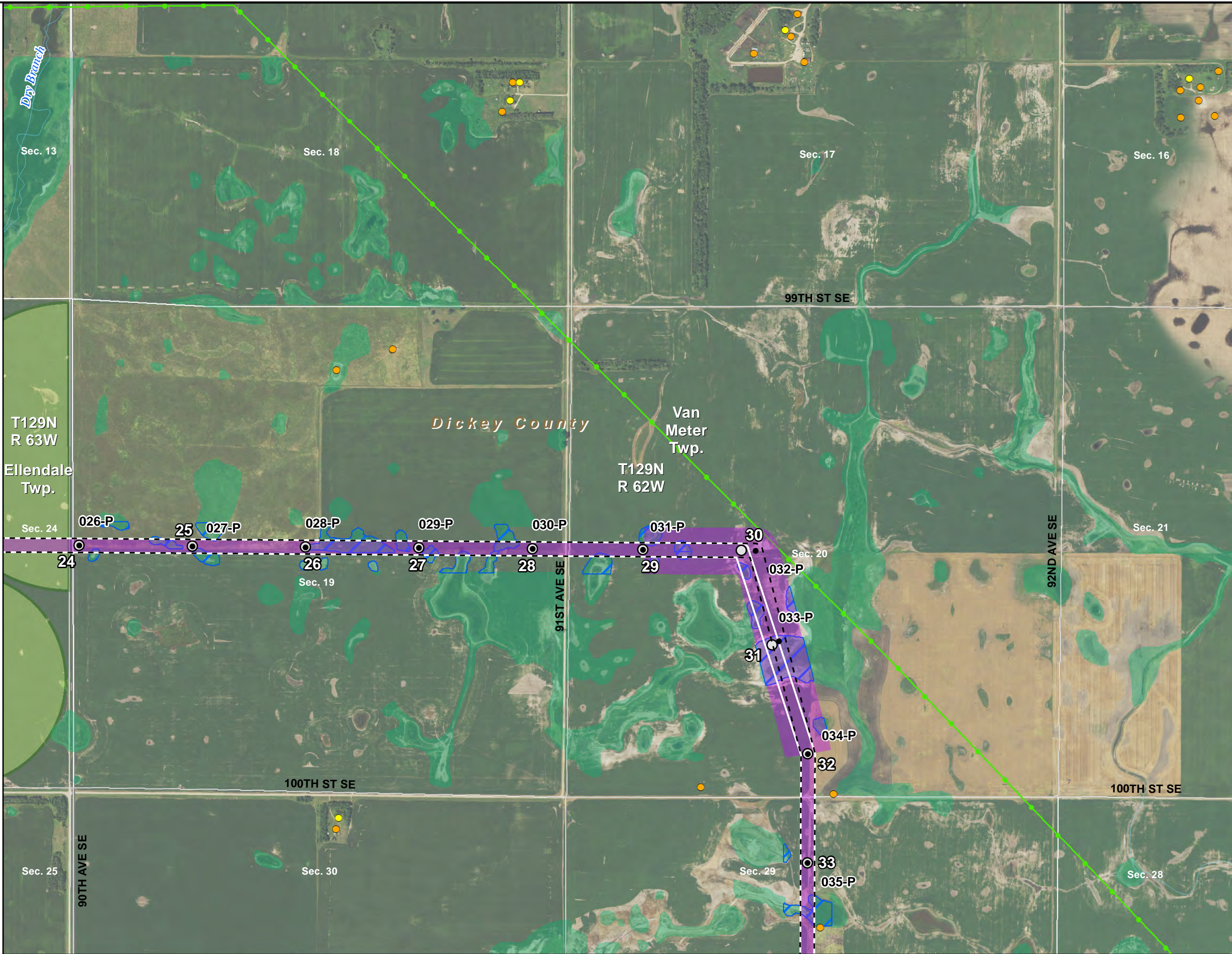


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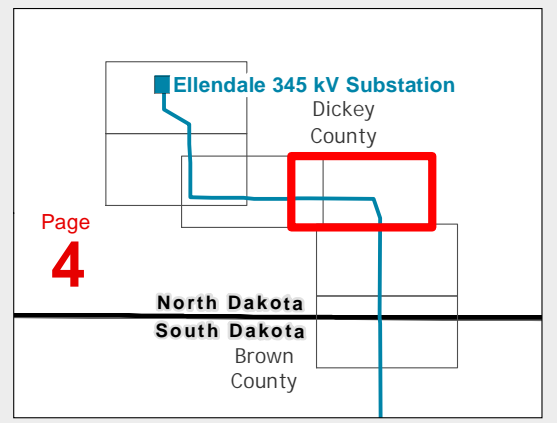


Figure 1
Big Stone South to Ellendale
345 kV Transmission Line Project
North Dakota
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- North Dakota Corridor
- Facility Structures as of 8/28/2015
- Facility Structures as of 2/3/2017
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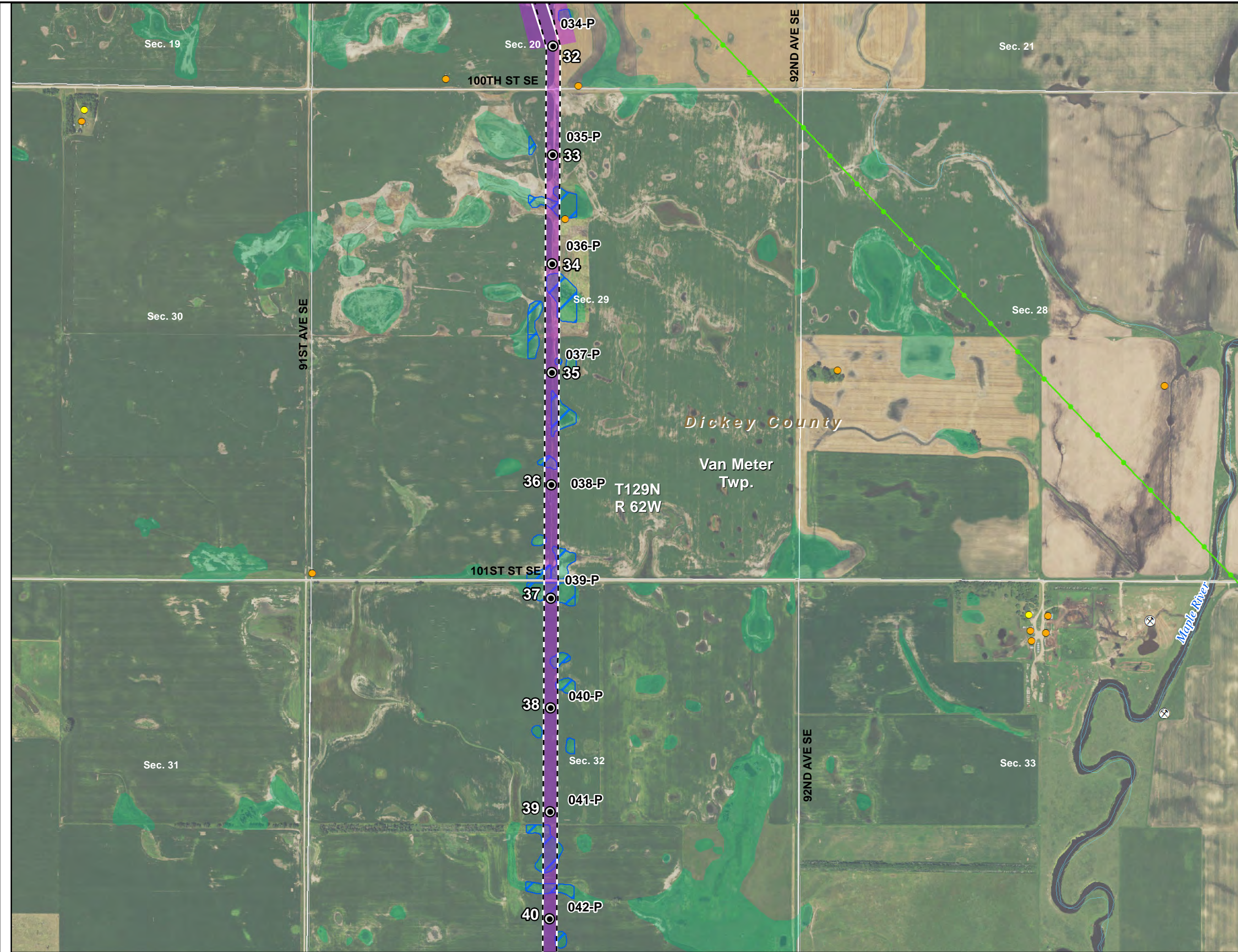
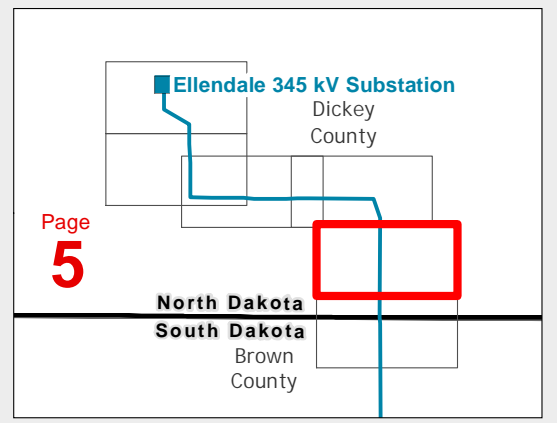
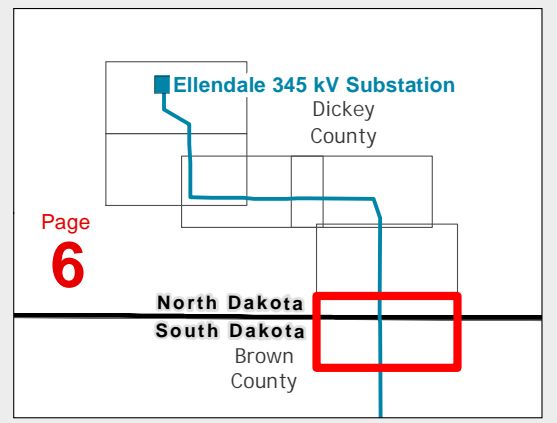


Figure 1
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 345 kV Transmission Line Project
 North Dakota
 Page 6 of 6

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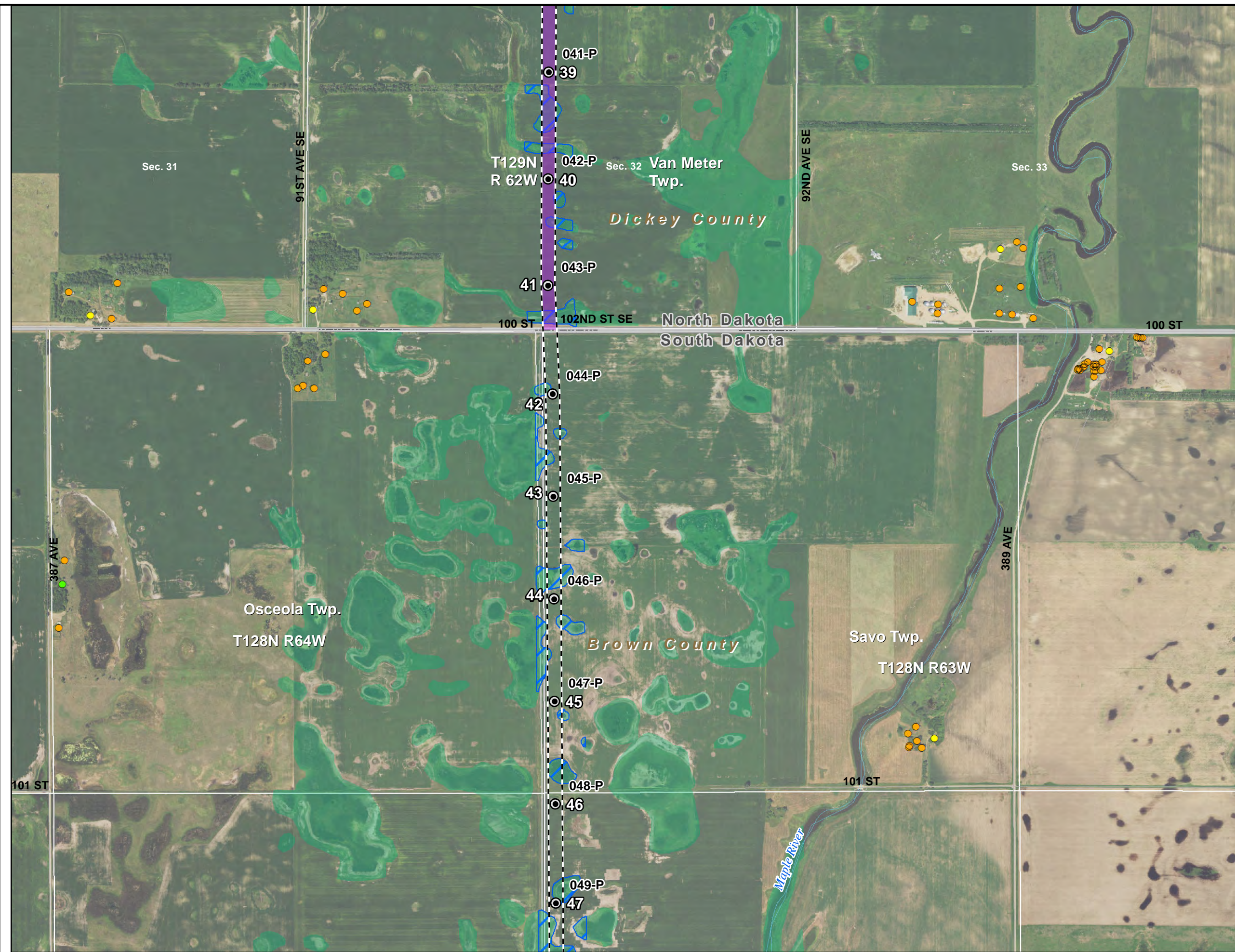
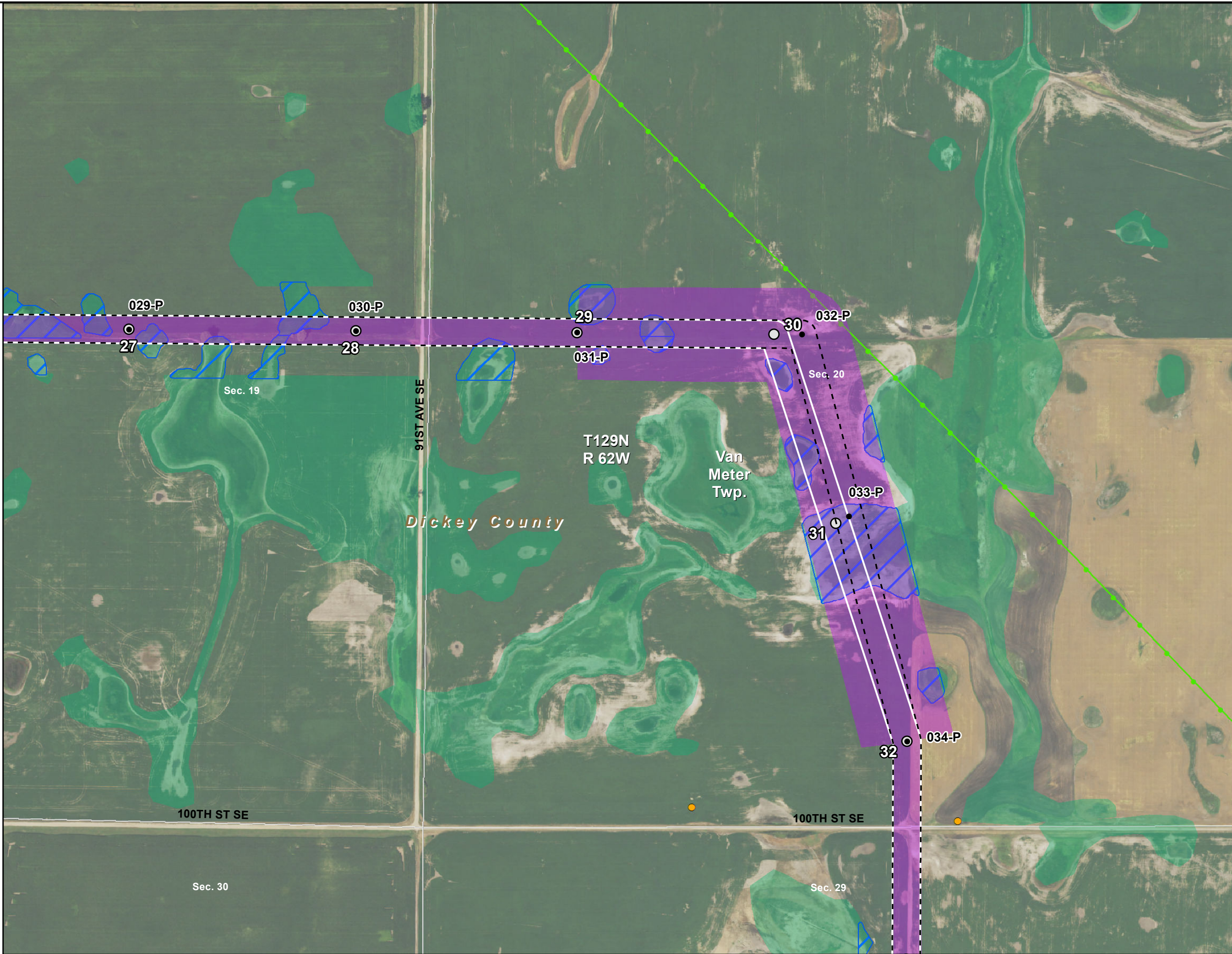
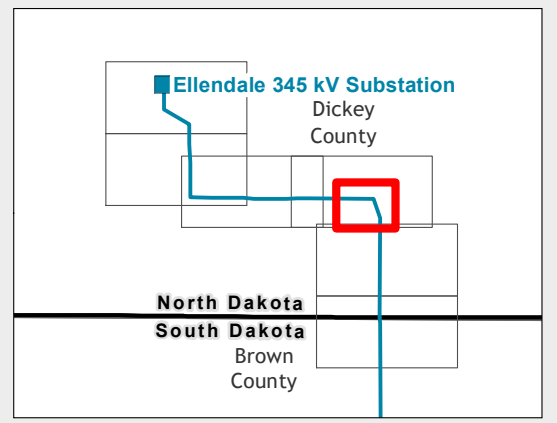


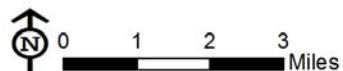
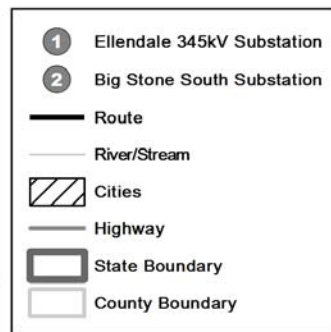
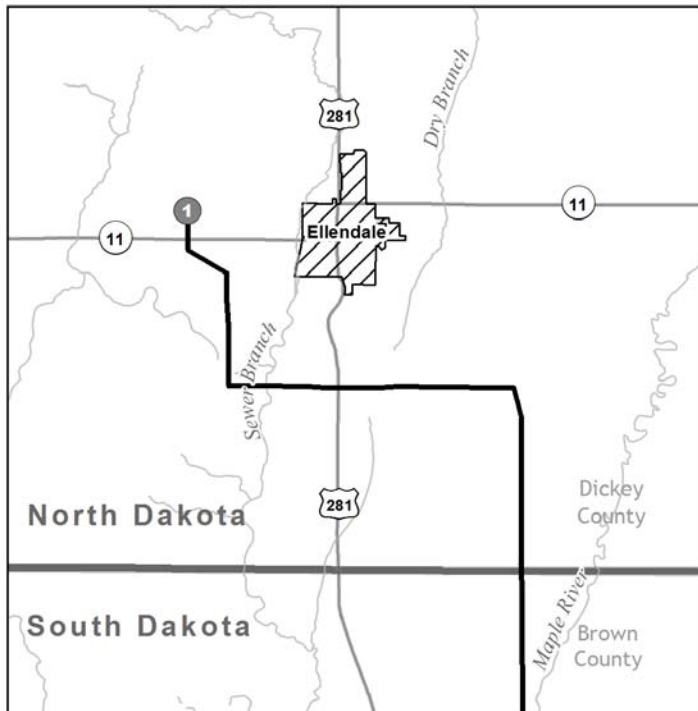
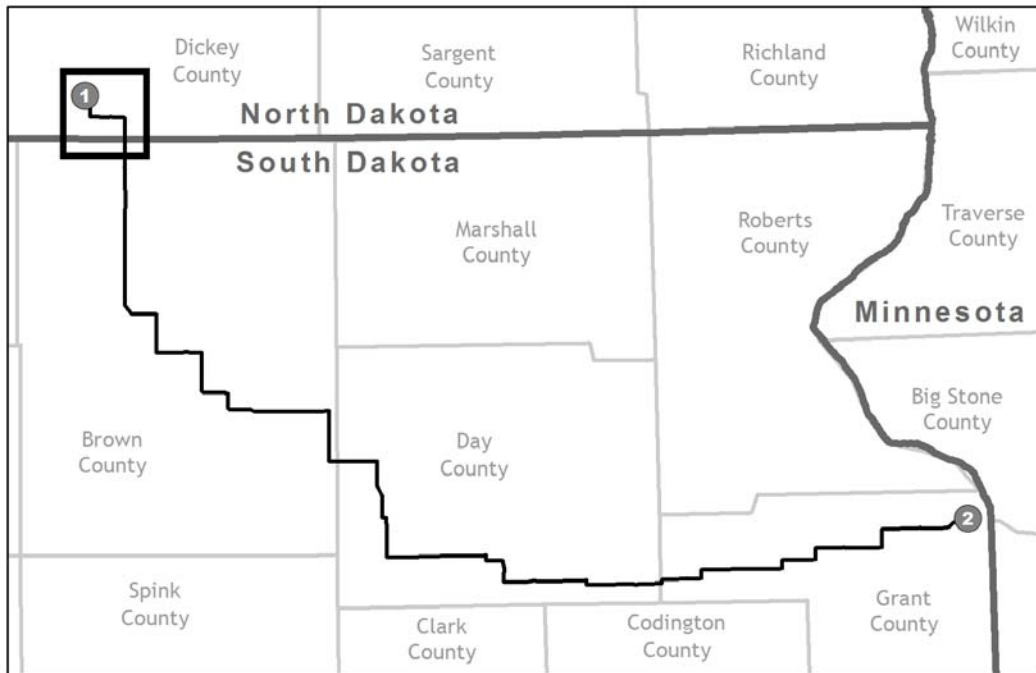
Figure 2
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345 kV Transmission Line Project
North Dakota

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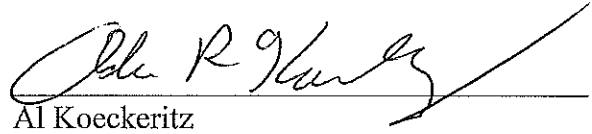
6. The proposed corridor modification would be located entirely within the SW/4 of Section 20, Township 129 North, Range 62 West in Dickey County, North Dakota and, as such, would not affect other landowners.

7. The Project is consistent with the Applicants' 2014-2023 Ten-Year Plans. See the Applicants' 2014-2023 Ten-Year Plans, Case Nos. PU-14-486 and PU-14-501, filed June 26, 2014 and June 27, 2014 respectively.

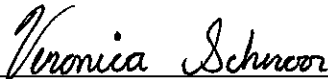
8. The proposed corridor modification is not anticipated to impact the costs of the Project at this stage of the Project.

9. The Applicants have begun construction of the Project, and anticipate that the Project will be commissioned and in-service in 2019

FURTHER AFFIANT SAYETH NOT.


Al Koeckeritz

Subscribed and sworn to before me
this 24 day of August, 2017.



Notary Public



5. No exclusion areas, as set forth in Section 69-06-08-02(1) of the North Dakota Administrative Code, are located within the proposed corridor modification. *See also* the attached Amended Application for A Second Amended Certificate of Corridor Compatibility.

6. With the exception of rural water pipelines, which may be present but are not anticipated to be impacted, no avoidance areas are located within the proposed corridor modification. *See also* the attached Amended Application for A Second Amended Certificate of Corridor Compatibility.

FURTHER AFFIANT SAYETH NOT.



Brian Hunker

Subscribed and sworn to before me
this 28th day of August, 2017.



Notary Public

