

Minnesota Attorney General: Administrative Rules Proceedings

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Version 3
August 20, 2018

MINNESOTA STATE REGULATION

Notice of filing by the Commissioner of Administration

We have received on this date, stamped and filed 2 copies of Rules and Regulations pertaining to the Environmental Quality Council
(Agency or Board)

Regulation No. MEQC 71 thru 75 (new)

Subject: Power Plant Siting + Transmission Line Routing

Department of Administration
Publication, Central Services Division
Documents Section
140 Centennial Office Building
St. Paul, Minnesota 55155
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FILED
RICHARD L. BRUBACHER
Commissioner of Administration

AUG 2 1974 4:30pm

BY Eda Staudenmaier
AUTH. SIGNATURE EJ

Stamped and filed with the Secretary of State 8-2-74

Rev. 9-72

ADMIN 1000

STATE OF MINNESOTA

DEPARTMENT Attorney General

Office Memorandum

TO : **Jean Heilman**
Special Assistant Attorney General
State Planning Agency

DATE: **August 5, 1974**

FROM : Michael B. Miller
Special Assistant Attorney General

SUBJECT: Rules and Regulations - **MEQC 71 - 75**

Enclosed directly following this memorandum are the rules and regulations you have submitted for approval. These rules and regulations have been approved by the Attorney General, filed with the Secretary of State and with the Department of Administration.

Upon receipt and before transmittal to your agency, it is IMPERATIVE that you recheck these rules and regulations as to:

1. Are the stamps of the Attorney General, Secretary of State and Department of Administration affixed to the last page of the rules and/or regulations;

2. Are all rules and/or regulations submitted covered by these stamps;

3. Are all pages of the rules and/or regulations included in the approved set?

Directly following the approved rules and/or regulations is a complete set of required documents and transcript which MUST be retained with the approved rules and/or regulations by you or your agency.

Also enclosed are additional documents and transcripts not retained by the Secretary of State; these should also be retained with the rules and/or regulations by you or your agency.

If you have any questions in this regard, please contact me.

MBM/sr

Enclosures

Adopted July 9, 1974

MINNESOTA ENVIRONMENTAL QUALITY COUNCIL REGULATIONS

CHAPTER 21, POWER PLANT SITING AND TRANSMISSION LINE ROUTING

MEQC 71

AUTHORITY, PURPOSE, DEFINITIONS

(a) AUTHORITY

The regulations contained herein are prescribed by the Minnesota Environmental Quality Council pursuant to the authority granted to the Council in Minn. Stat., Sect. 116C.53 (Supp. 1973) to provide for power plant site and transmission line corridor and route selection and in Sections 116C.55, 116C.57, and 116C.66 to establish regulations to give effect to the purposes of Minn. Stat., Sect. 116C.51 to 116C.69 (Supp.1973), herein referred to as the Power Plant Siting Act. The Power Plant Siting Act deals with the siting of large electric power generating plants and high voltage transmission lines. No large electric power generating plant or high voltage transmission line shall be constructed except on a site or route designated by the Council. No site or route shall be designated that violates state agency regulations.

(b) PURPOSE

The purpose of these Regulations is to provide for the implementation of Minn. Stat., Sect. 116C.51 to 116C.69 (Supp. 1973).

(c) POLICY

It is the policy of the State to site large electric power facilities in an orderly manner compatible with environmental preservation and the efficient use of resources. Sites shall be selected by the Council that minimize adverse human and environmental impact while insuring continuing electric power system reliability and integrity and insuring that electric energy needs are met and fulfilled in an orderly and timely fashion.

(d) DEFINITIONS

As used in these Regulations, the following terms shall have the following meanings, unless otherwise defined:

(1) "Candidate areas" means sub-regions of the State that are determined by the absence of exclusion factors and that are homogeneous enough in geography, land use, and land cover such that selection criteria for specific power plant sites and transmission line corridors and routes may be used with the same weighting factors within each candidate area.

(2) "Construction" means significant physical alteration of a site or route but not including activities incident to preliminary engineering or environmental studies.

(3) "Corridor" means the general location of a high voltage transmission line. For the inventory, the end points should be defined and the width may be variable up to approximately 30 kilometers In a certificate of corridor compatibility, the end points shall be defined, and the width at all points shall be specified by the Council.

(4) "Council" means the Minnesota Environmental Quality Council, established pursuant to Minn. Stat., Sect. 116C.01 et seq. (Supp. 1973).

(5) "Designated corridor" means a transmission line corridor that has been granted a certificate of corridor compatibility by the Council.

(6) "Designated site" means a power plant site that has been granted a certificate of site compatibility by the Council.

(7) "Development Region" means a geographic region of the State designated pursuant to the Regional Development Act of 1969, Minn. Stat., Sect. 462.381 et seq. (1971).

(8) "Exclusion criteria" means criteria that remove geographic areas from consideration for power plant sites and transmission line routes.

(9) "High voltage transmission line" means a conductor of electric energy and associated facilities designed for and capable of operation at a nominal voltage of 200 kilovolts or more. Associated facilities shall include, but not be limited to, insulators, towers, and substations and terminals operating at a nominal voltage of 200 kilovolts or more.

(10) "HVTL" means high voltage transmission line.

(11) "Large electric power generating plant" means electric power generating equipment and associated facilities designed for or capable of operation at a capacity of 50,000 kilowatts or more, including, but not limited to, fossil fuel, nuclear fuel, pumped storage and hydroelectric plants.

(12) "LEPGP" means large electric power generating plant.

(13) "Person" means an individual, partnership, joint venture, private or public corporation, association, firm, public service company, cooperative, political subdivision, municipal corporation, government agency, public utility district, or any other entity, public or private, however organized.

(14) "Power plant avoidance areas" means those areas in which a large electric power generating plant shall not be located for reasons of human and environmental impact when feasible and prudent alternatives exist.

(15) "Potential sites" means small sections of candidate areas identified by the general application of power plant site selection criteria as possible large electric power generating plant sites in the inventory.

(16) "Receipt of application" means the date of a Council meeting at which the application is presented to the Council.

(17) "Route" means the specific location of a high voltage transmission line between two end points specified by the Council. The specified route may have a variable width of up to one kilometer.

(18) "Selection criteria" means criteria used for identifying and ranking potential power plant sites and transmission line routes and corridors, that shall form the basis upon which judgmental weightings can be made.

(19) "Site" means the location of a large electric power generating plant.

(20) "Transmission line avoidance areas" means those areas through which a transmission line shall not be routed for reasons of human and environmental impact when feasible and prudent alternatives exist.

(21) "Utility" means any entity engaged in this state in the generation, transmission or distribution of electric energy, whether for sale to others or for use by the owner, including, but not limited to, a private investor owned utility, cooperatively owned utility, a public or municipally owned utility, and a private corporation.

MEQC 72

RESPONSIBILITIES OF UTILITIES

(a) SUBMISSION OF DATA

All utilities shall submit the required data in the form and manner prescribed by the Council.

(b) FACILITY FORECAST

Every utility that owns, operates, or plans within the next 15 years to own or operate LEPGP's or HVTL's shall develop facility forecasts. On or before July 1 of each even-numbered year, the utility shall submit to the Council a report containing the information required in MEQC 74(a). The report may be appropriate portions of a single regional forecast or may be jointly prepared and submitted by two or more utilities. Joint forecasts shall distinguish clearly among the utilities.

(c) FACILITY DEVELOPMENT PLANS

(1) Every utility that owns, operates or plans within the following five years to start construction on, own or operate LEPGP's or HVTL's shall prepare facility development plans of facilities that it will need to meet and fulfill the expected demands for electric energy during the five-year period. The plans may be appropriate portions of a single regional plan or may be jointly prepared and submitted by two or more utilities. Joint development plans shall distinguish clearly among the utilities.

(2) The utility shall submit to the Council its plans containing the information required in MEQC 74(b) on or before July 1 of each year with the first submission due on July 1, 1976.

(d) ANNUAL ASSESSMENT

(1) Purpose. An annual assessment shall be made against all utilities for the purpose of financing the Council's base line studies, general environmental studies, development of criteria, inventory preparation and all other work pursuant to the Act, other than specific site, corridor, and route selection.

(2) Determination.

(aa) On or before April 1 of each year, each utility shall submit to the Council a report of its retail kilowatt-hour sales in the State and its gross revenue from retail kilowatt-hour sales in the State for the preceding calendar year."

(bb) The share of each utility shall be determined by the Council as follows:

(i) the ratio that the annual retail kilowatt-hour sales in the State of each utility bears to the annual total retail kilowatt-hour sales in the State of all such utilities, multiplied by 0.667, plus

(ii) the ratio that the annual gross revenue from retail kilowatt-hour sales in the State of each utility bears to the annual total gross revenues from retail kilowatt-hour sales in the State of all such utilities, multiplied by 0.333.

(cc) The total assessment shall be based on actual expenses of the Council for the first nine months of the fiscal year and on its estimated expenses for the last three months of the fiscal year. Underpayments or overpayments shall be adjusted on the succeeding bill. In no case shall the total assessment be greater than the annual expenditures of the Council required to carry out the purposes of MEQC 72(d)(1).

(3) Payment.

(aa) Before May 15 of each year, the Council shall bill each utility for its share of the assessment. The bill shall constitute notice of the assessment and demand of payment thereof.

(bb) The utility shall pay the assessment to the State Treasurer within 30 days after receipt of the bill.

MEQC 73

PROCEDURAL ASPECTS OF POWER PLANT
SITING AND TRANSMISSION ROUTING

(a) INVENTORY OF POTENTIAL LARGE ELECTRIC POWER GENERATING PLANT SITES AND HIGH VOLTAGE TRANSMISSION LINE CORRIDORS

(1) Responsibility. The Council shall assemble and publish an inventory of potential LEPGP sites and HVTL corridors on the advice and recommendation of its advisory bodies.

(2) Public Participation. The Council shall provide for public input into the development and revision of its inventory as required in MEQC 75.

(3) Publication. The inventory report shall be published on or before July 1, 1975. It shall include the criteria, standards, and methodology used in developing the potential site and corridor inventory, and a statement of the reasons each site or corridor was included. It shall also include a general description of the various candidate areas within the state and the weighting factors that shall be applied within those candidate areas to the site selection criteria. In developing the weighting factors the Council shall regard health effects, water and air quality, water appropriation, and large generating capacity as generally more important than other considerations.

(4) Update and Revision.

(aa) After completion of the initial inventory of potential sites and corridors, the Council shall have a continuing responsibility to evaluate, update annually, and publish its inventory.

(bb) When, as a result of changed circumstances or information, a site or corridor is inconsistent with prescribed criteria or no longer meets prescribed standards, the Council shall remove the site or corridor from the inventory of potential sites and corridors.

(b) DESIGNATION OF SITES AND CORRIDORS

(1) Application.

(aa) A utility shall submit to the Council an application for designation of a specific power plant site or transmission line corridor, that shall contain the supporting information required in MEQC 74 (f) or (g).

(bb) The applicant shall pay to the Council a fee in an amount equal to $500 for each $1,000,000 of production or transmission line plant investment in the proposed installation

as defined in the Federal Power Commission Uniform System of Accounts. For a power plant site, 25 percent of the fee shall accompany the application, and the balance is payable in three equal installments at the end of 90, 180, and 270 days. For a transmission line corridor, 25 percent of the fee shall accompany the application, and the balance is payable in three equal installments at the end of 45, 90, and 135 days. The applicant shall pay within 30 days of notification such additional fees as are reasonably necessary for completion of the plant site or transmission line corridor evaluation and selection process by the Council. In no event shall the total fees required of the applicant under this subdivision exceed an amount equal to 0.001 of said production or transmission line plant investment ($1,000 for each $1,000,000) except that the minimum application fee shall not be less than $5,000. In the event that the expenses incurred in processing applications are less than the fee paid, the excess shall be refunded to the applicant.

(2) Council action on site or corridor designation application. Upon the receipt of an application, the Council shall immediately initiate the study, evaluation, and hearings on any sites or corridors proposed by the utilities and on such other sites or corridors as the Council deems necessary. When the Council studies other sites or corridors, in addition to those submitted by the applicant, the Council shall inform the applicant and the public. The Council shall use the following procedure:

(aa) Notice. Within 15 days of the receipt of an application, the Council shall mail a notice of the receipt of the application to the appropriate state, federal, and local agencies and to other persons who have requested notification. The notice shall include a map showing the proposed sites or corridors.

(bb) Advisory Committee. Within 60 days of the receipt of an application, the Council shall appoint a site evaluation committee or may appoint a corridor evaluation committee as set forth in MEQC 75.

(cc) Public Hearings.

(i) The Council shall hold public hearings to meet the following requirements:

(aaa) The Council shall hold at least one public hearing in each county where a site is being considered for designation.

(bbb) The Council shall hold at least one public hearing in each development region where a corridor is being considered for designation.

(ii) Notice of public hearings shall be given by the Council at least 30 days in advance but no earlier than 45 days prior to such hearings. Notice shall be by publication in a legal newspaper of general circulation in the county or counties in which the site or corridor is being considered; by mailed notice to the applicant, the chief executive of each development region and county within which the site or corridor is being considered, each legislator within whose district the site or corridor is being considered, and the chief executive of each incorporated municipality within the involved counties; by press release; and by paid radio, television or newspaper advertisement in the area.

(iii) The Council may hold one or more public informational meetings preceding each public hearing. Notice shall be by publication in a legal newspaper of general circulation in the county or counties in which the site or corridor is being considered; by mailed notice to the applicant, the chief executive of each development region and county within which the site or corridor is being considered, each legislator within whose district the site or corridor is being considered, and the chief executive of each incorporated municipality within the involved counties; and by press release; and by paid radio, television or newspaper advertisement in the area.

(dd) State Agency Participation. State agencies with the authority to issue permits or certification required for construction or operation of LEPGP's or HVTL's shall participate in and present the position of the agency at public hearings and all other activities of the Council on specific site, corridor or route designations. Each shall clearly state whether the proposed site, corridor, or route will be in compliance with the state agency standards, regulations or policies insofar as it can be determined based on the information available at that time. When a state agency does not present a written statement of its position upon the request of the Council, within the time period specified by the Council, the Council shall so notify the applicant.

(ee) Federal Agency Participation. Federal agencies with the authority to grant construction and operating permits for LEPGP's and HVTL's shall be invited by the Council to present their position.

(ff) Other Participation. All agencies, including regional and local governments, planning agencies, and other organizations (including citizen groups) with the authority to grant permits or certifications for, or are known by the Council to be concerned with, the construction or operation of LEPGP's and HVTL's shall be invited by the Council to present their positions.

(gg) Designation of a Site or Corridor.

(i) The site or corridor shall be designated in accordance with MEQC 74 by the issuance to the utility of a certificate of site or corridor compatibility.

(ii) The Council shall designate a site for a specific size and type of LEPGP within one year of the receipt of an application. The Council shall designate a corridor within 180 days of the application. The time for designation of a site may be extended for six months by the Council for just cause.

(iii) When the Council has designated the site or corridor, it shall notify the following:

(aaa) The units of government within the designated site or corridor;

(bbb) The state and federal agencies that process permits on the site or route;

(ccc) The formal participants at the public hearings;

(ddd) Requesting persons; and

(eee) Legislators whose districts are partially or wholly within the site or corridor.

The notice shall include a precise description of the locale of the site or corridor, the type of facility, and the reasons for the Council's selection.

(iv) When the Council denies an application, it shall state the reasons for the refusal and the changes in the size, type, and/or location of the facility necessary to designate a site or corridor in compliance with the standards.

(c) CONSTRUCTION PERMITS FOR TRANSMISSION LINES

(1) Application. Within two years from the date of the issuance of a certificate of corridor compatibility, the utility shall apply to the Council for a construction permit for a HVTL within the approved corridor. The application shall contain the information required in MEQC 74 (h).

(2) Fees. The applicant shall pay the Council a fee in an amount equal to $500 for each $1,000,000 of transmission line plant investment in the proposed installation as defined in the Federal Power Commission Uniform System of Accounts. Twenty-five percent of the fee shall accompany the application, and the balance shall be payable in three equal installments at the end of 45, 90, and 135 days. The applicant shall pay within 30 days of notification such additional fees as are reasonably necessary for completion of the transmission line route evaluation and selection process by the Council. In no event shall the total fees required of the applicant under this subdivision exceed an amount equal to 0.001 of said transmission line plant investment ($1,000 for each $1,000,000) except that the minimum application fee shall not be less than $5,000. When the expenses incurred in processing applications for permits in accordance with these Regulations are less than the fee paid, the excess shall be refunded to the applicant.

(3) Route Evaluation Committee. Upon receipt of an application by a utility for a construction permit, the Council shall appoint a Route Evaluation Committee as set forth in MEQC 75.

(4) Public Hearings. The Council shall hold at least one public hearing in each county where a route is being considered for the issuance of a permit for construction of a HVTL. Notice of public hearings shall be given by the Council at least 30 days, but no earlier than 45 days, prior to the hearings. Notice shall be by publication in a legal newspaper of general circulation in the county in which the public hearing is to be held; by mailed notice to the applicant, the chief executive of each development region and county within which the route is being considered, each legislator within whose district the route is being considered, and the chief executive of each incorporated municipality within the involved counties; by press release; and by paid radio, television, or newspaper advertisement in the area.

(5) Public Informational Meetings. The Council shall hold one or more public informational meetings preceding each public hearing. Notice shall be as required in MEQC 73(c)(4).

(6) Council Action. Following study and evaluation by the Council of the type, design, routing, right-of-way preparation, and facility construction identified in the utility's application and, when possible, alternatives, and following public hearings by the Council, the Council shall issue a HVTL construction permit specifying the location and width of the route, the width of the right of way

and other appropriate conditions. The permit shall be issued by the Council in a timely manner and published no later than 180 days after receipt of the application by the Council. Following issuance of a construction permit, a utility shall file with the Council its construction plans for each phase of the application at least 60 days prior to commencement of construction of that phase.

(7) Local Regulations, State Permits, State Agency Participation, Federal Regulations. The provisions of MEQC 73(b)(2)(dd), 73(b)(2)(ee), 73(b)(2)(ff), and 73(g) shall also apply to this permit consideration.

(d) EMERGENCY CERTIFICATION

(1) Application.

(aa) Any utility whose electric power system requires the immediate construction of a LEPGP or a HVTL may apply to the Council for an emergency certificate of site compatibility or permit for the construction of a HVTL.

(bb) The application shall include the supporting information required in MEQC 74(i).

(2) Fees. The fee shall be $500 for each $1,000,000 of power plant investment or $1,000 for each $1,000,000 of transmission line investment in the proposed installation as defined in the Federal Power Commission Uniform System of Accounts. Twenty-five percent of the fee shall accompany the application, and the balance is payable in three equal installments at the end of 45, 90, and 135 days. The applicant shall pay within 30 days of notification such additional fees as are reasonably necessary for completion of the plant site or transmission line route evaluation and selection process by the Council. In no event shall the total fees required of the applicant under this subdivision exceed an amount equal to 0.001 of said power plant investment ($1,000 for each $1,000,000) or 0.002 of said transmission line investment ($2,000 for each $1,000,000) except that the minimum application fee shall not be less than $5,000 in the case of a power plant or $10,000 in the case of a transmission line.

(3) Public Hearing.

(aa) A public hearing on whether or not a demonstrable emergency exists shall be held within 60 days of the receipt of the application.

(bb) If the Council finds that an emergency exists, a second public hearing, on the merits of the site or route for which application is being made, shall be held in the development region within which the site is being considered or in one development region through which the route under consideration passes. Any sites or routes proposed by the Council shall also be considered.

(cc) Notice shall be by publication in a legal newspaper of general circulation in each county in the development region in which the hearing is to be held; by mailed notice to the applicant, the chief executive of each development region and each county involved, each legislator within whose district the site or route is being considered, and the chief executive of each incorporated municipality within the involved region; by press release; and by paid radio, television or newspaper advertisement in the area. Notice shall be given by the Council at least 30 days in advance, but no earlier than 45 days, prior to the hearing.

(4) Council Action.

(aa) The Council shall apply the criteria of MEQC 74(i) to determine within 90 days of receipt of the application whether a demonstrable emergency exists that requires immediate construction and whether adherence to the procedures and time schedules required under these Regulations would jeopardize the utility's electric power system.

(bb) If the Council finds that a demonstrable emergency does not exist, the Council shall issue a final order to that effect. All expended fees shall be forfeited by the applicant.

(cc) If the Council finds that a demonstrable emergency exists, such that adherence to the non-emergency siting procedures and time schedules set forth in these regulations would jeopardize the utilities electric power system, the Council shall apply the criteria of MEQC 74(c), 74(d) and the considerations of MEQC 74(j) and issue and publish a certificate or permit within 180 days of receipt of the application. Notice of the Council action shall include a precise description of the locale of the site or route, the type of facility and the reasons for the Council's selection.

(dd) If the Council denies an application, it shall state the reasons for the refusal and the changes in the size, type or location of the facility necessary to allow site designation or issuance of a construction permit in compliance with the standards.

(5) Local Regulations, State Permits, State Agency Participation, Federal Regulations. The provisions of MEQC 73(b)(2)(dd), 73(b)(2)(ee), 73(b)(2)(ff), and 73(g) shall also apply to emergency certification.

(e) IMPROVEMENT OF ACQUIRED PLANT SITES AND ROUTE LOCATIONS

(1) Delay in Construction. Utilities that have acquired a power plant site or transmission line route may proceed to construct or improve the site or route, in accordance with these Regulations. However, when the construction and improvement has not commenced four years after the site certificate or construction permit has been issued by the Council, the utility shall certify to the Council that there has been no significant changes in any material aspects of the conditions or circumstances existing when the certificate of site compatibility or transmission line construction permit was issued. When the Council determines that there is a significant change, the Council may suspend the certificate or permit and order a new hearing and further Council consideration of the matter.

(2) Minor Alterations in HVTL Construction Permits. Following the issuance of a HVTL conditional or final construction permit, a utility may, if necessary, apply to the Council for minor alterations on conditions specified in the permit. The Council shall determine within 45 days of the application:

(aa) Whether or not the requested changes are significant enough to warrant Council study and approval;

(bb) Whether or not to order public hearings near the affected areas;

(cc) Whether or not additional fees shall be assessed; and

(dd) The amount of time necessary for the Council to complete its studies.

Within 60 days of its decision to study the application, the Council shall determine whether it would be impracticable for the utility to proceed without the minor alterations and shall grant or deny the utility's application.

(f) TRANSMISSION LINE EXEMPTION

Transmission line additions or modifications under 1.6 kilometers in length may be exempted from these Regulations by Council action. The following procedure shall be used:

(1) Application. A utility shall submit to the Council an application for exemption of a specific transmission line containing the following information:

(aa) the engineering design concepts;

(bb) the proposed route;

(cc) description of the plans for right-of-way preparation and for construction; and

(dd) description of the setting, including a generalized field survey and the environmental impact of the proposed action.

(2) Council Action. The Council shall approve or deny the application within 60 days of receipt.

(g) COUNCIL PREEMPTION OF SITING AND ROUTING ACTIVITIES

(1) Regional and Local Regulations.

(aa) The issuance of a certificate of site compatibility or transmission line construction permit and the subsequent purchase and use of the site or route locations by the utility, pursuant to the certificate or permit, shall be the sole site approval required of the utility.

(bb) The certificate or permit shall supersede and preempt all zoning, building, or land use rules, regulations, or ordinances promulgated by regional, county, local or special purpose governments.

(2) State Permits.

(aa) Utilities shall obtain state permits or certifications that may be required to construct and operate LEPGP's and HVTL's. However, a state agency in processing a utility's facility permit application shall be bound by the decisions of the Council regarding the site designation for the LEPGP or the corridor or route designation for the HVTL, and other matters for which authority has been granted to the Council by the Act and these Regulations.

(h) FAILURE TO ACT

If the Council fails to designate a LEPGP and HVTL corridor or route as provided in these Regulations, the affected utility may seek an order of the District Court requiring the Council to designate a site, corridor, or route.

(i) JUDICIAL REVIEW

(1) Any utility, party or person aggrieved by:

(aa) the issuance of a certificate or emergency certificate of site compatibility or transmission line construction permit;

(bb) a certification of continuing suitability filed by a utility with the Council; or

(cc) a final order issued by the Council in accordance with these Regulations

may appeal therefrom to any District Court where the LEPGP or HVTL is to be located.

(2) The appeal shall be made and perfected within 60 days after the issuance of the certificate or permit by the Council, the certification filed with the Council or the filing of any final order by the Council.

(3) The notice of appeal to the District Court shall be filed with the Clerk of the District Court and a copy thereof mailed to the Council and affected utility.

(4) Any utility, party or person aggrieved by a final order or judgment rendered on appeal to the District Court may appeal therefrom to the Supreme Court in the manner provided in civil actions.

(j) ENFORCEMENT, PENALTIES

(1) Any person who violates this Act or these Regulations, or knowingly submits false information in any report required by this Act shall be guilty of a misdemeanor for the first offense and a gross misdemeanor for the second and each subsequent offense. Each day of violation shall constitute a separate offense.

(2) The provisions of the Act and these Regulations may be enforced by injunction, action to compel performance or other appropriate action in the District Court of the county wherein the violation occurs. The Attorney General shall bring any action under these Regulations upon the request of the Council.

(3) When the Court finds that any person has violated the Act or these Regulations, knowingly submitted false information in any report required by the Act or these Regulations, or has violated any court order issued under the Act or these Regulations, the Court may impose a civil penalty of not more than $10,000 for each violation.

MEQC 74

SUBSTANTIVE ASPECTS OF THE POWER PLANT SITING PROCESS

(a) CONTENT OF FACILITY FORECAST

A facility forecast shall contain the following information:

(1) Identification of the location, generating capacity (over one megawatt), type, and fuel of all existing electric power generating plants and of the location, transmission capacity, and type of all existing transmission lines designed to operate at a nominal voltage of 100 kilovolts or more;

(2) Identification of the location, generating capacity (over one megawatt), type, and fuel of all existing electric power generating plants and of the location, transmission capacity, and type of all existing transmission lines designed to operate at a nominal voltage of 100 kilovolts or more intended to be removed from service in the fifteen-year period; description of land use plans for the sites and routes involved;

(3) Identification of the location, generating capacity (over one megawatt), type, and fuel of all electric power generating plants and of the location, transmission capacity, and type of all transmission lines designed to operate at a nominal voltage of 100 kilovolts or more removed from service in the preceding five-year period; statement of the disposition of the sites and routes involved (real property and easements);

(4) Description of the tentative regional location, generating capacity, type, fuel, land and water areas involved, anticipated maximum water demand (maximum rate and yearly volume), and source of water for all new LEPGP's and the tentative regional location, transmission capacity, and type of all new HVTL's to be constructed, owned, or operated by the utility in the fifteen-year period;

(5) Statement of the projected demand for electric energy for the fifteen-year period and the underlying assumptions for this forecast, the information to be as geographically specific as possible as to where this demand will occur; and statement of the demand for the past ten years;

(6) Description of the capacity of the electric power system to meet such demands during the ensuing fifteen years;

(7) Description of the current transmission grid and of the forecasted grid together with the reasons for changing the capacity and reliability of the grid; and

(8) Description of the utility's relationship to other utilities and regional associations, power pools or networks.

(9) Other relevant information as may be requested by the Council.

(b) CONTENT OF FACILITY DEVELOPMENT PLAN

The facility development plans shall contain the following information:

(1) Identification of the location, generating capacity (over one megawatt), type, and fuel of all existing electric power generating plants and of the location, transmission capacity, and type of all existing transmission lines designed to operate at a nominal voltage of 100 kilovolts or more;

(2) Identification of the location, generating capacity (over one megawatt), type, and fuel of all existing electric power generating plants and of the location, transmission capacity, and type of all existing transmission lines designed to operate at a nominal voltage of 100 kilovolts or more intended to be removed from service in the five-year period or on completion of the construction of large electric power generating plants and high voltage transmission lines;

(3) Identification of the location, generating capacity (over one megawatt), type, and fuel of all electric power generating plants and of the location, transmission capacity, and type of all transmission lines designed to operate at a nominal voltage of 100 kilovolts or more removed from service in the preceding five-year period; statement of the disposition of the sites and routes involved (real property and easements);

(4) Description of the generating capacity, type, water demand (maximum rate and yearly volume), land and water area, fuel, and proposed source of water and fuel of all LEPGP's and of the transmission capacity and type of all HVTL's on which construction is to be commenced or for which an application is to be filed with the Council by the utility in the five-year period;

(5) Identification of the location of the tentative preferred site and at least one alternative site for all LEPGP's, and the tentative preferred corridors and at least one alternative corridor for all HVTL's on which construction is intended to be commenced or for which an application is to be filed with the Council in the five-year period, and preliminary indication of the potential impact of the planned plants and lines on existing environmental values, and how potential adverse effects on the values shall be avoided or minimized at least detriment to the public and to the total environment. After July, 1976, at least one site identification shall be made from the inventory published by the Council. In the event a utility identifies a

plant site or transmission line corridor not contained in the Council's inventory of potential sites and corridors, the utility shall set forth the reasons for the identification and shall make an evaluation of the identified sites and corridors using the Council's plant siting and routing criteria.

(c) CRITERIA FOR LEPGP SITING

The following criteria and standards shall be used by the Council in the preparation of an inventory of potential LEPGP sites and to guide the site suitability evaluation and selection process. These criteria are not grouped according to their application to nuclear plants, as opposed to fossil fuel and other types of plants. Not all site selection criteria are applicable to all plants to the same degree. Sites which are environmentally sound should not be excluded from the inventory due to costs or limited generating capacity.

(1) Exclusion Criteria.

(aa) No LEPGP shall be sited in violation of any federal or state law or regulation. No area shall be considered in which a LEPGP is not licensable by all appropriate state and federal government agencies.

(bb) The following land areas shall be excluded: national parks; national historic sites and landmarks; national historic districts; national monuments; national wilderness areas; national wildlife refuges; national, wild, scenic, and recreational riverways; state wild, scenic, and recreational rivers and their land use districts; state parks; Nature Conservancy preserves; state scientific and natural areas; state wilderness areas; and any area designated a LEPGP exclusion area by the Council.

(cc) No area shall be considered which does not have reasonable access to a proven water supply sufficient for plant operation. No use of ground water shall be permitted where mining of ground water resources will result. "Mining" as used herein shall mean the removal of ground water that results in material adverse effects on ground water in and adjacent to the area, as determined in each case.

(dd) No water shall be transferred between the four major drainage basins within the state: that is, the Missouri River drainage basin, the Mississippi River drainage basin, the Lake Superior drainage basin, and the Red-Rainy River drainage basin.

(ee) Water intake structures and water pipelines shall not necessarily be prohibited from land areas excluded for power plant sites.

(2) LEPGP Avoidance Areas.

(aa) In addition to exclusion areas, the following land use areas shall not be approved for LEPGP sites when feasible and prudent alternatives with lesser adverse human and environmental effect exist. Economic considerations alone shall not justify approval of avoidance areas. Any approval of such areas shall include all possible planning to minimize harm to these areas. LEPGP avoidance areas are: state registered historic sites; state historic districts; state wildlife management areas (except in cases where the plant cooling water is to be used for wildlife management purposes); county parks; metropolitan parks; designated state and federal recreational trails; designated trout streams; and the rivers identified in Minn. Stat. § 85.32, subd. 1 (1971); and any other area designated a LEPGP avoidance area by the Council.

(bb) LEPGP avoidance areas also apply to new transportation access routes and storage facilities associated with the plant in addition to the plant itself. Water intake structures and water pipelines shall not necessarily be prohibited from LEPGP avoidance areas.

(cc) No transfer of water between sub-basins within each of the four major drainage basins shall be permitted except where it can be clearly demonstrated that the transfer will not have an adverse effect on water supplies or water quality in the areas involved.

(dd) The use of ground water for high consumption purposes, such as cooling, shall be avoided if feasible and prudent surface water alternatives less harmful to the environment exist. Ground water use to supplement available surface water shall be permitted if the cumulative impact minimizes environmental harm.

(3) Site Selection Criteria. The following criteria shall be applied in the selection of sites:

(aa) Preferred sites require the minimum population displacement and disruption of local communities and institutions.

(bb) Preferred sites minimize adverse health effects on human population.

(cc) Preferred sites do not require the destruction or major alteration of land forms, vegetative types, or wildlife habitat which are rare, unique, or of unusual importance to the surrounding area.

(dd) Preferred sites minimize the visual and audible impingement on waterways, parks, or other existing and proposed public recreation areas.

(ee) Preferred sites minimize the removal of valuable and productive land and water from other necessary uses and minimize conflicts among water users.

(ff) Preferred sites maximize reliability with respect to climate and geology.

(gg) Preferred sites permit significant conservation of energy or utilization of by-products.

(hh) Preferred sites are located near large load centers.

(ii) Preferred sites maximize the use of already existing operating sites and transportation systems.

(jj) Preferred sites allow for larger rather than smaller generating capacity.

(d) CRITERIA FOR HVTL CORRIDOR SELECTION

The following criteria and standards shall be used by the Council in the preparation of an inventory of HVTL corridors and to guide the Council in the evaluation and selection of HVTL routes.

(1) Exclusion Criteria.

(aa) No HVTL shall be routed in violation of any federal or state agency regulations.

(bb) No HVTL shall be routed through national wilderness areas, state wilderness areas or through any area designated a HVTL exclusion area by the Council.

(2) Transmission Line Avoidance Areas. In addition to exclusion areas, the following land use areas shall not be approved for HVTL routes when feasible and prudent alternatives with lesser adverse human and environmental effects exist. Economic considerations alone shall not justify approval of avoidance areas. Any approval of such areas shall include all possible planning to minimize harm to these areas. HVTL avoidance areas are: national parks; national historic sites and districts and natural landmarks; national monuments; national wildlife refuge areas; national wild, scenic, and recreational riverways; state wild, scenic, and recreational rivers and their land use districts; state parks; state registered historic sites; state historic districts; Nature Conservancy preserves; state scientific and natural areas; county parks; metropolitan parks; designated state and federal recreational trails; designated state canoe and boating routes; and any other area designated a transmission line avoidance area by the Council.

(3) Selection Criteria. The following criteria shall be applied in the selection of corridors:

(aa) Preferred corridors and routes minimize disruption to existing urbanized land uses and human settlement.

(bb) Preferred corridors and routes minimize disruption to existing and potential irrigated and non-irrigated agricultural land uses.

(cc) Preferred corridors and routes minimize disruption to recreational and historical land uses.

(dd) Preferred corridors and routes minimize disruption to natural systems including vegetation, wildlife, and water.

(ee) Preferred corridors and routes maximize utilization of existing and proposed rights-of-way.

(ff) Preferred corridors and routes minimize visual impact on urbanized land, recreational land and water, and transportation corridors.

(gg) Preferred corridors and routes optimize cost of materials, labor, right-of-way acquisition, project schedules, and maintenance.

(hh) Preferred corridors and routes minimize disruption to existing and potential forestry land uses.

(ii) Preferred corridors and routes minimize impact upon projected human settlement.

(jj) Preferred corridors and routes maximize reliability with respect to climate, soils, geology, and vandalism.

(kk) Preferred corridors and routes maximize accessibility.

(ll) Preferred corridors and routes minimize disruption to existing and potential extractive and storage resources.

(e) INVENTORY

The inventory report shall include the criteria, standards, and methodology used in developing the site and corridor inventory and the inventory itself.

(f) SITE APPLICATION

An application for the designation of a specific LEPGP site shall contain the following information:

(1) The size and type of the plant;

(2) The preferred site;

(3) At least one alternate site;

(4) The engineering design concepts for the plant;

(5) An engineering analysis of each of the proposed sites;

(6) An environmental analysis of each of the proposed sites;

(7) A cost analysis of the plant to be constructed on each of the proposed sites;

(8) A statement of ownership of the plant and an affidavit that the applicant is authorized to act on behalf of the owner; and

(9) The procedures and practices for ultimate abandonment and restoration of the site.

Additional topics for analysis shall include the environmental criteria listed in these Regulations, the considerations provided in these Regulations, the requirements that shall be met to obtain the necessary permits from state and federal agencies, site preparation procedures, and construction practices. After July 1976, at least one site identification shall be made from the inventory published by the Council.

(g) CORRIDOR APPLICATION

An application for the designation of a specific HVTL corridor shall contain the following information:

(1) The size and type of the line;

(2) The preferred corridor;

(3) At least one alternate corridor;

(4) The engineering design concepts for the line;

(5) A preliminary engineering analysis of each of the proposed corridors;

(6) A preliminary environmental analysis of each of the proposed corridors;

(7) A preliminary cost analysis of the line to be constructed on each of the proposed corridors; and

(8) A statement of ownership of the line and an affidavit that the applicant is authorized to act on behalf of the owner.

Additional topics for analysis shall include the environmental criteria listed in these Regulations, the considerations provided in these Regulations, the requirements that shall be met to obtain the necessary permits from state and federal agencies, right-of-way preparation procedures, and construction practices.

(h) HVTL CONSTRUCTION PERMIT APPLICATION

The application for a construction permit for a HVTL shall contain the following information (in more detail than in the application for corridor designation as is appropriate):

(1) The proposed route of the line within the designated corridor;

(2) The engineering design concepts for the line;

(3) An engineering analysis of the proposed route;

(4) A cost analysis of the line;

(5) Any environmental impact of the line, route, construction practices, right-of-way preparation that was not discussed in the application for corridor designation;

(6) Procedures and practices for ultimate abandonment and restoration of the route; and

(7) Any other factors that have changed since the application for corridor designation was submitted.

(i) EMERGENCY CERTIFICATION

(1) Application. The Emergency Certification Application shall include the following:

(aa) The preferred location of the LEPGP or the preferred route of the HVTL, and at least one alternative site or route;

(bb) The engineering design concepts for the plant or line;

(cc) An engineering analysis for each of the proposed sites or routes;

(dd) An analysis of the environmental impact of the facility and construction process for each of the proposed sites or routes;

(ee) A detailed statement and analysis of the reasons why the application is considered to be an emergency, including the reasons why the project was not forecast if such is the case;

(ff) A cost analysis of the project;

(gg) Site preparation and construction plans and practices;

(hh) Procedures and practices for ultimate abandonment and restoration of the site or route; and

(ii) A statement of ownership of the plant or line and an affidavit that the applicant is authorized to act on behalf of the owner.

After July 1976, at least one site identification shall be made from the inventory published by the Council.

(2) Criteria.

(aa) The Council in determining whether or not an emergency exists shall consider evidence concerning any or all of the following:

(i) that the situation could not reasonably have been anticipated in time to utilize the normal application procedure;

(ii) that there was no opportunity for more timely notice of its need;

(iii) that the situation resulted from conditions beyond the control of the utility;

(iv) That the situation is not the result of unreasonable demands upon the utility resulting from inadequate planning and/or dilatory practices on the part of consumers in its service area.

(v) that there is no feasible and prudent alternative available to the utility under its statutory responsibilities other than immediate construction of facilities, and that the utility is prepared to and will upon authorization carry out the acquisition and construction program at the maximum practicable rate of progress.

(bb) If an emergency is determined to exist, then the site or route selection criteria shall be the same as in MEQC 74(c) and MEQC 74(d). In its evaluation, the Council shall be guided by the considerations in MEQC 74(j).

(j) EVALUATION OF PROPOSED SITES OR CORRIDORS

To facilitate the study, research, evaluation and designation of sites and corridors for LEPGP's and HVTL's and the approval of specific transmission line facilities and their routes, the Council shall be guided by, but not limited to, the following responsibilities, procedures, and considerations:

(1) Evaluation of research and investigations relating to the effects on land, water and air resources of LEPGP's and HVTL's and the effects of water and air discharges from such plants on public health and welfare, vegetation, animals, materials, and aesthetic values, including base line studies, predictive modeling, and monitoring of the water and air mass at proposed sites and sites of operating LEPGP's, evaluation of new or improved methods of minimizing adverse impacts of water and air discharges and other matters pertaining to the effects of power plants on the water and air environment;

(2) Evaluation of the environmental effects of LEPGP sites and HVIL corridors and routes proposed for future development and expansion and their relationship to the land, water, air, and human resources of the State;

(3) Evaluation of the effects of new electric power generation and transmission technologies and systems related to power plants designed to minimize adverse environmental effects;

(4) Evaluation of the potential for beneficial uses of waste energy from proposed LEPGP's;

(5) Analysis of the direct and indirect economic impact of proposed LEPGP's and HVTL's;

(6) Evaluation of adverse direct and indirect environmental effects that cannot be avoided should the proposed site and transmission line corridor or route be accepted;

(7) Evaluation of alternatives to the proposed site and transmission line corridors and routes;

(8) Evaluation of irreversible and irretrievable commitments of resources should the proposed site and transmission line corridor or route be approved; and

(9) Consideration of problems raised by other state and federal agencies and local entities, where appropriate;

MEQC 75

PUBLIC PARTICIPATION

(a) GENERAL POLICY

The Council shall provide for the maximum practicable public input into the power plant siting and transmission line routing process.

(b) ADVISORY COMMITTEES

The Council shall appoint one or more advisory committees to assist it in carrying out its duties and responsibilities. Members of the committees shall be reimbursed for expenses incurred pursuant to the regulations that govern expenses of state employees.

(1) Power Plant Siting Advisory Committee. The Power Plant Siting Advisory Committee shall work closely with the Council staff in reviewing, advising, and making recommendations to the Council with regard to the development, revision, and enforcement of any regulation, inventory, or program initiated under the Act or these Regulations. The Council shall provide additional guidance to the Committee in the form of an annual charge and through specific requests. The Committee shall be comprised of 15 to 25 persons appointed by the Council for a one-year term corresponding to the fiscal year. It shall include a majority of private citizens and at least one representative from each of the following: utilities; regional development commissions; county governments; and municipal governments.

(2) Site Evaluation Committee. Committees shall be appointed to assist the Council in the evaluation of plant sites that are being considered for designation. The Council shall provide a charge to the committee and a date by which the committee is to complete its evaluation. The committee shall be comprised of as many persons as may be designated by the Council, but shall include at least one representative from each of the following: a public or municipally owned utility; a private investor owned utility; a cooperatively owned utility; and each regional development commission, county, and municipal corporation in which a LEPGP site or HVTL corridor is proposed to be located. A majority of the members shall be public representatives.

(3) Corridor Evaluation Committee. Committees may be appointed to assist the Council in the evaluation of transmission line corridors that are being considered for designation. The Council shall provide a charge to the Committee and a date by which the Committee is to complete its evaluation. The Committee shall be comprised of as many persons as may be designated by the Council, but shall include at least one representative from each of the following: a public or municipally owned utility; a private investor owned utility; a cooperatively

owned utility; and each regional development commission, county, and municipal corporation in which a LEPGP site of HVTL corridor are proposed to be located. A majority of the members shall be public representatives.

(4) Route Evaluation Committee. Committees shall be appointed to assist the Council in the evaluation of transmission line routes over 40 kilometers in length that are being considered for a construction permit. The Council shall provide a charge to the committee and a date by which the committee is to complete its evaluation. Members of this committee may be the same as those on the appropriate Specific Corridor Evaluation Committee. The Council may appoint a committee to assist it in the evaluation of routes under 40 kilometers in length.

(c) OTHER PARTICIPATION

All agencies, including federal and state agencies, regional and local governments, planning agencies, and other organizations (including citizen groups) which are authorized to grant permits or certifications for, or are known by the Council to be concerned with, the construction or operation of LEPGP's and HVTL's shall be invited by the Council to present their positions with respect to the development and revision of the inventory and with respect to the designation of a site, corridor, or route.

(d) INFORMATIONAL MEETINGS

The Council, at its discretion, may hold informational meetings to present major issues and alternatives under consideration by the Council, to present an outline of the information upon which the issues shall be decided, and to answer questions of the public. Public notice will be made through the media best serving the area primarily affected by the issues under consideration.

(e) ANNUAL PUBLIC HEARING

The Council shall hold an annual public hearing on the second Saturday in September at 10:00 A.M. in St. Paul in order to afford interested persons an opportunity to be heard regarding its inventory of potential sites and corridors, its Regulations, any other aspects of the Council's activities and duties or the policies set forth in these Regulations.

APPROVED AS TO FORM AND LEGALITY
August 2 19 74
WARREN SPANNAUS, ATTORNEY GENERAL
BY Michael B Miller
SPECIAL ASSISTANT ATTORNEY GENERAL

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
AUG 2 - 1974 - 4:15 pm
Arlen I. Erdahl
Secretary of State

FILED
RICHARD L. BRUBACHER
Commissioner of Administration
AUG 2 1974 4:20 pm
BY Eda Staudenmaier
AUTH. SIGNATURE EJ

4/10/74

PROPOSED REGULATIONS FOR THE POWER PLANT SITING ACT

MEQC 51

AUTHORITY, PURPOSE, DEFINITIONS

A. AUTHORITY

The regulations contained herein are prescribed by the Minnesota Environmental Quality Council pursuant to the authority granted to the Council in Minn. Stat., Sect. 116C.53 to provide for power plant site and transmission line corridor and route selection and in Section 116C.55, Section 116C.57, and Section 116C.66 to establish regulations to give effect to the purposes of Minn. Stat., Sect. 116C.51 through 116C.69, herein referred to as the Power Plant Siting Act. The Power Plant Siting Act deals with the siting of large electric generating plants and high voltage transmission lines.

B. PURPOSE

The purpose of these Regulations is to provide for the implementation of Minn. Stat., Sect. 116C.51 through 116C.69.

C. POLICY

It is the policy of the State to site large electric power facilities in an orderly manner compatible with environmental preservation and the efficient use of resources. Sites shall be selected by the Council to minimize adverse human and environmental impact while insuring continuing electric power system reliability and integrity and insuring that electric energy needs are met and fulfilled in an orderly and timely fashion.

D. DEFINITIONS

As used in these Regulations, the following terms shall have the meanings defined in this section, unless otherwise defined:

1. "Candidate areas" means sub-regions of the State which are determined by the absence of exclusion factors and which are homogeneous enough in geography, land use, and land cover such that specific power plant site and transmission line corridor and route selection criteria may be used with the same weighting factors within each candidate area.

2. "Construction" means significant physical alteration of a site or route but not including activities incident to preliminary engineering or environmental studies.

3. "Corridor" means the general location of a high voltage transmission line. For the inventory the end points should be defined, and the width may be variable up to approximately 20 miles. In a certificate of corridor compatibility, the end points shall be defined, and the width shall be specified by the Council.

4. "Council" means the Minnesota Environmental Quality Council, established pursuant to Minn. Stat. 1973, Section 116C.01 et seq.

5. "Exclusion criteria" (exclusion factors) mean criteria limiting candidate areas by removing other areas from general consideration for legal, engineering, or environmental reasons or because an area has been specifically designated an exclusion area by the Council. Exclusion criteria include all federal and state legal restrictions related to air quality, water quality, water appropriation, radiation, population and dedicated land use.

6. "High voltage transmission line" means a conductor of electric energy and associated facilities designed for and capable of operation at a nominal voltage of 200 kilovolts or more. Associated facilities shall include, but not be limited to, substations and terminals.

7. "Large electric power generating plant" means electric power generating equipment and associated facilities designed for or capable of operation at a capacity of 50,000 kilowatts or more, including but not limited to fossil fuel, nuclear fuel, pump storage and hydroelectric plants.

8. "Person" means an individual, partnership, joint venture, private or public corporation, association, firm, public service company, cooperative, political subdivision, municipal corporation, government agency, public utility district, or any other entity, public or private, however organized.

9. "Potential sites" means small sections of candidate areas identified by the general application of power plant site selection criteria. A potential site may be as large in area as a township. Considerations include, but are not limited to, local and area ecosystems, access by road or rail, soil and geological conditions, potential areas for pumped storage, and potential sites for cooling reservoirs. The inventory consists of potential sites.

10. "Recommended site" means a power plant site recommended to the Council as the result of an application by a utility for the designation of a specific site. The site may be one offered by the utility or one from the inventory. The alternative sites shall be judged by the in-depth application of the site selection criteria.

11. "Route" means the specific location of a high voltage transmission line between two given end points. In a construction permit, the Council shall specify the width of the right-of-way and the width of the route through which the center-line passes. The route may vary up to approximately one-half mile in width.

12. "Selection criteria" mean criteria used for identifying and ranking potential power plant sites and transmission line routes and corridors and thus form the basis from which judgmental weightings can be made. In some cases, two or more criteria are in conflict, and one criterion must be given more weight than the other.

13. "Site" means the location of a large electric power generating plant.

14. "Utility" means any entity engaged in this state in the generation, transmission or distribution of electric energy, whether for sale to others or for use by the owner, including, but not limited to, a private investor owned utility, cooperatively owned utility, a public or municipally owned utility, and a private corporation.

MEQC 52

RESPONSIBILITIES OF UTILITIES

A. SUBMISSION OF DATA

All utilities shall submit the required data in the form and manner prescribed by the Council.

B. ADVANCE FORECASTING

Every utility which owns, operates, or plans within the next 15 years to own or operate large electric power generating plants or high voltage transmission lines shall develop facility forecasts. On or before July 1 of each even-numbered year, the utility shall submit a report of its 15 year forecast to the Council. The report may be appropriate portions of a single regional forecast or may be jointly prepared and submitted by two or more utilities. Joint forecasts shall distinguish clearly among the utilities.

C. FACILITY DEVELOPMENT PLANS

1. Every utility which owns, operates or plans within the following five years to start construction on, own or operate large electric power generating plants or high voltage transmission lines shall prepare facility development plans of facilities that it will need to meet and fulfill the expected demands for electric energy during the five-year period. The plans may be appropriate portions of a single regional plan or may be jointly prepared and submitted by two or more utilities. Joint development plans shall distinguish clearly among the utilities.

2. The utility shall submit its plans to the Council on or before July 1 of each year with the first submission due on July 1, 1976.

D. ANNUAL ASSESSMENT

1. Purpose. An annual assessment shall be made against all utilities for the purpose of financing the Council's base line studies, general environmental studies, development of criteria, inventory preparation and all other work, pursuant to the Act, other than specific site, corridor, and route selection.

2. Determination.

a. On or before April 1 of each year, each utility shall submit to the Council its retail kilowatt-hour sales in the State and its gross revenue from retail kilowatt-hour sales in the State for the preceding calendar year.

b. The share of each utility shall be determined by the Council as follows:

(1) the ratio that the annual retail kilowatt-hour sales in the State of each utility bears to the annual total retail kilowatt-hour sales in the State of all such utilities, multiplied by 0.667, plus

(2) the ratio that the annual gross revenue from retail kilowatt-hour sales in the State of each utility bears to the annual total gross revenues from retail kilowatt-hour sales in the State of all such utilities, multiplied by 0.333.

c. The total assessment shall be based on actual expenses of the Council for the first nine months of the fiscal year and on its estimated expenses for the last three months of the fiscal year. Underpayments or overpayments shall be adjusted on the succeeding bill. In no case shall the total assessment be greater than the annual budget of the Council required to carry out the purposes of Paragraph D.1.

3. Payment.

a. Before May 15 of each year, the Council shall bill each utility for its share of the assessment. The bill shall constitute notice of the assessment and demand of payment thereof.

b. The utility shall pay the assessment to the State Treasurer within 30 days after receipt of the bill.

MEQC 53

PROCEDURAL ASPECTS OF POWER PLANT SITING AND TRANSMISSION ROUTING

A. INVENTORY OF POTENTIAL LARGE ELECTRIC POWER GENERATING PLANT SITES AND HIGH VOLTAGE TRANSMISSION LINE CORRIDORS

1. Responsibility. The Council shall assemble and publish an inventory of potential large electric power generating plant sites and high voltage transmission line corridors on the advice and recommendation of its advisory bodies.

2. Public Participation. The Council shall provide for public input into the development and revision of its inventory as required in MEQC 55.

3. Publication. The inventory report shall be published on or before July 1, 1975. It shall include the criteria, standards, and methodology used in developing the potential site and corridor inventory.

4. Update and Revision.

   a. After completion of the initial inventory of potential sites and corridors, the Council shall have a continuing responsibility to evaluate, update and publish its inventory.

   b. If, as a result of changed circumstances or information, a site or corridor is inconsistent with prescribed criteria or no longer meets prescribed standards, the Council shall remove such site or corridor from the inventory of potential sites and corridors.

B. DESIGNATION OF SITES AND CORRIDORS

1. Authority. Following publication of the inventory of potential sites and corridors and the submission of the five-year development plans of the utilities, large electric power generating plants and high voltage transmission lines shall be constructed only on a site or route designated by the Council.

2. Application.

   a. A utility shall submit to the Council an application for designation of a specific power plant site or transmission line corridor, which shall contain the supporting information required in MEQC 54.

b. The applicant shall pay to the Council a fee in an amount equal to $500 for each $1,000,000 of production or transmission line plant investment in the proposed installation as defined in the Federal Power Commission Uniform System of Accounts. For a power plant site, 25 percent of the fee shall accompany the application, and the balance is payable in three equal installments at the end of 90, 180, and 270 days. For a transmission line corridor, 25 percent of the fee shall accompany the application, and the balance is payable in three equal installments at the end of 45, 90, and 135 days. The applicant shall pay within 30 days of notification such additional fees as are reasonably necessary for completion of the plant site or transmission line corridor evaluation and selection process by the Council. In no event shall the total fees required of the applicant under this subdivision exceed an amount equal to 0.001 of said production or transmission line plant investment ($1,000 for each $1,000,000) except that the minimum application fee shall not be less than $5,000. In the event that the expenses incurred in processing applications are less than the fee paid, the excess shall be refunded to the applicant.

3. Council action on site or corridor designation application. Upon the receipt of an application, the Council shall immediately initiate the study, evaluation, and hearings on any sites or corridors proposed by the utilities and on such other sites or corridors as the Council deems necessary. It shall use the following procedure:

   a. Notice. Within 15 days of the receipt of an application, the Council shall mail a notice of the receipt of the application to the appropriate state, federal, and local agencies and to other persons who have requested notification.

   b. Advisory Committee. Within 60 days of the receipt of an application, the Council shall appoint a specific site (corridor) evaluation committee as set forth in MEQC 55.B.2.

   c. Public Hearings.

      (1) The Council shall hold public hearings to meet the following requirements:

(a) The Council shall hold at least one public hearing in each county where a site is being considered for designation as suitable for the construction of a large electric power generating plant.

(b) The Council shall hold at least one public hearing in each development region (pursuant to the Regional Development Act of 1969, Minn. Stat., Sect. 462.381 et seq.) where a corridor is being considered for designation as suitable for the construction of a high voltage transmission line.

(2) Notice of public hearings shall be given by the Council at least 30 days in advance but no earlier than 45 days prior to such hearings. Notice shall be by publication in a legal newspaper of general circulation in the county or counties in which the site or corridor is being considered and by mailed notice to the chief executive of each regional development commission and county within which the site or corridor is being considered and to the chief executive of each incorporated municipality within the involved counties.

(3) At its discretion, the Council may hold public informational meetings preceding each public hearing.

d. State Agency Participation. State agencies authorized to issue permits or certification required for construction or operation of large electric power generating plants or high voltage transmission lines shall participate in and present the position of the agency at public hearings and all other activities of the Council on specific site, corridor or route designations of the Council, which position shall clearly state whether the site, corridor, or route being considered for designation or permit approval for a certain size and type of facility will be in compliance with state agency standards, regulations or policies. No site or route shall be designated which violates state agency regulations. If a state agency does not present a written statement of its position upon request of the Council, within a time period specified by the Council, the Council shall so notify the applicant.

e. Federal Agency Participation. Federal agencies authorized to grant construction and operating permits for large electric power generating plants and high voltage transmission lines shall be invited by the Council to present their positions.

f. Other Participation. All agencies, including regional and local governments, planning agencies, and other organizations (including citizen groups) which are authorized to grant permits or certifications for, or are known by the Council to be concerned with, the construction or operation of large electric power generating plants and high voltage transmission lines shall be invited by the Council to present their positions.

g. Designation of a Site or Corridor.

(1) The designation of the site or corridor shall be made in accordance with the site selection criteria and standards established in these Regulations.

(2) The Council shall designate a site for a specific size and type of large electric generating plant within one year of the application. The Council shall designate a corridor within 180 days of the application. The time for designation of a site may be extended for six months by the Council for just cause.

(3) When the Council has designated the site or corridor, it shall serve notice upon the following:

(a) The units of government in the area affected by the designation;

(b) The state and federal agencies which process permits on the site or route;

(c) The formal participants at the public hearings; and

(d) Requesting persons.

The notice shall include a precise description of the locale of the site or corridor, the type of facility, and the reasons for the Council's selection.

(4) If the Council denies an application, it shall state the reasons for the refusal and specify the changes in size or type of facility that shall be necessary before the Council shall designate a site or corridor.

(5) Upon the designation of the site or corridor, the Council shall issue to the utility a certificate of site or corridor compatibility.

C. CONSTRUCTION PERMITS FOR TRANSMISSION LINES

1. Application. Within two years from the date of the issuance of a certificate of corridor compatibility, the utility shall apply to the Council for a construction permit for a high voltage transmission line within the approved corridor. The application shall contain the supporting information required in MEQC 34.

2. Fees. The applicant shall pay the Council a fee in an amount equal to $500 for each $1,000,000 of transmission line plant investment in the proposed installation as defined in the Federal Power Commission Uniform System of Accounts. Twenty-five percent of the fee shall accompany the application, and the balance shall be payable in three equal installments at the end of 45, 90, and 135 days. The applicant shall pay within 30 days of notification such additional fees as are reasonably necessary for completion of the transmission line route evaluation and selection process by the Council. In no event shall the total fees required of the applicant under this subdivision exceed an amount equal to 0.001 of said transmission line plant investment ($1,000 for each $1,000,000) except that the minimum application fee shall not be less than $5,000. If the expenses incurred in processing applications for permits in accordance with these Regulations are less than the fee paid, the excess shall be refunded to the applicant.

3. Public Hearings. The Council shall hold at least one public hearing in each county where a route is being considered for the issuance of a permit for construction of a high voltage transmission line. Notice of public hearings shall be given by the Council at least 30 days in advance but no earlier than 45 days prior to such hearings. Notice shall be by publication in a legal newspaper of general circulation in the county in which the public hearing is to be held and by mailed notice to the chief executive of each regional development commission and county within which the route is being considered and to the chief executive of each incorporated municipality within the involved counties.

4. Council Action. Following study and evaluation by the Council of the type, design, routing, right-of-way preparation, and facility construction identified in the utility's application and, if possible, alternatives, the Council shall issue a permit for construction of the high voltage transmission line. The permit shall be issued by the Council in a timely manner and published no later than 180 days after the application for a permit by the utility.

5. Local Regulations, State Permits, State Agency Participation, Federal Regulations. The provisions of MEQC 53.B.3.d, 53.B.3.e, 53.B.3.f, and 53.F shall also apply to this permit consideration.

D. EMERGENCY CERTIFICATION

1. Application.

   a. Any utility whose electric power system requires the immediate construction of a large electric power generating plant or a high voltage transmission line may apply to the Council for an emergency certificate of site compatibility or permit for the construction of a high voltage transmission line.

   b. The application shall include the supporting information required in MEQC 54.

2. Fees. The fee shall be $500 for each $1,000,000 of power plant investment or $1,000 for each $1,000,000 of transmission line investment in the proposed installation as defined in the Federal Power Commission Uniform System of Accounts. Twenty-five percent of the fee shall accompany the application, and the balance is payable in three equal installments at the end of 45, 90, and 135 days. The applicant shall pay within 30 days of notification such additional fees as are reasonably necessary for completion of the plant site or transmission line route evaluation and selection process by the Council. In no event shall the total fees required of the applicant under this subdivision exceed an amount equal to 0.001 of said power plant investment ($1,000 for each $1,000,000) or 0.002 of said transmission line investment ($2,000 for each $1,000,000) except that the minimum application fee shall not be less than $5,000 in the case of a power plant or $10,000 in the case of a transmission line.

3. Public Hearing.

a. A public hearing shall be held within 90 days of the receipt of the application.

b. Notice of the public hearing shall be given by the Council at least 30 days in advance but no earlier than 45 days prior to the hearing. Notice shall be by publication in a legal newspaper of general circulation in each county in the development region in which the hearing is to be held and by mailed notice to the chief executive of each regional development commission and each county involved and to the chief executive of each incorporated municipality within the involved region.

c. The hearing shall be held in the development region within which the site is being considered or in one development region through which the route under consideration passes.

4. Council Action.

a. The Council shall act on the application within 180 days of receipt.

b. If the Council finds that a demonstrable emergency exists which requires immediate construction and that adherence to the procedures and time schedules required under these Regulations would jeopardize the utility's electric power system, the Council shall issue and publish a certificate or permit.

5. Local Regulations, State Permits, State Agency Participation, Federal Regulations. The provisions of MEQC 53.B.3.d, 53.B.3.e, 53.B.3.f, and 53.F shall also apply to emergency certification.

E. IMPROVEMENT OF ACQUIRED PLANT SITES AND ROUTE LOCATIONS

Utilities which have acquired a power plant site or transmission line route may proceed to construct or improve the site or route for the intended purposes, in accordance with these Regulations. However, if the construction and improvement commences more than four years after a site certificate or construction permit has been issued by the Council, the utility shall certify to the Council that there has been no significant change in any material aspects of the conditions or circumstances existing when the certificate of site compatibility or transmission line construction permit was issued.

F. PREEMPTION OF COUNCIL SITING AND ROUTING ACTIVITIES

1. Regional and Local Regulations.

a. The issuance of a certificate of site compatibility or transmission line construction permit and the

subsequent purchase and use of the site or route locations by the utility, pursuant to the certificate or permit, shall be the sole site approval required of the utility.

b. The certificate or permit shall supersede and preempt all zoning, building, or land use rules, regulations, or ordinances promulgated by regional, county, local or special purpose government.

2. State Permits.

a. Utilities shall obtain state permits that may be required to construct and operate large electric power generating plants and high voltage transmission lines. However, a state agency in processing a utility's facility permit application shall be bound by the decisions of the Council regarding the site designation for the large electric power generating plant or the corridor or route designation for the high voltage transmission line, and regarding other matters for which authority has been granted to the Council by the Act and set forth in these Regulations.

G. FAILURE TO ACT

If the Council fails to designate a large electric power generating plant site and high voltage transmission line corridor or route as provided in these Regulations, the affected utility may seek an order of the District Court requiring the Council to designate a site corridor, or route.

H. JUDICIAL REVIEW

1. Any utility, party or person aggrieved by:

a. the issuance of a certificate or emergency certificate of site compatibility or transmission line construction permit;

b. a certification of continuing suitability filed by a utility with the Council; or

c. a final order issued by the Council in accordance with these Regulations

may appeal therefrom to any District Court where the large electric power generating plant or high voltage transmission line is to be located.

2. The appeal shall be made and perfected within 60 days after the issuance of the certificate or permit by the Council or certification filed with the Council or the filing of any final order by the Council.

3. The notice of appeal to the District Court shall be filed with the Clerk of the District Court and a copy thereof mailed to the Council and affected utility.

4. Any utility, party or person aggrieved by a final order or judgment rendered on appeal to the District Court may appeal therefrom to the Supreme Court in the manner provided in civil actions.

I. ENFORCEMENT, PENALTIES

1. Any person who violates this Act or any rule or regulation promulgated hereunder, or knowingly submits false information in any report required by this Act shall be guilty of a misdemeanor for the first offense and a gross misdemeanor for the second and each subsequent offense. Each day of violation shall constitute a separate offense.

2. The provisions of the Act or these Regulations may be enforced by injunction, action to compel performance or other appropriate action in the District Court of the county wherein the violation occurs. The attorney general shall bring any action under these Regulations at the request of the Council.

3. When the Court finds that any person has violated the Act or these Regulations, knowingly submitted false information in any report required by the Act or these Regulations, or has violated any court order issued under this chapter, the Court may impose a civil penalty of not more than $10,000 for each violation.

MEQC 54

SUBSTANTIVE ASPECTS OF THE POWER PLANT SITING PROCESS

A. CONTENT OF ADVANCE FORECASTING

An advance forecast report shall contain the following information:

1. Identification of the location, size (over one megawatt), type, and fuel of all existing electric power generating plants and of the location, size, and type of all existing transmission lines over 100 kilovolts in capacity;

2. Identification of the location, size (over one megawatt), type, and fuel of all existing electric power generating plants and of the location, size, and type of all existing transmission lines over 100 kilovolts in capacity intended to be removed from service in the fifteen-year period; description of land use plans for the sites and routes involved;

3. Identification of the location, size (over one megawatt), type, and fuel of all electric power generating plants and of the location, size and type of all transmission lines over 100 kilovolts in capacity removed from service in the preceding five-year period. Statement of the disposition of the sites and routes involved (real property and easements);

4. Description of the tentative location, size and type, and fuel of all new large electric power generating plants and the tentative location, size, and type of all new high voltage transmission lines to be constructed, owned, or operated by the utility in the fifteen-year period;

5. Statement of the projected demand for electric energy for the fifteen-year period and the underlying assumptions for this forecast, the information to be as geographically specific as possible where this demand will occur; and statement of the demand for the past ten years;

6. Description of the capacity of the electric power system to meet such demands during the ensuing fifteen years;

7. Description of the current transmission grid and of the forecasted grid together with the reasons for improving the capacity and reliability of the grid; and

8. Description of the utility's relationship to other utilities and regional associations, power pools or networks.

B. CONTENT OF FACILITY DEVELOPMENT PLAN

The facility development plans shall contain the following information:

1. Identification of the location, size (over one megawatt), type, and fuel of all existing electric power generating plants and of the location, size, and type of all existing transmission lines over 100 kilovolts in capacity;

2. Identification of the location, size (over one megawatt), type, and fuel of all existing electric power generating plants and of the location, size, and type of all existing transmission lines over 100 kilovolts in capacity intended to be removed from service in the five-year period or on completion of the construction of large electric power generating plants and high voltage transmission lines;

3. Identification of the location, size (over one megawatt), type, and fuel of all electric power generating plants and of the location, size, and type of all transmission lines over 100 kilovolts in capacity removed from service in the preceding five-year period. Statement of the disposition of the sites and routes involved (real property and easements);

4. Description of the size, type, water demand, fuel, and proposed source of water and fuel of all large electric power generating plants and of the size and type of all high voltage transmission lines on which construction is to be commenced by the utility in the five-year period;

5. Identification of the location of the tentative preferred site and at least one alternative site for all large electric power generating plants, and the tentative preferred corridors and at least one alternative corridor for all high voltage transmission lines on which construction is intended to be commenced in the five-year period, and preliminary indication of the potential impact of the planned plants and lines on existing environmental values, and how potential adverse effects on such values will be avoided or minimized at least detriment to the public and to the total environment. Such

site and corridor identification shall be made from the inventory published by the Council or from sites or corridors offered by the utility. In the event a utility identifies a plant site or transmission line corridor not contained in the Council's inventory of potential sites and corridors, the utility shall set forth the reasons for such identification and shall make an evaluation of such identified sites and corridors using the Council's plant siting and routing criteria.

C. CRITERIA FOR POWER PLANT SITING

The following criteria and standards shall be used by the Council in the preparation of an inventory of potential large electric power generating sites and to guide the site suitability evaluation and selection process. These criteria are not grouped according to their application to nuclear plants, as opposed to fossil fuel and other types of plants, and it is recognized that not all criteria are applicable to all plants.

1. Exclusion Criteria. No large electric power generating plant shall be sited in violation of any federal or state law or regulation. No area shall be considered in which a large electric power generating plant is not licensable by all appropriate state and federal government agencies. However, the Council reserves the right to review any state regulations (Minn. Stat., Sect. 116C.04).

   No area shall be considered which does not have reasonable access to sufficient water for plant operation. Only surface waters, including waste waters, shall be used for high consumption purposes such as cooling and blow-down.

   The following land areas shall be excluded: national parks; national historic sites and districts and natural landmarks; national monuments; national wilderness areas; national wildlife refuge areas; national wild, scenic, and recreational riverways; state wild, scenic, and recreational rivers and their land use districts; state parks; state registered historic sites; state historic districts; state wildlife management areas; Nature Conservancy preserves; state scientific and natural areas; county parks; metropolitan parks; and any area designated an exclusion area by the Council.

2. Site Selection Criteria.

   a. Preferred sites require the minimum population displacement and disruption of local communities and institutions.

b. Preferred sites minimize adverse health effects on human population.

c. Preferred sites do not require the destruction or major alteration of land forms, vegetative types, or wildlife habitat which are rare, unique, or of unusual importance to the surrounding area.

d. Preferred sites minimize the visual and audible impingement on waterways, parks, or other existing and proposed public recreation areas.

e. Preferred sites minimize the removal of valuable and productive land and water from other necessary uses and minimize conflicts among water users.

f. Preferred sites maximize reliability with respect to climate and geology.

g. Preferred sites permit significant conservation of energy or utilization of by-products.

h. Preferred sites are located near large load centers.

i. Preferred sites maximize the use of already existing operating sites and transportation systems.

j. Preferred sites allow for larger rather than smaller generating capacity.

Sites which are environmentally sound should not be excluded from the inventory due to excessive costs or limited generating capacity.

D. CRITERIA FOR HIGH VOLTAGE TRANSMISSION LINE CORRIDOR SELECTION

The following criteria and standards shall be used by the Council in the preparation of an inventory of high voltage transmission line corridors and to guide the Council in the evaluation and selection of high voltage transmission line routes.

1. Exclusion Criteria. No transmission line shall be routed in violation of any federal or state agency regulation or through any area designated an exclusion area by the Council. In addition, the following land use areas shall be avoided if practical alternatives with lesser human and environmental impact exist: national parks; national historic sites and districts and natural landmarks; national monuments; national wildlife refuge areas; national wilderness areas; national wild, scenic, and recreational riverways; state wild, scenic, and recreational rivers and their land use districts; state parks; state registered historic sites; state historic districts; Nature Conservancy preserves; state scientific and natural areas; county parks; and metropolitan parks.

2. Selection Criteria.

a. Preferred corridors and routes minimize disruption to existing urbanized land uses and human settlement.

b. Preferred corridors and routes minimize disruption to existing and potential irrigated and non-irrigated agricultural land uses.

c. Preferred corridors and routes minimize disruption to recreational and historical land uses.

d. Preferred corridors and routes minimize disruption to natural systems including vegetation, wildlife, and water.

e. Preferred corridors and routes maximize utilization of existing and proposed rights-of-way.

f. Preferred corridors and routes minimize visual impact on urbanized land, recreational land and water, and transportation corridors.

g. Preferred corridors and routes optimize cost of materials, labor, right-of-way acquisition, scheduling delays, and maintenance.

h. Preferred corridors and routes minimize disruption to existing and potential forestry land uses.

i. Preferred corridors and routes minimize impact upon projected human settlement.

j. Preferred corridors and routes maximize reliability with respect to climate, soils, geology, and vandalism.

k. Preferred corridors and routes maximize accessibility.

l. Preferred corridors and routes minimize disruption to existing and potential extractive and storage resources.

E. INVENTORY

The inventory report shall include the criteria, standards, and methodology used in developing the site and corridor inventory as well as the inventory itself.

F. DESIGNATION APPLICATION

An application for the designation of a specific power plant site or transmission line corridor shall contain the following information:

1. The size and type of the facility;

2. The preferred site or corridor;

3. At least one alternate site or corridor, (in the case of a power plant site, at least one of the proposed sites must be from the Council's inventory);

4. Engineering design concepts for the facility;

5. An engineering analysis of each of the proposed sites or corridors;

6. An environmental analysis of each of the proposed sites or corridors;

7. A cost analysis of each of the proposed sites or corridors; and

8. A statement of ownership of the plant or line and an affidavit that the applicant is authorized to act on behalf of the owner.

Additional topics for analysis shall include the environmental criteria listed in these Regulations, the considerations provided in these Regulations, the requirements that shall be met to obtain the necessary permits from state and federal agencies, site preparation plans, and construction plans.

G. EVALUATION OF PROPOSED SITES OR CORRIDORS

To facilitate the study, research, evaluation and designation of sites and corridors for large electric power generating plants and high voltage transmission lines and the approval of specific transmission line facilities and their routes, the Council shall be guided by, but not limited to, the following responsibilities, procedures, and considerations:

1. Evaluation of research and investigations relating to the effects on land, water and air resources of large electric power generating plants and high voltage transmission line corridors and routes and the effects of water and air discharges from such plants on public health and welfare, vegetation, animals, materials, and aesthetic values, including base line studies, predictive modeling, and monitoring of the water and air mass at proposed sites and sites of operating large electric power generating plants, evaluation of new or improved methods for minimizing adverse impacts of water and air discharges and other matters pertaining to the effects of power plants on the water and air environment;

2. Evaluation of the environmental effects of large electric power generating plant sites and high voltage transmission line corridors and routes proposed for future development and expansion and their relationship to the land, water, air, and human resources of the State;

3. Evaluation of the effects of new electric power generation and transmission technologies and systems related to power plants designed to minimize adverse environmental effects;

4. Evaluation of the potential for beneficial uses of waste energy from proposed large electric power generating plants;

5. Analysis of the direct and indirect economic impact of proposed large electric power generating plants and high voltage transmission lines;

6. Evaluation of adverse direct and indirect environmental effects which cannot be avoided should the proposed site and transmission line corridor or route be accepted;

7. Evaluation of alternatives to the proposed site and transmission line corridors and routes;

8. Evaluation of irreversible and irretrievable commitments of resources should the proposed site and transmission line corridor or route be approved;

9. Consideration of problems raised by other state and federal agencies and local entities, where appropriate;

10. Where these Regulations are substantially similar to existing rules and regulations of a federal agency to which the utility in the State is subject, the federal rules and regulations shall be applied by the Council.

H. CONTENT OF APPLICATION FOR CONSTRUCTION PERMIT

The application for a construction permit for a high voltage transmission line shall include:

1. Engineering design specifications;

2. The proposed route of the line within the designated corridor;

3. The plans for right-of-way preparation;

4. The construction plans;

5. Any environmental impact of the route or construction plans that was not discussed in the application for corridor designation; and

6. Any other factors which have changed since the application for corridor designation was submitted.

I. EMERGENCY CERTIFICATION

1. Application. The Emergency Certification Application shall include the following:

   a. The preferred location of the large electric power generating plant or the preferred route of the high voltage transmission line, and at least one alternative site or route;

   b. The engineering specifications for the plant or line;

   c. An engineering analysis for each of the proposed sites or routes;

   d. An analysis of the environmetnal impact of the facility and construction process for each of the proposed sites or routes;

   e. A detailed statement and analysis of the reasons why the application is considered to be an emergency, including the reasons why the project was not forecast if such is the case;

   f. A cost analysis of the project;

   g. Site preparation and construction plans; and

   h. A statement of ownership fo the plant or line and an affidavit that the applicant is authorized to act on behalf of the owner.

2. Criteria. The Council shall determine whether or not an emergency exists. If an emergency is determined to exist, then the criteria shall be the same as in MEQC 54.C and MEQC 54.D In its evaluation, the Council shall be guided by the considerations in MEQC 54.G.

MEQC 55

PUBLIC PARTICIPATION

A. GENERAL POLICY

The Council has provided for public input into the power plant siting and transmission line routing process.

B. ADVISORY COMMITTEES

The Council shall appoint one or more advisory committees to assist it in carrying out its duties and responsibilities. Members of the committees shall be reimbursed for expenses incurred pursuant to the regulations that govern expenses of state employees.

1. Power Plant Siting Advisory Committee. The Power Plant Siting Advisory Committee shall work closely with the Council staff in reviewing, advising, and making recommendations to the Council with regard to the development, revision, and enforcement of any regulation, inventory, or program initiated under the Act or these Regulations. The Council shall provide additional guidance to the Committee in the form of an annual charge and through specific requests. The Committee shall be comprised of 15 to 25 persons appointed by the Council for a one-year term corresponding to the fiscal year. It shall include a majority of private citizens and at least one representative from each of the following: utilities; regional development commissions; county governments; and municipal governments.

2. Specific Site (Corridor) Evaluation Committee. Committees shall be appointed to assist the Council in the evaluation of plant sites or transmission line corridors that are being considered for designation. The Council shall provide a charge to the Committee and a date by which the Committee is to complete its evaluation. The Committee shall be comprised of as many persons as may be designated by the Council, but shall include at least one representative from each of the following: a public or municipally owned utility; a private investor owned utility; a co-operatively owned utility; and each regional development commission, county, and municipal corporation in which a large electric power generating plant site or high voltage transmission line corridor are proposed to be located. A majority of the members shall be public representatives.

C. OTHER PARTICIPATION.

All agencies, including federal and state agencies, regional and local governments, planning agencies, and other organizations (including citizen groups) which are authorized to grant permits or certifications for, or are known by the Council to be concerned with, the construction or operation of large electric power generating plants and high voltage transmission lines shall be invited by the Council to present their positions with respect to the development and revision of the inventory and with respect to the designation of a site, corridor, or route.

D. INFORMATIONAL MEETINGS

The Council, at its discretion, may hold informational meetings to present major issues and alternatives under consideration by the Council, to present an outline of the information upon which the issues shall be decided, and to answer questions of the public. Public notice will be made through the media best serving the area primarily affected by the issues under consideration.

E. ANNUAL PUBLIC HEARING

The Council shall hold an annual public hearing at a time and place prescribed by the Council in order to afford interested persons an opportunity to be heard regarding its inventory of potential sites and corridors and any other aspects of the Council's activities and duties or the policies set forth in these Regulations.

STATE OF MINNESOTA

ENVIRONMENTAL QUALITY COUNCIL

COUNTY OF RAMSEY

In the matter of the Proposed
Adoption of Rules of the Minnesota
Environmental Quality Council
Governing Power Plant Sites and
Transmission Line Routes.

ORDER ADOPTING
RULES

The above-entitled matter came on for hearing before the Environmental Quality Council in the State of Minnesota in the City of Saint Paul, Minnesota, in the Auditorium of the State Office Building, Wabasha Street and Fuller Avenue, on May 20, 1974, commencing at 10:00 A.M. and 7:00 P.M.; in the City of Morris, Minnesota, in the Science Auditorium of the University of Minnesota, Morris, on May 21, 1974, commencing at 3:00 P.M. and 7:00 P.M.; in the City of Duluth, Minnesota, in the Central Lecture Hall of the Duluth Area Vocational-Technical Institute, 2101 Trinity Road, on May 22, 1974, commencing at 3:00 P.M. and 7:00 P.M.; in the City of Mankato, Minnesota, in the Conference Auditorium of the Centennial Student Union, Highland Campus, Mankato State College, on May 28, 1974, commencing at 3:00 P.M. and 7:00 P.M.; in the City of Crookston, Minnesota, at the Auditorium of the Agriculture Research Center, University of Minnesota Technical College, on May 29, 1974, commencing at 3:00 P.M. and 7:00 P.M. after proper notice required by Minn. Stat., Sect. 15.0412 (1971) was served upon all persons, associations and other interested groups registered with the Secretary of State for that purpose.

After affording interested persons an opportunity to present written and oral data, statements and arguments, having heard all of the testimony, having considered all of the evidence adduced and upon the records, files, and proceedings herein, and applicable statutory standards or criteria, and having confirmed the need for the above-captioned rules.

NOW, THEREFORE, IT IS ORDERED that these rules identified as Minnesota Regulations MEQC 71-75 are adopted this 10th day of July, 1974, pursuant to authority vested in the Minnesota Environmental Quality Council by Minn. Stat., Sect. 116C.55, 116C.57, and 116C.66 (Supp. 1973).

STATE OF MINNESOTA
ENVIRONMENTAL QUALITY COUNCIL

BY Gerald W. Christenson
Gerald W. Christenson
Chairman

STATE OF MINNESOTA

ENVIRONMENTAL QUALITY COUNCIL

COUNTY OF RAMSEY

In the Matter of the Adoption of
Proposed Rules of the Minnesota
Environmental Quality Council
Relating to Power Plant Sites
and Transmission Line Routes.

ORDER FOR HEARING

To effectively implement Minnesota Statutes 1973, Section 116C.51 et seq., the Minnesota Environmental Quality Council deems it necessary to consider adoption of the proposed rules captioned above pursuant to the authority vested in the Council by Minnesota Statutes 1973, Sections 116C.55, 116C.57, and 116C.66.

NOW THEREFORE, IT IS ORDERED this 15th day of April, 1974, that a public hearing on the proposed rules captioned above be held in the City of Saint Paul, Minnesota, in the Auditorium of the State Office Building, Wabasha Street and Fuller Avenue, on May 20, 1974, commencing at 10:00 A.M. and 7:00 P.M.; in the City of Morris, Minnesota, in the Science Auditorium of the University of Minnesota, Morris, on May 21, 1974, commencing at 3:00 P.M. and 7:00 P.M.; in the City of Duluth, Minnesota, in the Central Lecture Hall of the Duluth Area Vocational-Technical Institute, 2101 Trinity Road, on May 22, 1974, commencing at 3:00 P.M. and 7:00 P.M.; in the City of Mankato, Minnesota, in the Conference Auditorium of the Centennial Student Union, Highland Campus, Mankato State College, on May 28, 1974, commencing at 3:00 P.M. and 7:00 P.M.; in the City of Crookston, Minnesota, at the Auditorium of the Agriculture Research Center, University of Minnesota Technical College, on May 29, 1974, commencing at 3:00 P.M. and 7:00 P.M. and continuing until all persons, representatives, organizations or other interested parties have had an opportunity to be heard.

IT IS FURTHER ORDERED, that notice of said hearing be given to all representatives of associations or other interested groups or persons who have registered their names with the Secretary of State for that purpose.

Dated this 15th day of April, 1974.

STATE OF MINNESOTA
ENVIRONMENTAL QUALITY COUNCIL

By Gerald W. Christenson
Gerald W. Christenson
Chairman

STATE OF MINNESOTA

ENVIRONMENTAL QUALITY COUNCIL

COUNTY OF RAMSEY

In the Matter of the Adoption of
Proposed Rules of the Minnesota
Environmental Quality Council
Relating to Power Plant Sites
and Transmission Line Routes

NOTICE OF HEARING

NOTICE IS HEREBY GIVEN that a public hearing will be held pursuant to Minnesota Statutes 1973, Sections 15.0412, Subd. 4, 116C.55, 116C.57, and 116C.66 in the above-entitled matter in the City of Saint Paul, Minnesota, in the Auditorium of the State Office Building, Wabasha Street and Fuller Avenue, on May 20, 1974, commencing at 10:00 A.M. and 7:00 P.M.; in the City of Morris, Minnesota, in the Science Auditorium of the University of Minnesota, Morris, on May 21, 1974, commencing at 3:00 P.M. and 7:00 P.M.; in the City of Duluth, Minnesota, in the Central Lecture Hall of the Duluth Area Vocational-Technical Institute, 2101 Trinity Road, on May 22, 1974, commencing at 3:00 P.M. and 7:00 P.M.; in the City of Mankato, Minnesota, in the Conference Auditorium of the Centennial Student Union, Highland Campus, Mankato State College, on May 28, 1974, commencing at 3:00 P.M. and 7:00 P.M.; in the City of Crookston, Minnesota, at the Auditorium of the Agriculture Research Center, University of Minnesota Technical College, on May 29, 1974, commencing at 3:00 P.M. and 7:00 P.M. and continuing until all interested persons, representatives, and organizations have had an opportunity to be heard concerning the adoption of the proposed rules relating to Power Plant Sites and Transmission Line Routes of the Minnesota Environmental Quality Council, by submitting oral or written data, statements, comment or argument. Statements or briefs may be submitted in writing without the necessity for appearance at the hearing. The record shall remain open for receipt of written statements for a minimum of twenty (20) days after the close of the hearing. A definite closing date will be set at the hearing.

A copy of the proposed rules is attached hereto. The rules are proposed rules only and are subject to alterations or modifications as the Council deems necessary and appropriate from its consideration of all the evidence adduced at the public hearing and all statements entered into the record.

Dated this 15th day of April, 1974.

STATE OF MINNESOTA
ENVIRONMENTAL QUALITY COUNCIL

By Gerald W. Christenson
Gerald W. Christenson
Chairman

STATE OF MINNESOTA

ENVIRONMENTAL QUALITY COUNCIL

COUNTY OF RAMSEY

In the matter of the Adoption of Proposed Rules of the Minnesota Environmental Quality Council relating to Power Plant Sites and Transmission Line Routes.

APPOINTMENT OF HEARING OFFICER

Ralph Godin is hereby appointed hearing officer in the matter of the Adoption of Proposed Rules of the Minnesota Environmental Quality Council relating to Power Plant Sites and Transmission Line Routes.

Said hearing officer is authorized and empowered to conduct the hearing and to perform any and all acts necessary and proper thereto.

Dated this 16th day of May, 1974.

STATE OF MINNESOTA
ENVIRONMENTAL QUALITY COUNCIL

By Gerald W. Christenson
GERALD W. CHRISTENSON
Chairman

STATE OF MINNESOTA

COUNTY OF RAMSEY

ENVIRONMENTAL QUALITY COUNCIL

In the matter of the Adoption of Proposed Rules of the Minnesota Environmental Quality Council relating to Power Plant Sites and Transmission Line Routes.

APPOINTMENT OF HEARING OFFICER

John Hynes is hereby appointed hearing officer in the matter of the Adoption of Proposed Rules of the Minnesota Environmental Quality Council relating to Power Plant Sites and Transmission Line Routes.

Said hearing officer is authorized and empowered to conduct the hearing and to perform any and all acts necessary and proper thereto.

Dated this 16th day of May, 1974.

STATE OF MINNESOTA
ENVIRONMENTAL QUALITY COUNCIL

By Gerald W. Christenson
GERALD W. CHRISTENSON
Chairman

STATE OF MINNESOTA

COUNTY OF RAMSEY

ENVIRONMENTAL QUALITY COUNCIL

In the Matter of the Adoption of Proposed Rules of the Minnesota Environmental Quality Council Relating to Power Plant Sites and Transmission Line Routes.

APPOINTMENT OF HEARING OFFICER

John Mohr is hereby appointed hearing officer in the matter of the Adoption of Proposed Rules of the Minnesota Environmental Quality Council relating to Power Plant Sites and Transmission Line Routes.

Said hearing officer is authorized and empowered to conduct the hearing and to perform any and all acts necessary and proper thereto.

Dated this 16th day of May, 1974.

STATE OF MINNESOTA
ENVIRONMENTAL QUALITY COUNCIL

By Gerald W. Christenson
GERALD W. CHRISTENSON
Chairman

CERTIFICATE OF COUNCIL'S

ADOPTION OF RULES RESOLUTION

I, Robert L. Herbst, do hereby certify that I am Vice Chairman of the Minnesota Environmental Quality Council, a Council duly authorized under the laws of the State of Minnesota, and that the following is true, complete, and correct copy of a resolution adopted at a meeting of the Minnesota Environmental Quality Council duly and properly called and held on the 9th day of July, 1974; that a quorum was present at said meeting; that a majority of the members of the Council voted for the resolution; that said resolution is set forth in the minutes of said meeting and has not been rescinded or modified.

> "RESOLVED, that the rules relating to Power Plant Sites and Transmission Line Routes be and they hereby are approved and adopted, pursuant to authority vested in us by Minn. Stat., Sect. 116C.55, 116C.57, and 116C.66 (Supp. 1973) and that Gerald W. Christenson, the Chairman of the Minnesota Environmental Quality Council, be and hereby is authorized to sign an order adopting those rules.

IN WITNESS WHEREOF, I have hereunto subscribed my name this 11th day of July, 1974.

Robert L. Herbst
Vice Chairman

EQC EXH 4
5-30-74 J.T.K.

CERTIFICATE OF COUNCIL'S

AUTHORIZING RESOLUTION

I, Robert L. Herbst, do hereby certify that I am the Vice Chairman of the Minnesota Environmental Quality Council, a Council duly authorized under the laws of the State of Minnesota, and that the following is a true, complete, and correct copy of a resolution adopted at a meeting of the Minnesota Environmental Quality Council duly and properly called and held on the 9th day of April, 1974; that a quorum was present at said meeting; that a majority of the members of the Council voted for the resolution; that said resolution is set forth in the minutes of said meeting and has not been rescinded or modified.

"RESOLVED, that Gerald W. Christenson, Chairman of the Environmental Quality Council, be granted the authority and be directed to call a hearing for the purpose of promulgating rules of the Environmental Quality Council for Power Plant Siting, pursuant to Minn. Stat., Sect. 116C.51 through 116C.69 (Supp. 1973), as well as perform any and all acts incidental thereto, including, but without being limited thereto, signing an order for hearing and notice of hearing and designating officers.

IN WITNESS WHEREOF, I have hereunto subscribed my name this 11th day of July, 1974.

ROBERT L. HERBST
Vice Chairman

POWER PLANT SITING REGULATIONS

AUTHORIZING RESOLUTION

RESOLVED, that Gerald W. Christenson, Chairman of the Environmental Quality Council, be granted the authority and be directed to call a hearing for the purpose of promulgating rules of the Environmental Quality Council for Power Plant Siting, pursuant to Minn. Stat., Sect. 116C.51 through 116C.69 (Supp. 1973), as well as perform any and all acts incidental thereto, including, but without being limited thereto, signing an order for hearing and notice of hearing and designating officers.

STATE OF MINNESOTA

ENVIRONMENTAL QUALITY COUNCIL
CAPITOL SQUARE BUILDING
550 CEDAR STREET
ST. PAUL, 55101

ADOPTION OF POWER PLANT SITING AND TRANSMISSION LINE ROUTING RULES

RESOLUTION

RESOLVED, that the rules relating to Power Plant Sites and Transmission Line Routes be and they hereby are approved and adopted, pursuant to authority vested in us by Minn. Stat., Sect. 116C.55, 116C.57, and 116C.66 (Supp. 1973) and that Gerald W. Christenson, the Chairman of the Minnesota Environmental Quality Council, be and hereby is authorized to sign an order adopting those rules.

STATE OF MINNESOTA

COUNTY OF RAMSEY

ENVIRONMENTAL QUALITY COUNCIL

In the Matter of the Adoption of
Proposed Rules of the Minnesota
Environmental Quality Council
Relating to Power Plant Sites
and Transmission Line Routes.

AFFIDAVIT

I, Barbara A. Kochevar, first being duly sworn on oath, deposes and says that:

1. I am an employee of the State Planning Agency.

2. On April 15, 1974, I went to the Secretary of State's Office in the City of Saint Paul and requested a current list of all associations and individuals who had registered their names with the Secretary of State for the purpose of obtaining Notices of public hearings relating to the promulgation of rules by the Minnesota Environmental Quality Council, the State Planning Agency, the Pollution Control Agency, and the Department of Natural Resources.

3. On April 15, 1974, in response to the above request, the Secretary of State's Office provided me with the lists.

Barbara A. Kochevar
Barbara A. Kochevar

Subscribed and sworn to before
me this 15 day of April, 1974.

Evelyn Routier
Notary Public

EVELYN ROUTIER
Notary Public, Ramsey County, Minn.
My Commission Expires Oct. 18, 1974

STATE OF MINNESOTA

ENVIRONMENTAL QUALITY COUNCIL

COUNTY OF RAMSEY

In the Matter of the Adoption of
Proposed Rules of the Minnesota
Environmental Quality Council
Relating to Power Plant Sites
and Transmission Line Routes.

AFFIDAVIT
OF MAILING

Barbara A. Kochevar, first being duly sworn on oath, deposes and says that:

1. I am an employee of the State Planning Agency.

2. On April 16, 1974, I served the attached Notice of Hearing upon each of the individuals and organizations named in the Secretary of State's mailing lists that existed at that time and upon each of the individuals and organizations named in the PowerPlant Siting general mailing list, the electric utilities' list, the Power Plant Siting Advisory Committee, the Environmental Quality Council, the Technical Representatives' Committee, and the Citizens' Advisory Committee that existed at that time, by depositing in the United States mail, with postage prepaid, envelopes containing a true and correct copy of the said Notice addressed to each of the names and addresses contained in the lists.

Barbara A Kochevar
Barbara A. Kochevar

Subscribed and sworn to before
me this 16 day of April, 1974,
at Saint Paul, Minnesota.

Evelyn Routier
NOTARY PUBLIC

EVELYN ROUTIER
Notary Public, Ramsey County, Minn.
My Commission Expires Oct. 19, 1975

STATE OF MINNESOTA

COUNTY OF RAMSEY

In the Matter of the Proposed
Adoption of Rules of the Minnesota
Environmental Quality Council
Governing Power Plant Sites and
Transmission Line Routes.

CERTIFICATE

I hereby certify that the attached 339-labels & six sheet(s) constitute the complete list of persons, associations, and other interested groups who as of 1:00 o'clock P.M., this 15th day of April, 1974, have requested, pursuant to Minn. Stat. 1973, Section 15.0412, Subd. 4, that their names be placed on file with the Secretary of State for the purpose of receiving notice of public hearing on proposed rules on the subject captioned above.

SECRETARY OF STATE

Arlen I. Erdahl

By Ceil Dunn

AICHINGER-MARK PLANNI[illegible]
421 WABASHA ST
ST PAUL MN
55102

ALBERT, AA [illegible]DER CORP
366 JACKSON ST
ST PAUL MN
55101

AM CAMPING ASSN MRS LEACOCK
1235 BRIGHTON SQ
NEW BRIGHTON MN
55112

AM INST PROF GEOLOGISTS
2201 PRINCETON AVE
ST PAUL MN
55105

ANDERSON JAMES
2703 NORMANDALE RD
MPLS MN
55435

ANDERSON STANFORD P
14600 MINNETONKA BLVD
MINNETONKA MN
55343

ARMOUR AND COMPANY
UNION STOCK YARDS
SO ST PAUL MN
55075

ARROWHEAD REGIONAL DEV COMM
900 ALWORTH BLDG
DULUTH MN
55802

ASSOCIATED INDUST OF MPLS
NATIONAL BLDG
MPLS MN
55402

ASSN OF MINN COUNTIES
55 SHERBURNE AVE #203
ST PAUL MN
55103

BABCOCK LOCHER NELSON ET AL
118 E MAIN ST
ANOKA MN
55303

BADALICH JOHN P
2025 THOMPSON AVE
SO ST PAUL MN
55075

BARTHOLOW HAROLD E FIRE CHF
2600 109 AVE N W
COON RAPIDS MN
55433

BECKLIN ROBERT C
447 N W 4TH
CAMBRIDGE MN
55008

BEMIDJI STATE COLLEGE
PLACEMENT BUR. J.C. BRADY
BEMIDJI MN
56601

BENSONI PETER USW OF AM.
609 PROVIDENCE BLDG.
DULUTH MN

BEUTEL ROBERT
BOX 1205
ST CLOUD MN
56301

BLOMQUIST BARRY L

NORTH BRANCH MN
55056

BRIGHAM E M III
RR4
RED WING MN
55066

BROEKER JOHN
2850 METRO DR. SUITE 504
BLOOMINGTON MN
55420

BRUBACHER RICHARD COMM ADM
208 ADM BLDG
ST PAUL MN
55101

BRUNING C.R. DEPT. CLINIC. EXP.
BURTON HALL
MPLS. MN
55455

BUR NATL AFFAIRS INC
1231 25TH ST NW
WASHINGTON DC
20037

CARRISON DALE K
MANKATO STATE COLLEGE
MANKATO MN
56001

CENTRAL BUSINESS DATA
BENSON RADIO ARCADE BLD
BENSON MN
56215

ALLEN CLAUDE F
1200 N W BK BLDG
ST PAUL MN
55101

ALTMAN MILTON F
707 DEGREE OF HONOR BLD
ST PAUL MN
55101

ANCHOR BLOCK COMPANY
PO BOX 3300
ST PAUL MN
55165

ANDERSON HERBERT
418 8TH ST. SO.
VIRGINIA MN
55792

ANDREWS MOSBURG ET AL-NICHOL
MIDLAND CENTER
OKLAHOMA CITY OK
73102

ANTHONY R.S. E.L.M.
1222 FOURTH ST. S.E.
MINNEAPOLIS MN
55414

ARVER JOHN A
2467 COHANCY
ST PAUL MN
55113

ASMUSSEN,DENNIS,MPIRG
3036 UNIV AVE SE
MPLS MN
55414

AUTOMOBILE MFRS ASSN INC
55 SHERBURNE AVE
ST PAUL MN
55103

BARRETT FRED
ST LOUIS CO COURT HOUSE
DULUTH MN

BARKER KENT
8100 34TH AVE SO
MPLS MN
55420

BEECHER EVERETT
10 10 1ST ST SO
HOPKINS MN

BELISLE JON
2040 WILSON #28
ST PAUL MN
55119

BERGERUD ALF
300 ROANOKE BLDG
MPLS MN
55402

BEST FLANAGAN ET AL
1ST NATL BANK BLDG
MPLS MN
55402

BREHL JAMES W
332 HAMM BLDG
ST PAUL MN
55102

BRIGGS & MORGAN - B F FRI
2200 W 1ST NATL BK BLDG
ST PAUL MN
55101

BROOKS WILLIAM F JR
854 MIDLAND BK BLDG
MPLS MN
55401

BROWN D M GOODRIDGE PUB S
IND DIST #561
GOODRIDGE MN
56725

BURGER ALBERT
600 DEGREE OF HONOR BLD
ST PAUL MN
55101

BUR.ENGR.IND.DIV. MR.KIBI
219 N. 2ND ST.
MPLS. MN

CARLSON CARL L
7516 80TH ST S
COTTAGE GROVE MN
55016

CARPENTER MRS MARY LEE
DOW CHEMICAL 47 BLDG
MIDLAND MICH.
48640

CHAMBER OF COMMERCE
30 SO 1ST AVE EAST
ELY MN
55731

CHAMBERLAIN JOHN L
PO BOX 241
MPLS MN
55440

CHRISTIAN SCI COMM ON PUB
1821 UNIV AVE SUITE 271
ST PAUL MN
55104

CITY CLERK
386 CITY HALL
ST PAUL MN
55102

COLEMAN NICHOLAS D
700 LINWOOD AVE
ST PAUL MN
55105

COLLIN LAURENCE
RT 2
ISANTI MN
55040

CONSUMER SERVICES DEPT COMM
230 STATE OFF BLDG
ST PAUL MN
55101

COUNTY ATTYS COUNCIL
95 SHERBURNE AVE S203
ST PAUL MN
55103

CUSHMAN J S DAYTON HUDSON
700 NICOLLET MALL
MPLS MN
55402

DANIELSON RODNEY L
418 AUDITORIUM
ST PAUL MN
55102

DAVIS HENRY
6301 SHINGLE CREEK
BROOKLYN CTR MN
55429

DISPATCH PIONEER PRESS
PRESS RM STATE CAPITOL
ST PAUL MN
55101

DORSEY MARQUART
2400 1ST NATL BANK BLDG
MPLS MN
55402

DUDLEY E H
RT 7 BOX 122
EXCELSIOR MN
55331

DUNN OLIVER PLUMBERS LOC
708 SO 10TH ST
MPLS MN
55404

EDINA FIRE D JAMES MCNELLIS
4801 W 50TH ST
EDINA MN
55424

ELDER DR JAMES B
11140 WASHBURN AVE SO
BLOOMINGTON MN
55431

EMERICK RICHARD A
1908 IDS CENTER
MPLS MN
55402

EMP HANDICAPPED PERSONS C
527 JACKSON RM 227
ST PAUL MN
55101

ERNEST K LEHMANN & ASSOC.
1409 WILLOW ST.
MPLS MN
55403

ESSE KENNETH
4801 W 50TH ST
EDINA MN
55424

EWALD DOUGLAS MINN HOSP ASSN
2333 UNIV AVE SE
MPLS MN
55414

EWING MRS WM
42 ASTAR RD
BABBITT MN
55706

FELHABER R S
W 1ST NATL BANK BLDG
ST PAUL MN
55101

FINLEY JAMES F
920 MINN BLDG
ST PAUL MN
55101

CHAMBERLAIN WARREN
387 SW 4TH AVE
FARIBAULT MN
55021

CHERCHES CH[illegible]S CITY MGR
5005 MTKA BLVD
ST LOUIS PARK MN
55416

CITIZENS LEAGUE
530 SYNDICATE BLDG
MPLS MN
55402

CLARKSON J.B.
2350 I.D.S. CENTER
MINNEAPOLIS MN
55402

COMMUNITY DESIGN CENTER
118 E 26TH ST
MPLS MN
55404

CONCORDIA COLLEGE
DEAN
MOORHEAD MN
56560

COX AND KING
600 BUILDERS EXCH
MPLS MN
55402

CROW WING CO PLANNING & ADV
COURT HOUSE
BRAINERD MN
56401

DANFORTH & ALLEN
731 NW BANK BLDG
MPLS MN
55402

DANKERS,KENNETH
1200 WEST FOURTH STREET
RED WING MN
55066

DAYTON CHAS SIERRA CLUB
400 ROANOKE
MPLS MN
55402

DIEHL JOHN
26 KENWOOD PKWY
ST PAUL MN
55105

DOUGLASS BELL
525 OSBORN BLDG
ST PAUL MN
55102

DOYTON MAURICE, MET SEWER BD
350 METRO SQ BLDG
ST PAUL MN
55101

EBELING EDWARD H.
161 W. MAIN
PERHAM MN
56573

ELDRED R W ARMOUR & CO
UNION STOCK YARDS
SO ST PAUL MN
55075

ELMER EDWIN W
2901 PLEASANT AVE
MPLS MN
55408

ENV SERV-GEN RESOURCE CORP
6340 INDUSTRIAL DR
HOPKINS MN
55343

ERDMAN ROGER TENNANT CO
701 N LILAC DR
MPLS MN
55441

EVANS CHAS.L. PRENTICE-HALL
ENGELWOOD CLIFFS
NEW JERSEY

EVERETT JERRY NW PETRO ASSN
512 NICOLLET MALL RM917
MPLS MN
55402

FAEGRE & BENSON ATTN LIBR
1260 NW BANK BLDG
MPLS MN
55402

FINNEGAN J.R.
55 E. 4TH
ST.PAUL MN
55101

FLEMING FREDERICK A
1860 HIGHLAND PARKWAY
ST PAUL MN
55116

FORBES GORDON MINN RRS ASSN
207 UNION DEPOT
ST PAUL MN
55101

FOX W.E. LINDQUIST & VENNUM
4200 IDSCTR 80 S.8TH ST
MINNEAPOLIS MN
55402

F W WOOLWORTH CO
3316 W 66TH ST
EDINA MN
55424

GEORGE K GRANSE CO
1477 SELBY AVE
ST PAUL MN
55104

GIEL DAVID
RM B-28 STATE CAPITOL
ST PAUL MN
55155

GRANATH MARVIN -HONEYWELL
2701 4TH AVE SO
MPLS MN
55408

GREEN DEL CITY MGR
BLOOMINGTON CITY HALL
BLOOMINGTON MN
55431

GUSTAFSON WALLACE
BOX 567
WILLMAR MN
56201

HALLBERG LEE & MCCABE
4927 34TH AVE S
MPLS MN
55417

HAYES,THOMAS W
700 SELLWOOD BLG
DULUTH MN
55812

HEAD & TRUHN
1007 SOO LINE BLDG
MPLS MN
55402

HOULE MELVIN
881 W HWY 96
SHOREVIEW MN
55112

HOUSE APPROPRIATIONS COMM
RM 109 STATE CAPITOL
ST PAUL MN
55101

HULTMAN WARREN R
C/O BARBAROSSA R3
OSSEO MN
55369

HUMAN RIGHTS DEPT
60 STATE OFF BLDG
ST PAUL MN
55101

HUTCHISON R.M. ANOKA CO.COMP
COURT HOUSE
ANOKA MN
55303

INS FED OF MINN
902 SOO LINE BLDG
MPLS MN
55402

IUOE LOC 49 CHAS SWENSON
2580 UNIV AVE
ST PAUL MN
55101

FLETCHER RONALD
7900 XERXES AVE S
MPLS MN
55431

FITZGERALD DR BOB
3007 LYNDALE AVE SO
MPLS MN
55408

FRANKLIN ROBERT B MPLS TRIB
426 PORTLAND
MPLS MN
55415

FURLONG DR JOHN
RT 1
BOVEY MN
55709

GALVIN M J JR
W2162 1ST NATL BK BLDG
ST PAUL MN
55101

GAS HUT INC
4940 VIKING DR
MINNEAPOLIS MN
55435

GLEN. HILLS HOSP.R.VAN HAUER
3901 GOLDEN VALLEY RD.
MPLS. MN
55422

GODIN RALPH J
3824 47TH AVE SO
MPLS MN
55406

GREEN GARY J
41 SHERBURNE AVE
ST PAUL MN
55102

GUSTAFSON MRS D MINN VET
24 S 6TH ST
MPLS MN
55402

H B FULLER CO
2400 KASOTA AVE
ST PAUL MN
55108

HARVEY MICHAEL
1390 W M HAHA PKWY
MPLS MN
55409

HESS DONALD MIDWEST PLANNING
2101 HENN BLDG
MPLS MN
55405

HARTFELDT WILL
415 HAMM BLDG 6TH ST
ST PAUL MN
55102

HILL JIM ASSOC.MILK PROD.
7850 METRO PARKWAY
MINNEAPOLIS MN
55420

HOPKINS WM.B. DIR.MISCCA
3915 GOLDEN VALLEY ROAD
GOLDEN VALLEY MN
55422

HOUSE ED STANDING SUB COMM
RM 109 STATE CAPITOL
ST PAUL MN
55101

HULSTRAND ANDERSON & LARS
PO BOX 130
WILLMAR MN
56201

HUNT MRS CHAS L MECCA
26 E EXCH CENTRAL MANOR
ST PAUL MN
55101

HUNT JAMES P JR
11470 GALTIER DR
BURNSVILLE MN
55378

INGEBRIGTSEN DR K H
23 SE 4TH ST
MPLS MN
55414

INGVALSON VERN MN.FARM BU
3110 WOODDALE DR PO 337
OST PAUL MN
55165

IVERSON DR JOS DEPT ED
ST OLAF COLLEGE
NORTHFIELD MN
55057

IVERSON GARY L
1212 PIONEER BLDG
ST PAUL MN
55101

JACKMAN DONALD G
4023 E LAKE ST
MPLS MN
55406

JOHNSON M.D. FRUNDT & FRUNDT

BLUE EARTH MN
56013

JOHNSON LANCE J
265 S LAFAYETTE RD
ST PAUL MN
55107

KANE ANTHONY
176 E FIFTH ST
ST PAUL MN
55101

KIMBALL ROBERT
647 CAPITOL SQ BLDG
ST PAUL MN
55101

KNOWLES, LARRY D
8025 33RD AVE N
CRYSTAL MN
55427

KNUTSON DR KEITH, BIOLOGY DPT
ST CLOUD STATE
ST CLOUD MN
56301

KOPP MRS VERNON
2050 65TH ST E
INVER GR HGHT MN
55075

KORTZ MRS LOUISE
1064 FOREST HILLS DR SW
ROCHESTER MN
55901

LANSING & OAKES
400 SIBLEY ST
ST PAUL MN
55101

LAPP LAZAR LAURIE ET AL
1200 BUILDERS EXCHANGE
MINNEAPOLIS MN
55402

LAUNDERERS&DRY CLEANERS ASSN
W 1ST NATL BK BLDG
ST PAUL MN
55101

LEAGUE MN MUNIC MC HADICKS
~~480 Cedar~~ 300 Hanover
~~St. Paul, Mn. 55101~~

LOOS CALVIN J
6809 LYNDALE AVE SO
MPLS MN
55423

LOWE DOUG
2701 N LEXINGTON AVE
ROSEVILLE MN
55113

MCLELLAN LARKIN
215 ADM BLDG ST CAPITOL
ST PAUL MN
55101

MANTHEY T J PICKANDS MATHER
2000 UNION COMM BLDG
CLEVELAND OH
44115

MASTOR MATTSON HART ET AL
414 ROANOKE BLDG
MPLS MN
55402

MEIEROTTO, JOAN
1794 SO LEXINGTON
ST PAUL MN
55118

MERRITT GRANT POLLUTION CONT
OAK & DELAWARE
MPLS MN
55440

MILLER RICHARD A
1020 PLYMOUTH BLDG
MPLS MN
55402

MILLER TOM
2311 PILLSBURY AVE S
MPLS MN
55404

JENCS INC
525 LAKE AVE SO
DULUTH MN
55801

JENSEN CARL A
127 E MAIN ST
SLEEPY EYE MN
56085

KABLE RICHARD W

BETHEL MN
55006

KING,TIMOTHY
3333 OAKLAND AVE S
MPLS MN
55407

KLUZ STEVEN J
1910 1ST NATL BK BLDG
MPLS MN
55402

KNUTSON R N GRANNIS ETAL
F J SCHULT BLDG
ST ST PAUL MN
55075

KOLLER MR & MRS ERWIN A
1568 DULUTH ST
ST PAUL MN
55108

LAKE SUPERIOR INDUSTRIAL
826 FIRST AM. BK. BLDG.
DULUTH MN
55802

LARSON C L
3800 MINNEHAHA AVE SO
MPLS MN
55406

LARSON HANS P DIV HOSP SE
717 DELAWARE ST SE
MPLS MN
55440

LINDALL & JONATHAN DEVELOP.
VILLAGE ONE CENTER
CHASKA MN
55318

LOCKNER GARY
R R 1 BOX 23
BAUDETTE MN
56623

MCKIBBON MRS SHIRLEY
11 EVERGREEN LN
BABBITT MN
55706

MALONE E I COMM LABOR & INDU
444 LAFAYETTE RD 5TH FL
ST PAUL MN
55101

MANKATO STAT STUDENT SENA
CENTENNIAL STUDENT UN
MANKATO MN
56001

MAUL WARREN E
320 S 4TH ST
MPLS MN
55415

MECCA R.F. NELSON
26 E EXCHANGE ST
ST PAUL MN
55101

MET OPEN SPACE INFOR PROJ
111 E FRANKLIN AVE SO
MPLS MN
55404

MET TFR MEN ASSN A ROSENT
1821 UNIV AVE
ST PAUL MN
55104

MPLS STAR PRESS ROOM
STATE CAPITOL
ST PAUL MN
55101

MPLS TRIBUNE CITY DESK
425 PORTLAND AVE
MPLS MN
55415

MINN APT ASSN
GRIGGS-MIDWAY BLDG
ST PAUL MN
55104

MINN ASSN ELEC COOPERATIVES
4901 W 77TH ST
MPLS MN
55435

MINN COUNCIL STATE EMP NO 6
475 RICE ST
ST PAUL MN
55103

MINN ENV CONTROL CITIZEN ASN
CENTRAL MANOR 26 E EXCH
ST PAUL MN
55101

MINN. HOTEL & MTR. ASSN
2001 UNIVERSITY AVE
ST PAUL MN

MINNE MINE CREDIT UNION
3000 HUDSON PK S 100
ST PAUL MN
55119

MINN PUB INT RES DAYTON
2418 UNIV AVE SE
MPLS MN
55414

MINN RETAIL HARDWARE ASSN
3033 EXCELSIOR BLVD 313
MPLS MN
55416

MINN STATE BAR ASSN
100 MINN FED BLDG
MPLS MN
55402

MINN STATE OPTOMETRIC ASSN
333 E HENNEPIN AVE
MPLS MN
55414

MINN.TURKEY GROWERS ASSN
2383 UNIV AVE
ST PAUL MN
55114

MOFFITT R.C. DIR.ENV.CONTROL
MPLS.CITY HALL RM 301M
MPLS MN
55415

MN. ASN.C&IND H.D.PETERSON
480 CEDAR ST.
ST.PAUL MN
55101

MINN. ASSN. PET RETAILERS
1115 2ND AVE. SO.
MINNEAPOLIS MN
55403

MINN DEPT HEALTH J C MCKASY
717 DELAWARE S E
MPLS MN
55440

MINN ENV LAW INST INC
PO BOX 15076 COMM STA
MPLS MN
55415

MINN HWYS MANAGEMENT SERVICE
410 HWY BLDG
ST PAUL MN
55101

MINN.MTR.TRANSP. .J.N.DENN
1821 UNIV.
ST.PAUL MN
55104

MN REP STATE CENTRAL COMM
555 WABASHA AVE
ST PAUL MN
55102

MINN SCH BUS OPERATORS ASSN

FARIBAULT MN
55021

MINN ST BD PHAR P G GRUSSING
1965 FORD PKWY
ST PAUL MN
55116

MINN STATE RETIREMENT SYSTEM
529 JACKSON ST
ST PAUL MN
55101

MINN ASSN WATERSHED DIST'S

ADA MN
56510

MCOD R BLOOMINGTON HLTH DEPT
10200 PENN SO
BLOOMINGTON MN
55431

MINN AFL-CIO, L O LA SHOMB
414 AUDITORIUM ST
ST PAUL MN
55102

MINN ASSN COOPERATIVES
55 SHERBURNE AVE
ST PAUL MN
55103

MINN AUTOMOBILE DEALERS ASSN
GRIGGS MIDWAY BLDG
ST PAUL MN
55104

MINN BD PODIATRY EXAM & R
1111 W 2ND ST.
CROOKSTON MN
56716

MINN DENTAL HYGIENISTS
5041 YVONNE TERRACE
MPLS MN
55436

MINN ELECTRICAL ASSN INC
525 SO 7TH
MPLS MN
55415

MINN FARMERS UNION PRES OFF
1275 UNIV AVE
ST PAUL MN
55104

MINN FOOD RETAILERS ASSN
555 WABASHA
ST PAUL MN
55101

MINN HOUSING INST N T CARTER
7801 METRO PKWY
MPLS MN
55420

MINN LP GAS ASSN
7515 WAYZATA BLVD 106
MPLS MN
55426

MINN PETROLEUM COUNCIL
446 BUILDERS EXCH BLDG
MPLS MN
55402

MINN POULTRY & HATCHERY A
BOX 158
MADELIA MN
56062

MINN RESTAURANT ASSN
2001 UNIVERSITY AVE.
ST PAUL MN 55
104

MINN RETAIL FEDERATION
7600 PARKLAWN STE 457
MPLS MN
55435

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Jasper, Minn. 56144

Minnesota Power & Light Co.
30 West Superior St.
Duluth, Minn. 55802

Northern States Power Co.
414 Nicollet Mall
Minneapolis, Minn. 55401

Otter Tail Power Co.
215 S. Cascade
Fergus Falls, Minn. 56537

Interstate Power Company
1000 Main Street
Dubuque, Iowa 52001

MUNICIPAL UTILITIES

Ada Water & Light Dept.
10 Fifth Ave.
Ada, Minn. 56510

Adrian Light and Water Comm.
Adrian, Minn. 56110

Aitkin Public Utilities Commission
120 1st St., N.W.
Aitkin, Minn. 56431

Alexandria Board of Public Works
316 Fillmore St.
Alexandria, Minn. 56308

Alpha Electric Department
Alpha, Minn. 56111

Alvarado Electrical Dept.
Alvarado, Minn. 56710

Anoka Water, Light Dept. (Munic.)
City Hall
Anoka, Minn. 55303

Arlington Municipal Utilities
312 Alden St. W.
Arlington, Minn. 55307

Austin Utilities
P. O. Box 368
500 - 4th Ave., N.E.
Austin, Minn. 55912

Bagley Public Utilities Comm.
Bagley, Minn. 56621

Barnesville Municipal Light Dept.
Barnesville, Minn. 56514

Baudette Municipal Light Plant
Baudette, Minn. 56623

Benson Water & Light Dept.
1411 Pacific Ave.
Benson, Minn. 56215

Bigelow Electric Dept.
Bigelow, Minn. 56117

Biwabik Water, Light, Pwr. & Bldg. Comm.
Box A
Biwabik, Minn. 55708

Blooming Prairie Munic. Utilities
Blooming Prairie, Minn. 55917

Blue Earth Light & Water Dept.
118 E. 6th St.
Blue Earth, Minn. 56013

Brainerd Water & Light Dept.
City Hall
Brainerd, Minn. 56401

Breckenridge Public Utilities
5th St. and Nebraska Ave.
Breckenridge, Minn. 56520

Brewster Electric Light & Power Dept.
Brewster, Minn. 56119

Brownton Municipal Light Plant
Brownton, Minn. 55312

Buffalo Municipal Electric Dept.
212 Central Ave.
Buffalo, Minn. 55313

Buhl Water, Light, Heat & Bldg. Comm.
105 Jones Ave.
Buhl, Minn. 55713

Caledonia Munic. Elec. Light, Water Dept
231 E. Main St.
Caledonia, Minn. 55921

Ceylon Water & Light Dept.
Ceylon, Minn. 56121

Chaska Water & Light Dept.
Chaska, Minn. 55315

Darwin Electric Dept.
Darwin, Minn. 55324

Delano Municipal Power Plant
11 W. Bridge Ave.
Delano, Minn. 55328

Detroit Lakes Public Utilities Dept.
106 E. Holmes St.
Detroit Lakes, Minn. 56501

East Grand Forks Water & Light Dept.
Box 322
East Grand Forks, Minn. 56721

Elk River Municipal Utilities
322 King Ave.
Elk River, Minn. 55330

Ely Municipal Light & Water Dept.
209 E. Chapman St.
Ely, Minn. 55731

Fairfax Municipal Power Plant
Fairfax, Minn. 55332

Fairmont Public Utilities Commission
117 East First St.
Fairmont, Minn. 56031

Fosston Municipal Light & Power
220 East First St.
Fosston, Minn. 56542

Gilbert Water, Light, Power & Bldg. Commission
Gilbert, Minn. 55741

Glenco Municipal Electric Plant
305 W. Franklin St.
Glencoe, Minn. 55336

Grand Marais Public Utilities Comm.
Grand Marais, Minn. 55604

Grand Rapids Public Utilities Comm.
Grand Rapids, Minn. 55744

Granite Falls Munic. Elec. Light Dept.
Granite Falls, Minn. 56241

Grove City Electric Dept.
Box 84
Grove City, Minn. 56243

Halstad Municipal Utilities
Halstad, Minn. 56548

Harmony Electric Dept.
Harmony, Minn. 55939

Hawley Public Utilities Commission
Box 279
Hawley, Minn. 56549

Henning Electric Dept.
Henning, Minn. 56551

Hibbing Public Utilities Commission
6th Ave. E. & 19th St.
Hibbing, Minn. 55746

Hutchinson Municipal Electric Plant
343 Main St.
Hutchinson, Minn. 55350

Jackson Electric Light Dept.
Jackson, Minn. 56143

Janesville Municipal Utilities
219 N. Main
Janesville, Minn. 56048

Kasota Electric Light Dept.
Kasota, Minn. 56050

Keewatin Public Utilities
Keewatin, Minn. 55753

Kelliher Munic. Light & Water Dept.
Kelliher, Minn. 56650

Kenyon Municipal Utilities
Kenyon, Minn. 55946

Lake City Board of Water & Light Comm.
West Center St.
Lake City, Minn. 55041

Lake Crystal Light & Power Comm.
Lake Crystal, Minn. 56055

Lakefield Public Utilities
Lakefield, Minn. 56150

Lake Park Water & Light Dept.
Lake Park, Minn. 56554

Lanesboro Public Utilities
Lanesboro, Minn. 55949

Le Sueur Municipal Utilities
226 N. Main St.
Le Sueur, Minn. 56058

Litchfield Public Utilities Commission
Box 521
Litchfield, Minn. 55355

Luverne Municipal Utilities
609 E. Main
Luverne, Minn. 56156

Madelia Municipal Light & Power Dept.
Madelia, Minn. 56062

Madison Municipal Utilities
109 7th Ave.
Madison, Minn. 56256

Marshall Municipal Utilities
113 South 4th St.
Marshall, Minn. 56258

Mazeppa Public Utilities
Mazeppa, Minn. 55956

Melrose Municipal Power & Light Dept.
21 W. Main St.
Melrose, Minn. 56352

Moorhead Public Service Dept.
Box 779
Moorhead, Minn. 56560

Moose Lake Water & Light Commission
Moose Lake, Minn. 55767

Mora Municipal Electric Utility
16 N. Lake St.
Mora, Minn. 55051

Mountain Iron Munic. Light Dept.
Mountain Iron, Minn. 55768

Mountain Lake Municipal Utilities
Mountain Lake, Minn. 56159

Nashwauk Water, Light, Power & Bldg. Commission
Nashwauk, Minn. 55769

Newfolden Electric Dept.
Newfolden, Minn. 56738

New Prague Municipal Utilities
New Prague, Minn. 56071

New Ulm Public Utilities Commission
310 First North St.
New Ulm, Minn. 56073

Nielsville Village Light System
Nielsville, Minn. 56568

North Branch Light & Power Comm.
P. O. Box 17
North Branch, Minn. 55056

North St. Paul Utility Dept.
2526 E. 7th Ave.
North St. Paul, Minn. 55109

Olivia Munic. Water & Light Dept.
1009 W. Lincoln
Olivia, Minn. 56277

Ortonville Water & Light Dept.
315 Madison Ave.
Ortonville, Minn. 56278

Owatonna Municipal Public Utilities
208 S. Walnut Ave.
Owatonna, Minn. 55060

Pierz Utilities
Pierz, Minn. 56364

Preston Public Utilities
Preston, Minn. 55965

Princeton Power & Light Dept.
Princeton, Minn. 55371

Proctor Public Utilities Comm.
222 Third Ave.
Proctor, Minn. 55810

Randall Electric Light Co.
Randall, Minn. 56475

Redwood Falls Public Utilities Comm.
207 E. Fourth St.
Redwood Falls, Minn. 56283

Rochester Public Utility Dept.
506 First Ave., N.E.
Rochester, Minn. 55901

Roseau Municipal Water & Light Plant
Roseau, Minn. 56751

Rushford Water & Light Dept.
Rushford, Minn. 55971

Rushmore Electric Dept.
Rushmore, Minn. 56168

St. Charles Municipal Electric Light & Water Dept.
St. Charles, Minn. 55972

St. James Electric Dept
120 Armstrong Blvd.
St. James, Minn. 56081

St. Peter Light & Water Dept.
Box 309
St. Peter, Minn. 56082

Sargeant Electric Dept.
Sargeant, Minn. 55973

Sauk Centre Water, Light & Power Comm.
523 Sinclair Lewis Ave.
Sauk Centre, Minn. 56378

Shakopee Public Utilities
Shakopee, Minn. 55379

Shelly Municipal Light Dept.
Shelly, Minn. 56581

Sleepy Eye Municipal Utilities
130 North 6th St.
Sleepy Eye, Minn. 56085

Spring Grove Municipal Lighting System
Spring Grove, Minn. 55974

Spring Valley Water & Light Comm.
104 So. Section Ave.
Spring Valley, Minn. 55975

Springfield Public Utilities
14 N. Marshall Ave.
Springfield, Minn. 56087

Staples Munic. Water & Light Plant
Staples, Minn. 56479

Stephen Electric Dept.
Stephen, Minn. 56757

Thief River Falls Water & Light Dept.
Box 528
Thief River Falls, Minn. 56701

Truman Municipal Light Plant
Box 147
Truman, Minn. 56088

Two Harbors Munic. Water & Light Plant
610 Second Ave.
Two Harbors, Minn. 55616

Tyler Municipal Light & Power Dept.
Box 398
Tyler, Minn. 56178

Virginia Dept of Public Utilities
620 Second St.
Virginia, Minn. 55792

Wadena Electric & Water Works Dept.
104 N. Jefferson
Wadena, Minn. 56482

Warren Water Light & Power Dept.
126 W. Johnson Ave.
Warren, Minn. 56762

Warroad Munic. Light & Power Dept.
Warroad, Minn. 56763

Waseca Water and Light Dept.
508 So. State
Waseca, Minn. 56093

Wells Public Utilities
Wells, Minn. 56097

Westbrook Municipal Light & Power Plt.
Westbrook, Minn. 56183

Whalen Electric Department
Whalen, Minn. 55986

Willmar Municipal Utilities Commission
704 Litchfield Ave., S. W.
Willmar, Minn. 56201

Windom Municipal Utilities
444 Ninth St.
Windom, Minn. 56101

Winthrop Utilities
Winthrop, Minn. 55396

Worthington Munic. Public Utilities
303 9th St., P. O. Box 111
Worthington, Minn. 56187

Elbow Lake Mun. Elec. Dept.
Elbow Lake, Minn. 56531

Kasson Public Utilities
12 First Ave., N.E.
Kasson, Minn. 55944

Mabel Munic. Utilities
P. O. Box 425
Mabel, Minn. 55954

COOPERATIVE UTILITIES

Agra-Lite Cooperative
Benson, Minn. 56215

Anoka Electric Cooperative
2022 No. Ferry St.
Anoka, Minn. 55303

Arrowhead Electric Cooperative, Inc.
Box 38
Lutsen, Minn. 55612

Blue Earth-Nicollet Coop Elec. Assn.
P. O. Box 8
Mankato, Minn. 56001

Brown County Rural Elec. Assn.
Sleepy Eye, Minn. 56085

Carlton Co. Cooperative Power Assn.
Kettle River, Minn. 55757

Clearwater-Polk Electric Coop., Inc.
Bagley, Minn. 56621

The Cooperative Light & Power Assn.
of Lake County
Box 69
Two Harbors, Minn. 55616

Crow Wing Cooperative Power & Light Co.
823 Maple St.
Brainerd, Minn. 56401

Dairyland Electric Co-op., Inc.
2800 Elida Drive
Grand Rapids, Minn. 55744

Dakota Electric Association
821 Third
Farmington, Minn. 55024

East Central Electric Association
Braham, Minn. 55006

Faribault Co. Cooperative Elec. Assn.
Frost, Minn. 56033

Federated Rural Electric Assn.
Highway 71 South
Jackson, Minn. 56143

Freeborn-Mower Elec. Cooperative
Box 611
Albert Lea, Minn. 56007

Goodhue County Coop. Elec. Assn.
224 Main St.
Zumbrota, Minn. 55992

Itasca Mantrap Co-op. Elec. Assn.
310 E. Third St.
Park Rapids, Minn. 56470

Kandiyohi Coop. Elec. Power Assn.
Route 2
Willmar, Minn. 56201

Lake Region Co-op. Elec. Assn.
12 Fifth Ave., N.E.
Pelican Rapids, Minn. 56572

Lyon-Lincoln Elec. Cooperative, Inc.
Tyler, Minn. 56178

Mc Leod Cooperative Power Assn.
1231 Ford Ave.
Glencoe, Minn. 55336

Meeker Cooperative Light & Power Assn.
503 E. Highway 12 (P.O. Box 522)
Litchfield, Minn. 55355

Mille Lacs Electric Cooperative
P. O. Box 230
Aitkin, Minn. 56431

Minnesota Valley Cooperative Light &
Power Assn.
501 S. First St.
Montevideo, Minn. 56265

Minnesota Valley Electric Cooperative
Association
Jordan, Minn. 55352

Nobles Cooperative Electric
1121 Third Ave.
Worthington, Minn. 56187

North Itasca Elec. Cooperative, Inc.
Bigfork, Minn. 56628

North Pine Electric Cooperative, Inc.
Finlayson, Minn. 55735

North Star Electric Cooperative, Inc.
Baudette, Minn. 56623

Northern Electric Coop. Assn.
1500 - 16th St. South
Virginia, Minn. 55792

Northern Minnesota Power Assn.
Box 160
Grand Rapids, Minn. 55744

P.K.M. Electric Cooperative, Inc.
406 N. Minn. St.
Warren, Minn. 56762

People's Cooperative Power Assn.
P. O. Box 1039
Rochester, Minn. 55901

Red Lake Electric Cooperative, Inc.
Red Lake Falls, Minn. 56750

Red River Valley Coop. Power Assn.
Halstad, Minn. 56548

Redwood Electric Cooperative
Clements, Minn. 56224

Renville-Sibley Coop. Power Assn.
Danube, Minn. 56230

Roseau Electric Cooperative, Inc.
Box 100
Roseau, Minn. 56751

Runestone Electric Association
Box 25
Alexandria, Minn. 56308

South Central Electric Assn.
Hwy. 60 W.
St. James, Minn. 56081

Southwestern Minnesota Cooperative
Electric
Box 431
Pipestone, Minn. 56164

Stearns Cooperative Electric Assn.
900 E. Kraft Drive
Melrose, Minn. 56352

Steele Waseca Coop. Electric
115 E. Rose
Owatonna, Minn. 55060

Todd Wadena Electric Cooperative
Box 431
Wadena, Minn. 56482

Traverse Electric Cooperative, Inc.
T. H. 27 and 17th St.
Wheaton, Minn. 56296

Tri-County Electric Cooperative
Rushford, Minn. 55971

Wells Electric Assn.
P. O. Box 216
Wells, Minn. 56097

Wild Rice Electric Cooperative, Inc.
Mahnomen, Minn. 56557

Wright-Hennepin Cooperative Assn.
Maple Lake, Minn. 55358

Beltrami Electric Cooperative
Bemidji, Minnesota 56601

Dairyland Power Cooperative
2615 East Ave. South
LaCrosse, Wisconsin 54601

Cooperative Power Association
6700 France Ave. South
Minneapolis, Minn. 55435

United Power Association
Elk River, Minn. 55330

Minnkota Power Cooperative
Grand Forks, North Dakota 58201

INDUSTRIAL

Hoerner-Waldorf Paper Co.
2250 Wabash Ave.
St. Paul, Minn. 55114

Erie Mining Co.
P. O. Box 8471
Hoyt Lakes, Minn. 55750

Reserve Mining Co.
Silver Bay, Minn. 55614

Boise Cascade Co.
International Falls, Minn. 56649

U. S. Steel Corp.
Duluth Works
Morgan Park
Duluth, Minn. 55808

Dr. Lawrence Conroy
1515 East River Road
Minneapolis, Mn. 55414

Dr. James Jack
402 Moreland Ave.
Mankato, Minn. 56001

Mr. Dan McConnon
1000 Oakwood Terrace
Champlin, Minn. 55316

Mr. Edward Finklea
3409 Bloomington Ave.SO.
Mpls., Minn. 55407

Dr. Paul Toren
805 Park
Mahtomedi, Minn. 55115

Ms. Mary Brascugli
1560 Sixth Ave. No.
St. Cloud, Minn. 56031

Mr. Oscar Norgren
2031 Tiogra Blvd.
New Brighton, Minn. 55112

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Route 2
Worthington, Minn. 56187

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30 Crocus Place
St. Paul, Minn. 55102

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3719 Sun Terrace
White Bear Lake, Minn.
55110

Mr. John Rose
Route 1, Box 64
Underwood, Minn. 56586

Ms. Lisette Callahan
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Backus, Minn. 56435

Ms. Marylyn Deneen
831 W. Nebraska Ave.
St. Paul, Minn. 55117

Mr. William House
Route 1, Box 8
Two Harbors, Minn. 55616

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1102 West DePue
Olivia, Minn. 56277

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4436 Fourth Ave. So.
Minneapolis, Minn. 55409

Mr. Robert Banks
4243 Cedar Ave. So.
Minneapolis, Minn. 55407

Mr. Richard Kastler
5300 St. Bridget Rd.,S.E.
Rochester, Minn. 55901

Ms. Barbara Sipson
513 So. Sixth St.
Moorhead, Mn. 56560

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John Olin Also: ✓Clarence A. Johannes
Deputy Executive Director — x 7200
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1935 W. County Road B2
Roseville, Minnesota 55113
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296-7303

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✓Ed Ross
Department of Health
Telephone: 296-5339

~~Wes Fischer~~ — Al Mitchell
~~Pollution Control Agency~~ PCA
~~Telephone: 636-5740~~ 636-5740
296-7341

Also inform: (and send ALL Tech. Rep. material)
Charles Layton - 335-8707
David Clark - 373-3124
Shirley Hunt - 339-8663

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JAMES (TED) SHIELDS Hanover Bldg. 480 Cedar Street St. Paul, Minnesota 55101	Home Phone: Office Phone:	(218) 363-2933 ( ) 227-9591

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE THE MINNESOTA
ENVIRONMENTAL QUALITY COUNCIL

In the matter of the Adoption
of Proposed Rules of the Minnesota
Environmental Quality Council
relating to Power Plant Sites and
Transmission Line Routes.

FINDINGS OF FACT

The above-entitled matter came on for hearing before the Environmental Quality Council of the State of Minnesota in the City of Saint Paul, Minnesota, in the Auditorium of the State Office Building, Wabasha Street and Fuller Avenue, on May 20, 1974, commencing at 10:00 A.M. and 7:00 P.M.; in the City of Morris, Minnesota, in the Science Auditorium of the University of Minnesota, Morris, on May 21, 1974, commencing at 3:00 P.M. and 7:00 P.M.; in the City of Duluth, Minnesota, in the Central Lecture Hall of the Duluth Area Vocational-Technical Institute, 2101 Trinity Road, on May 22, 1974, commencing at 3:00 P.M. and 7:00 P.M.; in the City of Mankato, Minnesota, in the Conference Auditorium of the Centennial Student Union, Highland Campus, Mankato State College, on May 28, 1974, commencing at 3:00 P.M. and 7:00 P.M.; in the City of Crookston, Minnesota, at the Auditorium of the Agriculture Research Center, University of Minnesota Technical College, on May 29, 1974, commencing at 3:00 P.M. and 7:00 P.M. after proper notice required by Minn. Stat. § 15.0412 (1973) was served upon all persons, associations and other interested groups registered with the Secretary of State for that purpose.

After affording interested persons an opportunity to present written and oral data, statements and arguments, having heard all of the testimony, having considered all of the evidence adduced and upon the records, files and proceedings herein, I find the following:

1. The authority of these Regulations should clearly state that no large electric power generating plant or high voltage transmission line shall be constructed except on a site or route designated by the Council and that no site or route shall be designated that violates state agency regulations.

2. That "designated corridor" means a transmission line corridor that has been granted a certificate of corridor compatibility by the Council.

3. That "designated site" means a power plant site that has been granted a certificate of site compatibility by the Council.

4. That "power plant avoidance areas" means those areas in which a large electric power generating plant shall not be located for reasons of human and environmental impact when feasible and prudent alternatives exist.

5. That "receipt of application" means the date of Council meeting at which the application is presented to the Council.

6. That "transmission line avoidance areas" means those areas through which a transmission line shall not be routed for reasons of human and environmental impact when feasible and prudent alternatives exist.

7. The inventory report of potential plant sites and transmission line corridors should include a statement of the reasons each site or corridor was included and a general description of the candidate areas in the state and the weighting factors to be applied to the site selection criteria. Certain considerations should be regarded as more important than others when developing the weighting factors. These are health effects, water and air quality, water appropriation, and large generating capacity.

8. When the Council studies other sites or corridors, in addition to those submitted by the applicant, the Council should inform the applicant and the public.

9. The Act specifically directs the Council to adopt broad spectrum citizen participation as a principal of operation. Therefore, the Council should appoint a plant site evaluation committee for each site application. Because there will be no alternative for some corridor applications, the Council should have the option of appointing or not appointing a corridor evaluation committee. Route evaluation committees should be appointed when the proposed route is over 40 kilometers, with the Council option to appoint such committees for proposed routes under 40 kilometers.

10. Also, to improve citizen participation, public information meetings should be held before each public hearing when possible.

11. Notice of public hearings and information meetings should also be sent to the applicant and each legislator within whose district the site, corridor, or route is being considered; by press release; and by paid radio, television, or newspaper advertisement in the area.

12. State agencies required to present their positions on designations should clearly state whether the proposed site, corridor, or route will be in compliance with the agency standards, regulations or policies based on the information available at the time.

13. Changes in the location of a facility necessary to allow designation in compliance with the standards should also be considered when a site or corridor application is denied.

14. After the Council issues a high voltage transmission line construction permit, the utility should file with the Council its construction plans prior to commencement of construction.

15. Emergency certification of a site or route should be carried out in two parts. First, the Council should hold a public hearing and apply the appropriate criteria to determine whether a demonstrable emergency exists. Second, when it is found that an emergency does not exist, a final order should be issued and all expended fees forfeited. When it is found that an emergency does exist, a hearing on the merits of the site or route should be held and the Council, after applying the appropriate criteria and considerations, should issue a certificate or permit.

16. When there is a delay in construction beyond four years, the Council should suspend the certificate or permit, order a new hearing and further consider the matter when significant changes in any material aspects have occurred.

17. The Council should, upon application by a utility, consider minor alterations in high voltage transmission line construction permits and determine whether the changes are significant enough to warrant Council study, whether additional public hearings should be held, whether additional fees should be assessed and the amount of time necessary to complete the studies.

18. High voltage transmission line additions or modifications under 1.6 kilometers in length should be exempted from the Regulations through application by the utility and approval by the Council.

19. The exclusion of certain land areas is very appropriate with regard to the criteria for large electric power generating plants. A second list of areas should also be included which, although not absolute exclusion areas, should be protected except where no feasible and prudent alternative exists. These areas should also apply to new transportation access routes and storage facilities associated with the large electric power generating plants.

20. The application for a large electric power generating plant site or a high voltage transmission line construction permit should contain the procedures and practices of abandonment and restoration of the site or route.

21. The criteria to be used in the determination of a demonstrable emergency should establish that the situation could not reasonably have been anticipated, no opportunity for more timely notice was present, the situation resulted from conditions beyond the control of the utility, there is no feasible and prudent alternative available to the utility, and that the utility will carry out the acquisition and construction program at the maximum practicable rate of progress.

22. The annual public hearing should be on the second Saturday in September at 10:00 A.M. in Saint Paul.

23. There was testimony that the definition of a "high voltage transmission line" should not include substations and terminals as associated facilities. However, since the location of new substations or terminals determines the endpoints of the route or exact points along the route, it is necessary to include them in the routing process in order to determine a route with the least adverse environmental effect. It is recognized that the location of a substation or terminal could have a significant effect on a utility's distribution system and thus heavy consideration should be given to a utility's proposed location.

24. (Ground water issue - finding to be determined by Council action.)

STATE OF MINNESOTA
ENVIRONMENTAL QUALITY COUNCIL

BY Gerald W. Christenson
Gerald W. Christenson
Chairman

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE THE MINNESOTA
ENVIRONMENTAL QUALITY COUNCIL

In the matter of Proposed Rules of the Minnesota Environmental Quality Council relating to Power Plant Sites and Transmission Line Routes.

STATEMENT OF NEED

The above-captioned rules are new rules and regulations and are not amendments to any existing rule or regulation.

The need to adopt these rules and regulations arises from the enactment in 1973 of the Minnesota Power Plant Siting Act, Minn. Stat., Section 116C.51 through 116C.69, which gave the Environmental Quality Council the authority to select sites for large electric power generating plants and corridors and routes for high voltage transmission lines, and which gave the Council the authority to adopt rules and regulations to give effect to the purposes of the Act.

The Regulations contain definitions, responsibilities of the Council and of utilities, and procedures to be followed. The Regulations also state the criteria upon which sites and routes are to be selected, the contents of reports and applications which must be filed with the Council, criteria for emergency applications, and rules for public participation.

STATE OF MINNESOTA
ENVIRONMENTAL QUALITY COUNCIL

By Gerald W. Christenson
GERALD W. CHRISTENSON
Chairman

STATEMENT OF COMPLIANCE WITH

MANUAL OF RULE-MAKING PROCEDURES

I, Special Assistant Attorney General Jean E. Heilman, do hereby declare that I have examined the proposed rules and all related documents and that, based on them and my personal familiarity with the applicable procedures, the Manual of Rule-Making Procedures has been followed. Any exceptions are noted below.

Jean E. Heilman
Special Assistant
Attorney General

Dated: July 11, 1974