

7848.1900 NOTICE PLANS WHEN SEEKING CERTIFICATION.

Subpart 1. **Filings required, service requirements.** On or before June 1 of the year in which biennial transmission projects reports will be filed, utilities shall file proposed plans for providing notice to all persons reasonably likely to be affected by any transmission line proposed for certification in those reports. Utilities shall serve their proposed plans on the following persons:

- A. the Department of Commerce;
- B. the Residential and Small Business Utilities Division of the Office of the Attorney General; and
- C. the general service list for biennial transmission projects reports established under part 7829.0600.

Subp. 2. **Procedural schedule, notice of procedural schedule.** Initial comments on proposed notice plans must be filed within 20 days of the date of filing. Reply comments must be filed within 20 days of the expiration of the initial comment period. Utilities shall include with the proposed notice plan a clear and conspicuous notice of these comment periods.

Subp. 3. **Types of notice.** Proposed notice plans must include notice to the following persons by the method specified:

- A. direct mail notice, based on county tax assessment rolls, to landowners reasonably likely to be affected by the proposed transmission line;
- B. direct mail notice to all mailing addresses within the area reasonably likely to be affected by the proposed transmission line;
- C. direct mail notice to local and tribal governments whose jurisdictions are reasonably likely to be affected by the proposed transmission line; and
- D. newspaper notice to members of the public in areas reasonably likely to be affected by the proposed transmission line.

Subp. 4. **Notice content.** Proposed notice plans must provide notice recipients with the following information:

- A. a map showing the end points of the line and existing transmission facilities in the area;
- B. a description of general right-of-way requirements for a line of the size and voltage proposed and a statement that the utility intends to acquire property rights for the right-of-way that the proposed line will require;
- C. a notice that the line cannot be constructed unless the commission certifies that it is needed;

- D. the commission's mailing address, telephone number, and Web site;
- E. the address of the Web site on which the utility or utilities proposing the line will post their biennial transmission projects reports;
- F. a statement that the board will be preparing an environmental assessment of each high-voltage transmission line for which certification is requested;
- G. a brief explanation of how to get on the mailing list for the board's proceeding;
and
- H. a statement that requests for certification of high-voltage transmission lines are governed by Minnesota law, including specifically this chapter, chapter 4410, and parts 7849.1000 to 7849.2100, and Minnesota Statutes, section 216B.2425.

Subp. 5. **Supplementary notice.** The commission shall require supplementary notice to persons reasonably likely to be affected by system alternatives developed in the course of certification proceedings if it appears that those system alternatives are as likely to be certified as the proposed high-voltage transmission line.

Subp. 6. **Notice time frames.** The utility shall implement the proposed notice plan within 30 days of its approval by the commission.

Subp. 7. **Good faith sufficient.** The commission shall not deny a request for certification of a high-voltage transmission line on grounds of defective notice if the utility acted in good faith, in substantial compliance with the notice requirements of this subpart, and in substantial compliance with any commission orders issued under this subpart.

Statutory Authority: *MS s 216A.05; 216B.08; 216B.09*

History: *27 SR 1820*

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