

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA**

IN THE MATTER OF THE APPLICATION OF)	DECISION AND ORDER
XCEL ENERGY FOR A PERMIT TO)	APPROVING STIPULATION
CONSTRUCT 6.5 MILES OF 115 KV)	AND GRANTING PERMIT TO
TRANSMISSION LINE AND ASSOCIATED)	CONSTRUCT
MODIFICATIONS TO THE BROOKINGS)	TRANSMISSION FACILITIES
SUBSTATION)	EL08-001

On January 31, 2008, Northern States Power Company, a Minnesota Corporation d/b/a Xcel Energy (Xcel) submitted an application for a Construction Permit to build the following: 1. A new 6.5 mile 115 kV transmission line from the Brookings County Substation to the Minnesota/South Dakota border; and 2. Modifications to the Brookings County Substation to accommodate the new 115 kV line. The application comprises the western portion of the Buffalo Ridge Incremental Generation Outlet project which connects the Brookings County Substation to the Yankee Substation northwest of Lake Benton, Minnesota.

On February 6, 2008, the Commission electronically transmitted notice of the filing and the intervention deadline of April 1, 2008, to interested individuals and entities. A public input hearing was held as scheduled on March 10, 2008, in White, South Dakota. On March 31, 2008, the Commission received an Application for Party Status from the Brookings County Commission. At its regularly scheduled meeting of April 8, 2008, the Commission granted party status to the Brookings County Commission (Brookings).

On July 8, 2008, the Commission received a Motion to Extend Final Approval Deadline to October 31, 2008, from Xcel. On July 24, 2008, the Commission received a letter in support of the extension from the Brookings County Commission. At its regularly scheduled meeting of July 29, 2008, the Commission unanimously voted to grant the Motion to Extend Final Approval Deadline. On October 14, 2008, the Commission received a Second Motion to Extend Final Approval Deadline to November 30, 2008, from Xcel. At its regularly scheduled meeting of October 21, 2008, the Commission unanimously voted to grant the Second Motion to Extend Final Approval Deadline. On November 14, 2008, the Commission received a Third Motion to Extend Final Approval Deadline to January 31, 2009. At its regularly scheduled meeting of November 25, 2008, the Commission unanimously voted to grant the Third Motion to Extend Final Approval Deadline.

On January 21, 2009, the Commission received a Joint Motion for Approval of Stipulation and a Stipulation signed by the parties.

At its January 27, 2009, meeting, the Commission considered this matter. The Commission has jurisdiction over this matter pursuant to SDCL Chapter 49-41B, specifically 49-41B-1, 49-41B-2, 49-41B-2.1, 49-41B-4, 49-41B-11, 49-41B-12, 49-41B-13, 49-41B-15, 49-41B-16, 49-41B-17, 49-41B-17.1, 49-41B-21, 49-41B-22, 49-41B-25, 49-41B-26, 49-41B-33, 49-41B-38, and ARSD Chapter 20:10:22. The Commission voted to

approve the Stipulation and accept the Findings of Fact, Conclusions of Law, and Terms and Conditions. By approving the Stipulation, the Commission grants Xcel's application for a permit to construct transmission facilities, subject to the Findings of Fact, Conclusions of Law, and Terms and Conditions listed in the Stipulation.

It is therefore

ORDERED, that the Stipulation entered into by Xcel, Commission Staff and the Brookings County Commission on January 16, 2009, shall be approved and shall be incorporated by reference into this Decision and Order the same as if it had been set forth in its entirety herein; and it is

FURTHER ORDERED, that Xcel is granted a permit to construct the transmission facilities, subject to the Findings of Fact, Conclusions of Law, and Terms and Conditions listed in the Stipulation.

Dated at Pierre, South Dakota, this 5th day of February, 2009.

CERTIFICATE OF SERVICE
The undersigned hereby certifies that this document has been served today upon all parties of record in this docket, as listed on the docket service list, electronically.
By: <u><i>Helaine Kolbo</i></u>
Date: <u>2/5/09</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Dustin M. Johnson
DUSTIN M. JOHNSON, Chairman

Steve Kolbeck
STEVE KOLBECK, Commissioner

Gary Hanson
GARY HANSON, Commissioner