

PRESIDENTIAL PERMIT  
BOISE CASCADE CORPORATION  
ORDER NO. PP-96

BACKGROUND

On June 16, 1993, the Boise Cascade Corporation (Boise) applied to the Office of Fossil Energy of the Department of Energy (DOE) for a Presidential permit to construct, connect, operate, and maintain a 115-kilovolt (kV) transmission line at the U.S.-Canadian international border at International Falls, Minnesota. Boise does not seek authority to energize these facilities at this time.

Boise, in conjunction with the Minnesota Power & Light Company (MP&L) proposes to dismantle 0.1 miles of an existing single-circuit, 115-kV international transmission line which crosses the Rainy River, and to replace this circuit on the same center line and over the same distance with two, 115-kV circuits which will occupy the same support structures. To accomplish this, one existing support structure on the Minnesota side of the river will be replaced. One of the two resulting 115-kV circuits crossing the Rainy River will be owned and operated by Boise and is the subject of this Presidential Permit. The second circuit will be owned and operated by MP&L. On May 11, 1994, the DOE amended Presidential Permit PP-78 authorizing MP&L to construct and operate this second circuit.

Notice of Boise's application was published in the Federal Register on September 17, 1993, (58 FR 48648) soliciting comments, protests, or requests to intervene. No responses to that notice were received.

The Secretary of State and the Secretary of Defense favorably recommended that the request for amendment be granted as hereinafter provided.

#### DECISION

The DOE has assessed the potential environmental impacts associated with the issuance of the proposed Presidential permit and has determined that this action is among those classes of actions not normally requiring preparation of an environmental assessment or an environmental impact statement and, therefore, is eligible for categorical exclusion under Appendix B to Subpart D, paragraph B4.6 of the revised DOE Regulations implementing the National Environmental Policy Act of 1969. A memorandum documenting the use of this categorical exclusion has been placed in this docket.

Based upon Boise's stated intention not to energize these facilities at this time, the DOE has determined that the construction and connection of the proposed facilities will not adversely impact the reliability of the U.S. electric power supply system. The reliability impact of operating the proposed

facilities will be addressed at a later date if and when Boise proposes to energize the line and submits appropriate technical studies demonstrating the operation of the regional electric system with the subject facilities in operation.

ORDER

Pursuant to the provisions of Executive Order No. 10485, as amended by Executive Order No. 12038, and the Rules and Regulations thereunder (Title 10, Code of Federal Regulations, section 205.320 et seq.), Presidential Permit PP-96 is hereby granted to the Boise Cascade Corporation to construct, connect, operate, and maintain electric transmission facilities at the international border of the United States and Canada, as further described in Article 2 below, upon the following conditions:

Article 1. The facilities herein described shall be subject to all conditions, provisions and requirements of this permit. This permit may be modified or revoked by the President of the United States without notice, or by the DOE after public notice, and may be amended by the DOE after proper application thereto.

Article 2. The facilities covered by and subject to this permit shall include the following facilities and all supporting structures within the right-of-way occupied by such facilities:

One 115-kV, 60 hz transmission line extending approximately 0.1 miles across the Rainy River from a new support

structure on the U.S. side of the international border with Canada, at International Falls, Minnesota.

These facilities are more specifically shown and described in the application filed by the applicant on June 16, 1993.

Article 3. The facilities authorized herein may not be energized, and no electric energy may be transmitted over the facilities until Boise submits appropriate information demonstrating the impact of the operation of the subject facilities on the reliability of the U.S. electric power supply system and DOE evaluates the information and issues an order amending this permit as appropriate. Under no circumstances shall Boise energize the subject facilities without specific authorization from the DOE.

Article 4. The facilities described in Article 2 shall be designed and operated in accordance with the applicable criteria established by the Mid-Continent Area Power Pool and consistent with that of the North American Electric Reliability Council.

Article 5. No change shall be made in the facilities covered by this permit or in the authorized operation of these facilities unless such change has been approved by the DOE.

Article 6. Boise or its agent shall at all times maintain the

facilities covered by this permit in a satisfactory condition so that all requirements of the National Electric Safety Code in effect at the time of construction are fully met.

Article 7. The operation and maintenance of the facilities covered by this permit shall be subject to the inspection and approval of a properly designated representative of the DOE, who shall be an authorized representative of the United States for such purposes. Boise shall allow officers or employees of the United States, with written authorization for, free and unrestricted access into, through, and across any lands occupied by these facilities in the performance of their duties.

Article 8. Boise shall investigate any complaints from nearby residents of radio or television interference identifiably caused by the operation of the facilities covered by this permit. Boise shall take appropriate action as necessary to mitigate such situations. Complaints from individuals residing within one-half mile of the center of the transmission circuit are the only ones which must be resolved. Boise shall maintain written records of all complaints received and of the corrective actions taken.

Article 9. The United States shall not be responsible or liable: for damages to or loss of the property of, or injuries to, persons; for damages to, or loss of the facilities covered by this permit; or for damages to, or loss of the property of, or

injuries to the person of Boise officers, agents, servants or employees, or of others who may be on said premises; any of which may arise from or be incident to the exercise of the privileges granted herein; and Boise shall hold the United States harmless from any and all such claims.

Article 10. Boise shall arrange for the installation and maintenance of appropriate metering equipment to record permanently the hourly flow of all electric energy transmitted between Canada and the United States over the facilities authorized herein. Boise shall prepare, maintain, and preserve complete and accurate records concerning the transfer of such electric energy; and shall furnish the DOE an annual report, for the previous calendar year, which will be due on or before February 15th of each year, detailing the transmission of such electric energy, as follows: (1) the gross amount of kilowatt-hours of electric energy received ; (2) the maximum hourly rate of transmission in kilowatts; and (3) the consideration paid for such energy during each month.

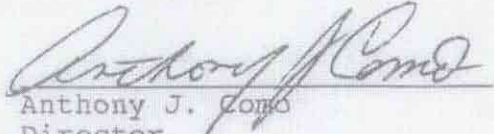
Article 11. Neither this permit nor the facilities covered by this permit, or any part thereof, shall be transferable or assignable, except in the event of the involuntary transfer of the facilities by the operation of law. In the case of such an involuntary transfer, this permit shall continue in effect for a period of 60 days and then shall terminate unless an application

for a new permit pursuant to Title 10, Code of Federal Regulations, section 205.323, has been received by the DOE. Upon receipt by the DOE of such an application, this existing permit shall continue in effect pending a decision on the new application. During this decision period, the facilities authorized herein shall remain substantially the same as before the transfer.

Article 12. Upon the termination, revocation or surrender of this permit, the 115-kV transmission line, which is owned, connected, operated, and maintained by Boise and described in Article 2 of this permit, shall be removed within such time as DOE may specify and at the expense of Boise. If Boise fails to remove such facilities and/or any portion thereof authorized by this permit, DOE may direct that such actions be taken for the removal of the facilities or the restoration of the land associated with the facilities at the expense of Boise. Boise shall have no claim for damages by reason of such possession, removal or repair. However, upon a showing by Boise that certain facilities authorized herein, such as portions of its rights-of-way or the transmission line within the United States, are useful to other utility operations within the bounds of the United States, the DOE will not require that those facilities be removed and the land restored to its original condition upon termination of the international interconnection.

Article 13. This permit shall be valid upon receipt by the DOE of the Testimony of Acceptance properly executed.

Issued in Washington, D.C. on July 7, 1994.



Anthony J. Combs  
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Office of Coal & Electricity  
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