

January 15, 2026

Ms. Sasha Bergman, Executive Secretary  
Minnesota Public Utilities Commission  
127 7<sup>th</sup> Place East, Suite 350  
Saint Paul, MN 55101-2147

Re: Certificate of Need Application Completeness and Rule Variance  
Iron Range – St. Louis County – Arrowhead 345 kV Transmission Line Project  
Docket No. E015/CN-25-111

Dear Ms. Bergman,

Minnesota Public Utilities Commission (Commission) Energy Infrastructure Permitting (EIP) staff has received Minnesota Power and American Transmission Company LLC by and through its corporate manager ATC Management Inc. (ATC) (collectively, the Applicants), combined Certificate of Need and Route Permit Application for the Iron Range – St. Louis County – Arrowhead 345 kV Transmission Line Project. EIP staff has reviewed the Certificate of Need Application and recommends the Commission find this portion of the Application substantially complete and recommends that it be reviewed using the informal comment and reply process under Minnesota Rule 7829.1200.<sup>1</sup> Additionally, EIP staff recommends that the Commission grant a variance to Minnesota Rules 7849.1200<sup>2</sup> and 7849.1400<sup>3</sup> to transfer responsibility for environmental report preparation activities from the Department of Commerce to Commission EIP staff.

### **Application Completeness**

The applicants submitted their combined Application for the project on January 5, 2026.<sup>4</sup> On January 15, 2026, EIP staff completed their review of the Certificate of Need portion of the Application and recommend that the Commission find it complete. Staff has identified no contested issues at this time and recommends the Certificate of Need be reviewed using the informal comment and reply process under Minnesota Rule 7829.1200.

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<sup>1</sup> [Minnesota Rule 7829.1200](#)

<sup>2</sup> [Minnesota Rule 7849.1200](#)

<sup>3</sup> [Minnesota Rule 7849.1400](#)

<sup>4</sup> Minnesota Power and American Transmission Company LLC, [Combined Application](#), 01/05/2026

## Variance Requests

Minnesota Rules 7849.1200 and 7849.1400 direct the Commissioner of the Department of Commerce to provide notice to interested persons of the pending project, hold a public meeting, and scope and prepare an environmental report. On July 1, 2025, Department of Commerce Energy Environmental Review and Analysis (DOC EERA) unit staff moved to the Commission EIP unit as directed by state law (Laws of Minn. 2024, ch.126, art. 7). While both rules specifically name the Commissioner of the Department of Commerce, if granted a variance, this work would now be completed by PUC EIP environmental review staff. Specifically, staff recommends granting variances to replace “the commissioner of the Department of Commerce” or “the commissioner” with “Public Utilities Commission staff”.

In order to obtain a variance to its rules, the commission must determine if the following requirements are met under Minnesota Rule 7829.3200 subpart 1<sup>5</sup>:

- A. enforcement of the rule would impose an excessive burden upon the applicant or others affected by the rule;
- B. granting the variance would not adversely affect the public interest; and
- C. granting the variance would not conflict with standards imposed by law.

Enforcing Minnesota Rules 7849.1200 and 7849.1400 as written would impose an excessive burden by requiring the Department of Commerce to perform environmental review activities that are duplicative of the environmental review that the Legislature has tasked Commission staff with conducting for large energy infrastructure facilities.

The variance would not adversely affect the public interest; rather, it would promote efficiency by allowing PUC EIP staff to conduct the environmental review for both approvals the Project needs from the Commission.

Additionally, granting the variance would not conflict with standards imposed by law; the variance is consistent with the Legislature’s decision to transfer responsibility for administering environmental review of large energy infrastructure projects from the Department of Commerce to the Commission.

## Recommendations

EIP staff recommends that the Commission:

- Find that the Certificate of Need portion of the combined application is complete.
- Review the Certificate of Need using the informal comment and reply process under 7829.1200.
- Grant a variance to Minnesota Rule 7849.1200 to transfer responsibility for environmental report preparation activities to Commission EIP staff.

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<sup>5</sup> [Minnesota Rule 7829.3200](#)

- Grant a variance to Minnesota Rule 7849.1400 to transfer responsibility for environmental report preparation activities to Commission EIP staff.

EIP staff is available to answer any questions the Commission may have.

Sincerely,

Energy Infrastructure Permitting