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June 6, 2023

VIA E-FILING
Honorable Suzanne Todnem
Administrative Law Judge
Office of Administrative Hearings
P.O. Box 64620
Saint Paul, MN 55164-0620

Re: In the Matter of the Application of Great River Energy for a Route Permit to Rebuild the Existing 69kV ST-WW Transmission Line to 115kV in Stearns County, Minnesota MPUC Docket No. TL-22-235

Dear Judge Todnem:

Great River Energy respectfully submits this response to comments in the above-captioned docket. Also included with this filing are Great River Energy's Proposed Findings of Fact and Conclusions of Law ("Proposed Findings") for the proposed rebuild of the existing 69-kilovolt ("kV") ST-WW transmission line to 115-kV in Stearns County, Minnesota (the "Project").

I. Response to Comments.

A. Public comments.

The comment period in this matter was open from May 1, 2023, until June 1, 2023, and comments could also be submitted during the public hearings on May 17 and 18, 2023. During the May 17, 2023 hearing, two members of the public asked questions concerning Great River Energy's land acquisition process for the Project. Great River Energy responded to those questions at the hearing. No members of the public spoke at the May 18, 2023 hearing.

B. Minnesota Department of Natural Resources.

The Minnesota Department of Natural Resources ("DNR") submitted written comments on June 1, 2023. DNR requested the inclusion of two special conditions, one related to dust control and another related to wildlife-friendly erosion control. Great River Energy does not object to these recommendations— Great River Energy typically uses water for dust suppression, and the use of wildlife-friendly erosion control is standard for Great River Energy.

C. Minnesota Department of Commerce, Energy Environmental Review and Analysis.

On June 1, the Minnesota Department of Commerce, Energy Environmental Review and Analysis ("EERA") submitted a revised draft route permit for the Project. Great River Energy generally does not object to the revisions proposed by EERA. However, Great River Energy

notes that EERA's revised draft route permit does not account for landowner preferences in Condition No. 6.3 related to the Vegetation Management Plan. As explained in the Supplemental Testimony of Mark Strohfus, Great River Energy requests that the condition reflect that landowner decisions and preferences are a necessary part of any transmission line vegetation management plan, given that the landowner will continue to own and use the property after construction is complete. This language is also consistent with another recent route permit issued to Great River Energy.[1] Accordingly, Great River Energy requests that Condition No. 6.3 proposed by EERA be modified to include the underlined language below:

> Permittee shall develop a vegetation management plan in coordination with EERA and DNR. The vegetation management plan and documentation of the coordination efforts between the permittee and the coordinating agencies shall be filed at least 14 days prior to the plan and profile for the project. The Permittee shall provide all affected landowners with copies of the plan.
>
> The vegetation management plan must include the following:
>
> > Management objectives addressing short term (seeding and establishment) and long term (through the life of the project) goals. A description of planned restoration and vegetation management activities, including how the site will be prepared, timing of activities, how seeding will occur (broadcast, drilling, etc.), and the types of seed mixes to be used.
> >
> > A description of tree removal/planting activities and the timing of such activities.
> >
> > A description of how the site will be monitored and evaluated to meet management goals.
> >
> > A description of the management tools used to maintain vegetation (e.g., mowing, spots praying, hand removal, fire, grazing, etc.), including the timing and frequency of maintenance activities.

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[1] *In the Matter of the Application of Great River Energy and Otter Tail Power Company for a Route Permit for the Frazee to Erie 115 kV Transmission Line Project in Becker and Otter Tail Counties*, Route Permit § 6.9, Docket No. E017, ET2/TL-20-423 (Dec. 17, 2021)

Recognition of landowner preferences regarding site restoration and seed mixes.

II. Proposed Findings.

With this filing, Great River Energy also submits its Proposed Findings, which have been drafted to reflect the record in this matter, including the comments summarized above.

These documents have been e-filed through www.edocket.state.mn.us, and a Word copy of Great River Energy's Proposed Findings is being provided under separate cover. A copy of this filing is also being served upon the persons on the Official Service List of record.

Please let me know if you have any questions regarding this filing.

Sincerely,

FREDRIKSON & BYRON, P.A.

s/ Haley Waller Pitts

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STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS
FOR THE PUBLIC UTILITIES COMMISSION

In the Matter of the Application of Great River Energy for a Route Permit to Rebuild the Existing 69kV ST-WW Transmission Line to 115kV in Stearns County, Minnesota

OAH Docket No. 23-2500-38942
MPUC Docket No. ET-2/TL-22-235

GREAT RIVER ENERGY'S PROPOSED FINDINGS OF FACT, CONCLUSIONS OF LAW, AND RECOMMENDATIONS

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS
FOR PUBLIC UTILITIES COMMISSION

In the Matter of the Application of Great River Energy for a Route Permit to Rebuild the Existing 69kV ST-WW Transmission Line to 115kV in Stearns County, Minnesota	OAH Docket No. 23-2500-38942 MPUC Docket No. ET-2/TL-22-235

GREAT RIVER ENERGY'S PROPOSED FINDINGS OF FACT, CONCLUSIONS OF LAW, AND RECOMMENDATIONS

This matter was assigned to Administrative Law Judge Suzanne Todnem to conduct a public hearing on the Route Permit Application (MPUC Docket No. ET-2/TL-22-235) ("Application") of Great River Energy ("Applicant") to rebuild approximately 3.2 miles of the existing 69-kilovolt ("kV") "ST-WW" transmission line to 115-kV in St. Joseph Township, the City of St. Joseph, and St. Wendell Township in Stearns County, MN (the "Project"). The Minnesota Public Utilities Commission ("MPUC" or "Commission") also requested that the Administrative Law Judge ("ALJ") prepare findings of fact and conclusions of law and provide recommendations, if any, on conditions and provisions of the proposed route permit.

Public hearings on the Application were held on May 17, 2023 (in person) and May 18, 2023 (remote access - telephone and internet). The factual record remained open until June 1, 2023, for the receipt of written public comments.

Haley Waller Pitts, Fredrikson & Byron, P.A., 200 South Sixth Street, Suite 4000, Minneapolis, Minnesota 55402, and Mark Strohfus, Project Manager of Transmission Permitting for Great River Energy, appeared on behalf of Great River Energy.

Cezar Panait, Energy Facility Planner, Minnesota Public Utilities Commission Staff ("Staff"), 121 Seventh Place East, Suite 350, St. Paul, MN 55101 appeared on behalf of the Commission.

Jamie MacAlister and Jenna Ness, Environmental Review Managers, 85 7th Place East, Suite 280, St. Paul, MN 55101 appeared on behalf of the Department of Commerce, Energy Environmental Review and Analysis ("EERA").

STATEMENT OF ISSUES

Has Great River Energy satisfied the criteria established in Minn. Stat. Ch. 216E and Minn. R. Ch. 7850 a Route Permit for the Project?

SUMMARY OF RECOMMENDATIONS

The Administrative Law Judge concludes that Great River Energy has satisfied the applicable legal requirements and, accordingly, recommends that the Commission GRANT a Route Permit for the Project, subject to the conditions discussed below.

Based on the evidence in the hearing record, the ALJ makes the following:

FINDINGS OF FACT

I. APPLICANT

1. Great River Energy is a not-for-profit generation and transmission cooperative based in Maple Grove, Minnesota. Great River Energy provides electrical energy and related services to 28 member cooperatives and customers. Great River Energy's distribution cooperatives and customers, in turn, supply electricity and related services to more than 720,000 residential, commercial, and industrial customers in Minnesota and Wisconsin.[1]

II. PROCEDURAL HISTORY

2. The Minnesota Power Plant Siting Act ("PPSA") provides that no person may construct a high voltage transmission line ("HVTL") without a route permit from the Commission.[2] Under the PPSA, an HVTL includes a transmission line that is 100 kV or more and is greater than 1,500 feet in length.[3] The proposed 115-kV transmission line is an HVTL greater than 1,500 feet in length and, therefore, a route permit is required from the Commission prior to construction.[4]

3. The Commission's rules establish two tracks for the permitting of a HVTL. The "full permitting process" includes preparing an environmental impact statement ("EIS") and holding a contested case hearing.[5] The "alternative permitting process" is available to, among other HVTLs, HVTLs which operate at a voltage between 100 and 200 kV; this process requires an Environmental Assessment ("EA") instead of an EIS and a public hearing instead of a contested case hearing.[6]

4. Because Applicant's proposed transmission line would operate at a voltage between 100 and 200 kV, it is eligible for the alternative permitting process authorized by Minn. Stat. § 216E.04, subd. 2(3) and Minn. R. 7850.2800, Subp. 1(C).[7]

5. On July 14, 2022, Applicant filed with the Commission a notice that Applicant intended to apply for a Route Permit for the Project and intended to use the Alternative Permitting Process within Minn. R. 7850.2800 - .3900.[8]

6. On August 25, 2022, Great River Energy submitted the Route Permit Application for the Project.[9]

7. On September 6, 2022, the Commission issued a Notice of Comment Period regarding the completeness of the Application, requesting initial comments by September 20, 2022, reply comments by September 27, 2022, and supplemental comments by October 4, 2022. The notice

[1] Ex. GRE-2 at 1-1 (Application).
[2] Minn. Stat. § 216E.03, subd. 2.
[3] Minn. Stat. § 216E.01, subd. 4.
[4] Ex. GRE-2 at 1-1 (Application).
[5] *See* Minn. R. 7850.1700–.2700 (full permitting procedures).
[6] *See* Minn. R. 7850.2900–.3900 (alternative permitting procedures).
[7] Minn. R. 7850.2800, subp. 1(C).
[8] Ex. GRE-1 (Notice of Intent by Great River Energy to Submit a Route Permit Application under the Alternative Permitting Process).
[9] Ex. GRE-2 (Application).

requested comments on whether the Application was complete within the meaning of the Commission's rules; whether there were contested issues of fact with respect to the representations made in the Application; whether the Commission should appoint an advisory task force; and whether there were any additional procedural requirements that should be considered.[10]

8. On September 20, 2022, EERA filed its Completeness Comments and Recommendations. EERA recommended that the Commission accept the Application as complete, but require the Applicant to supplement the record with additional information in the form of an amended site permit. EERA also recommended that the Commission take no action on an advisory task force.[11] Comments were also submitted by the City of St. Cloud, Minnesota Department of Natural Resources ("DNR"), and the Minnesota Department of Transportation ("MnDOT").[12]

9. On September 26, 2022, Applicant filed a Confirmation of Notice compliance filing for the Route Permit Application.[13]

10. On September 27, 2022, Applicant submitted reply comments concerning the Application's completeness.[14]

11. On October 4, 2022, EERA submitted supplemental comments concerning the Application's completeness.[15]

12. On October 14, 2022, the Commission issued a Notice of Commission Meeting on Application completeness for October 27, 2022.[16]

13. On October 19, 2022, Commission staff filed Briefing Papers, and the Commission met to consider Applicant completeness on October 27, 2022.[17]

14. On October 27, 2022, the Commission met and Commissioner Means moved that the Commission (1) accept the Application as complete and authorized review under the alternative permitting process defined in Minn. Stat. § 216E.04 and Minn. R. 7850.2800 to 7850.3900; (2) require Great River Energy to file, at least 10 days prior to the scoping meeting, additional information identified by EERA in its September 9, 2022, initial comments; (3) request that an ALJ from the Office of Administrative Hearings ("OAH") preside over a public hearing under the Commission's Summary Proceeding process; (4) request that the ALJ (a) establish the types of filings necessary to facilitate proper record development and a schedule for submitting those filings through a prehearing conference and (b) prepare a report setting forth findings of fact, conclusions of law, and recommendations on the

[10] Ex. PUC-1 (Notice of Comment Period on Application Completeness).

[11] Ex. EERA-1 (Comments and Recommendations on Application Completeness) EERA Comments on Application Completeness (September 20, 2022) (eDocket No. 20229-189194-01).

[12] Public Comments – City of St. Cloud (September 12, 2022) (eDocket No. 20229-188984-01); Public Comments – MnDOT (September 20, 2022) (eDocket No. 20229-189183-01); Public Comments – MNDNR (September 20, 2022) (eDocket No. 20229-189180-01).

[13] Ex. GRE-4 (Compliance Filing – Notice of Filing Application).

[14] Ex. GRE-5 (Reply Comments regarding Application Completeness).

[15] Supplemental Comments – Comments on Application Completeness (October 4, 2022) (eDocket No. 202210-189547-01).

[16] Notice of Commission Meeting on Application Completeness (October 14, 2022) (eDocket No. 202210-189774-06).

[17] Ex. PUC-3 (Briefing Papers—October 27, 2022 Agenda).

merits of the Application and provide recommendations, if any, on the conditions and provisions a permit; and (5) take no action on an advisory task force at this time. The motion passed 4-0.[18]

15. On November 21, 2022, the Commission issued an Order finding the Application complete and referring the matter for summary proceedings.[19]

16. On November 21, 2022, the Commission and EERA issued a Notice of Public Information Meeting and EA Scoping Meeting, requesting responses to four questions regarding the Project: (1) What potential human and environmental impacts should be studied?; (2) What are possible methods to minimize, mitigate, or avoid potential impacts that should be studied?; (3) Are there any alternative routes or route segments that should be studied to address potential impacts?; and (4) Are there any unique characteristics of the Project area that should be considered?[20]

17. On November 22, 2022, Applicant filed a Pre-Scoping Supplemental Filing with Attachments A-F.[21]

18. On December 5, 2022, the Commission issue a Sample Route Permit.[22]

19. On December 6, 2022, the Commission filed the handouts prepared for the Public Information and Scoping Meeting.[23] The Commission also filed the Affidavits of Publication for the Notice of the Public Information and Scoping Meeting.[24]

20. On December 21, 2022, MnDOT filed comments in response to the Notice of Public Information and Environmental Assessment Scoping Meetings.[25]

21. On December 29, 2022, Applicant filed scoping comments explaining that it was coordinating with the cities of St. Joseph and St. Cloud on an expanded route width.[26]

22. On December 29, 2022, DNR filed comments s regarding the potential environmental impacts that should be considered in the EA.[27]

23. On January 19, 2023, EERA filled comments and recommendations regarding scoping of the EA.[28]

24. On January 24, 2023, the Commission issued minutes indicating that it would take no action on the scope of the EA identified in EERA's January 19, 2023 comments.[29]

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[18] October 27, 2022 Minutes (January 3, 2023) (eDocket No. 20231-191748-01).
[19] Ex. PUC-4 (Order Finding Application Complete And Referring The Matter For Summary Proceedings).
[20] Ex. PUC-5 (Notice of Public Information and Environmental Assessment Scoping Meeting).
[21] Ex. GRE-6 (Pre-Scoping Supplemental Filing with Attachments A-F).
[22] Sample Route Permit (December 5, 2022) (eDocket No. 202212-191096-01).
[23] Ex. PUC-7 (Public Meeting PowerPoint Presentation).
[24] Ex. PUC-8 (Affidavits of Publication – Notice of Public Meetings).
[25] Ex. DOT-2 (Comments).
[26] Exs. GRE-7 (Scoping Comments) and EERA-3 (Great River Energy Scoping Comments).
[27] Ex. EERA-3 (MDNR Scoping Comments).
[28] Ex. EERA Comments (January 19, 2023) (eDocket No. 20231-192286-01).
[29] Ex. PUC-9 (Minutes--January 24, 2023 Consent).

25. On January 31, 2023, EERA filed a decision on the scope of the EA to be prepared for the Project.[30]

26. On February 3, 2023, the OAH filed a Notice of Prehearing Conference scheduling a prehearing conference for February 22, 2023, and requiring parties to file a proposed procedural schedule by February 15, 2022.[31]

27. On February 9, 2023, EERA filed a letter proposing a procedural schedule upon which EERA, Commission staff, and the Applicant agreed.[32]

28. On February 22, 2023, a prehearing conference was held before Administrative Law Judge Suzanne Todnem and on February 27, 2023, the Administrative Law Judge issued a Scheduling Order establishing a schedule for the proceedings.[33] The transcripts from the prehearing conference were filed on February 27, 2023.[34]

29. On May 1, 2023, EERA filed the EA.[35]

30. On May 1, 2023, the Commission issued a Notice of Public Hearing scheduling hearings for May 17, 2023 (in person) and May 18, 2023 (remote-access).[36] The notice also opened a public comment period until June 1, 2023.

31. On May 9, 2023, the Commission filed documentation confirming that it had provided the EA and Notice of EA Availability, Public Hearings, and Comment Period for the Project to the *EQB Monitor*.[37]

32. On May 17, 2023, and on May 18, 2023, the Administrative Law Judge held public hearings. The May 17, 2023, public hearing was held in person in St. Joseph, Minnesota. The May 18, 2023, public hearing was conducted virtually via conference call and WebEx.[38]

33. On June 1, 2023, EERA filed a revised draft route permit.[39] On the same day, DNR filed comments recommending that the Project route permit include two special conditions, one related to dust control and another related to wildlife-friendly erosion control.[40] No members of the public submitted written comments during the comment period.

34. Great River Energy submitted responses to comments and proposed findings of fact and conclusions of law on June 6, 2023.

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[30] Ex. EERA-4 (Scoping Decision for EA).
[31] Prehearing Conference (February 3, 2023) (eDocket No. 20232-192916-01).
[32] Department of Commerce Proposed Schedule (February 9, 2023) (eDocket No. 20232-193051-01).
[33] First Scheduling Order (February 27, 2023) (eDocket No. 20232-193463-01).
[34] Prehearing Conference Transcript 2-22-2023 (February 27, 2023) (eDocket No. 20232-193424-01).
[35] Ex. EERA-6 (EA).
[36] Ex. PUC-10 (Notice of Public Hearing).
[37] EQB Monitor (May 9, 2023) (eDocket No. 20235-195730-01).
[38] Public Hearing Presentation (May 23, 2023) (eDocket No. 20235-196068-01).
[39] EERA Comments (June 1, 2023) (eDocket No. 20236-196332-01).
[40] DNR Comments (June 1, 2023) (eDocket No. 20236-196308-01).

III. DESCRIPTION OF THE PROJECT

35. The Project consists of Great River Energy rebuilding approximately 3.2 miles of the existing 69-kV transmission line to 115-kV in St. Joseph Township, the City of St. Joseph, and St. Wendell Township in Stearns County, MN. The rebuilt line will be designated as the ST-WS line and will complete the conversion of the regional transmission system to operate at 115-kV. [41]

36. Great River Energy proposes to remove approximately 3.2 miles of the existing 69-kV ST-WW transmission line and structures between the existing West St. Cloud, Westwood, and Le Sauk Substations and replace those facilities with an overhead 115-kV transmission line and structures. Great River Energy proposes that the new 115-kV transmission line to follow the alignment of the existing 69-kV transmission line to the extent possible ("Proposed Route"). Great River Energy plans to extend the transmission line approximately 170 feet northwesterly near the existing Le Sauk Substation to tap into a new 115-kV switch on Great River Energy's existing ST-FPT (loosely the Stearns - Five Points Substation line) transmission line. Great River Energy plans to install an additional 115-kV breaker and associated equipment at the existing West St. Cloud Substation, which will require an approximately 6,500-square-foot expansion of the substation. Great River Energy plans to install two 115-kV line switches: one for the tap feeding the existing Westwood Substation, and one north of the existing Le Sauk Substation.[42]

37. The Proposed Route will exit the east side of the West St. Cloud substation and run east on the south side of Ridgewood Road for approximately one half mile, then cross over to an upgraded switch and tap line for Stearns Electric Association's Westwood Substation. From the Westwood Substation, the Project continues east for 1,100 feet along the north side of Ridgewood Road before turning north for approximately 1.4 miles to Mullen Road, then westerly along Mullen Road for approximately 0.9 miles where the existing 69-kV line terminates on the east side of County State Aid Highway ("CSAH") 133. The 115-kV line will then extend approximately 170 feet northwest on new right-of-way, crossing over Mullen Road and CSAH 133, to a new switch pole on Great River Energy's existing ST-FPT 115-kV line.[43]

IV. NEED OVERVIEW

38. Over the last decade, Great River Energy has been upgrading the St. Joseph area to a 115-kV transmission system to improve reliability and resiliency. This Project will complete the area upgrade and loop the 115-kV system by allowing power to the Westwood Substation to be provided either through the West St. Cloud Substation to the south or the Le Sauk Substation to the north.[44]

39. As compared to the 69-kV system, the 115-kV system will, once completed, have the following impacts: (1) improve service reliability and resiliency to Le Sauk, Westwood I, and Five Points Distribution Substations by re-stablishing additional transmission lines to power the Le Sauk Substation; (2) address North American Electric Reliability Corporation ("NERC") category P6 contingency low voltage problems by eliminating low voltage problems, which can negatively impact the operation of some electrical equipment; (3) address safety concerns resulting from high current levels amps on the distribution system when transferring load between the Westwood I and Westwood

[41] Ex. GRE-2 at 1-1 (Application).
[42] Ex. GRE-2 at 1-5 (Application).
[43] Ex. GRE-2 at 1-6 (Application).
[44] Ex. GRE-2 at 1-9 (Application).

II distribution banks; (4) reduce outage exposure to Westwood I, Le Sauk and Five Points Distribution Substations by serving them with a shorter 115-kV transmission system; and (5) reduce the duration of any outage by replacing some manual switches with motor operated switches that can be activated remotely.[45]

V. ROUTES EVALUATED

A. Applicant's Proposed Route.

40. The Project is proposed to replace the existing 69-kV transmission line. It will exit the east side of the West St. Cloud substation and run east on the south side of Ridgewood Road for approximately one-half mile, then cross over to an upgraded switch and tap line for Stearns Electric Association's Westwood Substation. From the Westwood Substation, the Project continues east for 1,100 feet along the north side of Ridgewood Road before turning north for approximately 1.4 miles to Mullen Road, then westerly along Mullen Road for approximately 0.9 miles where the existing 69-kV line terminates on the east side of CSAH 133. The 115-kV line will then extend approximately 170 feet northwest on new right-of-way, crossing over Mullen Road and CSAH 133, to a new switch pole on Great River Energy's existing ST-FPT 115-kV line.[46]

B. Other Routes Evaluated by Applicant.

41. Minnesota Statutes Section 216E.04, subdivision 3 and Minn. R. 7850.3100 require an applicant to identify any alternative routes that were considered and rejected for the Project.

42. Prior to submitting the Application, Great River Energy evaluated and rejected one alternative route for the Project.[47]

43. Th alternative route involved constructing a new 115-kV transmission line to the west along the new right-of-way. The new line would extend from the Westwood Distribution Substation west for approximately 1.25 miles along 304th Street until intersecting with Great River Energy's existing de-energized 69-kV ST-WL line. The existing ST-WL would be removed and replaced with a new 115-kV line that would extend northerly for approximately 1.5 miles to Great River Energy's existing Le Sauk Substation. The existing ST-WW line extending east from the West St. Cloud Substation to the Westwood Distribution Substation would also be rebuilt to 115-kV. Great River Energy rejected this route because it would result in the same types of impacts as the Project, but potentially on a greater magnitude because of the creation of the new right-of-way, while at the same time presenting feasibility and reliability concerns not present for the Project as proposed.[48]

C. Routes Analyzed in the Environmental Assessment.

44. Consistent with EERA's scoping decision, the EA did not analyze route segment alternatives because none were proposed during scoping. However, as requested by Great River Energy, the EA did analyze an expanded route width to accommodate potential future road expansion near the Project.

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[45] Ex. GRE-2 at 1-9 (Application).
[46] Ex. GRE-2 at 1-6 (Application).
[47] Ex. GRE-2 at 5-11 (Application).
[48] Ex. GRE-2 at 5-11–5-12 (Application).

VI. TRANSMISSION LINE STRUCTURE TYPES AND SPANS

45. The majority of the new 115-kV line will consist of single circuit, monopole wood structures spaced approximately 300 to 400 feet apart. Transmission structures will typically range in height from 70 to 90 feet above ground, depending upon the terrain and environmental constraints. The average diameter of the wood structures at ground level is 20 inches.[49]

46. Laminated wood structures or steel structures may be needed for switches and angled structures; the size of these structures is dependent on the weight of the switch material, the tension on the line, and/or the angle of deflection the pole location causes on the transmission line. Specific sizing of these structures will be determined after a route permit is issued and detailed engineering design is initiated.[50]

47. Multi-pole (3-pole deadend) and/or H-frame structures may be used to cross underneath the existing Xcel Energy 115-kV line located between Ridgewood Road and 304th Street. Multi-pole and/or H-frame structures are designed in a horizontal configuration, which maintains the transmission line conductors parallel to the ground. The horizontal configuration allows the upgraded 115-kV transmission line to be as low as possible at the crossing point, while still maintaining the required clearances set forth by the National Electrical Safety Code ("NESC"). Specific sizing of these structures will be determined after a route permit is issued and detailed engineering design is initiated.[51]

48. NESC sets minimum clearances of the conductors from structures adjacent to or within the right-of-way. For a 115-kV transmission line like the Project, the NESC minimum clearance under a 48 mile per hour ("mph") wind is 8.6 feet. When there is no wind, the conductors must have a clearance of 9.1 to 11.6 feet from various structures. Great River Energy also typically requires the blowout to remain within the right-of-way under a more extreme wind condition of 94 mph. Blowout on a typical 115-kV transmission line with a 300-foot span is approximately five feet with 48 mph winds and eight feet with 94 mph winds. During preliminary and final engineering, both of which start after a route permit is issued, the span distances are constrained in part by the NESC and Great River Energy's clearance requirements.[52]

49. The modified West St. Cloud Substation will be equipped with breakers and relays located where the transmission line will connect to the substation. This equipment is designed to protect human health as well as all of the equipment on the transmission system by de-energizing the transmission line should any unsafe line faults occur.[53]

VII. TRANSMISSION LINE CONDUCTORS

50. The single circuit structures will have three single conductor phase wires and one shield wire. It is anticipated that the phase wires will be 795 thousand circular mil aluminum conductor steel supported with seven steel core strands and 26 outer aluminum strands, or a conductor with similar capacity.[54]

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[49] Ex. GRE-2 at 4-4 (Application).
[50] Ex. GRE-2 at 4-4 (Application).
[51] Ex. GRE-2 at 4-4 (Application).
[52] Ex. GRE-2 at 4-5 (Application).
[53] Ex. GRE-2 at 4-5 (Application).
[54] Ex. GRE-2 at 4-6 (Application).

51. The shield wire will be 0.528 optical ground wire.[55]

VIII. TRANSMISSION LINE ROUTE WIDTHS

52. Great River Energy is requesting approval of the following route widths for the Project:

- The entire parcel upon which the expanded West St. Cloud Substation is proposed to be located.
- Along the south side of Ridgewood Road, a 100-foot-wide route extending southerly and perpendicular from the road right-of-way.
- An approximately 2.75-acre area around the existing Westwood Substation to enable design and construction options for the Project to cross over Ridgewood Road and railroad tracks, under the existing Xcel Energy 115-kV transmission line, over 304th Street, and to accommodate redesign options at the Westwood Substation.
- Along the north side of 304th Street, a 100-feet-wide route width extending northerly and perpendicular from the road right-of-way.
- Along the north-to-south parcel/section lines, a 100-feet-wide route extending westerly and perpendicular from the north-to-south parcel/section lines, except that starting at the northeast corner of the Project at the intersection of 73rd Avenue and Mullen Road, a route width of 450 feet west of the City of St. Cloud boundary, extending 1,480 feet south of the Mullen Road centerline. From this point, the route width decreases to 250 feet west of the City of St. Cloud boundary, extending 2,650 feet further to the south. From this point south to 304th Street, the route width returns to 100 feet west of the City of St. Cloud boundary.
- Along the easterly-to-westerly Mullen Road, a 220-feet-wide route that extends 110 feet perpendicular from each side of the road centerline.
- Along the final 115-kV transmission line segment connected to the new switch on Great River Energy's existing ST-FPT 115-kV transmission line, a 200-feet-wide route width that extends perpendicular from the proposed transmission line centerline.

53. Great River Energy is requesting a wider route width west of 73rd Avenue. The Cities of St. Joseph and St. Cloud ("Cities") have identified potential plans for future road expansion in the vicinity of the Project. Great River Energy's expanded route width represents its best effort at this time to understand the Cities' potential future road expansion plans, and Great River Energy has shared this route width with the Cities. However, the Cities' potential future road expansion plans are not sufficiently defined to allow Great River Energy to determine whether shifting the Project's proposed

[55] Ex. GRE-2 at 4-6 (Application).

alignment and using the expanded route width would be appropriate, given that it will result in additional tree clearing, potential agricultural impacts, and would require a new right-of-way.[56]

54. Great River Energy has described the circumstances under which it would seek to use the expanded route width south of Mullen Road. Specifically, with respect to the northern portion of the expanded route width, to the extent the Cities are able to provide a road expansion design prior to the time Great River Energy commences final design for the Project, Great River Energy could seek to use the expanded route width. However, the road expansion design would need to also reflect an agreement to relocate the existing natural gas compressor station (which would also be affected by a road expansion in this area) and landowner agreement. Great River Energy will commence final design after a route permit is issued for the Project.[57]

55. With respect to the southern portion of the expanded route width, where there are residential parcels roughly north of Black Spruce Street and immediately east of 73rd Avenue, Great River Energy is amenable to moving the Project sufficiently west without the Cities having a complete design, funding, or schedule for that portion of the road; however, landowner agreement would be needed. Specifically, the Project would be shifted west of the existing 69-kV transmission line to where there are no existing residential properties immediately east of 73rd Avenue, provided that the impacted landowners are willing to negotiate new easements for the Project. The expanded route to the south is less likely to be used if the impacted landowners are not willing to negotiate new easements.[58]

56. Great River Energy stated that it is continuing to engage with the Cities on this issue, but did not have further updates beyond what was provided in its November 22, 2022 filing at the time of the hearing.[59]

IX. TRANSMISSION LINE RIGHT-OF-WAY

57. Great River Energy is requesting a 100-foot right-of-way for the Project, consistent with other 115-kV lines, but, given the existing development in the area, ultimately anticipates that the Project easements will allow for a right-of-way width that is at least 70-feet-wide (35 feet on each side of the transmission line centerline). A 70-foot-wide right-of-way is needed to maintain proper clearances from objects within the right-of-way, and to ensure that the conductor will not blow out past the right-of-way during high wind events and that vegetation is sufficiently cleared to safely operate and maintain the line.[60]

X. PROJECT SCHEDULE

58. Great River Energy plans to commence construction of the Project in summer of 2024 once required permits and approvals are obtained. Great River Energy anticipates construction will take approximately six months and the Project will be energized in early 2025.[61]

[56] Ex. GRE-8 at 4 (Direct Testimony of Mark Strohfus and Schedule A).
[57] Ex. GRE-8 at 4 (Direct Testimony of Mark Strohfus and Schedule A).
[58] Ex. GRE-8 at 4-5 (Direct Testimony of Mark Strohfus and Schedule A).
[59] Ex. GRE-8 at 5 (Direct Testimony of Mark Strohfus and Schedule A).
[60] Ex. GRE-8 at 5 (Direct Testimony of Mark Strohfus and Schedule A).
[61] Ex. GRE-2 at 1-1, 4-9 (Application).

XI. PROJECT COSTS

59. Great River Energy estimates that the Project, if constructed on the Proposed Route, will cost approximately $6.4 million dollars.[62]

60. The estimated annual cost of right-of-way maintenance and operation of Great River Energy's transmission lines (69 kV to 500 kV) in Minnesota currently averages about $2,000 per mile. Storm restoration, annual inspections, and ordinary replacement costs are included in these annual operating and maintenance costs.[63]

XII. PERMITTEE

61. The permittee for the Project is Great River Energy.

XIII. PUBLIC AND LOCAL GOVERNMENT PARTICIPATION

62. Prior to submitting the Application, Great River Energy initiated landowner outreach by providing information on the Project via letters mailed to potentially impacted landowners, interested parties and local governmental officials, publishing notices in area newspapers, and holding an Open House meeting.[64]

63. Great River Energy held an Open House at the St. Joseph Community Fire Station, St. Joseph, Minnesota, on February 17, 2022. Great River Energy staff were available to provide information and answer questions concerning the Project from members of the public.[65]

64. On September 12, 2022, the City of St. Cloud ("City") submitted comments requesting that the Project alignment account for the future widening of 73rd Avenue North and its potential future extension south of Westwood Parkway.[66]

65. A Public Information Meeting and EA Scoping Meeting was held on December 7, 2022, which multiple members of the public spoke. No written comments were received during the public comment period ending on December 30, 2022.

66. In addition, on December 21, 2022, MnDOT submitted scoping comments stating the proposed rebuild Project does not directly affect current MnDOT right-of-way. MnDOT also stated that if alternate routes are proposed during the scoping process, then MnDOT would need to reevaluate the proposal(s) because MnDOT has a right-of-way near the Project area.[67]

67. On December 29, 2022, DNR submitted scoping comments on the northern long-eared bat ("NLEB") and the Audubon Society's Avon Hills Important Bird Area ("IBA"). Regarding the NLEB, DNR stated that the EA should acknowledge that this species has been uplisted to federally endangered. Because the Project borders a township known to contain NLEB, DNR recommends further coordination with U.S. Fish and Wildlife Service ("USFWS") to understand how this change

[62] Ex. GRE-2 at 1-5, 4-8 (Application).
[63] Ex. GRE-2 at 4-9, 6-21 (Application).
[64] Ex. GRE-2 at 2-3 (Application).
[65] Ex. GRE-2 at 1-11 (Application).
[66] Ex. PUC-2 (Public Comment – City of St. Cloud).
[67] Ex. DOT-2 (Comments).

in status could affect the Project. Regarding the IBA , DNR stated that the EA should recognize that the proposed transmission lines are less than a half mile from the IBA. DNR advised that installing swan-type flight diverters along the southern portion of the transmission line in areas that are in/border wetlands near the IBA should be considered as a method to minimize avian injuries and fatalities. [68]

68. Two members of the public spoke at the in-person portion of the public hearing on May 17, 2023, in St. Joseph, Minnesota.[69] The commenters asked questions concerning the land acquisition process for the Project, and representatives from Great River Energy provided responses.[70]

XIV. FACTORS FOR A ROUTE PERMIT

69. The PPSA, Minn. Stat. Ch. 216E, requires that route permit determinations "be guided by the state's goal to conserve resources, minimize environmental impacts, minimize human settlement and other land use conflicts, and ensure the state's electric energy security through efficient, cost-effective power supply and electric transmission infrastructure."[71]

70. Under the PPSA, the Commission must be guided by 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 lines and the effects of water and air discharges and electric and magnetic fields resulting from such facilities on public health and welfare, vegetation, animals, materials and aesthetic values, including baseline studies, predictive modeling, and 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) environmental evaluation of sites 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;[72]
>
> (5) analysis of the direct and indirect economic impact of

[68] Ex. DNR-2 (Comments).
[69] *See* Pub. Hrg. Tr. (May 17, 2023).
[70] *See* Pub. Hrg. Tr. at 34 (May 17, 2023).
[71] Minn. Stat. § 216E.03, subd. 7.
[72] Factor 4 is not applicable because Applicant is not proposing to site a large electric generating plant in this docket.

proposed sites and routes including, but not limited to, productive agricultural land lost or impaired;

(6) evaluation of adverse direct and indirect environmental effects that cannot be avoided should the proposed site and route be accepted;

(7) evaluation of alternatives to the applicant's proposed site or route proposed pursuant to subdivisions 1 and 2;

(8) evaluation of potential routes that would use or parallel existing railroad and highway rights-of-way;

(9) evaluation of governmental survey lines and other natural division lines of agricultural land so as to minimize interference with agricultural operations;

(10) evaluation of the future needs for additional high-voltage transmission lines in the same general area as any proposed route, and the advisability of ordering the construction of structures capable of expansion in transmission capacity through multiple circuiting or design modifications;

(11) evaluation of irreversible and irretrievable commitments of resources should the proposed site or route be approved;

(12) when appropriate, consideration of problems raised by other state and federal agencies and local entities;

(13) evaluation of the benefits of the proposed facility with respect to (i) the protection and enhancement of environmental quality, and (ii) the reliability of state and regional energy supplies;[73]

(14) evaluation of the proposed facility's impact on socioeconomic factors; and

(15) evaluation of the proposed facility's employment and economic impacts in the vicinity of the facility site and throughout Minnesota, including the quantity and quality of construction and permanent jobs and their compensation levels. The commission must consider a facility's local employment and economic impacts, and may reject or place conditions on a site or route permit based on the local employment and economic impacts.

[73] Factors 13, 14, and 15 were added to Minn. Stat. § 216E.03 in 2023 as part of H.F. No. 7 and became effective on February 8, 2023, after the Application was filed.

71. In addition, Minn. Stat. § 216E.03, subd. 7(e) provides that the Commission "must make specific findings that it has considered locating a route for a high-voltage transmission line on an existing high-voltage transmission line route and the use of parallel existing highway right-of-way and, to the extent those are not used for the route, the [C]omission must state the reasons."

72. In addition to the PPSA, the Commission is governed by Minn. R. 7850.4100, which mandates consideration of the following factors when determining whether to issue a route permit for a high voltage transmission line:

A. effects on human settlement, including, but not limited to, displacement, noise, aesthetics, cultural values, recreation, and public services;

B. effects on public health and safety;

C. effects on land-based economies, including, but not limited to, agriculture, forestry, tourism, and mining;

D. effects on archaeological and historic resources;

E. effects on the natural environment, including effects on air and water quality resources and flora and fauna;

F. effects on rare and unique natural resources;

G. application of design options that maximize energy efficiencies, mitigate adverse environmental effects, and could accommodate expansion of transmission or generating capacity;

H. use or paralleling of existing rights-of-way, survey lines, natural division lines, and agricultural field boundaries;

I. use of existing large electric power generating plant sites;[74]

J. use of existing transportation, pipeline, and electrical transmission systems or rights-of-way;

K. electrical system reliability;

L. costs of constructing, operating, and maintaining the facility which are dependent on design and route;

M. adverse human and natural environmental effects which

[74] This factor is not applicable because it applies only to power plant siting.

cannot be avoided; and

N. irreversible and irretrievable commitments of resources.

73. There is sufficient evidence in this record to assess the Project using the criteria and factors set forth above.

XV. APPLICATION OF ROUTING FACTORS TO THE PROPOSED ROUTE

A. Effects on Human Settlement.

74. Minnesota law requires consideration of the Project's effects on human settlement, including displacement of residences and businesses, noise created during construction and by operation of the Project, and impacts to aesthetics, cultural values, recreation, and public services.[75]

1. Displacement.

75. There are no permanent residences, churches, schools, daycares, or nursing homes within the rights-of-way of the Project. The nearest residences are in the City of St. Cloud where the Project is adjacent to the city line. The closest home is approximately 70 feet from the proposed transmission centerline.[76]

76. Because no displacement impacts are anticipated, no mitigation is necessary.[77]

2. Noise.

77. The Minnesota Pollution Control Agency ("MPCA") has established standards for the regulation of noise levels. The most restrictive MPCA noise limits are 60-65 A-weighted decibels ("dBA") during the daytime and 50- 55 dBA during the nighttime.[78]

78. Potential noise impacts from the Project can be grouped into three categories: construction noise, transmission line noise, and substation noise.[79]

79. During the construction of the Project, temporary, localized noise from heavy equipment and increased vehicle traffic is expected to occur along the right-of-way during daytime hours.[80]

80. Great River Energy estimated that noise levels for the Project would be approximately 41 dBA at the edge of the transmission line right-of-way and 44 dBA directly under the line. These noise levels are within Minnesota noise standards (i.e., < 50 dBA), and would only be perceptible when ambient noise levels in the Project area fall below 40 dBA.[81]

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[75] Minn. Stat. § 216E.03, subd. 7(b); Minn. R. 7850.4100, subp. A.
[76] Ex. EERA-6 at 37 (EA).
[77] Ex. EERA-6 at 37 (EA).
[78] Minn. R. 7030.0040.
[79] Ex. EERA-6 at 41 (EA).
[80] Ex. EERA-6 at 41 (EA).
[81] Ex. EERA-6 at 41 (EA); Ex. GRE-2 at 7-8 (Application).

81. Substation noise results from the operation of transformers and switchgear. Noise impacts from the Project are anticipated to be minimal and within Minnesota's noise standards. However, this does not mean that noise impacts would not occur. Even if the operational noise levels for the Project are within state standards, the Project would introduce a new noise source that, in certain situations (e.g., a calm evening) may be heard by residents in the Project area.[82]

82. Operational noise from the transmission line is not anticipated to significantly contribute to exceedances of the MPCA's total noise standards; therefore, no mitigation is proposed after construction is completed. Construction noise can be mitigated to minimize the impact of any exceedances of the standard that may occur.[83]

3. Aesthetics.

83. The proposed transmission line will have visual impacts. The Project will occupy the same space as the current line. The poles will be larger, but there will be fewer of them. Most of the structures will be wood poles approximately 70 to 90 feet above ground with spans between poles ranging from 300 to 400 feet.[84]

84. The visual impact of the Project is expected to be most noticeable for residents and businesses in the immediate vicinity of the transmission line and substation. There is one residence and no commercial buildings within 50 feet of the Project alignment. There are a total 18 residences and one commercial buildings within 200 hundred feet of the Project alignment. Impacts to residences have been minimized in Project design by routing the transmission line within the existing right-of-way.[85]

85. Some visual impacts may decrease if the existing distribution lines owned by Xcel Energy and Stearns Electric Association are buried, as expected. The new transmission line structures will be 20 to 30 feet taller with larger insulators, which may increase the visual impacts perceived by a viewer; however, the number of structures will decrease.[86]

86. Aesthetic impacts cannot be fully avoided. Great River Energy is committed to working with landowners on pole placement and alignment adjustments. Most of the maintained right-of-way will not significantly change; however, the expanded route width along 73rd Avenue North would require tree clearing. Great River Energy will coordinate with landowners to identify concerns related to the transmission line and aesthetics.[87]

4. Cultural Values.

87. St. Joseph has a vibrant arts community and is home to the College of St. Benedict, both of which are important to the city's identity. The city also hosts many events throughout the year, from farmer's markets, fall festivals, to the "small shop crawl," that attract local residents and visitors.[88]

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[82] Ex. EERA-6 at 41 (EA).
[83] Ex. EERA-6 at 42 (EA).
[84] Ex. EERA-6 at 35 (EA).
[85] Ex. EERA-6 at 35 (EA).
[86] Ex. EERA-6 at 35 (EA).
[87] Ex. EERA-6 at 35 (EA).
[88] Ex. EERA-6 at 36 (EA).

88. Construction and operation of the Project is not likely to impact cultural values in the Project area, natural resource amenities, recreational opportunities, or tourism. There may be localized disruptions along local roadways during construction, but any disruptions would be of short duration and localized to the Project area. No mitigation is proposed as there no impacts are anticipated. [89]

5. Recreation.

89. Stearns County has numerous year-round recreational opportunities such as trails for hiking, biking, and cross-country skiing, lakes and rivers for swimming, boating, and fishing. Existing recreational resources in the Project area, include trails, rivers, lakes, and parks. The Lake Wobegon Regional Trail and snowmobile trail number 211 are adjacent to the Project. A portion of the Lake Wobegon Trail was built in 2018 and runs parallel along the north side of Ridgewood Road. The Lake Wobegon Trail Association and Stearns County Park Department manage the trail. The snowmobile trail follows alongside CSAH 33 and passes near the Le Sauk and Five Points substations.[90]

90. The Project will cross the Lake Wobegon Trail where the line crosses from the south side of Ridgewood Road to the north side of 304th Street. It will also cross over the snowmobile trail were the transmission line crosses over CSAH 33 to connect with the switch structure. The existing 69-kV line already crosses the bike trail and there are other existing transmission and substations in this area, which will help to mitigate the transmission line's visual impacts. Great River Energy does not anticipate closures of the Lake Wobegon Trail or the snowmobile trail during construction.[91]

6. Socioeconomics.

91. Approximately 16 workers will be required for construction of the Project. Great River Energy expects construction to take approximately six months. There will be minor short-term positive economic impacts as a result of construction activity and an influx of contractor employees during construction of the project. Great River Energy will use contractors for all construction activities. Local businesses will likely experience short-term positive economic impacts through the use of the hotels, restaurants and other services used by contractors during construction. In addition, construction materials, such as concrete, may be purchased from local vendors where feasible. There will be no permanent positions created as a result of the Project.[92]

92. During construction, there may be short-term positive impacts to the nearby communities. Potential increases in local revenue may occur for businesses, such as hotels, grocery stores, gas stations and restaurants to support utility personnel and contractors. Long term benefits of the Project include the ongoing reliable electrical services and the ability to serve existing and new local load growth. The benefits apply to the local community regardless of economic status, race, and personal identification. Because impacts to socioeconomics will be generally short-term and beneficial, no mitigation is proposed.[93]

[89] Ex. EERA-6 at 36 (EA).
[90] Ex. EERA-6 at 42 (EA).
[91] Ex. EERA-6 at 42 (EA).
[92] Ex. EERA-6 at 45 (EA); Ex. GRE-2 at 4-9 (Application).
[93] Ex. EERA-6 at 45 (EA).

7. Environmental Justice.

93. Environmental justice is the" fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income, with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies."[94]

94. Minnesota Statute § 216B.1691, subdivision 1 (e) was recently updated to reflect the definition of an environmental justice area. The data does not define the Project area as an environmental justice area based on the population residing in surrounding census tracts. This means that none of the census tracts contain: (1) 40 percent or more nonwhite populations; (2) 35 percent or more households with income ≤ 200 percent of the poverty level; (3) 40 percent or more residents with limited English proficiency; or, (4) Indian country.[95]

95. The socioeconomic setting of the proposed Project area was evaluated on a regional basis, comparing data for the City of St. Joseph with average data for Stearns County and the State of Minnesota The US EPA's Environmental Justice Screening Tool (EJ Screen) was also used to evaluate the Proposed Route plus a 0.25 mile buffer to consider the composition of the affected area to determine whether low-income, minority, or tribal populations are present and whether there may be disproportionately high and adverse human health or environmental effects on these populations. This tool suggests the population in the Project area's exposure to environmental hazards is similar to, or less than, the state and national average exposure values across a range of variables.[96]

96. The Project will not have disproportionately high and adverse human health or environmental effects on low-income, minority, or tribal populations. No further mitigation is proposed.[97]

8. Public Service and Infrastructure.

97. The Project is located in a mixed area of light to heavy industry, grazing and cultivated lands, residential, and some pockets of wooded areas with typical public services (police, fire protection, waste collection, natural gas, wells, septic systems, cable television, electricity, telephone, etc.).[98]

98. Several existing overhead transmission lines are located in the area. There is an existing natural gas pipeline which will be crossed by the Project. Other existing utilities, such as gas/oil pipelines and electric distribution lines, and site improvements, such as septic systems and wells, will be identified during survey activities.[99]

99. The Project is more than 8 miles west of the St. Cloud Regional Airport. The MnDOT Office of Aeronautics web page indicates proposed structures would be located greater than its three-nautical-mile threshold for marking requirements. Furthermore, the Project does not include any

[94] Ex. EERA-6 at 48 (EA).
[95] Ex. EERA-6 at 48-49 (EA).
[96] Ex. EERA-6 at 50 (EA).
[97] Ex. EERA-6 at 50 (EA).
[98] Ex. GRE-2 at 7-14 (Application).
[99] Ex. GRE-2 at 7-14 (Application).

structures that would be more than 200 feet above ground level. Thus, the Project would not have an impact to area airports.[100]

100. The Project will have minor impacts to roadways during construction and operation. Other public services and infrastructure will not be impacted.[101]

B. Effects on Public Health and Safety.

101. Minnesota's high voltage transmission line routing factors require consideration of the Project's potential effect on health and safety.[102]

1. Electromagnetic Fields ("EMF").

102. There are no federal regulations regarding allowable electric or magnetic fields produced by transmission lines in the United States. The Commission has imposed a maximum electric field limit of 8 kV per meter ("kV/m").[103]

103. Impacts to human health and safety are assessed by looking at two main issues: EMF and stray voltage. Given the distance from homes, the voltage of the line and the permittee's obligations for safe operation and proper maintenance of the line, no notable impacts to human health and safety are expected.[104]

2. Stray Voltage.

104. Impacts to residences, businesses, or farming operations resulting from neutral to earth voltage are not anticipated. The Project does not directly connect to businesses or residences at any point along the route and does not change local electrical service.[105]

3. Induced Voltage.

105. Impacts due to induced voltage are not anticipated to occur as a result of the operation of the new transmission line. The new transmission line may induce a voltage on insulated metal objects near the transmission line right-of-way; however, the Commission requires that transmission lines be constructed and operated to meet NESC standards as well as the Commission's own electric field limit of 8-kV/m, reducing these impacts.[106]

C. Effects on Land-Based Economies.

106. Minnesota's high voltage transmission line routing factors require consideration of the Project's impacts to land-based economies—specifically, agriculture, forestry, tourism, and mining.[107]

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[100] Ex. GRE-2 at 7-14 (Application).
[101] Ex. EERA-6 at 46 (EA).
[102] Minn. Stat. § 216E.03, subd. 7(b)(1); Minn. R. 7850.4100, subp. B.
[103] Ex. EERA-6 at 51 (EA).
[104] Ex. EERA-6 at 50 (EA).
[105] Ex. EERA-6 at 52 (EA).
[106] Ex. EERA-6 at 52 (EA).
[107] Minn. Stat. § 216E.03, subd. 7(b)(5); Minn. R. 7850.4100, subp. C.

107. There may be impacts to agriculture dues to construction of the Project. There are no other land-based economies (forestry, mining) in the area potentially impacted by the Project.[108]

1. Agriculture.

108. The Project will have a minor impact on agricultural lands. Agricultural lands within the Proposed Route consist primarily of pasture, hay, and cultivated lands. The transmission line will cross approximately 6.4 acres of agricultural land (assuming a 70-foot right-of-way).[109]

109. Some agricultural land may be temporarily removed from production during construction. Permanent and incrementally negligible agricultural land conversion will occur due to marginally larger structure diameters for the 115-kV circuit. The diameter of the 69-kV structure at ground level are approximately 16 inches, whereas the 115-kV structures will typically be 20 inches.[110]

110. Agricultural land will be impacted by construction. Equipment used in the construction process includes backhoes, cranes, boom trucks and assorted small vehicles that can cause rutting and soil compaction, particularly during springtime and otherwise wet conditions. It is anticipated that some temporary construction space on property immediately adjacent to the right-of-way and on private property will be needed, apart from limited equipment access. Great River Energy will obtain all necessary easements and permissions for temporary workspace. [111]

111. Great River Energy will work with landowners to minimize impacts to all agricultural activities along the route and will compensate landowners for any crop damage/loss and soil compaction that may occur during construction.[112]

2. Forestry.

112. There are no commercially operated forestlands with the Project area.[113]

113. There will be no impacts to commercial forest lands and no mitigation is proposed.[114]

3. Mining.

114. There are no known gravel pits or other mining activity in the vicinity of the Project. As no impacts on mining are anticipated, no mitigation is proposed.[115]

4. Tourism.

115. There are no State Parks, State Forests, Scientific and Natural Areas, Wildlife Management Areas, county parks, or federal forests or refuges within the Proposed Route. Tourist destinations near the Proposed Route include the Lake Wobegon Trail, rivers, and lakes. Popular activities include fishing, boating, swimming, biking, hiking, and scuba diving. The recently

[108] Ex. EERA-6 at 53 (EA).
[109] Ex. EERA-6 at 53 (EA).
[110] Ex. EERA-6 at 53 (EA).
[111] Ex. EERA-6 at 53 (EA).
[112] Ex. GRE-2 at 7-19 (Application).
[113] Ex. EERA-6 at 55 (EA).
[114] Ex. EERA-6 at 53 (EA).
[115] Ex. EERA-6 at 53 (EA).

constructed portion of Lake Wobegon Trail within the Project area provides opportunities for biking, picnicking, viewing wildlife and ecosystems.[116]

116. The Proposed Route would have minimal impacts on tourism activities and nearby tourist destinations. Tree clearing along 73rd Avenue North will permanently displace wildlife and nesting birds in that location and may impact wildlife viewing opportunities locally. Long-term impacts resulting from tree clearing will be minimized by reducing the amount of tree clearing to the extent practicable and restoring the area following construction.[117]

D. Effects on Archaeological and Historic Resources.

117. Minnesota Rule 7850.4100, subparagraph D, requires consideration of the effects of the Project on historic and archaeological resources.

118. A cultural resource literature review of the proposed transmission line and a one-mile buffer was conducted online and at the Minnesota State Historic Preservation Office ("SHPO"). There are six previously recorded historic/archaeological sites within the study area. SHPO concluded that "there are no properties listed in the National or State Registers of Historic Places in the area that will be affected by this project and no known or suspected archaeological properties in the area that will be affected by this project."[118]

119. Great River Energy requested feedback on the Project from the 11 federally recognized Tribes geographically located within Minnesota and the Minnesota Indian Affairs Council. Currently, no traditional cultural properties or cultural resources that reflect cultural or religious importance have been identified.[119]

E. Effect on Natural Environment.

120. Minnesota's high voltage transmission line routing factors require consideration of the Project's effect on the natural environment, including effects on air and water quality resources and flora and fauna.[120]

1. Air Quality.

121. Air quality in the Project area is relatively better than more populated areas of the state such as the Twin Cities metro region. Potential air quality impacts due to the Project are of two types: (1) emissions of ozone and nitrous oxide during operation, and (2) fugitive dust caused by construction activities.[121]

[116] Ex. EERA-6 at 54 (EA).
[117] Ex. EERA-6 at 54 (EA).
[118] Ex. EERA-6 at 55 (EA).
[119] Ex. EERA-6 at 55 (EA).
[120] Minn. Stat. § 216E.03, subd. 7(b)(1)–(2); Minn. R. 7850.4100, subp. E.
[121] Ex. EERA-6 at 57 (EA).

122. Ozone and nitrous oxide emissions from the new 115-kV line are anticipated to be well below the applicable state and federal standards.[122] Impacts are unavoidable and do not affect a unique resource.[123]

123. Dust from construction activities, or fugitive dust, is a particulate air pollutant. Construction activities along the Proposed Route, such as clearing vegetation and driving utility poles, may create exposed areas susceptible to wind erosion. All projects that involve movement of soil, or exposure of erodible surfaces, generate some type of fugitive dust emissions. Motorized equipment will emit exhaust. This includes construction equipment and vehicles travelling to and from the Project. Exhaust emissions, primarily from diesel equipment, would vary according to the phase of construction. The magnitude of emissions is dependent on weather conditions and the specific construction activity taking place. For example, traveling to a construction site on a dry gravel road will result in more fugitive dust than traveling the same road when wet. Any adverse impacts are anticipated to be localized, minimal, and temporary.[124]

2. Greenhouse Gas.

124. Construction activities will result in short-term increases in greenhouse gas ("GHG") emissions because of the combustion of fossil fuels in construction equipment and vehicles. These emissions would be short-term and dispersed over the region; therefore, total emissions would be minimal and not result in a direct impact to any one location. Impacts are unavoidable, but can be minimized.[125]

125. Great River Energy's preliminary estimate for fuel use on a typical construction day averages 120 gallons, depending on the size and type of equipment used. The typical fuel used is a mixture of number 1 and 2 diesel. Project construction is anticipated to take approximately nine months; conservatively assuming four weeks per month and five workdays per week, total fuel consumption would be 10,800 gallons of each number 1 and 2 diesels. This estimate likely overestimates fuel use. Total GHG emissions for Project construction are estimated to be approximately 244 tons of CO2e. Potential impacts due to construction GHG emissions are anticipated to be negligible.[126]

126. Operational GHG emissions would occur from vehicle usage to and from the transmission line and substation for regular maintenance activities as well as emergency maintenance. Operational emissions would be considerably less than construction.[127]

3. Climate Change.

127. Construction emissions will have a short-term negligible increase in GHG that contribute to climate change. Once operational, the Project will generate minimal GHG emissions as

[122] Minn. R. 7009.0800; The Clean Air Act, 40 CFR part 50.
[123] Ex. EERA-6 at 57-58 (EA).
[124] Ex. EERA-6 at 58 (EA).
[125] Ex. EERA-6 at 58 (EA).
[126] Ex. EERA-6 at 59 (EA).
[127] Ex. EERA-6 at 59 (EA).

described in the GHG impacts section of this EA. GHG emissions from vehicle usage and sulfur hexafluoride are minimal and potential impacts are anticipated to be negligible.[128]

4. Geology and Topography.

128. Construction of the Project will not alter the geology along the route, and no mitigation is proposed.[129]

129. The Project is not expected to impact geologic resources. Any impacts to the water table would be localized and short term, not affecting geologic resources.[130]

5. Soils.

130. Soil compaction and rutting will occur from movement of construction vehicles along the right-of-way. Installing structures requires removing and handling soils, which, along with vegetation clearing and minor grading, will expose soils to wind and water erosion. Topsoil could be lost to improper handling or erosion.

131. Structures for Project will generally be installed at existing grade; therefore, landscape-level impacts to soils and geology are expected to be minimal. Because there is very little elevation change along the Proposed Route, only minimal grading will be needed. Great River Energy will grade the site back to as close to its original condition as possible, and all imported fill, including temporary culverts and road approaches, will be removed from the site and disturbed areas will be returned to pre-disturbance conditions.[131]

132. Long-term impacts of the Project on geology and soils are not anticipated. During final design geotechnical analysis will ensure that placement of poles is compatible with local geology and post construction restoration will prevent ongoing erosion issues.[132]

6. Water Quality and Resources.

133. There are a variety of water resources in the vicinity of the Project but few within the Project area. The Project lies within the Mississippi River - Sartell watershed, in the south portion of the Upper Mississippi River Basin.[133]

134. Impacts from construction may include sedimentation resulting from ground disturbed by excavating, grading, and construction traffic. Similarly, short term water quality impacts could be experienced at wetlands along the route due to sedimentation. Long term impacts, however, are not expected as the poles will be placed outside of wetlands. Construction of the substation is not expected to impact water resources.[134]

[128] Ex. EERA-6 at 60 (EA).
[129] Ex. EERA-6 at 62 (EA).
[130] Ex. EERA-6 at 62 (EA).
[131] Ex. EERA-6 at 65 (EA).
[132] Ex. EERA-6 at 65 (EA).
[133] Ex. EERA-6 at 66 (EA).
[134] Ex. EERA-6 at 67 (EA).

1) Groundwater.

135. No impacts to groundwater in the Project area are anticipated. Dewatering activities are not expected for this Project, and any effects on water tables would be localized and short term and would not affect hydrologic resources.[135]

2) Surface Water.

136. The nearest lakes, rivers and streams are more than one-half mile from the Project and the transmission line will not cross any lakes, rivers or streams, no navigable waters will be affected by the Project.[136]

3) Wetlands.

137. There are two emergent wetland basins (type PEM1C) within the Project right-of-way. The proposed transmission line will cross an approximately 160-feet segment of one wetland and another approximately 85-feet segment of the other wetland.[137]

138. Temporary impacts to wetlands may occur if they are crossed during construction. Great River Energy will span wetlands if possible to avoid impacts. If spanning the wetlands is not possible, permanent impacts to wetlands would occur where a structure is located in the wetland (approximately 20 square feet of permanent impact per structure).[138]

139. Great River Energy plans to span wetlands to avoid impacts and will implement established best management practices, such as silt fencing and erosion control during construction to prevent sedimentation. If spanning wetlands is not possible, the following measures will be implemented: constructing during frozen ground conditions; use of construction mats to protect wetland vegetation; use of all-terrain construction vehicles to minimize impact to soils in damp areas; assembly of structures on upland areas before installation; and post-construction site restoration.[139]

4) Impaired Waters.

140. The Project will not impact impaired waters and will not cause a water to be newly listed as impaired.[140]

5) Floodplains.

141. The Project will not impact floodplains and is not expected to be damaged by any flooding that may occur in nearby areas.[141]

[135] Ex. EERA-6 at 69 (EA).
[136] Ex. EERA-6 at 68 (EA).
[137] Ex. EERA-6 at 68 (EA).
[138] Ex. EERA-6 at 68-69 (EA).
[139] Ex. EERA-6 at 69 (EA).
[140] Ex. EERA-6 at 69 (EA).
[141] Ex. EERA-6 at 70 (EA).

7. Flora.

142. Construction and operation of the Project may cause short-term and/or long-term impacts on vegetation. Land cover along the Proposed Route is a mix of developed and undeveloped land, with the undeveloped land consisting of agricultural land, pasture, and wooded areas. The expanded route width area along 73rd Avenue North has a large, wooded area adjacent to the right-of-way.[142]

143. Long-term impacts will primarily be a result of tree trimming and removal in the right-of-way. Removal of trees may also impact the visual aesthetics of the corridor. Maintenance of the right-of-way must meet electrical safety standards; therefore woody vegetation that is removed from the right-of-way is unlikely to be replaced. Impacts to trees and woody vegetation may also occur due to the expansion of the West St. Cloud Substation. Removal of trees may also impact the visual aesthetics of the corridor.[143]

144. Use of the existing right-of-way will minimize impacts to vegetation in most areas. Vegetation may be impacted if invasive or non-native species is introduced to the right-of-way during construction or restoration, or by changes in habitat (e.g., soils, water flows) that adversely impact plant growth.[144]

8. Fauna.

145. Construction and operation of the Project may cause short-term and long-term impacts on wildlife resources. Impacts on wildlife are assessed by evaluating the vegetation cover/habitat in the right-of-way, the proximity of the right-of-way to sensitive wildlife habitats, and known occurrences of sensitive wildlife species. In this case, the Project will be located in an existing utility corridor, minimizing impacts associated with habitat fragmentation and destruction.[145]

146. The primary risk to wildlife in the Project area is the potential risk of avian collisions with transmission conductors and equipment. Great River Energy will work with the USFWS to identify any areas that may require marking transmission line shield wires and/or to use alternate structures to reduce the likelihood of avian collisions. Project design and construction will be done in accordance with Avian Power Line Interaction Committee guidelines. Great River Energy will also adhere to guidance provided by the USFWS regarding the NLEB.[146]

147. There are no public lands, county parks, or federal forests or refuges within or adjacent to the Proposed Route, which minimizes impacts and disturbances to wildlife. However, due to the proximity and number of lakes and wetlands in the Project area, there may be impacts such as changes in flight patterns, nesting, foraging, and potential collision risk. As mentioned previously, tree removal will displace wildlife in the immediate Project area.[147] The Project has avoided and/or minimized potential impacts by utilizing existing right-of-way for the majority of its length.

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[142] Ex. EERA-6 at 70 (EA).
[143] Ex. EERA-6 at 71 (EA).
[144] Ex. EERA-6 at 71 (EA).
[145] Ex. EERA-6 at 72 (EA).
[146] Ex. GRE-2 at 2-6 (Application).
[147] Ex. EERA-6 at 73 (EA).

F. Effects on Rare and Unique Natural Resources.

148. Minnesota's high voltage transmission line routing factors require consideration of the Project's effect on rare and unique natural resources.[148]

149. There are no sites of biodiversity significance within or adjacent to the Proposed Route.[149]

150. Constructing within and/or adjacent to an existing utility right-of-way minimizes impacts to habitat in this area. Great River Energy will continue to coordinate with the DNR and USFWS to avoid and minimize Project impacts on sensitive species. Impacts to rare and unique resources are not expected because the Project avoids sensitive habitat.[150]

151. Likewise, no rare species are present within the route width.[151]

G. Application of Various Design Considerations.

152. Minnesota's high voltage transmission line routing factors require consideration of the Project's applied design options that maximize energy efficiencies, mitigate adverse environmental effects, and could accommodate expansion of the transmission system in the area.[152]

153. The Project is designed to maintain necessary reliability requirements in the area and is sized to accommodate electric demand growth and future electrical system configurations that may be needed to continue to provide a reliable electrical system. The Project will be designed with enough capacity to meet current and future needs of the Great River Energy system. The proposed substation site can accommodate a second transformer if necessary.[153]

H. Use of or Paralleling of Existing Rights-of-Way, Survey Lines, Natural Division Lines, and Agricultural Field Boundaries.

154. Minnesota's high voltage transmission line routing factors require consideration of the Project's use of or paralleling of existing rights-of-way, survey lines, natural division lines, and agricultural field boundaries.[154]

155. The preferred route is largely within the existing right-of-way, except for expanded route widths near the end points and along 73rd Avenue North.[155]

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[148] Minn. Stat. § 216E.03, subd. 7(b)(1); Minn. R. 7850.4100, subp. F.
[149] Ex. EERA-6 at 73 (EA).
[150] Ex. EERA-6 at 73 (EA).
[151] Ex. EERA-6 at 74 (EA).
[152] Minn. Stat. § 216E.03, subd. 7(a)-(b); Minn. R. 7850.4100, subp. 2(L).
[153] Ex. EERA-6 at 25 (EA).
[154] Minn. Stat. § 216E.03, subd. 7(b)(9); Minn. R. 7850.4100, subp. H.
[155] Ex. EERA-6 at 6 (EA).

I. Use of Existing Transportation, Pipeline, and Electrical Transmission System Rights-of-Way.

156. Minnesota high voltage transmission line routing factors require consideration of the Project's use of existing transportation, pipeline, and electrical transmission system rights-of-way.[156]

157. The Project uses existing right-of-way for the majority of its length.[157]

J. Electrical System Reliability.

158. Minnesota's high voltage transmission line routing factors require consideration of the Project's impact on electrical system reliability.[158]

159. Great River Energy has been upgrading the St. Joseph area to a 115-kV transmission system to improve reliability and resiliency; the Project is part of that upgrade.[159]

160. The Project will be constructed to meet reliability requirements.[160]

K. Costs of Constructing, Operating, and Maintaining the Facility.

161. Minnesota's high voltage transmission line routing factors require consideration of the Project's cost of construction, operation, and maintenance.[161]

162. Applicant estimates that the Project will cost approximately $6.4 million, with the cost of the transmission line estimated at $3.3 million and the cost of the proposed substation and other facilities estimated at $3.1 million.[162]

163. Great River Energy estimates the annual operation and maintenance costs for the Project to be approximately $2,000 per mile.[163]

L. Adverse Human and Natural Environmental Effects that Cannot be Avoided.

164. Minnesota's high voltage transmission line routing factors require consideration of the adverse human and natural environmental effects that cannot be avoided.[164]

165. Unavoidable adverse impacts include the physical impacts to the land due to construction of the Project. However, as detailed in the Application and the EA, Applicant will employ avoidance, minimization, and mitigation measures to limit Project impacts.[165]

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[156] Minn. Stat. 216E.03, subd. 7(b)(8); Minn. R. 7850.4100, subp. J.
[157] Ex. EERA-6 at 47 (EA).
[158] Minn. Stat. § 216E.03, subd. 7(b)(5)–(6); Minn. R. 7850.4100, subp. M.
[159] Ex. EERA-6 at 8 (EA).
[160] Ex. GRE-2 at 4-5, 6-14 (Application).
[161] Minn. R. 7850.4100, subp. L.
[162] Ex. GRE-2 at 4-8 (Application); Ex. EERA-6 at 13 (EA).
[163] Ex. EERA-6 at 13 (EA).
[164] Minn. Stat. § 216E.03, subd. 7(b)(5)–(6); Minn. R. 7850.4100, subp. M.
[165] Ex. GRE-2 at 7-34 (Application); Ex. EERA-6 at 76 (EA).

M. Irreversible and Irretrievable Commitments of Resources.

166. Minnesota's high voltage transmission line routing factors require consideration of the irreversible and irretrievable commitments of resources that are necessary for the Project.[166]

167. The Project will require only minimal commitments of resources that are irreversible and irretrievable. Irreversible commitments of resources are those that result from the use or destruction of a specific resource that cannot be replaced within a reasonable timeframe. Irretrievable resource commitments are those that result from the loss in value of a resource that cannot be restored after the action. For the Project, those commitments that do exist are primarily related to construction. Construction resources include aggregate resources, concrete, steel, and hydrocarbon fuel. During construction, vehicles necessary for these activities would be deployed on site and would need to travel to and from the construction area, consuming hydrocarbon fuels. Other resources would be used in pole construction, pole placement, and other construction activities. [167]

168. The majority of the Proposed Route parallels land that has already been committed to existing distribution, transmission, and/or transportation rights-of-way.[168]

XVI. ROUTE PERMIT CONDITIONS

169. The EA and draft route permit prepared by EERA included various recommendations and potential route permit conditions related to the Project, to which the Applicant responded in supplemental direct testimony.[169]

170. On June 1, 2023, EERA submitted a revised proposed draft route permit.[170] On June 6, 2023, Great River Energy submitted comments explaining that it generally did not object to EERA's proposed draft route permit, but requested that Condition 6.3 of the route permit be revised to reflect that landowner decisions and preferences are a necessary part of any transmission line vegetation management plan, given that the landowner will continue to own and use the property after construction is complete. Great River Energy requested that the following phrase be added in Condition 6.3: "Recognition of landowner preferences regarding site restoration and seed mixes." EERA indicates that the purpose of the vegetation management plan is to guide post-construction restoration activities; it is a technical document for those implementing the plan. EERA believes that landowner preferences should be incorporated as an objective of the vegetation management plan, consistent with other vegetation management plans.

171. With the above-referenced addition to Condition 6.3 proposed by Great River Energy, the record in this matter supports the inclusion of the conditions identified in EERA's proposed draft route permit.[171]

XVII. NOTICE

[166] Minn. Stat. § 216E.03, subd. 7(b)(11); Minn. R. 7850.4100, subp. N.
[167] Ex. GRE-2 at 7-34 (Application); Ex. EERA-6 at 76 (EA).
[168] Ex. GRE-2 at 1-11 (Application).
[169] Ex. GRE-9 (Supplemental Testimony of Mark Strohfus and Schedule B).
[170] EERA Comments (June 1, 2023) (eDocket No. 20236-196332-01).
[171] EERA Comments (June 1, 2023) (eDocket No. 20236-196332-01).

172. Minnesota statutes and rules require and Applicant to provide certain notice to the public and local governments before and during the Application for a Route Permit process.[172]

173. Applicant provided notice to the public and local governments in satisfaction of Minnesota statutory and rule requirements.[173]

174. EERA and the Commission likewise provided notices in satisfaction of Minnesota statutes and rules.[174]

XVIII. COMPLETENESS OF EA

175. The EA process is the alternative environmental review approved by the Environmental Quality Board for high voltage transmission lines. The Commission is required to determine the completeness of the EA. An EA is complete if it and the record address the issues and alternatives identified in the Scoping Decision.[175]

176. The evidence in the record demonstrates that the EA is adequate because the EA and the record created at the public hearing and during the subsequent comment period address the issues and alternatives raised in the Scoping Decision.[176]

Based on the foregoing Findings of Fact and the record in this proceeding, the Commission makes the following:

CONCLUSIONS OF LAW

1. Any of the forgoing Findings of Fact more properly designated as Conclusions of Law are hereby adopted as such.

2. The Commission has jurisdiction to consider the Application.

3. The Commission determined that the Application was substantially completed and accepted the Application on November 21, 2022.

4. EERA has conducted an appropriate Environmental Analysis of the Project for purposes of this Route Permit proceeding, and the EA satisfies Minn. R. 7850.3700 and 7850.3900. Specifically, the EA and the record address the issues identified in the Scoping Decision to a reasonable extent considering the availability of information, and the EA includes the items required by Minn. R. 7850.3700, subp. 4, and was prepared in compliance with the procedures in Minn. R. 7850.3700.

[172] Minn. Stat. § 216E.03, subds. 3a, 4; Minn. R. 7850.2100, subps. 2, 4.

[173] Exs. GRE-1 (Notice of Intent by Great River Energy to Submit a Route Permit Application under the Alternative Permitting Process); GRE-3 (Rule 7850.2100 Notice of Filing Route Permit); and GRE-4 (Compliance Filing – Notice of Filing Application).

[174] Exs. EERA-2 (Notice of Public Information and Scoping Meeting) and EERA-5 (Notice of Availability and Public Hearing).

[175] Minn. R. 4410.4400, subp. 6; Minn. R. 7850.3900, subp. 2.

[176] Ex. EERA-4 (Scoping Decision for Environmental Assessment).

5. Applicant gave notice as required by Minn. Stat. § 216E.04, subd. 4; Minn. R. 7850.2100, subp. 2; and Minn. R. 7850.2100, subp. 4.

6. Notice was provided as required by Minn. Stat. § 216E.04, subd. 6; Minn. R. 7850.3500, subp. 1; Minn. R. 7850.3700, subps. 2, 3, and 6; and Minn. R. 7850.3800.

7. A public hearing was conducted near the Proposed Route. Proper notice of the public hearing was provided, and the public was given the opportunity to speak at the hearing and to submit written comments. All procedural requirements for the Route Permit were met.

8. The evidence in the record demonstrates that the Proposed Route satisfies the Route Permit factors set forth in Minn. Stat. § 216E.04, subd. 8 (referencing Minn. Stat. § 216E.03, subd. 7) and Minn. R. 7850.4100.

9. There is no feasible and prudent alternative to the construction of the Project, and the Project is consistent with and reasonably required for the promotion of public health and welfare in light of the state's concern for the protection of its air, water, land, and other natural resources as expressed in the Minnesota Environmental Rights Act.

10. The evidence in the record demonstrates that the Proposed Route is the best route for the Project.

11. The evidence in the record demonstrates that the general Route Permit conditions are appropriate for the Project, with the additional revisions and special conditions identified in Section XVI herein.

12. Any of the foregoing Conclusions of Law which are more properly designated Findings of Fact are hereby adopted as such.

Based upon these Conclusions, the Administrative Law Judge makes the following:

RECOMMENDATIONS

Based upon these Conclusions, the Administrative Law Judge recommends that the Commission issue a Route Permit for the Applicant's Proposed Route to Great River Energy to construct and operate the Project and associated facilities in Stearns County, and that the permit include the draft permit conditions amended as set forth in the Conclusions above.

THIS REPORT IS NOT AN ORDER AND NO AUTHORITY IS GRANTED HEREIN. THE MINNESOTA PUBLIC UTILITIES COMMISSION WILL ISSUE THE ORDER THAT MAY ADOPT OR DIFFER FROM THE PRECEDING RECOMMENDATION.

Dated on _____ _____

Judge Suzanne Todnem

In the Matter of the Application of Great River Energy for a Route Permit to Rebuild the Existing 69kV ST-WW Transmission Line to 115kV in Stearns County, Minnesota.

MPUC Docket No. TL-22-235

CERTIFICATE OF SERVICE

Breann L. Jurek certifies that on the 6th day of June, 2023, she e-filed true and correct copy the following documents on behalf of Great River Energy via eDockets (www.edockets.state.mn.us):

1. Applicant's Reply Comments;
2. Applicant's Proposed Findings of Fact; and
3. Certificate of Service.

Said documents were also served as designated on the Official Service List on file with the Minnesota Public Utilities Commission and as attached hereto.

Executed on: June 6, 2023

Signed: /s/ Breann L. Jurek

Fredrikson & Byron, P.A.
200 South Sixth Street
Suite 4000
Minneapolis, MN 55402

First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
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Richard	Dornfeld	Richard.Dornfeld@ag.state.mn.us	Office of the Attorney General-DOC	Minnesota Attorney General's Office 445 Minnesota Street, Suite 1800 Saint Paul, Minnesota 55101	Electronic Service	No	OFF_SL_22-235_Official CC Service List
Sharon	Ferguson	sharon.ferguson@state.mn.us	Department of Commerce	85 7th Place E Ste 280 Saint Paul, MN 551012198	Electronic Service	No	OFF_SL_22-235_Official CC Service List
Breann	Jurek	bjurek@fredlaw.com	Fredrikson & Byron PA	200 South Sixth St Ste 400 Minneapolis, MN 55402	Electronic Service	No	OFF_SL_22-235_Official CC Service List
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Will	Seuffert	Will.Seuffert@state.mn.us	Public Utilities Commission	121 7th Pl E Ste 350 Saint Paul, MN 55101	Electronic Service	Yes	OFF_SL_22-235_Official CC Service List
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