

BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION

Katie J. Sieben
Hwikwon Ham
Audrey C. Partridge
Joseph K. Sullivan
John A. Tuma

Chair
Commissioner
Commissioner
Commissioner
Commissioner

In the Matter of the Application of Midwater BESS, LLC for a site permit for the up to 150 MW Midwater Energy Storage project in Freeborn County, Minnesota

SERVICE DATE: June 2, 2025

DOCKET NO. IP-7141/ESS-24-294

In the Matter of the Application of Midwater BESS, LLC for a route permit for the 161kV transmission line for the Midwater Energy Storage project in Freeborn County, Minnesota

DOCKET NO. IP-7141/TL-24-295

The above-entitled matter was considered by the Commission on May 22, 2025, and the following disposition made:

- 1. Established a Citizens Advisory Task Force (Task Force) pursuant to MN Rules 7850.3600.¹**
- 2. Authorized the Department of Commerce—Energy Environmental Review and Analysis (EERA or the Department) to establish a Task Force for the site of the Battery Energy Storage System (BESS) storage project within 14 days of this meeting and delegated authority to the Commissioner of Commerce to approve the deadlines, composition, and charge of the Task Force and to examine and make recommendations based on the guidance set forth below. The Department shall provide a summary of the Task Force’s findings to the Commission within 90 days from the issuance of this order. If the Applicant doesn’t object to the inclusion of the additional recommended sites, if any, within 10 days of the Task Force filing its findings with the Commission, EERA shall move forward with the environmental**

¹ The Commission recognizes that the development of BESS sites is relatively new for many communities, but their development near existing substations will be critical to maintaining a reliable and cost-effective electric system that minimizes human and environmental impacts. Therefore, the scope of the Task Force is to assist and support the Department in its development of the environmental review document which will inform the Commission’s ultimate decision on the project.

assessment. If there is a dispute about alternatives for inclusion in the study, the matter will come back before the Commission for a decision. The Commission requested that the Task Force examine and make recommendations on the following:

- 1. Identification of additional viable sites or routes in close proximity to the ITC Midwest Glenworth Substation that should be studied;**
- 2. Identify potential appropriate permit conditions to mitigate stormwater runoff at the proposed site and any viable alternatives;**
- 3. Identify potential appropriate permit conditions to mitigate local emergency response to any emergencies at the facility;**
- 4. Identify potential appropriate permit conditions for setbacks from residences, schools, and commercial properties; and**
- 5. Facilitate conversations with the City of Glenville and Freeborn County on any potential advantages for this economic development project being within city municipal services.**

The Task Force is not created to analyze any specific other sites at other substations in the southeast region. The Commission is well equipped to analyze those sites for purposes of an ultimate permit decision through the environmental assessment. Parties and participants active in the Task Force are free to make separate comments through their governmental units or organizations on other sites identified in the record, but it is not in the scope of the Task Force.

The Task Force shall be made up of the following citizen representatives to the extent they elect to participate:

- A member of the Freeborn County Board of Commissioners or their designee;**
 - A member of the Shell Rock Township Board or their designee;**
 - A designee of the City of Glenville;**
 - The Fire Chiefs of Glenville and Albert Lea or their designees;**
 - Freeborn County Emergency Manager or their designee;**
 - A designee of the Glenville-Emmons School Board;**
 - A designee of Shell Rock River Watershed District;**
 - A designee of labor unions appointed by the Executive Secretary after consultation with the IBEW local having jurisdiction over the area, the International Union of Operating Engineers Local 49, and the North Central States Regional Council of Carpenters;**
 - A representative of ITC as owner of the substation; and**
 - A member of the Albert Lea Economic Development Agency or their designee.**
- 3. Requested that Freeborn County provide staffing resources from their Environmental Services Department to assist EERA in facilitating discussions**

and in the development of reports by the Task Force. Task Force members must not have any direct financial or ownership interest in the proposed site or any alternative sites being considered and must recuse themselves immediately upon such consideration while seeking an alternate to replace them on the Task Force.

The Commission agrees with and adopts the recommendations of the Department of Commerce, which are attached, to the extent they are consistent with the ordering paragraphs above, and hereby incorporates them into the Order.² This Order shall become effective immediately.



BY ORDER OF THE COMMISSION

A handwritten signature in black ink, appearing to read "Will Seuffert".

Will Seuffert
Executive Secretary

To request this document in another format such as large print or audio, call 651.296.0406 (voice). Persons with a hearing or speech impairment may call using their preferred Telecommunications Relay Service or email consumer.puc@state.mn.us for assistance.

² In written comments, EERA recommended the Commission authorize EERA to solely include the applicant's proposed BESS site in the scoping decision because commenters did not suggest alternative sites. At the agenda meeting in this matter, however, EERA, along with the applicant and other commenters, supported establishment of a Task Force as detailed in this order.

May 5, 2025

Mr. Will Seuffert, Executive Secretary
Minnesota Public Utilities Commission
127 7th Place East, Suite 350
Saint Paul, MN 55101-2147

RE: Alternatives Identified During Scoping Comment Period
Midwater BESS Project
Docket Nos. IP-7138/ESS-24-294; IP-7138/TL-24-295

Dear Mr. Seuffert,

Department of Commerce, Energy Environmental Review and Analysis (EERA) staff has completed the environmental assessment scoping process in the following matter:

In the Matter of the Joint Application of Midwater BESS, LLC for a Site Permit and Route Permit for the up to 150 MW Midwater Energy Storage Project and Associated 161 kV Transmission Line in Freeborn County, Minnesota.

Midwater BESS, LLC, (Applicant) submitted their joint application for a site and route permit on November 19, 2024.¹ The application was accepted by the Public Utilities Commission as substantially complete on January 21, 2025.²

The scoping comment period for the environmental assessment (EA) was open from February 7, 2025, through April 21, 2025. Public meetings for the project were held in-person in Albert Lea, Minnesota, on February 18, 2025, followed by a virtual meeting held on February 19, 2025, and an additional in-person meeting in Glenville, Minnesota, on April 7, 2025.

During the comment period, as well as during public meetings, EERA received written and oral comments from the public, state and local units of government, a professional union, and the Applicant.³ None of these comments suggested an alternative site for the proposed Midwater

¹ November 11, 2024, Midwater BESS, LLC, joint site and permit application, eDockets Nos. [202411-212161-01](#) through 202411-212161-14.

² January 21, 2025, Public Utilities Commission Order accepting the Midwater BESS, LLP joint application for a site and route permit as substantially complete, eDocket No. [20251-214166-01](#).

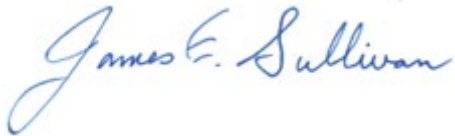
³ Written comments from the public received on the Scope of the Environmental Assessment, eDockets Nos. [20253-216746-01](#) (Batch 1); [20253-216747-01](#) (Batch 2); [20254-218151-01](#) (Batch 3); [20254-218408-01](#) (Batch 4). Oral comments received on the Scope of the Environmental Assessment, eDockets Nos. [20253-216765-01](#) (Albert Lea Meeting); [20253-216766-01](#) (Virtual Meeting); [20254-218333-01](#) (Glenville Meeting); [20255-218578-01](#) (Batch

battery energy storage facility (BESS) facility or an alternative route for the associated 161 kV transmission line.

Accordingly, EERA staff recommends that the Commission authorize EERA to include in the scoping decision for the EA solely the proposed BESS site and transmission line route identified by the Applicant in its joint application.

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

Sincerely,



James E. Sullivan
Environmental Review Manager
Energy Environmental Review and Analysis

5 - Written comments and materials submitted by the public at the Glenville Meeting). Written comments from state and local units of government included: Minnesota Department of Transportation ([20253-216207-01](#)); Minnesota Department of Natural Resources ([20253-216145-01](#) and [20253-216145-02](#)); Minnesota Pollution Control Agency ([20254-217720-01](#)); Freeborn County, Minnesota ([20254-217825-01](#)); Butler County, Iowa ([20254-217701-01](#)); Shell Rock Lake Township ([20254-217456-01](#)); and the Shell Rock River Watershed District ([20254-218094-01](#)). Written comments were also provided by the IUOE Local 49 and NCSRC of Carpenters ([20254-217919-01](#)) and the Applicant ([20254-217951-01](#)).

CERTIFICATE OF SERVICE

I, Robin Benson, hereby certify that I have this day, served a true and correct copy of the following document to all persons at the addresses indicated below or on the attached list by electronic filing, electronic mail, courier, interoffice mail or by depositing the same enveloped with postage paid in the United States mail at St. Paul, Minnesota.

**Minnesota Public Utilities Commission
ORDER**

Docket Numbers: **IP-7141/ESS-24-294; IP-7141/TL-24-295**

Dated this **2nd** day of **June, 2025**

/s/ Robin Benson

#	First Name	Last Name	Email	Organization	Agency	Address	Delivery Method	Alternate Delivery Method	View Trade Secret	Service List Name
1	Generic	Commerce Attorneys	commerce.attorneys@ag.state.mn.us		Office of the Attorney General - Department of Commerce	445 Minnesota Street Suite 1400 St. Paul MN, 55101 United States	Electronic Service		No	24-294Official CC Service List
2	Jeremy	Duehr	jduehr@fredlaw.com		Fredrikson & Byron, P.A.	60 S Sixth St Ste 1500 Minneapolis MN, 55402-4400 United States	Electronic Service		No	24-294Official CC Service List
3	Sharon	Ferguson	sharon.ferguson@state.mn.us		Department of Commerce	85 7th Place E Ste 280 Saint Paul MN, 55101-2198 United States	Electronic Service		No	24-294Official CC Service List
4	Eric	Hansen	eric.hansen@westwoodps.com		Westwood Professional Services	7699 Anagram Drive Eden Prairie MN, 55344 United States	Electronic Service		No	24-294Official CC Service List
5	Breann	Jurek	bjurek@fredlaw.com		Fredrikson & Byron PA	60 S Sixth St Ste 1500 Minneapolis MN, 55402 United States	Electronic Service		No	24-294Official CC Service List
6	Richard	Kolodziejewski	rkolodziejewski@ncsrcc.org		North Central States Regional Council of Carpenters	700 Olive St St. Paul MN, 55130 United States	Electronic Service		No	24-294Official CC Service List
7	Stacy	Kotch Egstad	stacy.kotch@state.mn.us		MINNESOTA DEPARTMENT OF TRANSPORTATION	395 John Ireland Blvd. St. Paul MN, 55155 United States	Electronic Service		No	24-294Official CC Service List
8	Molly	Leisen	mleisen@fredlaw.com		Fredrikson & Byron P.A.	60 South Sixth Street Suite 1500 Minneapolis MN, 55402 United States	Electronic Service		No	24-294Official CC Service List
9	Mary	Matze	mmatze@sparmintenergy.com		Spearmint Energy	2916 N. Miami Ave., Suite 830 Miami FL, 33127 United States	Electronic Service		No	24-294Official CC Service List
10	Jessica	Palmer Denig	jessica.palmer-denig@state.mn.us		Office of Administrative Hearings	600 Robert St N PO Box 64620 St. Paul MN, 55164 United States	Electronic Service		Yes	24-294Official CC Service List

#	First Name	Last Name	Email	Organization	Agency	Address	Delivery Method	Alternate Delivery Method	View Trade Secret	Service List Name
11	Generic Notice	Residential Utilities Division	residential.utilities@ag.state.mn.us		Office of the Attorney General - Residential Utilities Division	1400 BRM Tower 445 Minnesota St St. Paul MN, 55101-2131 United States	Electronic Service		No	24-294Official CC Service List
12	Peter	Rood	prood@spearmintenergy.com	Spearmint Energy		2916 N. Miami Ave., Suite 830 Miami FL, 33127 United States	Electronic Service		No	24-294Official CC Service List
13	Nathaniel	Runke	nrunke@local49.org			611 28th St. NW Rochester MN, 55901 United States	Electronic Service		No	24-294Official CC Service List
14	Will	Seuffert	will.seuffert@state.mn.us		Public Utilities Commission	121 7th Pl E Ste 350 Saint Paul MN, 55101 United States	Electronic Service		No	24-294Official CC Service List
15	Janet	Shaddix Elling	jshaddix@janetshaddix.com	Shaddix And Associates		7400 Lyndale Ave S Ste 190 Richfield MN, 55423 United States	Electronic Service		Yes	24-294Official CC Service List